

The Assembly met at 1:30 p.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, I have a petition to present on behalf of residents of Saskatchewan. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review into the health crisis we are currently experiencing.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, the signatures to this come from the communities of Ceylon and Radville. I so present.

Mr. Toth: — Thank you, Mr. Speaker. With a petition as well to present. Reading the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review into the health crisis we are currently experiencing.

And as in duty bound, your petitioners will ever pray.

And, Mr. Speaker, this petition is signed by individuals from the communities of Ceylon, Radville, Trossachs.

Mr. Bjornerud: — Thank you, Mr. Speaker. I also have petitions to present today to do with Jack Messer's \$300,000 severance. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to cancel any severance payments to Jack Messer and to immediately call an independent public inquiry to find all the facts surrounding the Channel Lake fiasco.

And as in duty bound, your petitioners will ever pray.

The communities involved, Mr. Speaker, are the community of Spy Hill and Tantallon and Rocanville. I so present.

Mr. Gantefer: — Thank you, Mr. Speaker. I too rise to present a petition calling for the cancellation of Mr. Jack Messer's severance. People that have signed this petition, Mr. Speaker, are all from the community of Hudson Bay.

Ms. Draude: — Mr. Speaker, I also have a petition surrounding severance payments to Jack Messer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to cancel any severance payments to Jack Messer and to

immediately call an independent public inquiry to find all the facts surrounding the Channel Lake fiasco.

Everyone that has signed this petition is from Carrot River.

Mr. Boyd: — Thank you, Mr. Speaker. I as well have a petition to present to the Assembly this afternoon on the issue of the Plains Health Centre and the moratorium that many people would like to see placed on it. The petitioners on this petition come from the Carnduff area of Saskatchewan, and I'm pleased to present on their behalf.

Mr. McLane: — Thank you, Mr. Speaker. I rise again today in this House to present a petition on behalf of people of Saskatchewan, the prayer reading as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to save the Plains Health Centre by enacting legislation to prevent the closure, and by providing adequate funding to the Regina Health District so that the essential services provided at the Plains may be continued.

Mr. Speaker, this petition has signatures on it from the communities of Weyburn and Yellow Grass. I so present.

Mr. Aldridge: — Thank you, Mr. Speaker. I too rise to present petitions on behalf of citizens concerned about the closure of the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to save the Plains Health Centre by enacting legislation to prevent the closure, and by providing adequate funding to the Regina Health District so that the essential services provided at the Plains may be continued.

And as in duty bound, your petitioners will ever pray.

Those who have signed these petitions, Mr. Speaker, are from the communities of Weyburn, Springside, and Yorkton. I so present.

Mr. Osika: — Thank you, Mr. Speaker. I join my colleague in presenting petitions on behalf of concerned citizens about our health care and the closure of the Plains Health Centre here in Regina. The people who have signed the petition, Mr. Speaker, are from the communities of Ituna, Hubbard, and Balcarres. I so present.

Mr. Hillson: — Mr. Speaker, I also rise this afternoon to present petitions from citizens of the province concerned about crumbling health care under the NDP (New Democratic Party) and specifically about the impending closure of the Plains Health Centre. Your petitioners this afternoon come from the communities of Hubbard, Foam Lake, and Ituna.

Mr. McPherson: — Thank you, Mr. Speaker. I join with my colleagues today and bring forward petitions in the people's efforts in stopping the closure of the Plains hospital:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to save the Plains Health Centre by enacting legislation to prevent the closure, and by providing adequate funding to the Regina Health District so that essential services provided at the Plains may be continued.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, the people that have signed these petitions are from Ponteix. I so present.

Ms. Haverstock: — Thank you very much, Mr. Speaker. I rise this afternoon on behalf of citizens who are seeking justice for men and women who have lost their spouses in work-related accidents:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to have The Workers' Compensation Board Act amended for the disenfranchised widows and widowers of Saskatchewan whereby their pensions are reinstated and the revoked pensions reimbursed to them retroactively and with interest, as requested by the statement of entitlement presented to the WCB (Workers' Compensation Board) on October 27, 1997.

And as in duty bound, your petitioners will ever pray.

This is signed by people from Regina and White City.

Mr. Goohsen: — Thank you, Mr. Speaker. I'm most happy today to present petitions on behalf of people of Saskatchewan. Their prayer for relief reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to reach the necessary agreements with other levels of government to fund the twinning of the Trans-Canada Highway in Saskatchewan so that work can begin in 1998, and to set out a time frame for the ultimate completion of the project with or without federal assistance.

As in duty bound, your petitioners will ever pray.

These folks, Mr. Speaker, come from the community of White City basically, and Regina, and Grenfell, and I'm happy to present them on their behalf today.

READING AND RECEIVING PETITIONS

Clerk: — According to order the following petitions have been reviewed, and pursuant to rule 12(7) they are hereby read and received.

Of citizens of the province petitioning the Assembly with regard to the following matters: the twinning of the Trans-Canada Highway; acting to save the Plains Health Centre; putting a moratorium on the closure of the Plains Health Centre; and having Workers' Compensation Board reinstate pensions for disenfranchised widows and widowers.

INTRODUCTION OF GUESTS

Mr. Kasperski: — Thank you, Mr. Speaker. Mr. Speaker, it's my pleasure to introduce to you, in your gallery, and to my colleagues in the legislature, 53, I think, grade 5 students from McLurg School in the constituency of Regina Sherwood. They're accompanied this afternoon by Mrs. Carol Grant and Mrs. Verna Taylor, their teachers, and a parent, Mrs. Beshara.

I'd just like to say that it's a pleasure to see Mrs. Grant again. She taught my kids in playschool and I hope she has a better time with these groups than she had with my son. I look forward to meeting with them later on and answer their questions. Thank you, Mr. Speaker.

Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, on behalf of my colleague, the member from Rosthern, I'd like to introduce a group of students seated in the east gallery, 58 grade 11 and 12 students from the community of Hague. They're accompanied today by their teachers, Margi Corbett and Scott Richardson, chaperons Martha Krahn, Val Reddekopp, and Jake Unger.

I'd like to ask the members to join with me in welcoming the students to the Assembly this afternoon.

Hon. Members: Hear, hear!

Mr. Hillson: — Mr. Speaker, coming from 400 kilometres away, it's not often that I introduce guests; however today I have two large groups seated in the gallery.

First of all in your gallery, Mr. Speaker, I'd ask all members to kindly join with me in welcoming 25 students from Ecole McKitrick School in North Battleford. They are accompanied by their teacher, Bob Clipperton — please stand; chaperons, Brent Scheler and Rita Meckling.

Hon. Members: Hear, hear!

Mr. Hillson: — And while I'm on my feet, in the west gallery, I would remind all members this is Mental Health Week, and I'm pleased to introduce to you members of The Approved Homes Association of mental health division from North Battleford. I'd ask the following women to stand in order; Elaine Dyck, Laurie Calder, Marlene Chubala, Joan Klima, Dora Etcheverry, Marlene Bell, Kay Hankowich, and Mary Kamineski.

Please join with me in welcoming all these women.

Hon. Members: Hear, hear!

Hon. Mr. Nilson: — Mr. Speaker, it's my pleasure to introduce to you and through you to all members of the legislature, my cousin, Arlin Olson, and his wife, Ruth, and their five children, not in order of age, but Timothy, Benjamin, Lois, Karen, and Daniel. And they are here visiting from Afghanistan. They live in Mazar-e-Sharif in Afghanistan. Unfortunately just about a year ago they had to leave the country because of all of the troubles there. They've been living in Strongfield,

Saskatchewan this year as they await word whether their jobs as community development workers in Afghanistan will be able to be continued or whether they'll have to return to another country in that part of the world.

Let's all give them a big welcome.

Hon. Members: Hear, hear!

Ms. Stanger: — Thank you, Mr. Speaker. I'd like to introduce to you and through you to the House, a good friend of mine, and he has a large part in the reason that I'm here. And that is Bob Clipperton from North Battleford. He and his wife Carrol have been great supporters of mine and also good personal friends. And if Marie is with her dad, I'd like to have Marie Clipperton and Bob stand, and please say hello to them.

Hon. Members: Hear, hear!

Mr. Aldridge: — Thank you, Mr. Speaker. To you and through you I would also like to introduce some people sitting in the west gallery. Present here today are some members of the Moose Jaw branch of the Approved Homes Association. President, actually, of the Moose Jaw branch of the Approved Homes Association is Joan Edmunds, and she is accompanied here this afternoon by other members, Susie Blacklaws, Debbie McDonald, Doreen Tarrant, Rose Andrews, Jackie Grill, Marj Barret, Shirley Harrison, and Corrine Jacobson. Unfortunately Shirley Barnsley and Anne Humphries were not able to attend this afternoon.

But certainly we are looking forward to talking to them again later this afternoon, as all of my colleagues had earlier in the afternoon.

So I'd just like everybody here to welcome them this afternoon.

Hon. Members: Hear, hear!

Mr. Thomson: — Thank you, Mr. Speaker. I notice seated in the government gallery a friend of mine I'd like to introduce to the Assembly today; Natasha Stinka is joining us. Natasha of course, is the past president of the University of Saskatchewan Students Union.

I suspect she's probably here . . . As you know, she's not the first former USSU (University of Saskatchewan Students Union) president to be here. The Premier is a former one himself, as am I. I hope she's here to try and size up a seat as well on this side of the House.

So if you'd join with me in welcoming her. Thank you.

Hon. Members: Hear, hear!

Mr. McLane: — Thank you, Mr. Speaker. I too would like to welcome the Minister of Justice's cousins here today. I don't know them personally but I think I heard him say that they're residing in Strongfield, which would make them constituents of mine. So because of that, I'd like to welcome you here today and hope you enjoy the proceedings.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Fund-raiser for Multiple Sclerosis

Ms. Murrell: — Thank you. On Monday of this week the Battleford chapter of Multiple Sclerosis Society held their annual flag raising ceremony at both North Battleford and Battleford city hall to raise public awareness of this disabling disease.

Today, May 7, is the nation-wide carnation campaign kick-off. Proceeds from the carnation sales help the MS (multiple sclerosis) Society's quest for a cure.

Multiple sclerosis is the most common disease of the central nervous system affecting young adults in Canada. An estimated 50,000 Canadians have MS. It affects more women than men and usually strikes people between the ages of 20 to 40. As yet the cause and cure are unknown, but recently drugs to reduce the frequency and the severity of MS attacks have become available.

Both the member from Saskatoon Greystone and myself will be participating in the MS walkathon, and I encourage all Saskatchewan residents to support any of the Multiple Sclerosis Society's worthwhile fund-raisers and watch your donations blossom into a cure. Thank you.

Some Hon. Members: Hear, hear!

Multiple Sclerosis Support

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I'd like to make a few comments as well regarding MS and the fact that today we think of those who suffer with MS. And, Mr. Speaker, as an individual who happens to have a brother-in-law who's struggling with the disease, I'm quite well aware of the problems that multiple sclerosis brings to people.

And as we stand in this Legislative Assembly today, Mr. Speaker, and we enjoy good health, it's hard for us to imagine what people who struggle with MS are facing today. For some people it's become a very debilitating disease that's really limited their abilities to be very effective and active individuals.

But I would like to say that I've met a lot of MS patients and individuals who lead very productive lives, individuals who face the challenge of the disease very positively and are a positive influence in our community. So I think as legislators, it's only appropriate for us to stand and offer our support to all those who happen to suffer with this debilitating disease. Thank you, Mr. Speaker.

Approved Homes Association Picket Line

Mr. Aldridge: — Thank you, Mr. Speaker. Earlier today, Mr. Speaker, members from the Moose Jaw branch and other branches of the Approved Homes Association brought their pickets to the legislature. They were protesting this government's decision to deny them a small increase which the NDP had all ready extended to operators of other types of homes.

Mr. Speaker, these homes provide 24-hour care to those suffering from long-term mental illness. By offering this care, the approved home operators with us today are helping clients avoid hospital stays and live as independently as possible. Each day of hospital stay avoided not only encourages independence, but saves the government close to \$400 per patient.

The value of this work in human terms however, cannot be understated. It is my understanding the approved home operators will be meeting with the Minister of Health later today. If the minister and his colleague, the Minister of Social Services, are sincere about promising wellness and helping people avoid our already overburdened hospitals, they will be fair and equitable and fulfil the commitment they made to this group in the '97-98 budget. Thank you.

Some Hon. Members: Hear, hear!

The Importance of Listening

Mr. Thomson: — Thank you, Mr. Speaker. One of the things I enjoy most, I think, about politics is the opportunity to listen to people's concerns and listen to what they have to say. And I have to tell you that I've been doing a lot of listening lately, as has the government, and there's some definite positive things coming out of this.

I want to note in particular the announcement yesterday by the Regina District Health Board that they will be hiring more front-line workers this year. I want to report that the Saskatoon Health Board will be hiring more front-line workers this year. This is a clear sign that we are listening to what people are saying.

I would note that even my friends the Liberals periodically listen to what we're saying. After our criticism of them for their high profile role in the Save the Plains rallies, I note that their banner has been taken down from the front of them. I notice that they're now trying to explain where the money is going that they're taking in.

Mr. Speaker, the only group left that I wish would listen — if only the media would listen to my speeches before they report on them, I'd be eternally grateful. Thank you.

Some Hon. Members: Hear, hear!

Humboldt Jail and Bail Fund-raiser for Canadian Cancer Society

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I am pleased to have the opportunity to congratulate the people of Humboldt on their very successful jail and bail fund-raiser in April, the proceeds of which went to the Canadian Cancer Society.

The coordinating committee, made up of chairperson Paulette Benning and assistants Joan Hergott, Lynn Lieffers, and Ruth Sarauer, along with 30 volunteers, experienced a most rewarding, fun-filled day, resulting in \$20,000 in pledges going to the Canadian Cancer Society. That was \$10,000 more than was expected for a community the size of Humboldt.

And it is with a great deal of pride that I congratulate all the volunteers, the 63 jailbirds who assisted in this fund-raising, and the coordinating committee, for a job well done.

Some Hon. Members: Hear, hear!

Youth Employment in Saskatchewan

Mr. Van Mulligen: — Thank you, Mr. Speaker. People Patterns Consulting, an Alberta company, has just released a report which indicates Saskatchewan had the best employment conditions for youth ages 15 to 24 in 1997.

Ten separate employment indicators from the Statistics Canada labour force survey and the survey of consumer finances were used in the study, as opposed to unsubstantiated stories in the local media, Mr. Speaker.

According to the study, youth employment was up 5.6 per cent over 1996. Saskatchewan also had the lowest overall youth unemployment rate. We also enjoyed the lowest unemployment rate for summer students and the highest employment rate for full-time students.

Mr. Speaker, that was 1997, but that was also the third year in a row that Saskatchewan had finished first in the area of youth employment. Mr. Speaker, that was the past, but as a government we shall remain vigilant for, and act on, opportunities to help create employment for our young people — this year and every year.

Mr. Speaker, I know that none of the foregoing will satisfy the opposition. But, Mr. Speaker, unlike the Saskatchewan Conservative Party, which talks a lot about opportunities for young people and invites us to ignore their absolutely wretched record in office — the second worst youth employment in Canada — we shall not rest in our efforts to create real employment opportunities for young people when we are in a position to do so.

Some Hon. Members: Hear, hear!

Volunteer Recognition

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, volunteers are the backbone of this province and today I would like to recognize a special volunteer, Mr. Roger Pitstick from my constituency of Kelvington-Wadena, who was recognized as a finalist for the Volunteer of the Year Award of Excellence by Tourism Saskatchewan.

Mr. Pitstick was nominated for his work as chairman of the Saskatchewan Watchable Wildlife Association and an active volunteer in the Wadena tourism committee. When Mr. Pitstick first became chairman of SWWA in 1996, the organization was approximately \$10,000 in debt and the number of active members were at an all-time low.

Since that time, a manual entitled *Developing Your Wildlife Viewing Sights*, written and edited by Mr. Pitstick, was published; a brochure and logo were developed; a series of 101 interpretative wildlife and vegetation signs were prepared; texts, photographs, and maps from the Wadena, Quill Lakes and Last

Mountain area were included in a new CD-ROM entitled *Eco Regions of Saskatchewan*. All debts were paid and memberships increased to 50 sites, operators, organizations, and individuals.

During this time, Mr. Pitstick also participated with Wadena wildlife wetlands, the shorebirds festival, and many other community activities. Mr. Pitstick believes that tourism is the biggest thing that can be done in rural Saskatchewan in terms of economic development and has worked hard to ensure that Wadena and area utilize the natural resources in their area and benefit from tourism. Thank you.

Some Hon. Members: Hear, hear!

The Association of Saskatchewan Care Home Auxiliaries Meet in Manitou Beach

Hon. Mr. Upshall: — Thank you, Mr. Speaker. Today I'd like to report to you that I just returned with the Minister of Health from an annual meeting in the constituency of Watrous and Manitou Beach. Today meeting in Manitou Beach are the Association of Saskatchewan Care Home Auxiliaries.

These are all volunteer people from right across the province who on a daily basis raise money to help and help take care voluntarily of people in care homes. They provide services from friendship to raising money for homes for things that are needed. These people are continuing with a long tradition in our province of voluntarism. They work very hard. They know the value of volunteering in our province, and I want to commend each and every one of them for the great spirit they carry forward from our forefathers to today. Saskatchewan is a province that takes care of each other. Thank you very much.

Some Hon. Members: Hear, hear!

Save the Plains Advertising

Mr. McPherson: — Thank you, Mr. Speaker. As members of this House are aware, the Liberal opposition has spent a great deal of time and effort on the campaign to save the Plains hospital. We are staging public meetings across southern Saskatchewan which are filled to capacity. We launched a letter-writing campaign which has resulted in thousands of responses of support from the public. And just this week we launched a billboard campaign on city buses here in Regina.

At first the city had no problem with the ads, which promote the May 29 rally at the legislature. But now they've succumbed to pressure and pulled these ads. We now hear that they're too political.

Mr. Speaker, why is it that the Save the Plains ads on city buses are apparently viewed as too political, but bus-stop benches with literature promoting the NDP policies and the Premier apparently are not. It certainly makes one question the motives behind this decision and it makes one question just who was pulling the strings.

Mr. Speaker, I would like to send a picture across to the Premier of his bus-stop benches that are apparently not so political as our bus ads.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Compensation for Hepatitis C Victims

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, the Premier says the decision to leave thousands of hepatitis C victims out in the cold is the best deal that's on the table. He's saying that's the best deal that's on the table. Mr. Speaker, I think that's a pretty cold-hearted statement.

Mr. Premier, why don't you show some compassion and some leadership and bring a better deal to the table? You have no problem taking a lead role when there's a constitutional debate going on, but when it comes to helping out tainted blood victims the Premier has no plan. None.

Mr. Premier, other provinces are admitting they made a mistake and are now staking out their new position. Ontario and Quebec are now prepared to work toward a full compensation package. Will you do the same? Will you tell this Assembly what position your government will be taking to the Health ministers' conference next week?

Hon. Mr. Romanow: — Mr. Speaker, I've given this answer I think in the House before and I certainly have outside the House; I'll repeat it very briefly.

We believe that in the area of health solutions of this nature surrounding a very complicated matter, one which obviously tugs on the heart-strings and the emotion, the compassionate feelings of all of us, are very difficult to solve. And in some ways there are no perfect solutions, given science — the imperfection of it — and finances and everything else that is to be taken into consideration.

None the less the ministers of Health for the federal government, the provincial governments, and the territorial governments met five weeks ago and came up with the best possible solution that was available to us as governments, given all the circumstances.

That's the deal. That's the deal that stands. That's the deal that we endorsed. And we believe that when you make a deal you stick by the deal. And when the ministers of Health, Canada, provinces, and territorial leaders meet again next week, they'll consider any new variations and we'll be there to consider those variations as well.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I think the Premier doesn't have a problem . . . didn't have a problem with the farmers of this province when he broke a GRIP (gross revenue insurance program) contract. He didn't have a problem with the judges when he broke his own contract that he had signed with them.

Mr. Premier, your lack of leadership and compassion is appalling to all, all hepatitis C victims. Other provinces are now admitting they made a mistake in negotiating the original package. Other provinces are now saying that all victims of

hepatitis C through tainted blood should be compensated, not just those who fall within an arbitrary time frame.

Hepatitis C victims are asking you for your help. Are you going to get behind these victims and their families? Or are you going to continue to line up behind Jean Chrétien and Allan Rock, who keep telling us the file is closed?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — This government is in the position of supporting, and in concert with, governments like the Government of Alberta, Conservative; the governments of the Atlantic provinces, Liberal; all of the governments, including the governments of Ontario and Quebec who signed on on the deal which was negotiated by the provincial, federal, and territorial ministers of Health.

The argument has been advanced — and I think it's one which was a well thought out argument — you compensate where there is fault. Where there's fault, there's compensation. But where you could not reasonably detect fault, where there was no mechanism for doing so in the Canadian system, it is not possible to compensate under those circumstances. That is the position taken by the ministers of Health.

In the meantime, for everybody infected, affected — whether hepatitis C or in any illness — they deserve the very best, top quality care that we can provide them. And we're doing that provincially here in this province. And I'm sure in other provinces they're doing it as best as they can as well.

That is the position of all the provincial governments and we'll see what happens at the conference next week.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Well, Mr. Premier, it certainly appears that your position is not a position of compassion and showing leadership. I believe, Mr. Premier, it would be appropriate for this legislature to help you develop a position.

Immediately after question period, I will be moving an emergency motion calling on the federal and provincial Health ministers to work together at next week's conference to extend a hepatitis C package to all victims of tainted blood.

Mr. Minister, you have created a leadership vacuum on this issue. The legislature should be given the opportunity to fill the void. Mr. Premier, will you allow this important debate to take place today and will you support our motion calling for extended compensation?

Hon. Mr. Romanow: — Again, Mr. Speaker, I believe that the position taken by the Tory Party in Saskatchewan here really is one which is occasioned by — I hate to say this but I believe it — by pure, simple, raw politics. I understand this Chamber is a political Chamber of nature but it is also of nature a policy-making Chamber.

The policy of the government with respect to this very, very difficult question was made by the ministers of Health Canada,

ministers of Health, provinces and territories. They're meeting again next week and they should be deciding that issue again in the light of whatever new evidence may or may not come forward.

In the meantime, in our position, the deal stands as is attending the discussions which take place in Toronto, or wherever the ministers are meeting next week. And my advice to the hon. member would be that he too should await the outcome of that meeting.

Some Hon. Members: Hear, hear!

Regional Hospital Services

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, my question's for the Minister of Health. Mr. Minister, Saskatoon surgeons are now being forced to travel to Humboldt to do surgery. This is a problem, but it could also be an opportunity. This clearly shows that our city hospitals are over-utilized while in some circumstances our regional hospitals may be under-utilized. There is clearly a lack of planning and coordination by your government.

Mr. Minister, St. Elizabeth's Hospital in Humboldt has about a million dollars locally saved up for expansion, and has been waiting for the province to give it a green light to expand. If services at St. Elizabeth's were expanded, maybe instead of Saskatoon surgeons doing surgery in Humboldt, we'd have Humboldt surgeons doing surgery in Humboldt.

Mr. Minister, what is the plan? What plans do you have to make better use of our regional hospitals like the one in Humboldt?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Thank you very much, Mr. Speaker. And I want to say a couple of things to the member opposite. First of all, when I read the article it doesn't say that physicians in Saskatoon are forced to do anything. What physicians say here is that they're going to be taking some of their services and providing them in rural Saskatchewan, and providing a broad range of services to people in rural Saskatchewan along with individuals who by their own choices, what I hear and read, that individuals from Saskatoon are going to do this on their own because they say that . . . and this is how it reads:

It is inconvenient for me, but at the same token, I do only a couple of elective procedures in a month, but I cannot even do it in the city because I have to wait a year, and most patients do not want to wait that long.

So what's happened here is that patients are making the decision on their own, are making a decision on their own that they want to go to Humboldt and they want to have those services provided.

And I say to the member opposite when you asked me about what the plan is for rural Saskatchewan, this is the exact example of what our plan is, to see that rural physicians, that physicians from the tertiary centres, will go to the rural communities like the Humboldts, and like the Moose Jaws, and like the Swift Currents, and like the Yorktons, and provide

those emergency services to people closer to home. That's the intent.

Some Hon. Members: Hear, hear!

Ms. Draude: — Thank you, Mr. Speaker. Mr. Minister, when your government closed down 52 hospitals in 1993 it was clear you had no plan for the future, and we're paying for it today. Dr. Lewis Draper's comments in today's paper speaks volumes about that lack of planning. The NDP closed 52 hospitals and in the NDP caucus there was no debate, no consultation, and no planning. Even the member from Shaunavon supported the NDP's decision to close down 52 hospitals and nobody gave any thought to the future. And today Saskatchewan people are paying the price — not enough nurses, not enough beds, not enough services, because there was no real plan.

Mr. Minister, will you please table your plan for dealing with the health crisis and ensuring quality regional services to take some of the pressure off our overworked city hospitals.

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — I appreciate the member asking this question again because I want to reinforce to the member opposite that the plan that we have for health delivery across the province is exactly the one that you've just articulated, Madam Member. And that is that we want to ensure, through just the completion of the physician contract that we've just completed, that we're going to see specialists practising in rural Saskatchewan — that's exactly the plan.

And today what you see is the beginning of that plan where you have Saskatoon physicians who are saying that not only are we going to provide services to the areas of Humboldt . . . or Tisdale and Melfort, we're now going to take some of those services to the Humboldts of the world. And that's exactly the plan that we have developed and that's the exact plan that we're going to use for utilizing regional services.

But I say to the member opposite, when we talk about 52 hospital closures, your previous leader, or maybe your current leader yet of your Tory Party, said this in an article in the *Kindersley Clarion* where he said . . . Last July he said, during the opening comments of health boards, and then quote: "Boyd again cautiously praised the Romanow NDP for closing rural hospitals that had to be closed."

Now that's the comment that your member opposite, the leader of your party, who was then and is today supporting the need for the closure of those facilities.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, the Saskatchewan registered nurses are asking this minister for a plan because they think there is an alarm happening out there. They say Saskatchewan is headed for a severe shortage of nurses if changes aren't made very quickly. Mr. Minister, we are losing young nursing graduates who are forced to move to Alberta or the United States or even Australia to find full-time employment.

We are losing experienced nurses who are quitting because

they are overworked and stressed out. You're asking too many nurses to work in two or three different hospitals on a part-time basis because the health districts don't offer full-time jobs.

Mr. Minister, where is the NDP plan? What specific action is the NDP taking to stem the tide of nurses leaving their profession or leaving the province because of your failed health care policies?

Hon. Mr. Serby: — Mr. Speaker, this is an interesting dichotomy. First we talk about the importance of getting physicians to practise in rural Saskatchewan, which is the comment that the member just finished making, and urging that that occur. Which what follows, the assertion of having physicians come to practise in rural Saskatchewan is additional jobs, is additional jobs. And we're interested in seeing nursing jobs come to rural Saskatchewan as well.

So I say to the member opposite, how do you want it? I mean how do you want it? Do you want to see additional services to rural Saskatchewan that enhances jobs, or do you want to see, do you want to see all of the services consolidated to the urban centres of the province.

And I say to the member opposite, we've had discussions with the nursing community. We're going to provide additional enrichments to nursing staff within the province of Saskatchewan. We're going to see additional staffing in the nursing community and in the facilities across the province because we've just announced that. And we're working very closely with SRNA (Saskatchewan Registered Nurses' Association) and SUN (Saskatchewan Union of Nurses) to ensure that that happens.

And within a short time period you'll see some of those initiatives further enhanced in the province in addition to what we've done through the budget process, which you've just seen.

Some Hon. Members: Hear, hear!

Surgery Waiting-lists

Mr. McLane: — Thank you, Mr. Speaker. We know for a fact that the average wait for general surgery at St. Paul's Hospital in Saskatoon is 370 days. Today of course, in the *Star-Phoenix* in Saskatoon it reported that several surgeons from that city are performing elective surgeries for their patients in Humboldt because the waiting-list in Saskatoon is inaccessible. Mr. Speaker, it gets worse.

We also know that surgeons are taking their work to Nipawin, to Melfort, to Kindersley. The Saskatoon Health District says it could bring the overall waiting-list for surgery down to six months if they had an immediate 3 to \$4 million earmarked specifically for this purpose.

Mr. Minister, will you make a commitment today to inject funding into the Saskatoon district to bring the waiting-list down to an acceptable level.

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well, Mr. Speaker, this is an amazing

switch in strategy by the Liberal Party. Because in the last several weeks, and within the last month and a half, I've been in rural Saskatchewan with them all over the place at their public meetings, and they continue to talk about the loss of services to rural Saskatchewan.

And today we have a group of surgeons from Saskatoon who make a decision that they're going to move their services further into rural Saskatchewan; they're going to provide some enhanced services to the community of Humboldt. And we're having discussions with the medical community to provide those additional services in the Yorktons and the Swift Currents and the Moose Jaws. And the member opposite stands up today and says, why don't we consolidate everything back to the city of Saskatoon.

Now I don't understand from what position the member comes from. A rural member, a rural member from Saskatchewan who has some — or should have some — appreciation of enhancing rural services, which is part of the strategy of which we're working on with physicians across this province, and you take a different direction.

Where are you? We know that you like the two-tier health system, which is fees . . . (inaudible) . . . Now do you want to see services to rural Saskatchewan or do you want to see them all concentrated in the larger urban centres. What is your position?

Some Hon. Members: Hear, hear!

Mr. McLane: — Well, Mr. Speaker, governing is about choices, Mr. Speaker. It's all about choices. It's all about priorities. The people of this province continually tell that government that their priorities and their choices are all screwed up, Mr. Speaker. The \$4 million the Saskatoon district says it needs to cut its waiting-list in half is the same amount of money that this government spent on an executive airplane last fall.

Mr. Minister, if you can find the money to purchase an executive plane, surely you can find the money to cut surgery waiting-lists in half in Saskatoon.

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well I see, Mr. Member, that the member from Arm River hasn't stopped his tactics that he's been taking around the province. He continues to bring them into here when he goes and does his campaigning across the province, which he calls Save the Plains, because today now he makes the argument that there aren't enough services in rural Saskatchewan again.

And I say to the member opposite that rural Saskatchewan is being served in a better way today than they have in a long period of time, and certainly before the administration of the Tories, and clearly long before the time that you people had government.

But I say to the member opposite, today we have in rural Saskatchewan, we have increased services for renal dialysis. We have increased services for diagnostic services in CT (computerized axial tomography). I say to the member opposite,

we're doing that on our own. In Saskatchewan we're doing that on our own; 70 cent dollars or 78 cent dollars, the Saskatchewan dollars; 13 cent dollars from Ottawa, Mr. Member, 13 cent.

And I say to you, you need to start recognizing the value of services Saskatchewan people are receiving on behalf of this government and quit going around the province suggesting for a minute and fearmongering that those services are disappearing. Because it's inaccurate and it's the Liberal process.

Some Hon. Members: Hear, hear!

Mr. McPherson: — Thank you, Mr. Speaker. Mr. Speaker, waiting time for surgery in our regional centres is becoming a major problem. As an example, one year ago the wait for cataract surgery in Swift Current was two months. Ophthalmologist Dr. Malcolm Banks tells us that people are now waiting an average of 10 months. That's right, Mr. Speaker, the wait for cataract surgery has gone from 60 days to more than 200 days in the past year.

My question is to the Minister of Health. Mr. Minister, many people waiting for cataract surgery can't drive, they can't even read. And I want to know if you, Mr. Minister, find this 10-month waiting period acceptable.

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well, Mr. Speaker, I'm pleased that the member opposite raises the issue of the number of surgeries that are done around the province today. Because when you look at the number of surgeries that are performed around the province today, from 1991-92 to today's '96-97 numbers, we're doing far larger number of surgeries today than we ever have in the province, far larger.

Our day surgeries are up over the period of 1991 to 1997 by 51 per cent as our day surgeries are up by that amount. When you look at the number of surgeries that we're providing in-patient today, they're exactly the same number of surgeries today that we're providing that we did in 1991. So our day surgeries aren't down at all.

When you look at cataract surgeries in this province, they're up by 81 per cent. And when you look at the number of hip and knee surgeries that are done, orthopedic surgeries, they're up by 57 per cent.

So when the member talks about the reduction of surgeries in this province, they're absolutely false; they're inaccurate and they're misinformed — which is not unusual, or unlike the information that the member continues to spread. Because when you look at the information the member has spread over the past, we know that the information's inaccurate and inappropriate.

And I say to the member opposite, get the facts right; bring them to the House; apologize to the people of Saskatchewan for . . .

The Speaker: — Order, order. Next question.

Some Hon. Members: Hear, hear!

Mr. McPherson: — Mr. Speaker, the only surgeries that are increasing in this province are the hospital beds that they're surgically removing from the hospitals, the nurses that they're surgically removing from those hospitals, the long waiting-lists.

Mr. Speaker, by any measure of common sense, 10 months is far too long to wait for cataract surgery. And do you know why the waiting period has increased so dramatically? It's because Dr. Banks is only permitted to do six operations a day because there aren't enough nurses in the surgical wards for pre- and post-operations, and because of the costs to the districts — some \$300 for each cataract surgery.

My question again to the Minister of Health. You gutted health care. Why have you put quotas on necessary surgeries at our regional hospitals?

Hon. Mr. Serby: — Well I want to say to the member opposite that if he were to look at Dr. Banks's article a little closer — and I don't have Dr. Banks's article with me specifically today — but if you look at his article, what he would say to you, Mr. Member, is that when you look at waiting-lists in the province today, they haven't increased substantially from what they were over a period of the last 10 years, is what the doctor said.

Now he says, is it important for us to do some work to reduce those surgery waiting times? Absolutely. Absolutely it's important for us to reduce those waiting times, Mr. Member.

And when you say we're doing nothing with nurses in this province, absolutely inaccurate. Absolutely inaccurate. We've had discussions with the SRNA and SUN, with the Department of Health. We've given the indication, Mr. Speaker, to them that we recognize the kinds of pressures that they have working on the floors of these health facilities all across the country, all across the province.

And we make the commitment, Mr. Speaker, and to the member opposite, that we'll provide enrichments for people who are working on the floors to ensure that people are well served in all of our health care facilities and home care programs across the province. That's the commitment that I've made and that's the commitment that this government has made to further enhance services to people who are working in the field.

Some Hon. Members: Hear, hear!

Mr. McPherson: — Mr. Speaker, Mr. Minister, you are the one with all the inaccuracies. You are once again saying that these doctors and nurses and patients are not telling the truth, and shame on you for that. And you'll be the one to apologize before this is all over.

Mr. Speaker, Dr. Banks tells us that he could easily do double the amount of cataract surgeries that he is permitted on his quota system today. He could do 12 a day, easily. The fact that people are forced to wait for 10 months for surgery is unacceptable. Many cannot drive, they cannot read, and their only option is to travel to Alberta where they can have that cataract surgery, but it's going to cost them \$2,400 per eye.

Mr. Minister, you and the Premier talked about the evils of two-tier medicine. Well this is two-tier medicine if I've ever seen it. What do you call it? People are faced with unacceptable waits for surgery or massive bills to have this surgery performed out of province. You can't find that acceptable. Surely you can't.

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well, Mr. Member, I want to say, in speaking to the member opposite, that there is no question that when we will look around the province, we recognize that there are areas that we need to improve the length of waiting time that people have for surgery. But when you pick the areas of cataract surgeries and hip surgeries across the province, I say to you, Mr. Member, that we are doing more today than we ever have.

But you need to look at what the agenda of your party is and what your agenda is, Mr. Member. Because when you say that in this province the 10-month waiting period are too long, you and your leader have been advocating to bring in privatized services into this province to do two things: hip surgeries and to do cataract surgeries. This is what you and your members say.

And what does your leader say recently? And your member says, your member, the leader, the good doctor, says he's prepared to find savings in Health by the tune of \$1.3 billion, first of all. And then he talks about, and then he talks about the issue of two-tier medicine, Mr. Member.

And when he's asked, and when he's asked, Mr. Speaker, about where in fact, where in fact he would get some of these savings, he would privatize . . .

The Speaker: — Order, order. Next question.

Some Hon. Members: Hear, hear!

Child Death Statistics

Ms. Julé: — Thank you, Mr. Speaker. The child advocate stated in the March 24 issue of the *Star-Phoenix*, and I quote: "No one really knows how many Saskatchewan youth take their own lives each year because there is no consistent standard for reporting the deaths . . ."

Mr. Speaker, the Department of Social Services reports only the death numbers of youth involved with the department. Department statistics show that four youth committed suicide between April 1996 and March 1997. The age range is zero to 21 years.

Now the Saskatchewan Institute on Prevention of Handicaps in its report notes 97 youth committed suicide between 1989 and 1994, age range between 10 and 19.

Mr. Minister, last year in this House I clearly pointed out to you that there is no consistent monitoring mechanism in place to ensure accurate information on child and youth death.

Mr. Minister, Saskatchewan youth could be dying unnecessarily. How can you and your government help if you

do not even know what is really going on? What are you and your government doing to ensure there are precise and consistent monitoring and reporting procedures in place?

Hon. Mr. Calvert: — Mr. Speaker, the answer to the member's question is contained within her question. We work very closely with the institute for prevention of injury and handicap. They have reported those numbers. Those numbers of course, are part of statistical accumulations by the Department of Health through vital statistics.

When child death numbers are reported from the Department of Social Services, I think it's understandable and expected that we will report child deaths of children in families who have had involvement with the department.

Mr. Speaker, this House unanimously would stand behind every effort to prevent each child death which could be preventable, Mr. Speaker. And this government is engaged in a wide variety on a wide number of fronts to work with families, to work with children, to make their lives as productive and as safe as is possible.

Every child death is a tragedy, Mr. Speaker, there can be no mistake about that. Every child death is a tragedy. We need to work together to prevent every death.

Some Hon. Members: Hear, hear!

Ms. Julé: — The minister's response was calling into question the child advocate's statement. The fact is that 291 children and youth died in Saskatchewan in 1995 and 168 in 1996. These are unnaturally high numbers and should be of great concern, because the fact is that death should not be deemed as a natural occurrence — not child death.

Mr. Minister, do these high child and youth death numbers not raise some questions and doubts in your mind about the efficiency and the effectiveness of your government's health and social policies?

Hon. Mr. Calvert: — Mr. Speaker, the member will know that the child advocate, whom she quotes, is closely at work with the Department of Social Services, with the provincial government, with the coroner's office, in a review of each child death in our province.

Every, every . . . (inaudible interjection) . . . Mr. Speaker, if the member would listen I could answer. Mr. Speaker, every child death, I repeat, is a tragedy. In the statistical reporting this year we have seen a decline in child death. Are we satisfied with that? Of course not. Every member, every citizen of our province, would wish that that would be zero. Tragically, Mr. Speaker, through accident, through illness, some of our children we will lose. If any of those deaths are preventable, we need to work together to make sure that every effort is taken to give those children long and healthy lives.

Mr. Speaker, we are working with the child advocate to refine the definitions, to put together for the people of our province, clear and statistical information. But what is key is the work of prevention.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 50 — The Urban Municipality Amendment Act, 1998

Hon. Mrs. Teichrob: — Mr. Speaker, I move that Bill No. 50, The Urban Municipality Amendment Act, 1998 be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

Bill No. 51 — The Rural Municipality Amendment Act, 1998

Hon. Mrs. Teichrob: — Mr. Speaker, I move that Bill No. 51, The Rural Municipality Amendment Act, 1998 be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

Bill No. 52 — The Northern Municipalities Amendment Act, 1998

Hon. Mrs. Teichrob: — Mr. Speaker, I move that Bill No. 52, The Northern Municipalities Amendment Act, 1998 be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

Bill No. 53 — The Teachers Superannuation and Disability Benefits Amendment Act, 1998

Hon. Mr. Shillington: — I move first reading of The Teachers Superannuation and Disability Benefits Amendment Act, 1998.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

Hon. Mr. Shillington: — Two matters, Mr. Speaker. Two matters. Firstly, with leave, to introduce a guest.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Shillington: — Thank you very much. Sitting behind the bar is a former member of the Assembly, a former cabinet minister and a much respected clergyman in the city of Regina, Alex Taylor. I'd ask Alex to stand and be recognized by this Assembly.

Hon. Members: Hear, hear!

Hon. Mr. Shillington: — I also, Mr. Speaker, with leave, have a number of changes to committees. I understand they have been discussed with my colleagues opposite. So with leave, I'll move them.

The Speaker: — Is the Government Deputy House Leader requesting leave to introduce one motion or more?

Hon. Mr. Shillington: — I have six motions.

Leave granted.

MOTIONS

Substitution of Members on Committees

Hon. Mr. Shillington: — I move, seconded by the member from Regina Elphinstone:

That the name of Mr. Tchorzewski be substituted for that of Myron Kowalsky on a list of members composing the Standing Committee on Constitutional Affairs.

I so move.

The Speaker: — The Chair did not hear the Deputy House Leader identify the seconder to the motion.

Hon. Mr. Shillington: — The member from Regina Elphinstone.

Motion agreed to.

Hon. Mr. Shillington: — I move, seconded by the member for Prince Albert Carlton:

That the name of John Wall be substituted for that of Mr. Bob Pringle on a list of members composing the Standing Committee on Privileges and Elections.

Motion agreed to.

Hon. Mr. Shillington: — I move, seconded by the member for Lloydminster:

That the name of Andy Renault be substituted for that of Bob Pringle on a list of members composing the Standing Committee on Non-controversial Bills.

Motion agreed to.

(1430)

Hon. Mr. Shillington: — I move, seconded by the member for Saskatoon Fairview:

That the names of Andy Renault, Ms. Violet Stanger, Walter Jess, and Harry Van Mulligen be substituted for that of Ms. Doreen Hamilton, Mr. Myron Kowalsky, Mr. Ed Tchorzewski, and Mr. Kim Trew on a list of members composing the Standing Committee on Estimates.

Motion agreed to.

Hon. Mr. Shillington: — I move, seconded by the member for Rosetown-Biggar:

That the name of Ron Osika be substituted for that of Mr.

Jack Hillson on a list of members composing the Standing Committee on Public Accounts.

Motion agreed to.

Hon. Mr. Shillington: — I move, seconded by the member from Regina Dewdney:

That the name of Jack Hillson be substituted for that of Glen McPherson on a list of members composing the Standing Committee on Crown Corporations.

Motion agreed to.

Mr. Toth: — Mr. Speaker, as well to ask leave to submit names for the Standing Committee on Regulations, one name.

Leave granted.

Mr. Toth: — Thank you, Mr. Speaker. I move, seconded by the member from Canora-Pelly:

That the name of Mr. Dan D'Autremont be added to a list of members composing the Standing Committee on Regulations.

Motion agreed to.

Mr. Toth: — Mr. Speaker, I would like to ask leave to present a motion of pressing and urgent nature under rule 14 . . . 46, pardon me.

The Speaker: — The Opposition House Leader requests, wishes to introduce a motion under rule 46, and I will ask the Opposition House Leader to very briefly describe the nature of the motion he wishes to introduce, and very briefly his reason for wanting it to be considered pressing and urgent necessity, as well as to very briefly advise the House of the nature of the motion.

MOTION UNDER RULE 46

Compensation for Hepatitis C Victims

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, we believe it's necessary to debate this government's lack of leadership and compassion on the issue of hepatitis C compensation.

The provincial Health ministers are meeting next week to discuss the possibility of reopening the compensation plan. Before that is to happen, the people of Saskatchewan want to know what the government's position is. So far, all we have heard is how the Minister of Health plans to work as convenor and facilitator of the meeting. And I believe, Mr. Speaker, the people of Saskatchewan deserve to know what the Minister of Health's position will be.

And in general our motion is calling for the federal and provincial ministers of Health to work out a fair and comprehensive plan, and that the debate this afternoon be forwarded to the federal Minister of Health.

Some Hon. Members: Hear, hear!

Leave not granted.

ORDERS OF THE DAY

WRITTEN QUESTIONS

Mr. Kowalsky: — Mr. Speaker, this government tries to answer the questions as soon as possible, and I hereby submit the answer to question 61.

The Speaker: — The answer to question 61 is tabled.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 35 — The On-farm Quality Assurance Programs Act

Hon. Mr. Upshall: — Thank you, Mr. Speaker. Mr. Speaker, at the end of my remarks I will move the second reading of the Saskatchewan On-farm Quality Assurance Programs Act, 1998.

Saskatchewan producers have a reputation for production and quality of products. However, there is increasing consumer demand for a means to confirm the high quality and safety of food products. Food production and . . . the food production and processing sectors are establishing quality assurance programs.

We will eventually require the suppliers of their raw materials to demonstrate the existence of on-farm quality assurance. On-farm quality assurance programs are being developed at the national level to augment the existing food inspection system. This will result in a cost-effective and safer food inspection system for consumers of Canadian food products. This will ensure our quality products have continued access to markets.

We are addressing increasing consumer demands for high quality, safe food products in this legislation, Mr. Speaker.

What are the reasons for the legislation? Well the industry is establishing and incorporating standards into their national on-farm production processing quality assurance programs. The legislation will provide Saskatchewan with the ability to ensure that compliance and adherence are established standards. It will establish audit requirements for program validation. Performance and maintenance of program standards will ensure customer confidence in Canadian food products. This legislation will contribute to a system of quality assurance from the farm gate to the final product. We will ensure our access to markets is maintained, and this legislation is consistent with the desires of the farm sector.

Mr. Speaker, I ask the members of the Assembly to support this Act and I move the second reading of Bill 35, The Saskatchewan On-farm Quality Assurance Programs Act, 1998.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, just a few comments in regards to the piece of legislation before us, the on-farm quality assurance programs Act. It certainly would appear that with the agriculture being a major component of the

economy or the economic engine of this province, and the fact that we've had major changes in the way agriculture is viewed in the province of Saskatchewan, the fact that we've had changes to the grain transportation Act, many producers are now looking at other alternatives and ways in which they may increase the revenue off of their farm produce.

And, Mr. Speaker, it's only appropriate that we begin to look at, and we have over the past number of years, looked at ways and looked at methods of improving the financial rewards of the products that we're producing. And what I'm basically talking about, Mr. Speaker, is setting up manufacturing, setting up processing within the province of Saskatchewan whereby we process the product . . . we already ship it out and move it out of this province.

Rather than as a raw product that's processed and then returned to this province, we take the time to process that product. And it would only be fair, Mr. Speaker, in view of the fact that there are many organizations and farm groups looking at ways and means and methods whereby they may add quality and add economic spin-off to their products, that they would look at it, look at that through the process of manufacturing plants or processing facilities.

And with that in mind and the fact that consumers will then be consuming that product at the end of the day, that there be some guidelines in place to make sure that when the consumer . . . that product reaches the shelf, the consumer can be assured that that product has been processed in the healthiest environment. That it meets a number of requirements, and I think, believe, that's what the minister is talking about in this piece of legislation — making sure that when we begin the process of adding value to our product, and as we see processing plants springing up around the province, that those plants meet stringent criteria so that the consumer, at the end of the day, and the government will not be held accountable or be held responsible for a product that may hit the shelf that may find itself in recall because of a failure to meet regulations.

So with that in mind, Mr. Speaker, it certainly appears that this legislation has an important role to play. However, Mr. Speaker, I think it would be important as well to take a closer look to see exactly what the legislation covers, the area it covers. We hear talk about fines; we talk about auditors and appointing auditors; and we'd like to take a closer look and make sure that indeed we have a better understanding of what this piece of legislation is doing — the intent of the legislation.

And with that in mind, Mr. Speaker, I would move to adjourn debate.

Debate adjourned.

Bill No. 37 — The Noxious Weeds Amendment Act, 1998

Hon. Mr. Upshall: — Thank you, Mr. Speaker. I don't want the members of the opposition to get nervous on this Act, because I've exempted them from this Act. This is The Noxious Weeds Amendment Act, Mr. Speaker, 1998. I'll be moving this Act at the end of my remarks.

Mr. Speaker, the provincial government continues to respond to the need of . . . and a just legislation to address changing circumstances in the agriculture and food industry. Mr. Speaker, we're constantly identifying and adjusting legislation to ensure that it remains consistent with the current environment and intent, and that legislation continues to meet the needs of the industry.

This legislation is another example of that commitment to improve and simplify provincial regulatory processes. We work closely with those affected to ensure legislation meets the changing needs. This amendment maintains the integrity of the legislation and it will enable the government to address any future changes to the schedule of noxious weeds in a timely manner.

Mr. Speaker, the reason for this legislation is that the existing Act includes the schedule of plants or the seeds of any plants that have been declared to be a noxious weed. There are other occasions when the province has been asked to consider additions or deletions from the list.

Deletions to the scheduled noxious weeds can only be made by amendments to the Act. This makes it hard to quickly respond to change. For example, the federal government has moved to license production of industrial hemp in Canada. Industrial hemp is currently listed in the schedule of noxious weeds. The transfer of the schedule to regulation will enable changes to be made in a timely manner without introduction of legislative amendments.

The amendment does not change the intent of the Act. It ensures the needs of the industry are being well addressed and it enhances the government's ability to address future changes in a timely manner.

Mr. Speaker, this amendment will enable producers to take advantage of economic opportunities for diversification through the production of industrial hemp. This government is committed to provide the necessary regulation changes which would allow producers with the opportunities to diversify their operations.

Mr. Speaker, I ask members to support this Act, and therefore I move second reading of Bill No. 37, The Noxious Weeds Amendment Act, 1998.

Some Hon. Members: Hear, hear!

(1445)

The Speaker: — Order. I invite all hon. members to put their comments on the record when debate begins, but it's not yet beginning.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, after having listened to the minister and to some of the comments that have been flowing back and forth across the floor, it would almost appear that this is one piece of legislation that could possibly be moved right into adjourned debates and committee and be passed this afternoon. But I'm not exactly sure if we've reached that stage yet, Mr. Minister, or Mr. Speaker.

Mr. Speaker, as I understand this piece of legislation, it's basically dealing with changes that have already taken place or are coming forward at the federal level. And the minister talks about the diversifying of the agricultural economy in this province and certainly crop production in the province of Saskatchewan.

I guess as many people would look at this piece of legislation and the fact that we'd be adding hemp to a species of crop that could be grown in the province, certainly for individuals who may have been looking at that in the past, even contemplating it, this legislation may just remove the fact that they would be growing it in the corn patch and bring it out in the open as a product that can be a benefit to the agricultural commodity and producers in the future.

Certainly it's also a product that I'm sure the department and all of the concerned officials will be taking special note of, the fact that it's close proximity to the marijuana plant, Mr. Speaker. And I would . . . I think as we're discussing the legislation, we'll certainly want to make sure there are provisions to certainly address any concerns that there might be an expansion of the growth of that product in the province of Saskatchewan.

The minister talked about . . . and I believe the Bill removes the list of noxious weeds from the Act and puts it in regulations. Now whether or not this is a positive move will be something that will need to be addressed a lot more carefully, to determine whether it is appropriate to move it out of legislation into regulations.

As you're aware, Mr. Speaker, in regulations changes can be made fairly quickly, and I believe that's what the minister talked about. And that's something that we need to look at; make sure that indeed if there are changes to be made, that they are positive changes. And in those situations it might be appropriate to be in regulations versus legislation.

I see as well the legislation does provide municipalities with the authority to appoint inspectors and to inspect properties for noxious weeds, and to require destruction of those weeds. There again this is I think . . . and I'm not exactly sure, we do have some weeds that are appearing in the province that are certainly becoming . . . expanding across the province. Whether or not that's there to address that concern to try and . . . or even future weeds that we might have to deal with.

But it would appear, Mr. Speaker, that this piece of legislation deals with a number of issues. And while it attempts to certainly create the avenue for hemp seed to be available in the province for producers to get into that production, there are other parts of the . . . pieces of the Bill that I think would be appropriate to review a little more in depth before we actually move into committee and address some serious questions.

Therefore at this time I would move adjournment of debate.

Debate adjourned.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 38

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 38 — The Highway Traffic Amendment Act, 1998** be now read a second time.

Ms. Draude: — Thank you, Mr. Speaker. This Bill makes some routine changes to The Highway Traffic Act and our caucus has no significant objections to this Bill. The Bill makes three changes that are really just a recognition of reality.

First it allows drivers to cross a solid line into a left-hand turning lane. This is an important clarification because I'm sure the situation has confused many drivers in the past. I know that if you drive up to any of the auto dealers on the north Broad Street here in the city, they all have left-hand turn lanes but the lines are all solid leading into the lane. If you follow the strict letter of the law as it stands, the left-hand turn lane is useless because there is no place that you can legally enter that lane.

Likewise the Bill also clarifies that drivers are allowed to cross a red light where there is a green left-turn arrow provided. Now this part of the Bill we do object to. Our caucus stand opposed to any measures that would make it easier for the people of Saskatchewan to turn left. Obviously this is a . . . this is an obvious part of most people's driving habits if not their political habits.

The Bill has removed the requirement that the Highway Traffic Board approve any passengers transported in a public service vehicle such as delivery trucks. This previous requirement was an example of unnecessary bureaucracy, and again I'm sure that the majority of drivers of these vehicles were unaware that they had to seek permission.

I guess if there is any concern to bring up about these changes, is why it took so long to put them into place. And you have to wonder how many people received tickets from over-zealous traffic cops for these meaningless infractions.

I think we as legislators have to work harder to eliminate this kind of red tape that is out of step with how drivers and other citizens actually operate in their day-to-day lives. It also serves as a caution when we are drafting future legislation and regulations, that we have to avoid getting ourselves into the trap of passing too many laws that are unrealistic and that ultimately will never be enforced.

There is one final new clause to the Bill which allows the owners of vehicles to appeal the impoundment of a vehicle that has been driven by a disqualified driver. This is a simple issue of fairness, especially in situations where the driver was not the owner of the vehicle. It also speaks to the whole issue of the right of property and puts a further and much-needed restriction on the Crown's powers of confiscation.

We will want to look at some of the individual clauses in detail in committee but at this time we have no objections to passing the Bill on further.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

Bill No. 39

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 39 — The Vehicle Administration Amendment Act, 1998** be now read a second time.

Ms. Draude: — Thank you, Mr. Speaker. Like Bill 38, which we are also looking at today, this is another routine Bill related to traffic safety. Our caucus has no major objections to this Bill.

Primarily what this Bill does is allow the province to enter into agreements on withholding drivers' licences with the federal government or with the governments of any other country. Previously the legislation only allowed for such agreements with other provinces.

Clearly, we all want to see our highways as safe as they can possibly be. We can't achieve that kind of safety if we have proven irresponsible drivers cruising up and down our roads at any time. This is the situation that we have right now. If someone is charged with criminal driving offence in the United States, they can still come back to Saskatchewan and drive around scot-free.

I'm sure all members of this Assembly and all members of the public will agree that we don't want to be driving along wondering if the car coming at us is being driven by someone who kills people in drunk driving accidents, either in the United States or in another jurisdiction.

I think this Bill also recognizes the legislative changes that are going on in many countries and in many areas of law as we grow more and more towards global mentality in this world. People have finally started to realize that we can't draw neat little lines around international jurisdiction. This applies no matter whether you're talking about big issues like trade and the environment or small issues like highway safety.

This Bill also makes other changes to improve highway safety. It adds psychologists and addictions counsellors to the list of health professionals from whom a driver's licence applicant may be required to submit a report. It goes without saying that a person's mental stability or their propensity to abuse drugs will affect their driving. It is entirely proper that people with these problems are required to submit reports to demonstrate that they are suitable to drive.

Again on the whole, our caucus supports the Bill that will help improve driving safety here in Saskatchewan and throughout North America.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

COMMITTEE OF THE WHOLE**Bill No. 20 — The Election Amendment Act, 1998**

The Acting Chair (Mr. Johnson): — I would ask the minister to introduce his officials, please.

Hon. Mr. Mitchell: — Thank you, Mr. Chair. I have with me

Darcy McGovern of the Department of Justice.

Clause 1

Mr. Krawetz: — Thank you very much, Mr. Deputy Chair. Welcome, Mr. Minister, and to your official as well.

Mr. Minister, we have a number of questions regarding Bill No. 20 as I indicated to you in our last time that the Bill was in adjourned debates. And I guess I want to begin by indicating to the House and to yourself, as I did last time, is that the proposed Bill, Bill No. 20, the conditions that you've outlined in the Act, in the amendment Act, are probably supported by us on the whole.

It's not so matter what's in this Bill, it's a matter I think of what has been left out of the Bill. And that's where we're having some concerns. There are specific questions of understanding that we want to have you clarify today regarding some of those sections that are in the Bill.

And I want to begin by asking whether or not you would identify the changes that you've proposed in the way the Chief Electoral Officer will be selected and the operations that will be done with the Chief Electoral Officer as well as the assistant. On the whole, if we have those two people selected as officers of the legislature, do you see any changes in the operation of the chief electoral office as a whole with those kind of changes?

(1500)

Hon. Mr. Mitchell: — Mr. Chair, and to the member, I do not. And the reason why I do not is that the office of the Chief Electoral Officer has operated with full independence from the workings of executive government for decades through successive governments.

The position has operated, as best I'm able to understand it, as best I'm able to inform myself on it, as an independent officer anyway. And that no government has, for as long as anybody can remember, dared to interfere with the way in which the Chief Electoral Officer has conducted the business of the office. So I don't look for any changes in the way in which the office operates.

Now I am wanting to place upon the record the process for selecting the Chief Electoral Officer. And I interpreted part of your question in that direction. You might indicate by a nod whether this would be an appropriate time for me to discuss the process. Well perhaps we can get to that a little later. Yes. Okay.

Mr. Krawetz: — Thank you, Mr. Minister. Yes, we'll have some specific questions regarding process, and I appreciate the fact that you're going to be bringing us up to speed in terms of sharing that with us.

One of the other concerns I think that we have as a opposition party, and of course on behalf of the people of Saskatchewan, is that the changes that are being outlined for both the chief officer and the assistant, do you feel that this will affect the costs of operating the office on the whole?

Hon. Mr. Mitchell: — I don't think so, Mr. Chair. The budget of the office has until now been included in the Premier's estimate for Executive Council. It will, after we pass this Bill, be set by the Board of Internal Economy.

And I know what a difficult forum that is on financial matters. I'm sure that their attention to the budget will be every bit as intensive and as restrictive as the Treasury Board process that is now used in order to set that budget. So I don't anticipate that there would be any cost.

Now having said that, today as we debate this matter, the office consists of an Acting Chief Electoral Officer and a secretary. Under the scheme of this Act, there will be a Chief Electoral Officer, an assistant, and a secretary.

So a year from now there will be three people. Well there'll be more than three because a year from now we'll be into a pre-election period I would think, based on the rumours that one hears. But in a normal year it may be that there'll be three people there instead of two.

But I, having said that, I don't anticipate that this office will become more costly as a result of this Bill.

Mr. Krawetz: — Mr. Minister, is it accurate then to say that there was no Assistant Chief Electoral Officer before? And if that is correct, then how were the duties carried out? And could you identify then, if you see a change in terms of the possibility of number of employees, will their duties change and their powers change relative to what was prior to the implementation of this Act?

Hon. Mr. Mitchell: — I think we should properly look at the present situation that I've just described, as we're debating this today, as being unusual. It is unusual because the Chief Electoral Officer, Myron Kuziak, resigned and the assistant chief electoral officer became the Acting Chief Electoral Officer. And so the office is temporarily understaffed.

There is nothing in the present Bill that will change the duties; so I don't expect that there will be any increase in the amount of work to be done in the office.

Mr. Krawetz: — Thank you, Mr. Minister. I realize now that we are understaffed if the acting officer has been appointed for awhile.

Could you tell me, in relationship to the other provinces, how many provinces have the Chief Electoral Officer as an officer of the legislature?

Hon. Mr. Mitchell: — I'm advised, Mr. Chair, that we have checked out all of the provinces west of Quebec, including Ontario and the four western provinces, and we are the last to do what we are trying to do here today — to make the Chief Electoral Officer an independent officer of the legislature.

Mr. Krawetz: — Thank you, Mr. Minister. Based on those statistics . . . and as you've indicated, we don't know exactly whether the Maritime provinces are on board. I'm assuming that they are. I think the very appearance that the Chief Electoral Officer is a member of the Premier's staff has

probably caused some concern out there. And I know you've indicated that, as you believe, for decades the Chief Electoral Officer has operated without interference.

Your government has been in power now since 1991. That's well into seven years now. This type of change, has it been considered before, and why did it take so long to make what I think is a necessary change?

Hon. Mr. Mitchell: — Well I don't know if I can answer the member's question with precision. I know that the subject was raised during the debate on the amendments to The Elections Act in the last session, and so far as I'm concerned the subject took on importance during that debate. And I asked myself the same question as the member has just now asked — how come we're not already doing this? And the Premier of course, reacted almost immediately when the matter was put to him and said yes, we'll do this. And so here we are.

And I know that's not an explanation or a full answer to the member's question, but I'm afraid it's the best that I can do. I do not recall ever having had the matter discussed and said no, we're not going to do that here. I think it's just an idea that hadn't surfaced until the debate last year.

Mr. Krawetz: — Thank you, Mr. Minister, and I'm glad that that debate took place. While Saskatchewan, as you're indicating, is last in this, in this venture, I would hope that we would move ahead and try to be not necessarily first, but at least move up in terms of changes that are necessary.

And as I indicated, I think it's not a matter of whether or not the office has been in some way affected by cabinet and by Premier and by council — it's the perception. And I think that's what has bothered people in the past, that the perception is that the government controls the Chief Electoral Officer. And I'm glad to see that we're moving out of that type of perception.

As you've indicated, the acting . . . the assistant is now the Acting Chief Electoral Officer. We expect, as you have indicated, there are rumours that we're probably a year or so away from an election. When do you see, based on the passing of this Act, when do you see a permanent Chief Electoral Officer being put in place to conduct the affairs of the office?

Hon. Mr. Mitchell: — Mr. Chair, I and the government want very badly for a Chief Electoral Officer to be named during this sitting of the legislature. That we would bring a resolution to the House in a way contemplated in the Act, and have the matter settled by the end of this session.

Mr. Krawetz: — Mr. Minister, I guess I'd ask you then what would be a contingency plan if for whatever reason that resolution is unable to be brought to this session. And I know you're going to be talking very quickly about . . . very soon you'll be discussing the plan that you have in place for actually conducting the process of putting forth a name by resolution to this Assembly.

What would happen, I guess is the question, if we do not have that resolution passed. Will the Acting Chief Electoral Officer now continue to operate for the remainder of this year and make the plans for the next election?

Hon. Mr. Mitchell: — No, Mr. Chair, that's not our plan. If this session were to wind up quickly before the process produces a name, we would then rely upon the section of the Act that we're now passing to take the matter to the Board of Internal Economy and have the Board of Internal Economy appoint an Acting Chief Electoral Officer who would hold office until the person or a person is appointed pursuant to the Bill.

I would refer the member to the proposed section 4.2(3). So if we don't get it done in this session we would go to that subsection and that provides that where the office of the Chief Electoral Officer is vacant, the Board of Internal Economy shall appoint an Acting Chief Electoral Officer.

Having said that, Mr. Member, we want to do this right; so we're hoping and working towards the eventuality of having a resolution passed formally on the floor of this legislature in this session. Somebody has to be in this position though and start to work soon, because as you've said, according to rumour we have a little more than a year before the next election and that's more than enough time to organize for one.

Mr. Krawetz: — I think you're very, very accurate there, Mr. Minister, and we would believe that preparations probably are under way already by the office. Is the current acting officer making plans already for the next election?

Hon. Mr. Mitchell: — I don't know. I would assume though that that would be the case, as you apparently assume that's the case, that steps are being taken, but I don't know that.

Mr. Krawetz: — And again if the session ends without the resolution coming to this Assembly, and you have to rely on the clause in section 4.2 as Board of Internal Economy, I'm sure that's going to take awhile. We do know that there will be a by-election in Saskatoon Eastview based on the resignation. And that procedure I think, is somewhere through the end of October probably is the limitation of time. Is the current Chief Electoral Officer preparing for that by-election?

Hon. Mr. Mitchell: — It's our understanding that the office is aware that there will be a by-election in Eastview and under the legislation, under the legislation in effect, that has to take place within six months of Bob Pringle's resignation, which takes us to the end of September or October; so they'll know that there has to be a by-election by that time so they must be working on it now. I don't know that for sure because I've never spoken to the people over in that office but I'm sure that it is under way.

Mr. Krawetz: — Mr. Minister, I was just wondering, I was just wondering if you could enlighten everyone and indicate to us the date of the by-election and the date of the next provincial election. But I know you can't do that. Mr. Minister . . .

An Hon. Member: — Come on now, he wants to answer.

Mr. Krawetz: — We'll give you the opportunity to answer that one.

The Act itself doesn't identify the process by which the committee that you're talking about that might be established, will actually undergo its search and I guess that's the kind of

explanation that we require. What kind of public search? What kind of interview process will be put in place to enable a name to come forward to, by resolution, to this committee? And could you identify what you see as the time frame, based on the fact that we have you know, X number of days left in this particular session?

Hon. Mr. Mitchell: — Mr. Chair, I thank the member for that question which I had . . . which I almost had answered at an earlier stage here today. We have a number of officers of this legislature who are appointed in a manner similar to the way, to the manner, prescribed for the Chief Electoral Officer in this Act. I think of the Ombudsman, Children's Advocate, Provincial Auditor to name three. I think there are others too. And the process is not spelled out in any of those Acts creating those offices as to what the process shall be.

Because it is a . . . because these are offices that are filled by resolution of this legislature, it is the government's position that they must be done in full consultation and with the full participation of members of the opposition parties — the official opposition and the third party — in the present House, considering the way in which we're constituted.

(1515)

So I'm now going to describe the process that we have set out in this situation, which is one that the member is familiar with because of consultations that we have had. But I think it's useful to lay it on the record because this is not the last Chief Electoral Officer to be named in this province. They'll be coming at this again and again and it's well that succeeding legislatures know how we have done it in this case. So I'll now proceed to describe that.

We are going to establish a three-party committee consisting of six people: three elected members and three of the staff of the three parties in this legislature. So that each of the three caucuses will name a member of this Assembly and a staff person to serve on this committee.

We expect that the staff people will begin work immediately, if they have not already done so, to talk about some of the logistics of this. Including a look at the job description and approval of the job description; consideration of the time lines to be observed; including how long people have to apply for the job, what period of time in which they may apply and then how quickly after that the interviews take place.

This is not something that the government has any intention of prescribing. This is a matter that has to be worked out between the three parties on the committee. And that includes the job description itself, although the legislation I think, will make it clear what that description should be, but we don't have any particular job description in mind.

We expect to see the posting advertised in the newspapers of this province at least. If the committee wants to advertise outside the province we have no objection to that, but it should be a public advertising and it should contain of course, a description of the job and should contain some idea of what the pay range is and . . . (inaudible interjection) . . . I think they think they could do the job better than I if they were up here.

They're helping me to do it.

In any event, that's up to the committee though. I have nothing to offer by way of advice to them. They then would advertise it. There'd be an appropriate period of time in which applications could be received and then the committee will receive those applicants, and I think they will screen the applications, the six-member committee, and reduce the list to a short list. And from the short list conduct interviews and then arrive at consensus as to who should be the successful candidate.

I would hope that that could be all accomplished within three or four weeks. But that would be a very short period of time in which people would have to apply — very short.

But as I say, that's up to the committee. And the committee may just decide that it's not possible to do it within that time frame, in which event we'd be back under section 4.2 and the Board of Internal Economy would have to make the final appointment. But as I say, I'm hopeful that we're able to do it on the floor of this legislature.

Mr. Krawetz: — Thank you. Thank you, Mr. Minister. While you've identified a process that I think can do the job and can do it properly, my fear . . . and I don't see anything in the Bill that would prevent government caucus or cabinet from unilaterally putting forth a name and saying, committee's taking too long; committee hasn't been able to reach any consensus on what type of job description or what type of things are necessary for the officer to meet, and as a result the committee puts . . . or the cabinet puts forward the name of a particular person.

Is that what could be allowed because it's not defined within the Act that that is not permissible?

Hon. Mr. Mitchell: — In my view that just ought never, ever to happen.

I want to tell the member a story of when it actually did happen in this Assembly, and the year was about 1986 or 1987. I was then a member of the opposition along with many of my colleagues, and the government of the day who, the member for Moosomin will recall, came with a resolution appointing an Ombudsman. And it was done without any consultation or without any kind of previous contact, even tell us the name, leave alone participate in the process of agreeing on a name. And we objected to it very strenuously but unsuccessfully. We came away from that debate determined that if and when we became the government, we would not ever do that this way. And we have not.

I must say that until this Bill began to take shape, we had not considered standardizing a process for the selection of any of these public officers. And I think that's something we should look at. And not just in relation to this Bill, but generally with respect to the appointment of officers of this Assembly.

And so I'll undertake to the member that the government will give appropriate consideration to a standard process or procedure for the selection of officers of the Assembly, whatever that . . . whoever is included in that description.

I've given some examples today of people who have been appointed. Members will recall the procedure followed in the appointment of the present Ombudsman and the child's advocate. I was involved in both those so I remember the process quite well, and it was a successful process. And in the end, everyone said good work and everyone was pleased. I think if I'm not mistaken, the member from Moosomin was a member of the committee that selected the Ombudsman. But that's by the by.

What I'm trying to say though is that we will undertake a review of an appropriate process to put in place with respect to the appointment of officers of the Assembly. But we're not able to get that together in time to put in this Bill, nor should we address it independently for this office alone without also addressing the more general question of other officers who are equally important to the system as this one.

Mr. Krawetz: — Mr. Minister, I appreciate your comments and as I've indicated to you before, I think that if we can clarify and ensure that it's contained in legislation — the process, the committee structure, all that kind of material — I'm sure that you would have the support of opposition members in that, and I encourage you to do that.

For clarification could you indicate — I know it's not relative to the Chief Electoral Officer— but when were the other choices, when is the last time that a choice was made of an officer of the Assembly, either the child advocate, or the Ombudsman, or auditor? Is it in the last couple years?

Hon. Mr. Mitchell: — I come, Mr. Chair, without having been briefed on what happened there, but I recall the appointment of the Ombudsman. I recall myself consulting with opposition members. Now I'm not certain; I think that the actual selection was done by a committee of public servants, but they produced a short list and a recommendation, and I think we consulted about the recommendation. But we certainly didn't have a process in place like we're proposing here. This is a significant advance.

But the point that I was trying to make was that there had been full consultation. I mean we had an agreement on the name before we brought it to the floor of the legislature; that's my recollection anyway. And I was personally involved in the selection of the Ombudsman, in a sense that I was the minister responsible at the time. Is this ringing a bell with anyone? Yes. Good. I didn't think I dreamed it; I thought it was real.

And there is a great deal to be said for a standardized process. But I'd never thought of a standardized process till the member mentioned it in connection with this piece of legislation that we're now considering.

Mr. Krawetz: — Thank you, Mr. Minister. And the point that I was making — and I didn't want to put you on the spot and I know you weren't — you know, you don't have to have that type of information at your fingertips.

But the process as we've . . . as been indicated by the Clerk is that the last time something like this took place was in March of '95. So it's prior to the last election of June of '95, which was something that I was trying to figure out, whether I had missed

it.

And I think what it clearly identifies though is that we do need a standardized process for all of the Assembly people. Because in that respect then, we'll know what the process is whenever it needs to be done and we'll be able to work on that.

So I encourage you to look towards bringing about another amendment again that would clarify that, place it in legislation so that there's no . . . be no situation where a minister or the Premier suddenly decides that that's not something that's going to be followed.

Mr. Minister, with all general elections and the one coming up shortly, when are returning officers appointed at the constituency level? And in this case now I guess we'll be at 58 constituency levels. At what point prior to an election are they appointed?

Hon. Mr. Mitchell: — There is no prescribed time in the Act. And I just don't recall when these appointments are made. So I'm not able to answer the member's question.

Mr. Krawetz: — Mr. Minister, whenever the people are appointed — I guess my question would be that — would you consider that the duties of the returning officers are a very, very large, intrinsic part of the entire electoral process?

Hon. Mr. Mitchell: — Mr. Chair, at the level of the constituency, the returning officer is of course an important officer acting under the Office of the Chief Electoral Officer. And there are a number of duties that are described in the Act. Unfortunately they're not collected in any one section. They're sort of scattered through the Act, but they're important at the level of the constituency.

And I can't be more specific than that because I don't want to take the time to go through the Act and pick out all of the various duties. But of course the office is an important office.

Mr. Krawetz: — Thank you, Mr. Minister, Mr. Chair. While you've identified that the electoral . . . the returning officers are very important — they do serve certain rules and duties as you've indicated are scattered throughout the Act — what qualifications then would you or would the government be looking for in people to be selected as returning officers at the 58 constituency level.

(1530)

Hon. Mr. Mitchell: — The only qualification set out in the Act is that the returning officer be a voter residing in Saskatchewan in the constituency for which he or she is appointed.

But on a practical basis we look for people who are . . . who can do the job, who can administer the program; so that informally the bar is set at a pretty respectable height, because the last thing any of us need is an election that is run at the constituency level by someone who is incompetent. So we take some care in appointing people of competence for the job.

Mr. Krawetz: — Mr. Chair, Mr. Minister, I think you indicated the words that the returning officers are really acting under the

Office of the Chief Electoral Officer and now you've indicated that you'd be looking at of course, a certain criteria level for people to be able to meet. And I think that what we're seeing though is that it's very, very important that the people who are appointed to the position of returning officers appear to be completely non-partisan.

And I'm wondering if leaving them in the current situation, as you have, and that's as I've indicated before — the Act has not dealt with the returning officers in terms of changing those particular appointments — will this not again leave the perception that we have partisan appointments of returning officers?

Hon. Mr. Mitchell: — Mr. Chair, the member's question is difficult to answer in a way that does justice to the question.

I want to begin by saying that the present system, all of it, works really well in this province. We've had some trouble with the enumeration because we have a very short election period. And historically the enumeration is not triggered until the election is called, which means these are matters that we discussed during the Bill, The Election Act amendments, that were passed last year. So we've got a very hurry-up enumeration. And we took steps in the last amendments to The Election Act to deal with that.

We can do an enumeration that can start before the election is called, and ultimately in this country we will have a permanent voters' list, and I look forward to that. I think that's a very useful, valuable idea that is going to do a lot towards regularizing election processes in this country.

We think the present system works well. I've been running in elections for a long time. I first ran as a candidate in 1982. I didn't win in '82 but then I've had '86 and '91, '95. Sometimes the elections had returning officers that were appointed by the Tories of the day and then an election officer appointed by the present government. And for me the experience was pleasant both ways, and I wasn't any more successful with some of my objections with one person than with another, but each time I felt I was dealt with fairly.

And so it's our perception that the present system works pretty well even though the appointments of the returning officers are made by order in council, by the government of the day. So we don't have any sense that the machine is broke and needs to be repaired.

Now we look around to the other jurisdictions in Canada and almost everybody is doing it the way we do it. B.C. would do it the way that your suggesting, where the Chief Electoral Officer makes the appointment. We're reluctant to take that step because it's a lot of work for the Chief Electoral Officer to accomplish something that is working pretty well the way it is.

In other words, I think that the idea of constituency returning officers being appointed by the Chief Electoral Officer is more cosmetic than real. I think the present system is working pretty well.

I don't know of any abuses. I don't know of any hint of scandal around the operation of any of these constituency returning

officers. There are, for example, at the ballot place, representatives of all of the parties, or at least all those who are organized enough to have people in the polling booth at the time, checking the identity of everybody who comes in to present themselves for a vote, checking to see they haven't previously voted and that sort of thing.

And then when the votes are counted, there are representatives of all the parties in the room; so that the process is a pretty well-regulated process by virtue of the people who are there.

In addition, the district or at least the constituency returning officers are using material, forms, and following rules and procedures laid down by the Chief Electoral Officer that are in effect right across the province for everybody. They're not making very many independent decisions themselves.

So just to sort of bring my answer to some kind of a close here, we recognize that the member's point is an interesting point and it has some appeal, but we have concluded that the present system is working pretty well and we don't feel it necessary to change it.

Mr. Krawetz: — Thank you, Mr. Minister, and Mr. Chair. I guess what I'd rely now on is I'd rely on your experience. And you've mentioned a couple of things in terms of how the current procedure works for the appointment of returning officers. You mentioned orders in council, you've mentioned the government of the day. Could you add to that the actual process — for myself, not being aware of that — how do returning officers actually get appointed from the early stages of selection?

You've mentioned that the only criteria is that a returning officer must reside in the constituency. Do they have to meet any other qualifications? Is there a posting, an advertisement that says that the government of the day is looking for returning officers and would ask for submissions? How do the names come forward, not only in constituencies I guess where government members are currently represented, but in all 58 constituencies? What is the procedure that will be followed for the appointment of returning officers?

Hon. Mr. Mitchell: — I'll give to the member my own experience when we formed government. Someone asked me for the name of someone who could be a returning officer in my constituency. I canvassed practically everybody I knew and nobody wants the job. It pays a grand total of \$660 a year. And when there is an election, I think it's \$4,340 for the year. And it's a lot of work. If there's anybody in this country that earns \$4,340, it's the returning officer in a constituency. It's a lot of work for a very small amount of money. I had a very difficult time finding somebody. That's the point I'm coming to. And I finally found someone and she's still a returning officer there. She just carries on, and I thank her for that. It's a lot of work for a very little compensation and there's no glory in it.

And I'm sure that all of the members had the same kind of experience trying to dragoon somebody into taking this particular position. It is no plum. And I think people take it because they're interested and because they want to participate in the process. They certainly don't do it for the money.

Mr. Krawetz: — With that explanation, Mr. Minister, I'm

wondering if as a result of the '95 election where your government, the current government, was also the government of the day prior to the election, whether you've had any revelations whether or not a returning officer that was selected for the '95 election in any of the 58 constituents was indeed showing NDP partisanship and conducted themselves in that fashion.

Hon. Mr. Mitchell: — Mr. Chair, I'm not aware of any situations where there has been any allegation of partisan behaviour. And it certainly hasn't been in my . . . there hasn't been any in my experience. The officers are sworn. They have an oath that they take before the Chief Electoral Officer, and there's all kinds of checks and balances. And if anybody is not satisfied, I think they phone Regina and try and get the intervention of the Chief Electoral Officer if it's not being done right.

But as I said earlier, we have no sense that the system is not working, that it's broke, that it needs reform at the level of the constituency. So we're not of a mind to fix it. We're reluctant to interfere with it.

Mr. Krawetz: — Further to that, Mr. Minister, as a result of the '95 election, are you aware of any instances where the returning officer was just not able to handle the tasks given to them? They were unqualified or unprepared or just unable to do the job adequately and that these have been reported to the Chief Electoral Officer, saying that there are problems in one example or ten examples? Do you have any records of those kinds of things occurring in the '95 election.

Hon. Mr. Mitchell: — I have to say to the member, Mr. Chair, that I'm not aware of any such situations. They may exist. I'd be surprised if . . . No doubt there's an uneven level of performance, but none have come to my attention. And I would think they would have, but I don't know.

Mr. Krawetz: — Thank you, Mr. Minister. And, Mr. Deputy Chair, to the minister, you've indicated of course that the returning officers as they currently are appointed, is something that you're going to continue to keep in force. And while we disagree with you . . . and we want to suggest that you might want to change that down the line.

I guess the reason that I'd like you to answer this question as to why you think it's appropriate to keep the current system in place is . . . and I'll use the auditor as the example. The auditor is a member appointed by the Assembly. The staff that that member requires to do the job adequately, of auditing all the necessary corporations, committees, etc., whatever the objectives are, the auditor is the one who will choose the appropriate accountants and employ the people, based, I think, on their skills, their experience, their expertise.

Here we have a system where the Chief Electoral Officer, who is responsible for the carrying on of an election in the province, will now have 58 returning officers not selected through the same process. I think that that opens the door for a system that will fail in some instances; and as you've indicated, on the whole it probably works fine.

(1545)

But I think what we need to do is to establish a system whereby we totally remove the perception of the public that government has control over the electoral process. Because the election process that we have in this country and in this province is something that we have to respect and that we have to ensure is protected.

And I'm wondering if that wouldn't lead you to believe that the process of getting the returning officers selected by the Chief Electoral Officer is very similar to the auditor.

Hon. Mr. Mitchell: — Well my thinking on it is conditioned by my own experience I guess, and by the experience of many of my colleagues with whom I've discussed this.

If someone had placed an advertisement in the *Saskatoon Star-Phoenix* inviting voters in the Fairview constituency to apply for this position of returning officer for a salary of \$660 a year, with a special consideration for election years in which it's \$4,340, and then describing what the qualifications are, I don't know who in my constituency would have applied. I had a difficult time going practically door to door, by telephone, trying to persuade someone to take this job.

And if it had been sort of a public selection process by advertising and by interviews, I cannot imagine that we would have found an individual with the quality, with the qualifications, with the ability, the intelligence of the returning officer that is acting in my riding.

Now I may be wrong, but based on my experience it just wouldn't have worked. We would have no doubt received applications, but I would have been very surprised if the Chief Electoral Officer would produce a better returning officer than my own efforts.

Now in my case, as in your case, as in the case of all of us, we know our constituencies. We know the people who live there. We have an estimation of their ability and it is in our interest to have somebody there who can run an election.

Now they may be of the same political party, and I have an idea that . . . (inaudible interjection) . . . Well I don't want to make a joke of this at all. I mean these are the people that we know the best. But I would have no hesitation at all in appointing in my constituency a returning officer of another political stripe as long as it is a person of integrity.

But even there, in the Act as it is set up, the opportunities for cheating or for making partisan decisions is very, very limited. And only I think in the case of a tie vote or something like that does it become a matter of partisanship, but we don't have many of those. We didn't have any in the last election and none at all in the elections that I have personally run in.

So I know that the present system is subject to the unease that the member has expressed, but I am far from being convinced that the process which the member suggests would produce better returning officers or better-run elections.

Mr. Krawetz: — Mr. Minister, I asked a question a few minutes ago and I don't recall the answer. When you've indicated the current process is in place for selecting a returning

officer and you've identified the process that you used as a member and you are satisfied that you have a very competent individual — if we're looking ahead to the next election whenever that may be — I asked you the question as to would you explain how the returning officers will be selected in all 58 constituencies? You've indicated how the process is going to occur in your constituency where you are a government member. Could you explain the 17 other opposition constituencies as to how that process will work?

Hon. Mr. Mitchell: — I don't know how we did it. The staff work is done by whoever. The Executive Council staff I would think would be primarily the ones involved in finding appropriate candidates in each constituency. Where there's a government MLA (Member of the Legislative Assembly), the MLA is involved. I know I certainly was.

In the opposition seats, I dare say they contacted people that they knew in the constituency and asked for them to canvass around and see if they could find anybody who would serve. These are not big, heavy, political decisions because they're not plums of any sort; it's a dirty job. You know, it's a hard job and it's not a pleasant job; it's not a fun job. Although obviously there are people who enjoy doing it.

And when we appoint the returning officer then they serve until they resign or until they are replaced for whatever reason. In my experience I don't recall ever having replaced a returning officer. I don't recall an order in council going by, replacing a returning officer. But obviously if they resigned or if they died or something like that, we would have a replacement. So they just continue on. But the process I think is quite informal and quite sort of variable between constituencies.

In the case of your constituency, that was a government seat, so no doubt the person appointed in your constituency was appointed in consultation with your predecessor, and probably continues to be the returning officer in that riding, although no one on this side of the House would know who that is.

Mr. Krawetz: — Thank you again, Mr. Minister. And further to that, because there are 17 opposition members currently, will that process be in place for next year, or whenever the election will be held? Will there be any consultation with the current MLAs who represent those constituencies? Or will it be as you've indicated, staff of cabinet that will be out in all 58 constituencies working with the government MLAs in their appropriate constituencies, and then determining what the returning officer — whether it's the current one that will remain in that position or whether there will be any changes.

Hon. Mr. Mitchell: — Mr. Chair, I'm not in the position to commit on that. I'll have to do some consulting within my own ranks before I could commit to such a thing. In the meantime probably we're going to go into the next election with the same set of returning officers we had last time unless someone has left.

I can though, undertake to the member that I will discuss the matter with my colleagues and discuss the matter further with him.

Mr. Krawetz: — Thank you, Mr. Minister. You indicated that

returning officers receive pay while there is no election. And I'm wondering what is expected of a returning officer in a non-election year. What kinds of things will they do? And I know you indicated that it was a paltry 600-and-some dollars, but I'd like to know what do they actually do during the year that there is no election, excluding by-elections and elections.

Hon. Mr. Mitchell: — I think we would all agree that the duties are not onerous during that time, but they're still returning officers. They continue to maintain the office, and they're usually in their home; every one I think is in their home. So they continue to keep those offices there and keep the records of whatever it is that flows through from the Chief Electoral Officer.

They also have to be planning ahead because they have to think about the question of DROs (deputy returning officer), and poll clerks, and enumerators when an election is coming up. So they've got to kind of keep track of their lists and be prepared or else they'll be caught short with disastrous consequences when an election does come along.

Mr. Krawetz: — Thank you, Mr. Minister. Mr. Minister, you mentioned enumerators. And I think you have probably received — and I know we've had a little bit of discussion about this — you probably received the largest number of concerns around enumeration that was done in the last election, and the weaknesses of some enumerators and the process that they've put in place all around the province.

The changes that have been made federally with the enumeration process, how will this affect the next election? And will we be undertaking an enumeration process or is this an ongoing thing, as I think you have indicated to this House before, that that process is going to be something that will be right up to date, and we may not even have to have that type of process in place.

Could you tell us how the enumeration will take place for the next election?

(1600)

Hon. Mr. Mitchell: — I think that . . . my guess is the next election will be run with an enumeration done at the time. The member will recall that we talked a lot about enumeration during last year's debate. And the amendments contemplated consultations between the leaders. And following such consultation the Lieutenant Governor in Council could direct that an official voters' list be prepared by an enumeration conducted other than during an election.

Now no such consultations have taken place because we're just . . . we haven't addressed the question yet. So I want to rewind my tape a bit and say those consultations may well take place. I don't know what the Premier has planned, if anything, with respect to that.

What I know is that the way we've been enumerating our electors has not worked. It seems to me it gets worse every election. And we have to improve it. Now we've been working with the federal government on their plans, and we have been negotiating with them about access to certain kinds of data that

we maintain. I don't know the details of that. But we certainly have a lot of data here about who lives in Saskatchewan and where they live. And my understanding is that there were negotiations going on between Mr. Kuziak and the federal government in relation to that.

And speaking for myself and for many of my colleagues, we want to plug into that federal system as soon as we can because we want the enumeration in this province to be much, much better.

Whether we will in fact have a pre-election enumeration for the 1999 election I do not know. I hope so. I hope so, but I can't stand here and say for sure that it will happen. But the consultation between leaders, which is contemplated by section 30, ought to take place.

And I suggest that the two leaders who are in the House now take steps to ensure that that happens so that we will know just what the situation is with respect to an enumeration. Because on that respect I'm on your side on that. I think our enumeration processes have been deficient and the voters' list has been inadequate, and we ought to do whatever we can to remedy that.

Mr. Krawetz: — Thank you, Mr. Minister. And yes, I agree with you very, very much that that process has to be improved and I thought we were on the road to that in terms of improving it. And after the last federal election I'm saddened to see that that has ground to a halt and that we haven't moved forward.

Because it was my understanding that we were going to have very current, very up-to-date voters' lists for all constituencies because of the federal election and because of the new monitoring that would take place both provincially and federally, and that was going to be in place for the next election. And I hope that we can still arrive at that situation because then if we can improve the voters' lists and ensure that there's more accuracy, the better off everyone will be.

Mr. Minister, if I could refer to a couple of sections within the Bill, and I would ask you to clarify sections 4(1) and 4(2). They're both talking about suspension and removal from office. One is dealing with the suspension and removal while the session is ongoing, and the other one when legislature is not in session. In the second reference, you have indicated sort of the reasons why an officer may be removed: incapacity to act, neglect of duty, or misconduct.

In section 4(1) there is no reference at all to reasons. Are you suggesting that the reasons of 4(2) will be the reasons that will be followed in 4(1)? Like how would the Assembly or why would the Assembly suspend someone in 4(1) when there's nothing . . . there's no clarity there as to why that would actually occur.

Hon. Mr. Mitchell: — Mr. Chair, and to the member, the structure here is I think exactly the same as with other officers of the Assembly, the information officer for example. This legislature has not sought to bind itself in respect of its future decisions. If you follow me, this is the sovereign body here. This is the Government of Saskatchewan; this is the Assembly; this is the Legislative Assembly of Saskatchewan — let me put it that way. This is the Legislative Assembly of Saskatchewan,

and we are sovereign within our area of jurisdiction and we are presumed in this Assembly to act in the public interest.

And so we don't bind ourselves with criteria such as we have prescribed for the Board of Internal Economy, which is not the Legislative Assembly, but which is a committee of this Assembly. We lay down criteria for them but we in this House are free to act as a sovereign power and we don't lay down conditions for the way in which we will act in making our decisions in the future.

It is presumed that we will act reasonably and in the public interest. And I think for practical purposes probably that is the list, you know, that we would all have in mind when approaching the question of whether we should suspend an officer like the Chief Electoral Officer, but we don't bind our hands on the question. We remain free as an Assembly to arrive at whatever decisions we consider to be appropriate.

If we were acting, if we were acting according to specified criteria then perhaps we set up a situation where the courts may review whether or not we did what we were supposed to do or whether we acted properly or that sort of thing. That would not be appropriate. We are in this Assembly a sovereign, and we have the ability to act in the manner that is how many hundreds of years old now in the system in which we govern ourself.

So this is the approach that we've taken, and that all Assemblies take, with respect to questions like this.

Mr. Krawetz: — You open two points, Mr. Minister, and the couple of comments are, would not the Board of Internal Economy be subjected to the criteria as well and you're saying that the court may challenge? If the Board of Internal Economy is instructed to remove an officer due to those criteria, is that challengeable?

The second question that related to what you've said is, is the process for the other officers of the Assembly the same as you're proposing here when we are in session, in that this is an autonomous body that will handle a suspension resolution based on the decision that we make here in this Assembly.

Hon. Mr. Mitchell: — Mr. Chair, in response to the member's question, let me say that . . . let me answer both points, one at a time.

It is an open legal question as to whether the courts could review a decision by the Board of Internal Economy that was beyond their jurisdiction or was otherwise improper. I'm advised that that precise question is in the courts now, and so I don't know for certain what is the law. We won't know until those cases are complete.

Subsection 2 of section 4.2 contemplates that the Board of Internal Economy decision about suspension will be temporary in the sense that it cannot continue past the end of the next session of the legislature. And this clearly contemplates that the decision of the board would be reviewed or at least reviewable by this Assembly.

So in the sense the Assembly is an appeal body from the Board of Internal Economy in the event that they go off on a matter

that is not within their jurisdiction or is otherwise improper. But we do know that at least it opens the possibility of court challenge to have words like that. So, you know, I can't answer the member's questions in any detail.

These provisions are I think exactly the same, or at least modelled upon the freedom of information legislation, that piece of legislation most recently passed by this House. But the . . . Sorry, it was the Conflict of Interest Commissioner that these are modelled after. And the rest are kind of a hodgepodge of provisions. But it seems to us that these were appropriate in the case of The Elections Act.

Mr. Krawetz: — Mr. Minister, under sections 4.5 and 4.6 you talk about the salary — 4.4 deals with the salary. Could you explain . . . and I note there that you have the Public Service Commission salary. There will be consultation of the Public Service Commission regarding salaries for the Chief Electoral Officer and the assistant, yet they are not employees under the control of the Public Service Commission.

Explain how you see the salary situation working. And I think you indicated beforehand that we wouldn't see salary changes. And I don't know what the former Chief Electoral Officer, Mr. Kuziak, what his salary was, but do we see a similar type of salaries set up for the two employees?

Hon. Mr. Mitchell: — The member has observed the salary of the Chief Electoral Officer will be fixed by the Board of Internal Economy. In the preparation of the legislation we asked ourselves how will they determine what is an appropriate level. The person in our government system here who knows the most about salary administration and pay levels and pay ranges is the Chair of the Public Service Commission, which is why we inserted that as the consultation process.

The salary of the Chief Electoral Officer should bear some relationship to what else is happening in Saskatchewan in the public sector. And so that consultation was directed, although the Board of Internal Economy has the jurisdiction to set the salary. And Kuziak's salary was I think related to a provincial court judge if I'm not mistaken. I think it was informally related to a provincial court judge. I'll just check this if the member will . . .

(1615)

Mr. Chair, I misinformed the member. Yes, I confess. I leaped to my feet and said the salary was related to a provincial court judge and I'm told that's not so. Paid less than a provincial court judge, although we don't know how much he was being paid as we sit here today. This can easily be found out, but neither Darcy nor I know for certain how much he made.

So we're not able to say whether the new Chief Electoral Officer will be paid more or less. We can say by way of an escape hatch on this question that that'll be up to the Board of Internal Economy. We have asked the Public Service Commission how they think this job would rate, just informally, just to get some idea of what we're talking about here and how attractive this job may be to people who are potential applicants.

And it is not a highly . . . it's not likely to be a highly rated job. Or at least that I think is the advice that the Board of Internal Economy will get from the Public Service Commission. Yes, that this is not a high paid job relative to say deputy ministers or the like.

Mr. Krawetz: — Mr. Minister, one of the other concerns that we raised and that's missing from this Bill, is all around the area of provincial tax credits for political parties. And I raised that in my comments under adjourned debates, where we realize that a section of The Election Amendment Act that's been passed before in this legislature . . . not all of the sections have been proclaimed.

And while that may happen to this Bill as well, we may see sections of this Bill that may not be proclaimed, my question to you is: when will the sections that have been passed by this legislature, when will they be proclaimed to ensure that all political parties in Saskatchewan are treated equally and fairly?

Hon. Mr. Mitchell: — The reason why they haven't been proclaimed is directly related to the reason why they're in the Act. The member will recall, or at least some members of the Assembly will recall, that the provisions were put into the Act in response to a rumour that was then current that the federal government was thinking about rescinding the tax credit, rescinding the federal tax credit scheme. And if that was the case, we wanted to be able to move quickly in the province to have our own tax credit scheme that would be applicable to political donations.

Now that rumour that we were acting upon has not proven to be the case. The federal tax credit system is still in effect. And therefore our provisions sit there because the trigger that we had planned for them has never been pulled. We have not . . . We still have the federal tax system and that was to be the trigger. If it disappeared, then our provisions would be proclaimed.

Now I don't know if the member was involved in those discussions personally, but that was the whole basis for the inclusion of the provisions at the time. And so we have not, we have not felt pressed on that account to proclaim a section.

Mr. Krawetz: — Mr. Minister, could you inform the House as to how many other provinces follow the system that Saskatchewan does, in that they also do not have provincial tax credits?

Hon. Mr. Mitchell: — I think that we're relatively lonely on this. We don't have the figures with us. That was last year's debate. But our best recollection here, between Mr. McGovern and I, is that New Brunswick and Saskatchewan are the only provinces without a provincial tax credit system and just go with the federal system. And the other provinces have some kind of a double credit system which we just haven't gone to. It has fiscal consequences, and I . . . that's been standing . . . that was our first consideration when the idea first surfaced in the amendments to the Act last year.

Now the creation of your new Tory Party, or however you would chose to describe it, does create a unique situation in that you have no federal counterpart to use to take advantage of the federal tax system. If we created a, if we created a

provincial tax system then the Liberals and our party would still be at the advantage of having both systems working for us or available to our contributors, in that . . . (inaudible interjection) . . . Yes, but you can take, you can split your contributions in such a way to make it to come out to your advantage. And there's no way we can level the playing-field; although I understand the member's point.

Let me say this though; let me say this. We're prepared to continue discussing this and debating it with you and that sort of thing. You have not persuaded us yet that we should do it, but it has nothing to do with the Bill that's in front of us today. I think you'll admit that.

Mr. Krawetz: — Well I understand that, Mr. Minister, what I'm indicating though is that certain sections of today's Bill may not be proclaimed either because government may choose not to do so. So what my concern is, and I've indicated this to you before, eight provinces have moved to have provincial tax credits without having the loss of the federal tax credit. As you've indicated, New Brunswick and Saskatchewan are the only two.

I don't want to be last on this issue. Not specifically because this is the Saskatchewan Party, but we also have the formation possibly of another political party in Saskatchewan, again at a disadvantage. Whether or not they form or not is not for me to answer. The question though, Mr. Minister, is that there is an advantage currently for your political party and the Liberal Party because of the relationship to the federal tax credit.

The other situation that comes into play, and you have stated this many times I think in this House, is that there needs to be accountability. There needs to be assurance to the people in Saskatchewan that there is accountability, that we're willing to inform people, through a reporting process, that everyone who makes a contribution of a particular value, that that is disclosed.

And we've seen some problems with the federal tax credits, those of not only in Saskatchewan, but I think everywhere. Eight provinces have recognized that. Now while they may be able to take advantage and be able to split, there still is only the same dollar that they can receive a credit for, whether it be provincial or whether it be federal.

So I'd encourage you, and I know I think our political party will continue to pursue that with the Premier, with yourself, to ensure that indeed we do have a level playing-field. And I think it will make it a level playing-field if we have a provincial tax credit that all political parties can take advantage of.

Hon. Mr. Mitchell: — I think the Premier would welcome those discussions. We are, of course, the party of fairness and equity. And I'm sure that the discussions can proceed in a very civil atmosphere and something can be worked out.

In the meantime, I think that it is clear, and I think the member agrees with this, that what we're debating today is a very significant advance in terms of the position of the Chief Electoral Officer, and I think we've consensus on all parties to support the Bill.

Mr. Osika: — Thank you, Mr. Chairman. Mr. Minister, and

Darcy, I know that you're very capable and competent . . .

The Deputy Chair: — Order, order, order. It is, in the committee, it is quite proper for questions to be addressed to the minister. Officials are not to be involved in the discussion. Officials are here to advise the minister.

Having said that, I wish to apologize to committee members because I now recollect an earlier mention of that official's name and I see the minister recognizes who did that.

Mr. Osika: — Thank you very much. I was merely welcoming an old friend, an acquaintance.

Mr. Minister, just to follow up on what the Leader of the Opposition was talking about, I know there is some concern about the tax credit system which has led to some confusion, some concerns that you and I have debated, Mr. Minister, and you've even accused me of having spun-out about some of those very concerns. I've come back to earth, but those concerns still do exist.

There are in fact tax credits for political donations; so there is still some recognition through a different system, the tax system.

An Hon. Member: — Not for us there isn't.

Mr. Osika: — Well anybody that donates to a political party can submit that as, on their income tax, as having donated to a political party. I did that on my tax return.

An Hon. Member: — You don't know what you're talking about.

Mr. Osika: — Well I suspect that some of the people from the official opposition don't pay federal income tax.

Anyway, with respect to the services that are provided during the course of elections, is that from province to province? Is that in fact recorded in some way, shape, or form? I've just . . . for example, if there is an election held in another province that a provincial party is offering assistance, is there some tracking of that for the purpose of . . . in kind for donations or cost for services? Are you aware of anything that's in place?

Hon. Mr. Mitchell: — I'm not because I don't think we've every had the experience of another section of our party contributing anything to our election. The reverse is true, but I don't ever remember us receiving it; so I don't think we've ever had the problem of how to donate it. And I could be wrong, but I'm not involved in the internal accounting of the party so I'm not certain.

Mr. Osika: — Were there services from your party in this province to another province during the course of an election? Those types of services, whether personnel or whether any other kind of services. When those are offered or if they . . . first of all I should say have they ever, to your knowledge, been offered and if they have, how is that kept track of?

Hon. Mr. Mitchell: — I must confess I just don't know the answer to that question. I'm just not involved in the internal

processes of the party enough to know or even attempt an answer. My earlier answer was, just it reflects the fact that the New Democratic Party is so strong and so well established in Saskatchewan so I was sort of playing upon that image. But I am not able to answer the member's question.

(1630)

Mr. Osika: — Thanks, Mr. Minister, but if in fact there were such services offered to other provinces, there would need to be a record of that kept and reported or documented?

Hon. Mr. Mitchell: — I suppose it would depend upon the electoral spending laws of the province in which the service was supplied. You know, if we were sending people to Nova Scotia or something like that and if that required an accounting in Nova Scotia, I suppose it would take place there.

Mr. Osika: — Thank you. It's a matter of disclosure of donations in kind or otherwise — either coming in or going out. And that's the questions that I'm raising with respect to the disclosure of any such type of services, either going out or either coming in — in province or out of province.

And I take it that there would in fact need to be an accounting as far as The Election Act is concerned and that's what I'm trying to establish — if in fact this does happen, if there is an accounting and a disclosure.

Hon. Mr. Mitchell: — I'm advised that our elections Act in section 250 contemplates the filing by the registered political parties with the Chief Electoral Officer of a return which includes the operating expenses of the political party during the fiscal year — no doubt that's what the member is referring to — be found in 250, section 250 of The Election Act.

The operating expenses, the total expenses, particulars of those expenses, and the total of all other expenditures — so it's pretty wide, pretty wide sweeping — so if they spent money in the way that the member suggested, I would expect that to be reflected in the annual returns.

Mr. Osika: — Thank you, Mr. Minister, and that would include any expenses that may in fact be related to another . . . or an election in another province. Okay, I thank you; that clarifies that.

I'm pleased to see that we're moving towards the selection of an unappointed Chief Electoral Officer as you know. There were some concerns with respect to the processes and procedures that existed prior to the previous Chief Electoral Officer leaving, and it still leaves some questions in people's minds with respect to the findings of his report and the subsequent non-conclusion, if you wish, as far as relating to proper reporting of donations — an identification of donations. And I'm pleased to see that there will be a process in place that the Chief Electoral Officer will now be an independent officer, and report and follow through on any reports or concerns with respect to violations of The Election Act.

So I have no further questions, but I wonder if you might have a comment with respect to those concerns that you and I debated some time previously and some concerns that still do exist.

Hon. Mr. Mitchell: — Well I recall those exchanges with pleasure. I thought that was one of the most stimulating debates that I participated in in this House. It was testing and we were questioning assumptions that had been held generally for years and we were all having to go back and look at the words of the Act and see whether they meant . . . whether they said what we thought they said or whether it meant what we thought it meant. And it was a very, very stimulating period in the House and I think resulted in very substantial improvements to the legislation.

And that's what the process is all about. I thought it was a classic case of debate in this House resulting in stronger laws. And I think that the member and his colleagues can take great credit for the fact that you pressed those issues so hard. And I think we deserve credit for being responsive to the very points that the member was raising in trying to ensure that the laws of this province were strong enough that we would not have any questions arise in the future such as we were now facing.

The member will realize that we were all proceeding in the . . . at least certainly speaking for my party — we thought we were complying precisely with the law, and you were alleging that we were not complying with the law. So we went back and looked at it and, although we still thought we were, we said, well let's make the law stronger, let's make the law say what you said it should say — so that we could have a law that would be clear to everybody and that all kinds of practices like bundling would be dealt with in the legislation and we would have a clearly transparent set of requirements for reporting.

And I think we have an Act that is the very best in Canada so far as election reporting is concerned. I think the requirements are the clearest and the public disclosure is at a maximum. I think we've set the bar in this province very, very high. And we're not claiming credit for it; we're sharing that with you and your colleagues for the vigorous way in which you pressed your point of view with respect to those matters.

Now I'm not trying to be patronizing in any way. I'm merely acknowledging what I don't think I was prepared to acknowledge last year. In the heat of that debate, we were not giving any quarter to each other. But I think in retrospect we did a very fine piece of work all the way around and it resulted in a very strong law in which we can take considerable credit.

I think that what we're debating today also reflects credit on all of us, and again the ideas in this Bill are not exclusively ours. As I said earlier they were largely in response to suggestions that were coming to us from the opposition. And this again is an example of this democratic institution in full flower and full operation producing sound laws for the people of this province. And I think we can all take a lot of pride in that.

Mr. Osika: — Thank you, Mr. Minister, and thank you, Mr. Chairman.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4

Mr. Krawetz: — Thank you very much, Mr. Chair. As I indicated to the minister, and I've circulated a copy to the minister earlier on this day, I'm proposing an amendment under clause no. 4 and I move that clause 4 of the printed Bill be amended by adding the following section after section 4.6 as being enacted therein:

“Returning officers

4.7(1) Notwithstanding section 9, the Chief Electoral Officer may appoint a voter residing in Saskatchewan as the returning officer for the constituency in which the voter resides.

(2) If an Act is passed as contemplated by section 23 of *The Constituency Boundaries Act, 1993* establishing one or more new constituencies, the Chief Electoral . . .

The Deputy Chair: — Order, order. Order, order. The Hon. Leader of the Opposition is proposing an amendment to the Bill. I'm having difficulty hearing it although I thank the hon. member for providing the Chair with a copy of the amendment.

I request all members give the Leader of the Opposition the opportunity to state what the amendment is and certainly the committee will deal with that as it chooses.

Mr. Krawetz: — Thank you very much, Mr. Chair. I believe I concluded section no. 2 or point no. (2):

(3) As soon as possible after each appointment, the Chief Electoral Officer shall publish in the Gazette the name of each new returning officer being appointed.

(4) The Chief Electoral Officer shall immediately notify in writing an individual who has been appointed a returning officer of his or her appointment.

(5) As soon as possible after being notified of his or her appointment, a returning officer shall take an oath or make a declaration in the prescribed form and forward the oath or declaration to the Chief Electoral Officer.

(6) If a returning officer dies, is absent or is unable or unwilling to perform his or her responsibilities, the Chief Electoral Officer may cancel that returning officer's appointment and appoint another voter residing in the constituency as the returning officer.

(7) A returning officer may administer any oaths or declarations that are required by this Act or the regulations to be administered during an election.

(8) If a returning officer wishes to resign or is unable to perform his or her responsibilities, the returning officer shall forward a written notice to the Chief Electoral Officer.”

I so move.

The Deputy Chair: — I thank the Hon. Leader of the Opposition, the hon. member for Canora-Pelly, for not only making the motion but for an advanced copy of the motion.

However I find that the amendment moved by the hon. member to be out of order. As the title indicates Bill No. 20 is an Act to amend The Election Act, 1998. The amendment moved to clause 4 addresses the subject of returning officers which forms part of section 9 of the parent Act, but it's not part of Bill No. 20 that's before the committee today.

I refer hon. members to Beauchesne's 6th Edition, paragraph 698 (8)(b) which reads as follows:

An amendment may not amend sections from the original Act unless they are specifically being amended in a clause of the bill before the committee.

Because the member's amendment seeks to amend sections of the parent Act not being addressed in Bill No. 20, I must rule this amendment out of order.

Clause 4 agreed to.

Clauses 5 to 7 inclusive agreed to.

The division bells rang from 4:43 p.m. until 4:46 p.m.

Clause 8 agreed to on the following recorded division.

Yeas — 17

Van Mulligen	Wiens	Mitchell
Johnson	Kowalsky	Calvert
Teichrob	Koenker	Renaud
Sonntag	Nilson	Hamilton
Jess	Kasperski	Murray
Murrell	Thomson	

Nays — 10

Krawetz	Bjornerud	Toth
Boyd	Draude	Gantefoer
Osika	Hillson	McLane
Goohsen		

The committee agreed to report the Bill.

THIRD READINGS

Bill No. 20 — The Election Amendment Act, 1998

Hon. Mr. Mitchell: — Mr. Speaker, I move that this Bill be now read the third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

The Assembly adjourned at 4:51 p.m.

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