

EVENING SITTING
COMMITTEE OF FINANCE

General Revenue Fund
Health
Vote 32

Subvote(HE01)

Mr. Toth: — Thank you, Mr. Chairman. Mr. Minister, earlier this afternoon I was discussing the issue of Betaseron and Copaxone, MS (multiple sclerosis).

I just picked up a newspaper article out of the Friday, May 22 edition of the Saskatoon *Star-Phoenix*. There is another drug that the MS society is campaigning to have put on the drug plan. It's called — I'm not sure if I've got it right — R-E-B-I-F, Rebif.

And I'm wondering, Mr. Minister, what your department has done to date, whether or not you're looking seriously at this drug. It sounds like it's been approved by the federal . . . or it's received federal approval.

And what I would like to know is where we are in Saskatchewan today in regards to the drug. It certainly is a fairly expensive drug, anywhere from 17 to \$21,000 a year, which really isn't that much different from what Copaxone and Betaseron are. But is the department looking very closely at also putting . . . making this drug available through the drug plan?

Hon. Mr. Calvert: — Mr. Chair, on the Rebif prescription medicine, which is of interest to MS sufferers, as with any new drug it will be considered for the formulary. It will be examined, and is being examined, by the Saskatchewan review committee. It's following all the usual processes. The information that I have is that a final decision will be made sometime this summer.

Mr. Toth: — Mr. Minister, according to the article it says that federal approval was already given to the drug. Why would there be a significant delay in Saskatchewan if there is federal approval for a drug already given? You're talking about a formulary committee in the province of Saskatchewan. Wouldn't you look at the reasons federal approval was given and move fairly quickly to have the drug as well put on the drug plan in Saskatchewan, based on the approval given at the federal level?

Hon. Mr. Calvert: — Mr. Chair, the federal approval essentially is to determine the safety of the drug product for Canadians; that safety factor having been established now by the federal government, then each province in turn has its own process to determine whether it will go in its formulary. This is following exactly the same process that any other new drug that comes along to be tested by our formulary people.

And I think there is not, in this case, any undue delay. The minister reports that the final decision should happen this summer.

Mr. Toth: — Thank you, Mr. Chair. Mr. Minister, you're saying now, if I understood you correctly, just in your closing remarks you made some comment about hopefully this summer there'll be a decision as to whether the drug will then be put under the drug plan?

Hon. Mr. Calvert: — That's correct, Mr. Chair.

Mr. Toth: — Mr. Chairman, Mr. Minister, another area that . . . a question that comes out of a headline in the *Star-Phoenix* as well, Wednesday, April 8. It's regarding the Chelation Association of Saskatchewan, looking for chelation coverage to be covered by the department.

Where are the discussions to date? How soon will you be arriving at a decision as to whether or not this will be covered as well?

Hon. Mr. Calvert: — Mr. Chair, well I recall some of the discussions around chelation therapy that have gone on in the province over the last number of years. As the member will know, the college of physicians and surgeons, even as we speak, does not endorse the therapy based on their argument that there is no scientific evidence to support the effectiveness of the therapy.

However, in concert with the community, with government, the college has agreed to pass a bylaw which allows physicians to provide the service in a safe and controlled manner here in Saskatchewan. Therefore we do see now the chelation therapy being offered in Saskatchewan communities around the province including here in Regina.

It is my understanding that there is no provincial jurisdiction in Canada which covers chelation therapy as an insured service. And it would be my assumption that until the college of physicians and surgeons would endorse the therapy, that will likely remain the case in Saskatchewan. It would be highly unusual I think in this province that therapy would be considered an insured service without the endorsement of the college of physicians and surgeons.

Mr. Toth: — Mr. Chair, thank you, Mr. Minister. So basically what you're saying, the college itself has not really come to a clear decision as to whether . . . how beneficial chelation is.

The article that I have in front of me talks about a gentleman in his mid-70's who felt he's been really . . . has received a positive response as a result of chelation. I would certainly venture to guess that not everyone would be a positive candidate for chelation therapy. I think the other conventional — if I can use the word conventional — open-heart surgery or whatever, a valve replacement, might for most people be the most positive way to go.

But it seems that in the past, a number of individuals, chelation certainly has provided some benefit. And in that regard, Mr. Minister, while the college is not totally . . . or doesn't feel as strongly that it is a real benefit, if indeed it can be shown that there are some benefits to chelation, that it does help some people, is the department looking at, down the road, possibly including coverage of this therapy?

Hon. Mr. Calvert: — Well as I indicated, Mr. Chair, until the department and government would have the endorsement of the college, it's unlikely it would be covered as an insured service. I have memory of an attempt that we made to partner with a chelation study that was being conducted in Alberta. Unfortunately the linkages could not be developed between our province and theirs to conduct that study. I'm aware that the college of physicians is now in a process of trying to encourage some Saskatchewan physicians to become active in investigating the treatment as a credible research project. To date the information I have is that no physicians have come forward to develop a research project.

We would be interested I'm sure, and it would appear that the college of physicians and surgeons would also be interested, in doing a credible, scientific, research project around the benefits of chelation. I think we've all had and received personal testimony from those who feel in their own personal lives, chelation has made an important difference.

But without that empirical evidence that would be available to the college of physicians, they're not at the point of endorsing it and therefore it would seem only right, I think, that we would not consider it an insured service until it had the endorsement of the college.

This information I find interesting. There are now nine physicians in the province licensed to practice chelation. There are nine clinics operating. They are in Prince Albert, Norquay, two in Saskatoon, two in Regina, one in Moose Jaw, Tisdale, and Wadena.

Mr. Toth: — Mr. Chair, Mr. Minister, I thank you for that response. And I guess at the end of the day we'll await to see where the college goes and through further research if it's indeed shown that it can provide a positive treatment for a number of patients. I'm sure the college will, and physicians themselves will come with some recommendations as to its coverage.

Another issue, Mr. Minister, that I'm not sure if we have a lot of cases of, but how familiar you are with Lyme's disease I don't know. First of all, I guess, how many cases would there be in the province of Saskatchewan?

Hon. Mr. Calvert: — Mr. Chair, the best information that the department officials have with us tonight is that there are very, very few cases in the province. Our chief medical officer, Dr. David Butler-Jones, I know is monitoring this situation very carefully.

We can provide whatever more information we can get from the department to the member. We don't have much more than that here tonight, other than to say that our understanding is there are very, very few reported cases. But the chief medical officer is monitoring it very carefully.

Mr. Toth: — Mr. Chair, Mr. Minister, I thank you. Mr. Minister, to my knowledge too it's probably even less than a handful from what I understand.

However, I am very familiar with one situation where a gentleman has acquired Lyme's disease and unfortunately it's

really taken him from being a very productive individual to a person who's actually had his whole livelihood put on hold — and really didn't, as a self-employed individual didn't have a lot of savings, and just almost seems to be fighting a lot of hoops just trying to get care.

First of all, it took quite awhile for the medical profession to finally diagnose what the problem was. Secondly, without a lot of knowledge everybody's . . . He's almost like a guinea-pig as they try different treatments to see whether they can be of assistance.

I guess the question at the end of the day, Mr. Minister . . . and going back to some of the comments we had this afternoon and certainly last week in discussing it with the Minister of Health, in regards to out-of-province treatment, this might be an area where we may look at other jurisdictions who may have spent more time and have spent more research and have come up with some clearer ways of tackling something like Lyme's, rather than putting a lot of resources trying to bring enough officials in or spending the time on research just because we may have just a small handful of cases.

Mr. Minister, is this something that the department will look at very seriously? And I'll certainly bring you information, and your department information, on the case I'm talking about directly, to see if we can do something that may be of a benefit to this individual who's been struggling with Lyme disease for probably the last three years.

I think it was just about the last eight or nine months that they finally isolated his problem and it's certainly been something that's taken him from, like I indicated, a very productive, vibrant life to one where he is in constant pain. And it's an issue I'd like to discuss with you.

But is this something, an area, where the department can work together with other jurisdictions in Canada in finding ways of how we can use our dollars more effectively in providing care for individuals such as individuals with Lyme disease?

Hon. Mr. Calvert: — Mr. Chair, the member I think makes a very helpful suggestion. In these instances where we're dealing with new conditions, new diseases, new environmental health threats, and new pests and so on, the more that we can do to support each other's work across Canada and in fact internationally, the better. We all certainly shouldn't be trying to reinvent the wheel in our own jurisdictions.

I'm aware that the Minister of Health and other ministers of Health in Canada have in fact been having some of these conversations about trying to strengthen issues of public health surveillance in a more national, global fashion, looking at how we might better work together.

If in fact there are circumstances in Canada or elsewhere where there are more effective treatments, it is just in those circumstances that I know the department looks at out-of-province coverage and with the appropriate recommendations from physicians and so on. And so I would support the notion that the member brings to the House tonight that we should be working together more closely on these new and emerging diseases.

I do have some personal knowledge of someone who has been affected by Lyme disease, and it is extremely debilitating, an extremely debilitating disease. And so I support the member's idea and I know that the Minister of Health has in fact been raising some of these same kind of issues in that context to the federal table.

Mr. Toth: — I thank you, Mr. Minister, and I look forward to being able to bring some information in regards to this case, that has been brought to my attention, to your department to have it reviewed — or your colleague's department. I'm sure with your assistance we can certainly twist his arm a little bit to make sure it is followed up on. But I thank you for that.

Mr. Minister, as well, the Hantavirus . . . (inaudible interjection) . . . yes, the Hantavirus I guess. That's that mouse disease. Is that something that's cropped up a fair bit this past year? I know that's another disease that a lot of people aren't that familiar with. And unfortunately I know two younger individuals who as a result of coming in contact . . . and thought just for a moment they just had a slight flu, but after about three or four days when they had left the scene it was certainly shocking to family members just to find out that something like this that you weren't even aware of could be so deadly.

And I'm wondering what has been done in the past to deal with, to identify areas, problem areas, and as well how would you . . . what kind of cures or vaccine, if there is anything, or researches . . . what research has been done to determine what can be done to deal with this type of a problem?

Hon. Mr. Calvert: — Mr. Chair, I'm aware, as I think all members will be, of the Hantavirus that comes from a certain mouse. It's not all mice I understand it, but deer mice I guess it is. And again I think we've all had some personal acquaintances perhaps that have been affected by this and it's been around.

I know that the public health wing of the Department of Health have monitored this situation very carefully. And given the broad-based rural agricultural community we have, and lots of folks at work where these mice are, I am informed that this in fact was a very specific discussion held between federal-provincial deputy ministers of Health, just around this very subject.

And I'm also informed, although I don't pretend to be a pharmacist nor a physician so my pronunciation here may not be entirely accurate, that a drug treatment therapy called Ribavirin, R-I-B-A-V-I-R-I-N, is proving very effective in the treatment of Hantavirus. But of course prevention, as with many disease conditions, is always the first step and anyone working in those circumstances are well advised of course to use whatever protective measures they can.

Mr. Toth: — Mr. Chairman. Thank you, Mr. Minister. I would take it then that while that drug is available it's something that if a person's been or has the symptoms of that, certainly physicians . . . and they would want to confirm with their physicians or make sure they at least let them know.

The one situation that I'm aware of was a family went out to clean the cottage, and I'm not sure why it ended up the husband was the one who was in actually doing the sweeping, and he

was the one that succumbed to the disease. And this is . . . I think you just take for granted sometimes a bit of a flu symptom. And it just seems to be the type of disease you really don't think much of.

So I would . . . I guess the more information we can get out to people so that they're aware of the fact that this can be a major problem, especially if they're working in older buildings or going back to the cottage where something's been sitting over winter and happen to be cleaning up, that they'd want to be mindful of the fact that they should be careful. As well, if some of these symptoms that may crop up, just indicating to people that these are the things that you might face. See a doctor immediately because there's something that can be done right now. And I think that's information that we certainly should get out there to people.

Mr. Minister, in regards to another question. About a month ago we raised an issue regarding kidney transplants. Now I know my colleagues from Saltcoats and Canora were talking about the dialysis machine for Yorkton, but in this case we're talking about an individual, a Jill Miner, a young Reginan who is currently on dialysis in need of a transplant. We brought to your attention that there was a donor available, a doctor was prepared to do surgery, but there wasn't a bed available. Consequently, she had to wait until July at an extra expense of roughly \$3,000 a month to the health care system.

Mr. Minister, first of all is Ms. Miner still waiting for surgery? Or have you been able to accommodate her surgery — move that up? Or is she even on an extended waiting-list, Mr. Minister?

Hon. Mr. Calvert: — Mr. Chair, I do not have the information regarding this specific case. I'm not sure it would be appropriate for me to . . . Well it wouldn't be appropriate, I guess, for me to discuss an individual case here in the House, particularly around any medical condition. The member will know that in all cases surgeries are prioritized by attending physicians and physicians involved.

The member will also know that this year the province enhanced the annual funding to the transplant program by some \$210,000. And we've also increased the reimbursement to physicians who perform the transplants. And more recently some one-time funding of \$150,000 was provided to try and address some of the surgical backlog.

And so we're hoping through these steps to reduce some of the waiting times that are existing around transplants through both the enhanced annual funding, the new payments to physicians, and the one-time funding to try and reduce some of the backlog.

Mr. Toth: — Mr. Chair. Thank you, Mr. Minister. Actually, Mr. Minister, as we were sitting here my colleague, the member from Souris-Cannington, basically gave me the answer that you really don't have the information so . . .

But putting this aside though, Mr. Minister, after we raised the question we also found out there are 40 other patients on the waiting-list for transplants. And touching base with Dr. Mark Baltzan, his comments were that it seems that we were almost a victim of our own success. Because I think since we've made

more of a determined effort to inform people about the value of organ transplant there's been a lot of people coming forward willing to certainly donate their organs and probably more donors than there are actually individuals who need the organs.

That aside though, Mr. Minister, can you just inform the Assembly tonight as to where we are, whether we're dealing directly with a number of these cases, whether indeed we are performing more transplants . . . that we're biting into the waiting-list of individuals who are waiting for transplants or are we falling further behind?

Hon. Mr. Calvert: — No actually, Mr. Chair, not yet. No the story here is quite a positive story in fact of the statistical number of transplants which are happening in the province. Just for your information, in 1996 the number was 13, in 1997 that number grew to 17. The current waiting-list has 14 people on it; another 10 are in the assessment phase which would bring it to a total of 24 who are waiting. And this would mean that we anticipate having the number grow to 28 transplants to be done in 1998 which will represent a 64 per cent increase over 1997.

And so I think the addition of the funding, the physician remuneration, and the special one-time funding to assist in the backlog, as well as I think the addition of new front-line nursing staff, will make a happy difference in the number of transplants that we're able to perform in the province. A 64 per cent increase is predicted for this year.

Mr. Toth: — Mr. Chair. Thank you, Mr. Minister. Mr. Minister, when you talk about extra funding, does that funding go direct from the department to a specific hospital where the majority of these types of operations would be handled? Or is that money channelled through a district board and then to the hospital, and if that's the process, does all of that money designated for this donor program in fact reach the end . . . the means whereby it's supposed to be used?

Hon. Mr. Calvert: — Mr. Chair, because much of that work of course is done in Saskatoon, the relief funding was provided to the Saskatoon district but very specifically for the purpose of transplants, and so it was very dedicated, very targeted, and it would appear by the prediction and the existing numbers now that it is working.

Mr. Toth: — Mr. Chair, thank you, Mr. Minister. So as you've indicated, it is targeted and the board cannot use the funds anywhere else, but indeed put it directly towards a donor program.

Mr. Minister as well, in regards to Jill Miner, I'll get some more information and get it to you and your officials. Maybe you can give us a response in writing. I'd appreciate that.

Mr. Minister, another area I'd like to get into and talk a little bit about. Awhile back I sent a freedom of information request to the department regarding health boards, and there's . . . one of the concerns I have and it's certainly a concern that people all across the province of Saskatchewan have, is how the health dollars are being spent at the board level.

Now one of the problems we're running into, while we get the annual reports of the district boards, in many cases it's very

difficult to determine exactly what is the administrative level and what is actual service care level . . . for the fact that a number of administrative positions are basically lumped into an area of service, whether it's acute care or whether it's heavy care or home care or whatever. Now I appreciated the fact that your department did get back to us. We requested the information on the per diems and remunerations for the district boards. And if indeed the information is correct here, we see about one point six eight four million dollars is going directly into the hands of board members.

But, Mr. Minister, when boards were set up, when district boards were set up . . . like for the Department of Health. We can go through the department. We can go through the blues. We basically see pretty well every employee over \$2,500 that works in the department is listed. But in district boards, there's no list of employees or their salaries.

Now I wonder, Mr. Minister, if that was one of the criteria that was set up originally. Like the department, district boards would function in the same manner, and all administrative positions or employees over a certain level would be itemized individually.

Hon. Mr. Calvert: — Mr. Chair, there is no legislated requirement on the district boards to do that. Our officials tonight tell me that many of the health district boards do in fact provide that information either, one, on request or, two, as a matter of course. That may not be an even circumstance all around the province. I think it's something that the department and government would be interested in exploring with the health districts.

We provide Public Accounts for government proper. I know our municipal governments are now providing public accounts. School boards to my knowledge do not. Health boards we have, apparently, a bit of a mix where some are doing it just out of course; some are doing it upon request. And perhaps there are some who are not doing it, but we're not aware of those.

Mr. Toth: — Mr. Chair, and, Mr. Minister, to my knowledge . . . and so far we haven't received a response. We have received . . . well actually I shouldn't say response because we haven't got anything in that area. We just haven't . . . in fact the return here basically just . . . you listed the question, and all we got was the board per diems and nothing in regards to administrative levels of care.

Now that may be partly because, like you say, some of the districts do provide that information; some don't. But it would seem to be, Mr. Minister, the fact that you and I, as individual MLAs (Member of the Legislative Assembly) . . . anyone can go to the *Public Accounts* and they know exactly the dollars that have gone through our hands. Basically most, in fact I believe all individuals in departments, you can pick up the blues, and you can determine the salaries of all individuals over \$2,500, individualized in the *Public Accounts*.

Mr. Minister, I think it would be appropriate for district boards to follow the same criteria as the department, as all departments in government. And I'm asking, Mr. Minister, if indeed the department will look into this and pursue this matter as I know it's an area that's of major concern and an issue and a question

that arises pretty well at all district board meetings, public meetings, when people are looking for how the monies are expended, that are handed to the district boards.

Hon. Mr. Calvert: — Mr. Chair, the objective of the Department of Health is to try and bring as much transparency to the expenditure of health dollars in our province as is possible. We are sensitive — and I know the department is sensitive — to some of the concern which may exist around administrative costs and salaries and so on.

I can report to the member tonight, although I believe maybe this is some of the information that you have, that costs of our various health boards are broken down into administrative costs which include everything from the CEO's (chief executive officer) salary to caretaking salaries, but in that administrative column. And then separated out are the costs of the actual board, the functioning of the actual board.

Put together, all of those costs represent 3.65 per cent of funding to districts; so less than 4 per cent is going into administration. That includes again all of the management salaries, caretaking, that sort of thing, plus the actual board expenses. What the member, I believe, is talking or inquiring of is sort of a public accounting of actual positions and salaries attached to positions.

The position that the Department of Health takes is to encourage the district boards to provide that information, and beyond even that sort of encouragement, we're now working with the district boards to try and set up guidelines so there can be some standardization of information provided through the districts.

Again I repeat, the goal of government is to be as transparent as we possibly can with the expenditure of health dollars.

Mr. Toth: — Mr. Chair, Mr. Minister. Mr. Minister, the response I have and all the information I have is the per diems and honorariums, remuneration to board members. I have nothing that lists administrative areas.

And I guess the reason I raise administration, Mr. Minister, is while you may have the CEO's salary in there, I know just two of the boards locally . . . the comments I hear from people ongoing is the number of people now working in offices, the number of positions, whether it's facilities manager or whatever, and then one of the boards were . . . they're now hiring another level of management right within the facilities themselves. And I guess the people were saying, well we did have good managers in those facilities; why'd we move them to the board level and now we're rehiring?

And that's why I'm asking for, and I feel it's imperative that we have, salaries listed out and positions — not that we're looking at all the staffing — but it gives you a better idea to determine the actual costs of administration, because if at an administrative level a management position is part of a salary of a certain area or component, that does not give you a direct idea of what that actual administrative level is for that district.

So, Mr. Minister, you indicated you do have some other information. I wonder if you would be willing to send me a

copy of it and also a response to my question.

Hon. Mr. Calvert: — Mr. Chair, we will provide for the member the information that I have tonight, which is our global numbers. They do not break down; these numbers break down only the global administrative number, the global number being spent for board operations equalling then the total of administration for a given district. But we'll provide that to you.

I repeat, I think it's in all of our interests that health dollar expenditures be as transparent as possible. The department is working with district boards to establish some guidelines for the documentation, distribution of more specific kind of public accounting, of the expenditures. And I know we all want, I'm sure we all want, to be as administratively thin but administratively effective as we can in administering this large health system in the province.

So we'll be sure to get you the numbers that we have, and I give you the assurance that the department is working with districts to try to get more scrutiny of actual salaries and flow charts and all that stuff.

Mr. Toth: — Mr. Minister, as well . . . and I failed to ask this originally. But I . . . a question of the department: did your office receive the global questions that had been sent, and where are the responses? I haven't been informed that we received those responses yet.

Hon. Mr. Calvert: — Mr. Chair, the department has received the request, and the bulk of the work is done. There's some tidying up, and they'll be delivered to you shortly, as soon as possible.

Mr. Toth: — Mr. Chairman. Thank you, Mr. Minister. Unfortunately, Mr. Minister, I would like to hear not just before the end of session but before we wind up discussion in health care or in Health estimates. But we look forward to receiving that information nonetheless.

Mr. Minister, a comment just recently by the . . . and I think it's not just the Premier, but the Minister of Health has been talking about the amounts of dollars that have disappeared out of health funding in Saskatchewan by the federal government. I've got a note here from an individual who's an aboriginal person and just a couple of quotes here:

During question period or member statements I heard the Hon. Clay Serby, Minister of Health, say that not one extra dollar was provided in the federal transfer payment to Saskatchewan for health care.

Then this individual goes on to talk about the fact that he found it quite disturbing, knowing that . . . or indicating that Indian Affairs covers the health costs for treaty Indians, and even if the Health department does not receive the money as part of its regular transfer payment to the province, they are definitely receiving funds.

Mr. Minister, what does the department receive or what . . . yes, I guess what would the department receive in actual funds from the federal government by transfers for agreements in health care to aboriginal peoples? Is it over and above the current

transfers to the aboriginal community?

Hon. Mr. Calvert: — Mr. Chair, my understanding is the Department of Health receives none. Zero dollars. That all of the federal government money that's provided for health care on reserve for aboriginal people — on reserve — is provided directly to the reserve. It does not come through the Department of Health. That's my understanding.

Point number two, when treaty Indian peoples, either on reserve or off reserve, access services off reserve, we are not reimbursed for that.

Point number three, which I think is crucial — I feel that I'm more involved with these days — is that there was a time not so long ago when the federal Government of Canada took its responsibility to treaty Indian peoples more seriously in terms of providing social welfare benefits to all treaty Indian people on and off reserve; some several years ago unilaterally made the decision to no longer provide social service benefits to treaty Indians off reserve. Which has created — as the member knows — a significant new cost to the Saskatchewan taxpayer.

If my understanding is correct, Indians . . . federal health services provided on reserve are provided directly to the reserve.

Mr. Toth: — Mr. Chairman. Mr. Minister, when you're saying on reserve, exactly what are you speaking of? The comment here is we're talking about visiting a family physician or obtaining medication from a drug store and having to give the treaty card as well as the Sask health card. And the indication is, once the treaty card is given, the Sask health card is only secondary.

The feeling that this individual has is that there are funds that actually move into the province as a result of services to treaty Indians. Mr. Minister, I need a clarification on that.

Hon. Mr. Calvert: — Mr. Chair, in the case of a treaty Indian person purchasing medicines at a pharmacy and showing the treaty card, then the pharmacist will be paid by the federal government. The billing goes to the federal government not to the Government of Saskatchewan in that case. So the money comes again straight from the federal government to the pharmacy not to the Government of Saskatchewan or the Department of Health.

There is another circumstance, I'm told by the officials, where there can be some reimbursement by the federal government, and that will be for the provision of level 3 or 4 nursing home care, for nursing care in an institution, where a district, a health district in fact can seek reimbursement from the federal government. But again that money is paid directly to the district not to the Department of Health or through the treasury.

Now the block funding that we get from the federal government, the CHST (Canada Health and Social Transfer), the transfer of funds that do come of course go into the General Revenue Fund and are used for the provision of health-care services — in this case physician and hospital services.

But there's no direct transfer of funds from the federal

government to the Department of Health for on-reserve health services. And where some of those services are accessed through a pharmacy, or in the case of a level 3 and 4 nursing home, the reimbursement is direct either to the district or straight to the pharmacist.

Mr. Toth: — Mr. Chairman. Thank you, Mr. Minister. Mr. Minister, a few questions directly related to Regina and the number of hospitals here in the city.

First of all, the number of operating rooms that were functioning in the city of Regina, in the three hospitals — the Regina General, Pasqua, the Plains — in 1991, 1998, and projected future.

Hon. Mr. Calvert: — Mr. Chair, we do not have back to 1991 the number of theatres, operating theatres, in the city of Regina. We'll get that for the member as quickly as possible, and get it to the member.

I want to again reassure the member that in terms of the move of the Plains hospital in Regina, that all of the services will be moved, and that the number of surgeries being performed in this city should . . . will be as they are today, if not growing.

We have seen I think, an impressive growth in the number of surgeries being performed in the province. In 1991 there were about 78,000 per year. We're now up to 88,000 per year, so that's an increase of 10,000 surgeries per year since 1991.

We don't have those operating theatre numbers back that far, but we'll get them and provide them to the member.

Mr. Toth: — Mr. Minister, at the same time while you're getting that information, would you also give the number of operations per day in the three facilities in '91, '98, and projected; and the number of out-patients per day in the three facilities in '91, '98, and projected. If you don't mind, please, I'd appreciate that.

Hon. Mr. Calvert: — Mr. Chair, we will seek that information from the Regina District Board and get it from the Regina board and pass it to the member.

Mr. Toth: — Thank you, Mr. Deputy Chair. Mr. Minister, heart and neurosurgery are now mainly done I believe at the Plains here in southern Saskatchewan. Where will these operations now take place, once the change is made to the two health facilities?

Hon. Mr. Calvert: — Mr. Chair, those procedures will be provided at the new and expanded General Hospital, at the new health centre that will be in downtown Regina. That's where the heart and neurosurgery work will be done.

Mr. Toth: — Mr. Minister, I believe there was a program involved called the health improvement incentive, and from the annual report the health districts have been allocated a total of \$9,403,916 for health improvement initiatives. And I'm wondering if you can explain to the Assembly what exactly does this mean. What type of feedback have you received from the districts? Have they called the department and suggested maybe they could utilize their funds more appropriately —

directly to services that they need to provide — or exactly what is this program?

Hon. Mr. Calvert: — Mr. Chair, the health improvement initiatives have been part of the global budget for some time now to the districts. The member's correct. It's about \$10 million this year to the districts. My understanding is that 50 per cent of those funds must be used in terms of prevention — prevention of disease, health promotion in terms of prevention. The other 50 per cent, and there is flexibility here to work with the districts, but will generally be targeted for some community-based initiatives.

I happened to, Mr. Chair, share lunch today with a group of people from the Rainbow Youth Center who are celebrating youth appreciation week here in Regina. And at that luncheon I met an individual who is now working in mental health — prevention of mental health disease and the promotion of good mental health. This is a brand-new initiative, and as we discussed it, and as I've said to the individual, I think this is the way we need to go.

We are always faced with the situation where the urgent takes precedence over the important — the important in this case being prevention — and promotion of good health. In this relatively small way, when one considers the size of the health budget, we're beginning to tackle some of that preventative work that's so important and can do so much both to save human suffering, and much less important, but still important, can save precious health care dollars. If we can prevent an accident from happening, that's 100 per cent better than trying to treat the accident after it's happened.

Mr. Toth: — Mr. Minister. Thank you, Mr. Deputy Chair. Mr. Minister, as I understand it then, you're saying 50 per cent must be used in the area of prevention. The other 50 per cent . . . and I know this from '96, it was 12.8 million, this year, or '97, 9.4 million. And I guess a couple of questions. When did this health improvement incentive begin? And also, when you've got 50 per cent going towards prevention, where does the other 50 per cent go? Can districts use some of that money to meet needs that they do not have the funds for out of the general budget that they receive?

Hon. Mr. Calvert: — Mr. Chair. I'm guessing a bit. My sense is that the health improvement issue started in '93-94, maybe '94-95, I recall, but I don't recall precisely the year, but about then.

The 50 per cent that's not used directly, targeted directly to prevention — although some districts may be using a shade more than 50 per cent for preventative work — but the other 50 per cent are for community-based initiatives. It may represent an increase in home care services or the breadth or range of home care services being provided. It might be reflected for instance in some home-based, community-based palliative care, which is so much appreciated in certain circumstances.

We've been drawn into this somewhat, in that any federal funding that has come in the past has always come only for insured services — that's to deal with the acute needs, the insured services. And so we know that in the long run prevention is key, and prevention is important. And that's why

the health improvement initiatives have been put in place.

The 50 per cent not dedicated to prevention and promotion go to community-based services like home care, palliative care, and that sort of thing.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, a few questions in the area of the Plains, changeover of the Plains, and certainly the construction in the city of Regina in regards to health care and delivery of services. When the decision to close the Plains was brought forward and made back in, I believe 1992, what was the anticipated cost of the restructuring, refurbishing of the General and the Pasqua hospitals at that time to pick up the slack or the load once the Plains was closed down?

Hon. Mr. Calvert: — The original cost projection, Mr. Chair, was \$83.2 million.

Mr. Toth: — Thank you, Mr. Deputy Chair. Mr. Minister, to date what has been spent in upgrading both the General and the Pasqua hospitals?

Hon. Mr. Calvert: — To date, Mr. Chair, a total of \$78 million has been paid out in the renovations and the major expansions that are happening at both health care facilities. When the decision was taken those years back, as I indicated, the projected costs were \$83.2 million. Since that time other important work has gone on in the Allan Blair cancer centre, which is widely known as the best in Canada, of another 8.5 million into the Allan Blair Clinic. Costs associated with the MRI (magnetic resonance imaging) and the installation and housing of the MRI represent another 2.3, bringing the total then to \$94.0 million.

Now there are some other projects which the health board has been working towards, and that's around mental health and so on and fire safety issues. But in terms of the work at the General and the Pasqua related to the transfer of the Plains, the total now is \$94.0 million. That's with the 8.5 added for the Allan Blair and the 2.3 for the MRI . . . and to date paid out is \$78 million.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, when you're saying paid out, that's funds that have been paid for services or construction that's already taken place. What is anticipated to be the final cost when construction is completed as well as . . . When I talk about construction being completed, that's also construction of a new parking space or areas at the General.

Hon. Mr. Calvert: — Mr. Chair, I want to be as accurate as I can for the member. The actual consolidation, the expansion required to create these two major health facilities now in southern Saskatchewan . . . we've been able to take \$94 million. The 78 million has been paid out by the Department of Health to the Regina district for these projects.

Other projects that the Regina health board are looking at around some mental health consolidation and medical office wing and so on are not strictly related to the move of the Plains hospital into the two expanded facilities. And so it's our anticipation that the costs associated with the transfer of the Plains services — bed, staff, and physicians — will represent, is represented by the \$94.0 million.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, obviously there's one figure in there that I don't have. If I've got 78 million paid to date, 8.5 to Allan Blair, 2.3 to MRI, and there's about . . . you said 94, should be about 5.2 million someplace here that I don't have, and maybe you could just indicate where that 5.2 is.

Hon. Mr. Calvert: — Mr. Chair, the member's right on. His mathematics is absolutely correct. As I indicated, the total projected cost was 83.2. In response to the question, how much has been paid out, 78 thus far. There is a remaining 5 to be yet paid through the department to the district for the completion of the project in addition to the Allan Blair and the MRI. And so there is yet a remaining 5.2 yet to be paid out.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, you're indicating then that projected was 83.2; you're looking at roughly 94 at the end of the day. That's including all the costs, no further costs that will be . . . or bills that would be coming up on construction that you're not aware of today that may arise?

Hon. Mr. Calvert: — Mr. Chair, there are still some projects still in the tender process, the finaling of, so on. So these are projected but the department is quite confident they're pretty close.

Just to be clear, we've paid out now, from the 94, total costs of 78. There's still 16 million to be paid out. There's still 16 million to be paid out. We've now anticipated the total cost to be 94.0. That is the original 83.2, plus the 8.5 to the Allan Blair, plus the 2.3 around the MRI, bringing to the total of 94. We've paid out 78 and so there's still 16 to be paid out.

Now these are, you know, in some ways rounded figures. These are not precise figures, but we're anticipating that as work progresses through these summer months, we'll see the project coming in right round budget and on time.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, as I understand . . . and certainly with the meetings around the province regarding the Plains health care centre . . . I should say not necessarily totally around the province because I think we're all aware of the fact that it's the southern not even half, probably a third, and a bit up the east side of the province where a lot of the individuals in that area of the province would certainly be sent to and utilize Regina's services depending on some of the procedures. Some procedures as you indicated earlier that only . . . like for transplants you would go to Saskatoon. I think you need to recognize we wouldn't try to set up two transplant clinics in the province. I don't know if it's necessary. We'd want to utilize our dollars as appropriately as possible.

But when the Plains is officially closed, the minister and your government have been talking about the fact that there will be 675 beds. As I understand today there are 675 beds functional in the three facilities in Regina. When the Plains is closed there will continue to be 675 beds that will be functional.

Mr. Minister, I guess the question is, is 675 beds enough to meet the needs of southern Saskatchewan when it comes to the services that are available? And, Mr. Minister, even if it is specifically in regards to the large urban centre like Regina, would you certainly look at ways of transferring patients out for

some post-op care to some of the smaller centres and utilizing beds that are already in the system versus adding to — if indeed we see a situation down the road as we're seeing in other provinces — rather than adding more beds to some of the current facilities that are currently in existence here in the province today?

Hon. Mr. Calvert: — Mr. Chair, to confirm again, as the member has indicated, there are today 675 acute care beds in the city of Regina. When the move of the Plains is complete all of the beds now at the Plains will be moved into the new facilities at the General and the Pasqua, and the bed count in Regina will be the same, 675.

The average, daily census in Regina is 620. But we recognize there are times when pressures are put on this system. As the member indicates there might well be some real potential in developing further some of our regional centres to . . . either for postoperative care closer to home or in fact to provide services again closer to people's homes that can relieve some of the pressures that sometimes build up in the large tertiary centres here in Regina.

And so I'm aware, having heard the Minister of Health a number of times discuss this issue, that that in fact is much in his mind and in the planning of the department to always be monitoring: one, the number of beds in the large tertiary centres; but secondly, to be looking very carefully at our regional centres represented by, for instance, Moose Jaw, Yorkton, and so on where services could be developed, perhaps beds better utilized or perhaps more beds. And at the end of the day, in the large tertiary centres, we monitor these beds regularly. And there is opportunity if the need should be demonstrated for further expansion here.

But we believe that, counting on the analysis of the Regina district, working with the districts around the capital city and throughout southern Saskatchewan, that the mix of beds that we have in the tertiary centres and in our regional centres can vary adequately — in fact well — meet the needs of health care for southern Saskatchewan.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, a question . . . and I'm not sure if this is in the globals, so I'm going to ask it just to make certain. How many physicians do we have practising in the province today? And as well, how many specialists would be practising in the province?

Hon. Mr. Calvert: — Mr. Chair, practising family physicians in the province today, 688 GPs (general practitioners), family physicians, 688; practising specialists 463.

Mr. Toth: — Mr. Deputy Chair, Mr. Minister, have I got that . . . 688 for practising physicians and 463 specialists so a total of eleven hundred and some, quickly looking without getting down to specifics.

Mr. Minister, in regards to the number of physicians, is this meeting the need? I was at a meeting in Swift Current not that long ago where the Swift Current doctors were quite concerned about the number of practising physicians they had in their community. I believe at one time they had 13; most recently they're down to 7. And it seems to me like these numbers look

like we may have adequate numbers; that's about one per thousand, I guess, one per thousand individuals in the province of Saskatchewan.

But there are many doctors who are feeling burn-out. They are just feeling that the work load is becoming fairly extensive even with over 1,100 doctors in the province of Saskatchewan.

Mr. Minister, what efforts are being made to recruit more specialists in . . . And I'm not sure if all the specialities need more recruitment, but no doubt there are some areas where we do need it. And as far as general practitioners, what efforts are being made, number one, to recruit? And number two, as well, rather than just always recruiting outside, to try and encourage young people or recent Canadians to look at practice in the province of Saskatchewan.

(2000)

Hon. Mr. Calvert: — Mr. Chair, I have actually a long list of programs and initiatives that are going on even as we speak in this session around recruitment and retention of physicians.

The member is correct. We have approximately 1,150 physicians practising in the province, which is a substantial number of physicians. Where the problems are will be in a number of specialities, where we can use more specialists — there's just no doubt about that — and in some of our rural communities, where we have had difficulty retaining . . . recruiting and retaining family physicians in some of our communities. Those are the two pressure points.

I think I will not take the time of the House tonight, but ask the department to provide to you this list. It's a comprehensive list of efforts hopefully to attract some of our own graduates, medical graduates, and encouraging them to locate and practise in the province, to train as physicians.

As you'll know, we've signed an agreement with the Saskatchewan Medical Association which has built into that agreement a number of retention provisions, particularly recruiting and retaining physicians in rural Saskatchewan. I'll provide for the member the total list of programing.

The department is very sensitive of this, the districts are sensitive, and the SMA (Saskatchewan Medical Association), and the college is sensitive. We're all trying to work together to solve some of these physician supply issues.

Hon. Ms. MacKinnon: — Thank you, Mr. Chairman. Mr. Chairman, I move the committee rise, report progress, and ask for leave to sit again.

The Deputy Chair: — Why is the member for Athabasca on his feet?

Mr. Belanger: — To ask for leave to introduce a guest.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Belanger: — Thank you, Mr. Deputy Speaker. It gives me

great pleasure to rise this evening to introduce a guest in the Speaker's gallery. We're joined this evening by Mr. Gerald Roy of Ile-a-la-Crosse.

Mr. Roy is here on a business trip with the Labour Force Board in the city here. He's also a councillor on the northern village council of Ile-a-la-Crosse. He's also a member of the Sakitawak Development Corporation and works as a youth worker at the Ile-a-la-Crosse Friendship Centre. And I believe Mr. Roy's commitment to the northern and aboriginal people is something that we all admire. And I guess, in a nutshell, he's the new type of northern leader that many of us talk about in the Assembly.

And it gives me great pleasure to introduce him to the Assembly and ask all colleagues here to give him a warm welcome.

Hon. Members: Hear, hear!

The committee reported progress.

COMMITTEE OF THE WHOLE

The Deputy Chair: — Why is the member for Regina South on his feet?

Mr. Thomson: — I think, Mr. Chair, I wanted to join with the member . . . I guess I want to request leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Thomson: — Thank you, Mr. Chair. I wanted to join with the hon. member for Athabasca in welcoming Mr. Roy here to the Assembly. Mr. Roy was at the luncheon today and the conference which is going on with the Labour Force Development Board.

I want to, on behalf of government members, welcome him here. The work that this organization does is extremely important. It is, as members of this Assembly know, a partnership of business, labour, and government organizations that looks to the future in terms of making sure the needs of our economy are met in terms of having good workers available.

Mr. Roy is, I understand, a relatively new participant in this process and on behalf of government members I'd like to welcome him here.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 33 — The Provincial Court Act, 1998

The Deputy Chair: — Before I call clause 1, I'll invite the minister to introduce his officials.

Hon. Mr. Nilson: — Thank you very much. I'm pleased to have with me tonight Susan Amrud, who's the director of legislative services; Doug Moen, who is the executive director of the public law division; Barb Hookenson, who is the

executive director of court services; and John Whyte, who's the deputy minister of Justice.

Clause 1

Mr. Heppner: — Thank you. And welcome, Mr. Minister, and to your officials as well for part of this evening's proceedings.

I believe this is the second time in the last number of years the government has created this kind of a commission, and I guess up front I'd like to know how much money the first exercise cost the taxpayers and basically what we're looking at for this second one — what it's going to cost and how that compares.

Hon. Mr. Nilson: — The cost of the previous commission under the previous Act was \$20,000.

Mr. Heppner: — Thank you. And what are we estimating the cost of this one's going to be?

The Deputy Chair: — While the minister's preparing for his answer, I'll just remind the hon. member for Rosthern that questions or comments are to be directed through the Chair.

Hon. Mr. Nilson: — The first commission which will be set up under this new legislation will basically be ratifying the deal that was made last June, and so we don't anticipate that the cost will be very great at all. And then three years out, when the next commission is in place, we're not quite sure of how much it will cost but probably not . . . you know, under \$50,000 or \$70,000 — somewhere in that range. But it's every three years that this commission will come into place.

The Deputy Chair: — Order. I'd like to draw the minister's attention to rule 28 of the Legislative Assembly, that comments are to be directed through the Chair.

Mr. Heppner: — Thank you, Mr. Deputy Chair. That's a rather interesting sort of an answer to the estimated cost, because at 50, \$70,000, it seems a little vague. And I would hope that the government has a better handle on the cost of these things than answers as vague as that.

I'd like a general description of the process that's going to ensue after this Bill is passed, like time lines, when the commission will be created, when will its recommendations be made, and those sorts of things. So I'd like to just ask the minister to make a general description of the process that will happen when the Bill is passed.

Hon. Mr. Nilson: — Within 30 days after the Bill receives Royal Assent, the commission will have to be set up, and then they have six months from that date to provide their report.

Mr. Heppner: — Thank you. Section 20, Mr. Deputy Chair, deals with temporary disability. And it's my understanding that temporary disability may be provided for a judge for a period up to 6 months, subject to a 12-month extension, which looks like that could end up being something like 18 months.

In section 20(4) it states that if a judge's incapacity is deemed to be permanent, he will be entitled to 70 per cent of the salary he would have received had he not been incapacitated.

Is this benefit extended to retirement or is there a maximum limit on that?

Hon. Mr. Nilson: — Mr. Chair, the benefit is payable to retirement. If you look at subsection (8) of that same section, it explains that.

Mr. Heppner: — Thank you. And, Mr. Deputy Chair, is this kind of a situation in line with public service standards or is this one that's sort of been created for this group of people individually?

Hon. Mr. Nilson: — This is not changed from the current arrangement and this is basically an arrangement for judges.

Mr. Heppner: — Okay, thank you. And then, Mr. Deputy Speaker, going on to 22(2), it deals with judges' pensions. And it seems that that could possibly open the door to some patronage kinds of things. And it states that, subject to subsection (3), a judge who is less than 65 on the day that he or she ceases to be a judge, who has served as a judge continuously for at least two years, shall be paid a pension for life in accordance with this Act and the commission regulations. And I guess at first reading, what it appears to me is probably what it appears to everybody else in Saskatchewan, that this might be a fairly plush kind of a situation.

And I guess I would like to tell the Minister that my concern on this section — and then I would ask that he provide an explanation to alleviate these concerns — am I right in the fact that, under this situation, the government could appoint a judge for two years? And it is certainly within their power to appoint a former NDP (New Democratic Party) cabinet minister who fit the other criteria, and that a person may only intend to sit on the bench for two years and then could collect a pension for life.

Hon. Mr. Nilson: — I think the simple answer to your question is, that it's not a full pension. It's basically just a pension based on those two years.

Mr. Heppner: — Thank you. Then moving over to section 27(1) which deals with supplementary allowance. And it states there and I'll quote this, it's section 27(1) that:

The Lieutenant Governor in Council may provide for supplementary allowances, in any amount and subject to any terms and conditions that the Lieutenant Governor in Council considers advisable, to be paid to the recipient of:

And then there's two listings made there: an annuity, or a pension pursuant to the Act.

That seems to be a very all-encompassing tool for government to provide extra funds to judges. What sorts of conditions, if there are any, are placed on these allowances? Or is it just that, that it's an all-encompassing fund?

Hon. Mr. Nilson: — The limitation is the limitation set out in the Income Tax Act of Canada, and this is basically a cost of living adjustment. That's all.

Mr. Heppner: — Thank you. And Mr. Deputy Chair, that brings to a conclusion the questions that we have on that

provincial court Act.

Mr. Goohsen: — Thank you, Mr. Chairman. My understanding, Minister, is that this is basically a cleaning up Act to bring the provincial court system up to date, and so there aren't very many things that I need to know about it. But I did wonder about a couple of points here. In the interpretation of council it says it means the Judicial Council continued pursuant to section 53. Could you explain to me how that council is appointed and how their powers are disseminated?

(2015)

Hon. Mr. Nilson: — Mr. Deputy Chair, the council is composed of the members as set out in section 53; so it's the Chief Justice of Saskatchewan, or a judge designated by him; the Chief Justice of the Court of Queen's Bench, or a judge of the Court of Queen's Bench designated by him; the chief judge of the Provincial Court; the president of the Law Society of Saskatchewan or another bencher as designated by the president; two other persons that are appointed by the Lieutenant Governor in Council after consultation by the Minister of Justice with the chairperson of the council and the chief judge of the court.

And then the new part in this one is that there will be two judges that are elected by the other judges of the Provincial Court.

Mr. Goohsen: — Thank you, Mr. Minister. Just going on a little bit further in the Act, I was wondering, in the area of temporary judges there's a list of names of people that you can choose temporary judges for, and I think the general population might be a little confused to as why, to begin with, you might need temporary judges, and why of course the people on that list would be there and who would make those final decisions. I think it might be important just for you to outline a little bit about that.

Hon. Mr. Nilson: — Mr. Deputy Chair, there are situations where there are judges who are ill or not available in a certain location when needed. The chief judge of the Provincial Court has a list of people who meet these qualifications who he uses when he requires a temporary judge. Practically it can't be a practising lawyer, it has to be somebody who has quit practising. Quite often it's a retired judge who comes back and helps out on a short-term basis.

Mr. Goohsen: — Thank you, Mr. Minister. In the area of, usually retired judges, I had a question actually posed to me today by a constituent and that question was along the lines of: how old does a judge get to be before they retire? And how long after they've been retired are they allowed to be appointed to do special duties for government? There are areas of course — we've all heard about Judge Estey doing the thing for the grain thing — and of course there are many examples where retired judges are brought back to look at different problems.

So the questions of course are — I guess just to put it bluntly — at what point do you determine that a man is no longer competent to make decisions? Or who determines if a fellow's just getting a little too old to be able to make the decisions that have to be made in a sound and rational basis, or perhaps have

entered their second childhood, or whatever.

Hon. Mr. Nilson: — Well under this Act the retirement age is 65 with the ability each year to — up until age 70 — to ask to be returned to the roster. And so effectively it's age 70, but many people will decide to retire at age 65.

Your other question around the whole issue of, at what point is a person no longer held to be in sort of capacity to do judicial work. Practically, the chief judge that ministers the court and selects those retired judges or others as his temporary judges, and then he would make that decision. But if there's any question about his decision, the matter would go to the provincial Judicial Council, where that group of people that I described before would take a look at this and make a decision.

Mr. Goohsen: — Thank you, sir. I think I understand how the process is working. But it seems to me that there's a bit of gap in the process. And I'm sure that you will identify how that gap can be filled.

In terms of identifying someone who no longer is making intelligent decisions . . . I have to say to you that I've known people at 65, 66 years of age who have suffered the beginnings of Alzheimer's disease, for example, or many other kinds of debilitating disorders that would render one possibly into a condition where they wouldn't answer to society in the way that we normally would expect that they would do that.

So how are those things identified? And if an individual or a group of individuals thought that someone were not up to snuff any more — you know, to put it back into laymen's terms — how would they go about identifying that and getting people to act on it or to have some checking done?

Hon. Mr. Nilson: — Mr. Deputy Chair, the whole process around the provincial Judicial Council allows for the public to make their concerns known to that council. And practically if you look at section 62 you'll see that the council can make an order. And it says:

62(1) Where the council determines that the conduct of a judge does not constitute misconduct, or establish incapacity, the council may make an order dismissing the complaint.

But if you go on, they can then, if there's misconduct or incapacity — which is your question — at any age, a judge can be removed from the job. So if there's somebody that's age 40 that is a judge but there's a problem with their capacity to do the job, and the public has a concern, then there is a process for the removal of that judge.

Mr. Goohsen: — Thank you, Minister. So the old saying that once you're a judge, you're a judge for life no matter what, really isn't exactly right. There are some provisions in the system to provide people with safety.

And I think that's important that you brought that out because a lot of the people that I talk to think that once you're appointed as a judge you can go absolutely crazy, and you're going to be a judge for ever anyway. And that simply isn't true, and I'm glad to find that out for sure. Because I kind of thought maybe it was

that way myself. Who knows? Some of the judges we see some days we're not too sure about.

In the area of pensions, I have a question, Minister. I'm sure that the judges have looked this over pretty closely and have probably fended for themselves. But the question that came to my mind in here is . . . there is a pension process provided. It's provided for judges, for their spouses, for their children, and the whole process seems to be laid out in here.

Do judges then qualify for independent RRSPs (registered retirement savings plan) if they do conduct personal businesses or if their families conduct personal businesses? Or are they not allowed to participate in that process in society?

Hon. Mr. Nilson: — Mr. Deputy Chair, there may be situations where people who have contributed to RRSPs before they're appointed as a judge would have RRSPs, but practically with the salaries that are paid to the judges, I don't think there would be any capacity for them to contribute to RRSPs once they're appointed as a judge.

Mr. Goohsen: — Well Minister, I guess I should have expanded on my train of thought which basically is that, if a spouse or even the judge himself, were to qualify for an RRSP and if it's a self-directed RRSP and he puts it into a mutual fund, he then has a vested interest in some of the things that go on in society, and there could develop a conflict of interest. How is that short circuited or taken care of?

Hon. Mr. Nilson: — Practically the judges themselves will often disqualify themselves if they find that they're in a situation where they have to make a ruling about something that they are tied into, or that they know about, that relates to them personally. And practically if they don't do that and you know that as counsel in a particular case, then you can raise it and have the matter dealt with at that time.

But practically it's not usually a problem at all.

Mr. Goohsen: — Thank you, Minister, but of course the normal things wouldn't be the ones that would likely show up as problems when you've done as much research to develop a piece of legislation, so it most likely would be the unusual situation that could crop up that we would hope would have safeguards built into the system to protect society.

And the fact that you do have the mechanism for those things to be rectified is important for society to know. Again I just will repeat that a lot of people have the idea that judges can pretty well get away with whatever they want to do, and the reality is that they can't. They're very, I think, very regulated people, and their lives are not really their own for that period of time.

I have one other question going back to remuneration on judges that are appointed. For example, if a retired judge is appointed to work on a particular case for government or something like that, how is that person paid or on what schedule? Is there a schedule? Does that fall under this Act, or would it be some other Act? Or how would that person be treated?

Hon. Mr. Nilson: — It doesn't fall under this Act. Effectively it's dealt with on a negotiations basis each time a situation

arises. So practically there may be situations where the judge is just paid expenses. Other times he may be paid some kind of an honorarium. But it's negotiated each time.

Mr. Goohsen: — So then it would be paid, Mr. Deputy Chair, by whoever the department was that decided they needed a service of this kind, and they wouldn't go onto this list that's mentioned in this legislation then? I'll let you respond to that, and then I have another question.

Hon. Mr. Nilson: — The answer to that question is yes.

Mr. Goohsen: — Very good. We've got that straightened out.

One last item that I wanted to talk to you about was the immunity from liability. Could you explain to me — because I'm probably the only one that doesn't understand this — who is immune and what the liability, of course, is that they are immune from?

Hon. Mr. Nilson: — Mr. Deputy Chair, the member's referring to section 63, and (1) of that section refers to actions by a judge or the justice of the peace. And they're immune from liability provided whatever they do is not an act or omission that's done maliciously without reasonable cause.

And then part (2) of that same section 63 deals with "the council, a hearing committee or any member or officer of the council or hearing committee . . ." And once again it's relating to acts or omissions that are done maliciously or without reasonable cause. So otherwise they're protected from liability providing they're doing their job in a fair and reasonable manner.

Mr. Goohsen: — Mr. Chairman, Minister, I thank you for those answers, and I think that some of the things that I wondered about are now cleared up, and I think it's a reasonably good Bill, and I think you should proceed with it.

Clause 1 agreed to.

Clauses 2 to 70 inclusive agreed to.

Hon. Mr. Nilson: — Mr. Deputy Chair, I would like to thank my officials that are here, plus all of the other ones who aren't here who have spent many hours, days, years, working on this particular legislation.

I'd also like to thank all of the members of the Provincial Court and the other courts of Saskatchewan who have been of great assistance as we've developed this legislation. And I would like to say that having this come to this point is a very important thing for our justice system.

And with all of that, I would like to move that we report this Bill without amendment.

The committee agreed to report the Bill.

(2030)

Mr. Heppner: — Just, with leave, to thank the minister and his officials for being here and giving us the opportunity to ask him

the questions on this. And I think, as he just explained, it is a substantial piece of legislation that has taken a lot of time and effort by various people, and we thank them for that.

**Bill No. 56 — The Municipal Revenue Sharing
Amendment Act, 1998**

The Deputy Chair: — Before I call clause 1, I'll invite the minister to introduce her officials.

Hon. Mrs. Teichrob: — Thank you very much, Mr. Chairman. I'm pleased to introduce my officials here to assist with explanations and questions tonight. On my right is John Edwards, the executive director of the policy and program review and development in the Department of Municipal Government. Directly behind me is Grete Nybraten, the senior policy analyst. And to her right is Doug Morcom, the manager of the grants and transfer programs.

Clause 1

Mr. Heppner: — Thank you, Deputy Chairman, and I'd like to welcome the minister and her officials here this evening. I guess the first question is to find out exactly what Bill 56 is all about. This essentially implements the changes in funding levels announced in the budget. Is that correct?

Hon. Mrs. Teichrob: — Mr. Chairman, that is correct. It gives effect to the changes that were announced in the budget.

Mr. Heppner: — Thank you, Mr. Deputy Chairman. This change in the budget then if I'm correct, was an increase of \$3 million. Is that correct?

Hon. Mrs. Teichrob: — Mr. Chairman, the \$3 million increase affected the size of the revenue-sharing pool for rural municipal governments. In the urban revenue-sharing pool there was no change.

Mr. Heppner: — Okay, dealing with funding then. How much has funding for municipalities gone down since 1991?

Hon. Mrs. Teichrob: — Mr. Chairman, I have a chart here that outlines some changes between '90-91 and the current fiscal year that we're considering now. For urban municipalities the straight revenue-sharing grants were 67 million in '90-91, and 26.9 million in '97-98. The rural revenue sharing grants in the previous year, related to the member's question, is 46.9. This year it's 26.2.

Of course during the interval there have also been some substantial contributions to the Canada-Saskatchewan infrastructure programs that have not been included here. And another change that occurred over the last couple of years was the treasury, the provincial treasury, the general operating revenue fund, took over responsibility for health, hospital, and social assistance levies that previously were collected by municipalities from their ratepayers and remitted to the provincial government. So there's been some other relief to urban and rural ratepayers which mitigates the drop in the size of the pool.

Mr. Heppner: — Thank you. The next question, Mr. Deputy

Chairman, then is the levies that the minister spoke of, that she says have been now picked up and the municipalities are no longer responsible for — what is the total value of the levies that you just listed?

Hon. Mrs. Teichrob: — Mr. Chairman, the total amount of the value of those levies would be approximately 17 . . . I believe it's \$17.6 million in total.

Mr. Heppner: — Thank you. So if we added together the funding that took place in '91, added the levies on to there, and this increase of 3 million, how much more are RMs (rural municipality) getting today than they were back in '91?

Hon. Mrs. Teichrob: — Mr. Chairman, it's quite clear and acknowledged that they are receiving less than they were in 1991. And we have spoken to them in the terms of, there are changes in the transportation system, which is under transition. It's not the time to be investing in the transportation infrastructure when it's in a state of flux. And municipalities will admit that if they had had a continuing level budget since, say, 10 years ago, that they would likely have ended up investing it in roads that led to elevators, for instance, which are no longer there.

So I think we have to stand ready to support them as the transportation system evolves and the transportation councils identify some priorities. In the meantime, we acknowledge that municipalities have contributed a great deal towards the balancing of the provincial budget and towards the maintaining of the highest quality possible of infrastructure during this transition period, Mr. Chairman.

Mr. Heppner: — Thank you. Well, Mr. Chairman, this is rather interesting. If I followed that bit of logic correctly, it seemed to go something like this. It sure is good that the government cut back funds to municipalities so they didn't build roads to elevators that now no longer exist. And so my question, Mr. Deputy Chairman, is how many elevators will have to be left in Saskatchewan before this government decides that now is the day to step in and help fund some of those roads that RMs are responsible for.

Hon. Mrs. Teichrob: — Mr. Chairman, in the new, if you like, era of provincial government discovering fiscal responsibility, of which Saskatchewan led the way, it has been acknowledged that transfers to levels of government that have the capacity to raise, on their own, revenue — being school boards and local governments — that in . . . not just in Saskatchewan but in Canada generally, that there have been cut-backs to municipalities.

And in fact I saw a headline the other day where Premier Klein was acknowledging that the Alberta municipalities have been neglected. And so we're saying that we appreciate what municipalities have done to contribute to the whole aura of fiscal responsibility at all levels in the province, and that certainly we hope to work with them in the future as we make an economic recovery, to help make contributions as we did with the Canada-Saskatchewan infrastructure program, to the renewal and maintenance of the infrastructure that's so important to the economy of this province.

Mr. Heppner: — Thank you. Well, Mr. Deputy Chairman, I think where that answer went — if I followed that one, and it was a little more difficult to sort of follow its machinations than the other one was — that there's a thanks that the RMs are now raising funds on their own. They have the ability to do that and they'll have to continue to do that. And I didn't hear any commitment, Mr. Deputy Chairman, that we were going to be getting any help for roads in the future.

And this government also apparently has no plans for knowing to what level the number of elevators will have to change before it decides there is a need there to get involved in that situation as well. I hope most farmers out on the fields this evening are not watching this on television because they'd be rather disappointed, I'm afraid.

Next question I have, Mr. Deputy Chairman, is do you have a breakdown regarding how each municipality should expect . . . or how much they should expect to get from this extra \$3 million that's coming in this year?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, there is a formula which gives some weight to equalization — in other words, recognizes municipalities with low assessments and gives them more through equalization because they don't have an ability to raise money on their own.

But what we did do that I think is progressive for municipalities is there were some old formulas that existed for a long time that gave municipalities assistance on a percentage basis for construction of roads, of certain classes of roads. And what we've done this year is we've reserved out of the 23.7 million — which represents an increase of 14 per cent over last year, Mr. Chairman, to rural roads — we've identified for the heavy haul, a high-volume road program, one point seven five million six; for bridges, point eight million six; and for traffic counts, 100,000.

And the balance of the money, rather than being linked to the class of road or the kind of construction, is given to municipalities unconditionally so that now they no longer have to construct new roads or reconstruct or add to the network in order to access the money.

They get it unconditionally, and they can use it for maintenance or construction or in any way that they see fit within their own jurisdiction.

So while it is more money to each municipality, there's also that additional flexibility given to them on how they can spend the funds.

Mr. Heppner: — Thank you. How many extra kilometres of roads . . . and I guess that's the key thing in rural Saskatchewan. The estimate will be built because of the change in funding, and do you consider it adequate? And if you don't, what amount of funding would you consider adequate for the province right now for the needs of the province?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, I think perhaps the member opposite has missed the gist of the remarks relating to unconditional funding, is that there may be no new roads built as a result of the increase in funding, because the money

will be transferred to municipalities on an unconditional basis, where if they do not have the need to add to the network of roads that we already have, that they will be able to use that money for maintenance of existing roads.

And that these decisions are entirely within the purview of people at the local government level, so we have no way of anticipating what those decisions might be. But whatever they are, we have faith in those locally elected people that the decisions they make on how to spend those unconditional funds will be in the best interests of their ratepayers and the people of the province, Mr. Chair.

Mr. Heppner: — Thank you. And, Mr. Deputy Chairman, I think we've seen that what's happening in our rural municipalities is pretty dismal. The roads that we need aren't going to be happening. Knowing that the people there can expect . . . is that their taxes are going to increase drastically just to maintain some level of roads that they have now, much less improving them to the standards that they should be, keeping in mind the increased needs that are out there.

That however, Mr. Deputy Chairman, takes care of the questions that we had on Bill No. 56 for this evening.

Mr. Goohsen: — Thank you, Mr. Deputy Chair. Madam Minister, welcome to you and to your ministers. I'm interested in some of the mathematics that you've been throwing around here. You quoted a figure of \$17.6 million as the amount of monies that the government is picking up for municipalities in regard to health and treasury items, and so that gives you a chance to get back to where we're at with the numbers.

Is that reference to the 2 per cent tax that used to be on health districts for rural municipalities, or does that also include a segment from urban municipalities?

(2045)

Hon. Mrs. Teichrob: — Yes, Mr. Chairman, it wasn't 2 per cent. It's been awhile since the member opposite was a reeve of a rural municipality himself, but he will recognize that it was 2 mills where there was a union hospital. And then there was a social assistance levy and a public health levy which was less onerous in rural municipalities, but affected the cities of Regina and Saskatoon substantially, and that burden totalling those three levies — \$17.6 million province-wide — has for the last two years been picked up by the treasury.

Mr. Goohsen: — Well good. I just wanted to establish that in fact it was partly paid by urban as well as rural so that people will understand that. And the 2 mill process, of course, was one that was no longer going to work so we're glad to see that part gone and that you did listen in our way.

However the mathematics still leaves us wondering a bit because of course, now we have a situation where we have 43.4 millions of dollars that you have deducted from the two sources of municipalities — which is rural and urban. You've picked up 17 but you took away 43 million more between 1991 and 1998 and that leaves municipalities with a very hefty portion of cut-back in relationship to anything else in this province that I've heard. Can you show me any example where anybody else

has taken that kind of a cut-back in our province?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, it's always an exercise where you need to find a balance and there are many other factors that we could cite. For instance this year, in this year's budget, we committed to pick up over \$4 million of RCMP (Royal Canadian Mounted Police) policing costs on behalf of rural municipalities and small urbans under 500, which reduces the cost for larger municipalities.

We've put in substantial amounts, Mr. Chairman, into the Canada-Saskatchewan infrastructure program — \$11 million last year of a provincial contribution that went directly into municipal infrastructure, at their discretion as to the project.

We removed the E&H (education and health) tax from fire trucks which municipalities buy.

We've taken a number of other measures, not the least of which, Mr. Chairman, is the reductions in the provincial sales tax which affect all purchases of municipalities. And municipalities, being service-oriented to their people, are very substantial buyers of durable goods and services that are subject to that tax.

So all of those represent savings to urban and rural municipalities, Mr. Chairman.

Mr. Goohsen: — Thank you, Mr. Chairman. So, Madam Minister, what would this saving amount to altogether?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, it's really hard to quantify exactly how much it is in each and every case because there have been adjustments in the workers' compensation premiums which municipalities pay on behalf of their employers. That depends on the circumstances. There have been reductions in the provincial sales tax to the tune of 2 per cent, and again that depends upon the size of the municipality and the nature of their purchases.

But just suffice it to say that I think that municipalities, rural and urban, have done a very good job of maintaining the level of services to their ratepayers, increasing their mill rates very minimally, and keeping within the cost-price indexes in terms of the increases they pass along. They've done an admirable job, Mr. Chairman.

And as our economy continues to flourish and as the finances of the province recover, we hope to be there to assist them further in providing services to their people and maintaining and developing their infrastructure.

Mr. Goohsen: — Thank you, Mr. Chairman. Well, Madam Minister, that's a really nice political speech, and I'm sure it'll fly well in the next election wherever you campaign. But the truth of the matter is that you have cut back municipalities in this province, both urban and rural, more than you have cut back anybody else. Rural people have paid the price for balancing the budget of this government more than anybody else in the province has. They've more than paid their share.

The other thing is that in paying that they have — and I'll give them credit as you did — they have maintained a road structure

that makes the highway system an embarrassment. Because even though you have cut back the rural people more than anybody else, and even though they've bit the bullet harder than anybody else, they have still managed to keep their road structure in pretty good shape. Now that isn't true in every case, I know . . . but reasonably good compared to our highways.

And I could take you for a little, short jaunt down the road, and show you that pretty quickly.

Madam Minister, I take exception though to your comment that — in your earlier remarks to the other member — that it was a good thing, and that municipalities would agree with you that it was a good thing, that you cut them back, and that they didn't have all that extra money to spend on roads because they'd have been too dumb to know enough which roads to build. And I take serious exception to that.

Even though the transportation system is changing, even though there are some elevators built in different spots than there were before, the reality is that they're not in very significantly different spots than there were elevators before. And it was distinctly predictable where those elevators were going to be going over the last 10 years.

And there's nobody in rural Saskatchewan that was too dumb to know where those elevators were going to end up. And there's nobody in the country that's too dumb to be on a municipal council to know where to spend their money on roads. Because they know how to spend their money, and they know how to decide which ones are the most important. And not all roads lead to elevators, believe me. Some of them lead to church, and some of them lead to the grocery store, and some of those things haven't changed.

So I take serious exception to your suggestion that those people are too dumb to know where to spend the money if you give it to them. In fact, I think that if you took some of the reeves and councillors out of this province, put them in charge of your Highway department, you'd all be better off. But that's just a personal comment that I'll throw in for you.

I want to talk to you, Minister, about this Bill spending \$3 million more. And I wonder if that \$3 million includes any money for grants that will be paid in lieu of taxes with regards to the treaty land entitlement settlements that are going on in the province today.

Hon. Mrs. Teichrob: — The answer to the member's latter question about whether any of that money will go to treaty land entitlements is, no. Those funds come from a separate fund, and a different department, and have nothing to do with the Department of Municipal Government. And the transfers identified in the estimates for transfers to municipalities go all directly 100 per cent to municipalities.

But I do take exception, Mr. Chairman, having been a former reeve of a municipality myself, as the member opposite asking the questions I know was, when he says that rural . . . that local governments lack intelligence — his words are dumb — and I never said that. And I am affronted that he would insult all those local government representatives out there, as well as himself and myself.

I was not referring to them not knowing what roads to build, but saying that nobody would've known because the elevator companies don't tell for competitive reasons what sites they're going to choose until after they're announced. And nobody knows which branch lines that the federal government is going to allow the railways to abandon.

So it has nothing to do with intelligence or not knowing or not being able to be intelligent enough to figure something out. It has to do with the competitive atmosphere that people find themselves in, where even the most intelligent people wouldn't have a clue how to figure out what the motives are in the minds of the marketplace.

And I'd further like to say that if we hadn't inherited a \$15 million debt and if we weren't paying \$2 million a day still on that, we would have never had to cut back municipalities or anybody else, Mr. Chairman.

Mr. Goohsen: — Thank you, Mr. Chairman. *Touché*, Madam Minister. The reality of what you say I can respect. However I would suggest to you that the way you phrased your answer before led one to believe that you were suggesting that people didn't know what they were doing out in the country, and I'm glad you cleared that up because if they had read *Hansard* they would have been pretty sure that you were suggesting they were dumb. And now that you've cleared that up I'm sure they'll all feel a lot better bumping through their roads as they go along.

In this changes to this Act, in terms of the monies that you're going to spend, are any of those monies dedicated towards the changes that you were anticipating in communities like Corman Park where one of the villages has recently decided to ask to be disbanded as a village because they don't like the SAMA (Saskatchewan Assessment Management Agency) arrangements that are causing their extra taxation. Were you anticipating that type of situation, and do any of these monies go to cover up for that anticipation?

Hon. Mrs. Teichrob: — Mr. Chairman, the matter that the member opposite refers to is completely unrelated to revenue-sharing grants of any kind.

And I'd just like to correct him. It's not a village that's talking about or petitioning to change their status. It's hamlets within a rural municipality, and the clause that he refers to has not to do with SAMA but in the exemptions in The Rural Municipality Act being 331(1)(q) which is being studied at the moment.

And that's a local situation. There would be . . . if there were those changes there would be adjustments in the assessment in taxes. But those are entirely local decisions and have no bearing, Mr. Chairman, on revenue sharing.

Mr. Goohsen: — Thank you, Mr. Chairman. Well, Madam Minister, I'm glad to hear that none of this money is going to cover up for that particular situation.

But you did raise a question wherein I think you gave the wrong answer. Because, in fact I watched the TV show the other night that you yourself were on, and they explained that the situation had been caused by the decision of SAMA to increase taxation. And the hamlet in question of course was finding itself being

taxed on both property and on homes. And as a result of that additional taxation caused by the changes in SAMA, they have decided now to ask to be disbanded so that they won't be a hamlet.

So I think that you misled folks in your statement and would want an opportunity to correct that; otherwise you'd have to change the TV program I watched a couple of nights ago. So I'll let you straighten that out for yourself before we go on.

Hon. Mrs. Teichrob: — Mr. Chairman, one more time. This provision has nothing to do with SAMA. This is a . . . not directly. This is a provision of The Rural Municipal Act in 1989, an amendment that was made, where a clause was added in the section 331(1)(q). And this . . . well I can only . . . I don't want to ascribe motives to the previous administration, but I think it was intended to perpetuate the relief from taxation on the farm dwellings in the province.

And by some inadvertent wording since 1989, this provision was extended to rural residences that were non-farm if they were not in hamlets. So it gets to be a bit complex, but that is the reason that some of the hamlets are considering dissolution. Because if they are in a rural municipality proper and not part of a hamlet, they will be able to enjoy the exemption that 331(1)(q) at the moment gives them, although that clause is under review.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, does the \$3 million represented in this Bill represent any money that would go to offsetting the loss in education tax that would result if all of the hamlets in the province were to disband?

Hon. Mrs. Teichrob: — Mr. Chairman, the answer is no.

Mr. Goohsen: — Well where would it come from?

Hon. Mrs. Teichrob: — Mr. Chairman, the money goes to equalization. Equalization is part of the distribution formula. It has nothing to do whatsoever with the education funding which comes to school divisions as part of the foundation grant for education purposes from the province. The two are entirely separate.

Mr. Goohsen: — Well the question, Madam Minister, was this to compensate for the loss of education tax to the taxation system? Was there ever a case in which you might subsidize the education tax that are lost? For example, when you pay taxes in lieu on treaty lands, do you also pay the education tax?

(2100)

Hon. Mrs. Teichrob: — Mr. Chairman, those monies, the TLEs (treaty land entitlements), do not come from municipal revenue-sharing or from the foundation grant. They're totally separate pools of money. The revenue-sharing, the issue under discussion here in this legislation, is money transferred directly to rural municipalities and urban municipalities. The funding formula for education to school divisions that those municipalities are in is a totally different issue.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, I am very happy to see that the municipalities in this province

are going to get \$3 million more to spend. I'm happy that they don't have to have conditional grants attached to a lot of their spending. Those things are good. The fact that you have taken \$40 million out of the municipal system over the past eight years though is unforgivable. And it's undeniable that you have taken more out of rural Saskatchewan than you have any other sector of society. And that in itself should keep every rural person from voting for your government in the next election.

Having said that, I am glad that you're putting 3 million back, and to stop this particular piece of legislation would stop at least that much. And we can't do that and we have no intention of doing that, so we will let the Bill go ahead.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 50 — The Urban Municipality
Amendment Act, 1984**

Clause 1

Mr. Heppner: — Thank you, Mr. Chairman. We're dealing here, I believe, with the assessment system in Saskatchewan and I guess dealing with this particular piece of legislation specifically. For the record, can you tell us what, in your view, was wrong with the current system and how what we're dealing with here will improve that.

Hon. Mrs. Teichrob: — Mr. Chairman, what we're doing here is learning, if you like, from the experience of reassessment in 1997. We're clarifying the application of penalties with costs associated with tax enforcement process. We're providing a tax exemption for land and buildings occupied by an Indian band and used for the purpose of a school and other administrative matters.

And we're specifically amending the assessment appeal and taxation provisions in that in the last cycle it was an experience we hadn't had for 30 years, but we ended up making amendments that were retroactive to January 1 in the year of assessment. And in the year 1997 we are passing amendments as late as May, that were retroactive to January 1 when mill rates had already been struck.

So what we're doing here is, by moving certain provisions from the Act into regulations, is allowing a window for ourselves. If we do not have the appropriate assessment information in time to set the percentages of value and take those actions that are required to effect reassessment, that we can change the deadlines by regulation even though the House may not be in session.

And so we hope that we don't have to use that. Our purpose is not to delay it but to create a safety net, in the event the information is not timely, that we don't get snagged in the year 2000 with making retroactive decisions.

Mr. Heppner: — Thank you. And as you mention, Madam Minister, there's a lot to be learned from the assessment as it

went through. I'm not sure there's been enough time to learn all that needed to be learned because it was a little rough in almost every area of Saskatchewan. And I would hope that some of the things we're dealing with here tonight will take care of some of the unfairnesses that existed in a previous system.

And on behalf of the member from Saltcoats, who is off trying to save the Plains hospital, I do have a specific example right here and I would like to hear your comment on that.

And I think looking at it, it looks like there's a fair bit of unfairness here. And it comes from Kamsack, where there's an individual's property tax bill climbed from \$2,900 in 1996 to \$4,011 this year. And next year it will be \$5,200. And that isn't a particular mansion, Madam Minister, it's just one of the houses in the area.

And I guess we're dealing with what we've learned from assessment in the past, and I'm wondering what kind of information we can give this individual to explain why his tax bill has gone from \$2,900 in '96 to about \$5,200 next year?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, I'm not in a position, certainly, to comment on individual cases.

When you make an adjustment to a system that's been neglected for 30 years — as reassessment was, not having taken place between 1965 and 1997 — that there are bound to be some dramatic changes in the relative values of property in a period like that. Our purpose now with the legislation is to provide for regular, short, three-year intervals for reassessment so that dramatic adjustments will not occur. But certainly in this forum, we're not equipped to deal with individual cases.

Over all assessment should be revenue neutral. Some tax bills will go up. Some will go down. At the end of the day, the municipalities should need the same amount of revenue, so it should be revenue neutral over all, but there will be adjustments.

Mr. Heppner: — Thank you, Madam Minister. I guess it's unfortunate we haven't had a letter from someone in Kamsack wondering why his tax bill is going to, you know, drop from 5,200 to 2,900, because I would be interested to have those two people meet and discuss that over coffee on a Saturday morning.

Regarding the changes in this section that deal with regional parks, can you basically tell us precisely what you're doing with this Bill regarding regional parks, and why those kinds of changes are happening?

Hon. Mrs. Teichrob: — Mr. Chairman, the changes here are meant to provide some flexibility because, as the member opposite knows, there are a number of situations, in fact most situations where there's a regional park, where there are several municipalities that are cooperating in contributing to the operation, the administration, the capital costs and so on. And this is designed to allow municipalities, other than the ones that the park might be located in, from having a varying role in that administration.

Mr. Heppner: — Thank you. One of the items that you

mentioned earlier on was making sure that you didn't have to go ahead and have legislation in place that was retroactive, as you mentioned earlier.

With regards to changes in the appeal procedures, will this just make it easier, and will it also shorten up the time? And I guess the other question I have along with the time part for making appeals . . . what's the average appeal time now that that exists?

Hon. Mrs. Teichrob: — Mr. Chairman, generally speaking the period that's open for the appellant to lodge an appeal is 30 days. That represented an increase from the previous legislation. And I'm not sure that I understand the question completely — whether you're asking for the time that's open for the lodging of an appeal or whether you're asking for the average time for appeals to be dealt with.

And I think the average time for appeals to be dealt with, in spite of their new assessment procedures and so on, is not taking much longer than it has historically. Local boards of revision have dealt with most of the appeals on an expeditious basis. And the appeals from 1997 that are being appealed to the Municipal Board are some settled, and some in the process right now. But it's about the normal span of time that we've seen traditionally.

Mr. Heppner: — Thank you. Mr. Chairman, this basically takes me to the end of the questions on Bill No. 50. And I would hope that as we work through these various items, that some of the difficulties we've seen in the assessment system in the past will be taken care of, and things will work on smoothly, and people won't have some of the unpleasant surprises that they've had in the past.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, new Bill, same kettle of fish. I think in one of your earlier comments that you may have misspoken yourself in terms of interpretation. And I think we need to let you clear that up.

You referred at the beginning of your statements to the fact that you were going to be allowing through this Bill for Indian bands to not be taxed on school property. Now I think the confusion would come there because — and you'll correct me if I'm wrong here — I think that Indian bands that have schools on reservations don't pay taxes now. So you would be referring to taxes on school band properties out of reservations or both?

If you could explain to us how exactly how that's going to apply? And because I don't want to take all night, how does that apply then to other groups of people? And I would use the term Hutterites as one of reference that you could make as a comparison.

Hon. Mrs. Teichrob: — Mr. Chairman, the explanation is very straightforward in that normally property that's used for educational purposes is exempt from tax in any case.

But there have been some instances where a school that was formerly operated by a school division that was located in a town and off reserve is no longer in use by the school division, has been leased by a nearby Indian band or a nearby private school board, and so the municipality has said if it's no longer operated by the school division we will now tax it. And so

we're being specific about that, that if a building is used for K to 12 educational purposes, no matter who the school is run by or where it's located, that it will continue to be exempt.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, that poses the question, how big of an area of land on which a building that is used for education would then qualify now under this new Act for exemption?

Hon. Mrs. Teichrob: — Mr. Chairman, normally the assessment and the building permit for the building and so on, there'd be a legal description that accompanies that building. And that would be the metes and bounds that would be considered to be exempt.

Mr. Goohsen: — Thank you, Mr. Chairman. Well, Madam Minister, the Hutterite colonies in my community have schools on them. Every one has their own school and they have a teacher that is supplied by the education system. They're accredited, acknowledged by the system and by the government. And if this legislation applies the way you say it does, it seems to me that the Hutterite colony, with a school on a home quarter section, would now qualify to have that home quarter section and that school building exempt from taxation. Is that right?

(2115)

Hon. Mrs. Teichrob: — Mr. Chairman, the building would be exempt. And as the member knows, in such to the case that he cites, so would all the other buildings and improvements be exempt, being agriculturally related buildings and dwellings of farms. The school would come under the same situation.

And there's no intent to expand the exemption. It's simply to clarify that where a building that has been formerly used as a school by a public school division is converted to a different kind of an educational institution under different management but still an educational institution, that it would continue to enjoy the same exemption as previously.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, though in reality would . . . No, this Act the way I see it, the property that the school sits on is also exempt. And right now while agricultural buildings are exempt, the property is not. That's always been the difference that people have sort of held, is that if you pay on the farm land then you don't pay on the farm building.

So if the school is on farm land that is assessed and taxed, and you have this Bill in place, I'm saying to you that it seems to me that you have opened the door for these people to challenge the right to be able to be exempt on the entire home quarter. Now is there provision in the Bill to cover off that probability or possibility?

Hon. Mrs. Teichrob: — Mr. Chair, if I may I'll just briefly read the section — section 275 amended, section 21(1):

(the) buildings or any portion of a building occupied by an Indian band and used for the purposes of a school, together with any land used in conjunction with those buildings or that portion of the building, where the land and buildings

are owned by: (i) an Indian band; (ii) a school division; or (iii) any person, society or organization whose lands and improvements are exempt from taxation pursuant to this or any other Act.

So it's confined to the building, the portions of a building, together with the land that's underneath them. I hope that is sufficiently clear, Mr. Chairman.

Mr. Goohsen: — Thank you, Mr. Chairman. Well, Madam Minister, it's very clear. But that is very confusing because in reality here you're suggesting that only the land under the building . . . but in reality you know very well that any school that's used in any town or community also has a playground, it also has properties around the school, and that brings me back to the first question I asked: how big of an area of land is included that the building sits on? And of course if you'd answered that in terms of a hundred feet or a thousand feet, then you'd have something to base your last statement on, but in fact I think you have left this Act with an open door. Sorry, but I believe that you have missed the boat on this one a little bit — not that I care — but you know, there it is, you blew it.

Hon. Mrs. Teichrob: — Well, Mr. Chairman, if I miss the boat I'm sure lucky I can swim.

Clause 1 agreed to.

Clauses 2 to 30 inclusive agreed to.

The committee agreed to report the Bill.

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

Clause 1

Mr. Heppner: — Thank you, Mr. Chairman. One of the things that Bill 51 does, it gives the municipalities more flexibility in setting penalties for tax arrears. And I guess I would like you to comment on what the rationale is for that. And I'm wondering if you also don't see an accompanying danger of a real patchwork of tax enforcement systems, with different penalties in different municipalities, and if you foresee any problems in that area.

Hon. Mrs. Teichrob: — Mr. Chairman, this change was instituted as a result of a resolution from the 1997 SARM (Saskatchewan Association of Rural Municipalities) convention. And we have confidence that the rationale and the debate that accompanied it there makes sense and that this will be a provision that will be widely used by municipalities.

Mr. Heppner: — Thank you. And I'm not questioning that the municipalities aren't going to be as wise as they can in it, but any time that you have different penalties in different jurisdictions it usually creates a certain amount of one, confusion, and sometimes a certain amount of ill will as well.

There's a part in this Act that makes it an offence to remove fixtures from properties in tax arrears. Is this really a general problem or is this just put in place to close a loophole that's sort of foreseen?

Hon. Mrs. Teichrob: — Mr. Chairman, this is a change, an amendment that is common to all the three Acts — northern, urban, and rural. And it is designed to prevent — not just fixtures really — but the destruction or removal of any improvement when property is under tax distress. And municipalities have asked for this for a long time, because sometimes there are legal proceedings, bankruptcies, that kind of thing, and sometimes these procedures take a fair amount of time. And there have been many cases where the value of the property has been quite eroded by the time the municipality actually gets to take title. And this is meant to prevent that.

Mr. Heppner: — Thank you. There's a section in here, Mr. Chairman, that deals with fees for municipal services, and with penalties for those as well. And I'd like for you to explain how the penalties work for such things as fire protection when you can't withdraw someone's fire protection — or can you? And if you can't withdraw the fire protection then the penalties are really relatively meaningless, correct?

Hon. Mrs. Teichrob: — Mr. Chairman, there are actually two aspects to this issue, really. One is of course you wouldn't want to refuse, for instance, to answer a fire call because there was no guarantee that a service fee would be paid. So there's provision in an instance like that to add any such charges after the fact to the taxes and make them collectible.

So there are two parts. It gives the municipalities more flexibility in upfront charges; at the same time it gives them more flexibility in collecting such service charges after the fact and giving force to that collection.

Mr. Heppner: — Thank you, Mr. Chairman. Basically that takes care of the questions we have on that particular Bill. One of the key things that has come up, Mr. Chairman, is the concept of flexibility. I think by and large municipalities will appreciate that. And I think one of the answers that the minister gave is that a lot of these ideas came out of . . . from the organizations themselves.

And to that extent, that they're given some of the power and flexibility that they're asking for, I think we basically support this particular Bill. And those are the questions that we have on this Bill.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, certainly only a fool would take on the whole of SARM. And immediately that you said that this Bill is a result of their requests, we all tread with a great deal of fear for making a mistake. However, just because they asked for it doesn't necessarily mean you're giving them what they have wanted.

So in the area of these different jurisdictions having the right to make different assessments in penalties, do you have any limits on the amounts of differences that there can be?

Hon. Mrs. Teichrob: — Mr. Chairman, this has been . . . these provisions have been used successfully by urban municipalities for a long time. And this is something, a provision, an enablement, that rural municipalities have wanted as well.

And of course in all cases, as you know, elected councils are accountable to the people who they serve. And of course any —

say for instance, fire charges — that would be collected through the procedures that are outlined here would have to be fair and reasonable and the same as other fire charges.

So as you know, there are all kinds of checks and balances to the use of good common sense by local governments, and they've wanted this provision for some time, and I'm sure that they will, as I said to the member opposite before, use it wisely.

Mr. Goohsen: — Thank you, Mr. Chairman. Well, Madam Minister, for the most part you're right. Common sense will prevail in rural municipal circles, but there are exceptions to the rule even there.

While you say that everybody's going to use this fairly and equitably and reasonably from the municipal point of view, what about the human rights of the individual person out there who all of a sudden finds himself being penalized under this piece of legislation, and he thinks or she thinks that it is an exorbitant amount of money? What recourse do they have in a system where legislation provides for any amount without limitation of variance?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, I think that we would want to observe what happens as a result of this new flexibility and authority that's given, but I certainly think that we would want to, in the first instance, give municipalities the benefit of the doubt that they would use them wisely.

Mr. Goohsen: — So in other words you're saying you don't have any safeguards built into this whatsoever and that individual rights have not been a consideration in this legislation, and someone of course is going to have to be burnt and then individually take on the system in order to try to get this resolved before you'd even look at it. Is that what you said?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, individual rights are always a consideration, and I don't think there's anybody that's more acutely aware of that than local governments that are face to face with the people that they are accountable to on a daily basis.

So I would say that we would give local councils and locally elected people the benefit of the doubt, and of course they always have their own recourse, their own appeal processes, legal processes, and then at the end of the day the electoral process if they don't think that they're being dealt with fairly, just as they do now, Mr. Chairman.

Clause 1 agreed to.

Clauses 2 to 37 inclusive agreed to.

The committee agreed to report the Bill.

(2130)

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

Clause 1

Mr. Belanger: — Just a couple of questions, Mr. Speaker.

Could you . . . Madam Minister, welcome to your staff members and could you explain to us please, the proposed changes or the proposed amendments to the Act, please.

Hon. Mrs. Teichrob: — Well, Mr. Chairman, just briefly, the main points are: providing a new authority to establish the Northern Revenue Sharing Trust Account Management Board to advise the minister on allocations of northern grants and make recommendations. There are, similar to the other two municipal Acts that we've just considered, amendments to the assessment, assessment appeals, and taxation provisions, and penalties relating to the tax enforcement process and removal of fixtures or parts of improvements from property on which taxes are outstanding.

And other miscellaneous matters respecting the administration of municipalities, some of which have been brought to us as a result of resolutions at conventions and viewpoints of administrators of northern municipalities, and councillors, Mr. Chairman.

Mr. Belanger: — Thank you, Madam Minister. Could I get some basic information on the new authority of the Northern Revenue Sharing Trust Account, as to what the board make-up and the purpose of the new board is.

Hon. Mrs. Teichrob: — Mr. Chairman, it is proposed that the Northern Revenue Sharing Trust Account Management Board be established and that the members would be either a councillor, a mayor, a clerk of a northern or urban municipality, nominated and appointed by order in council, and that the functions of this board would be to make recommendations on the northern revenue-sharing grants and the northern capital grants and any proposed changes to the Act or regulations concerning the revenue-sharing trust account.

Mr. Belanger: — Would that also include, Madam Minister, the administration fee administered by SERM (Saskatchewan Environment and Resource Management) as a result of them taking payments as a result of the issuing of permits on land?

Hon. Mrs. Teichrob: — Well partly. Mr. Chairman, the Northern Revenue Sharing Trust Account is made up of taxes and lease fees from northern property. So we're always prepared to listen to the recommendations. And this formalizes the process and gives it a higher profile and increases the authority, if you like, by making it a formal arrangement.

Mr. Belanger: — Exactly how much per year does the Northern Revenue Sharing Trust Account collect from all the land tax or the land fees that it is primarily responsible for?

Hon. Mrs. Teichrob: — Mr. Chairman, we don't have the exact numbers with us, and of course it varies from year to year. I think that this year, in this fiscal year, it's approximately one and a half million dollars, because there's about 2.5 in the . . . to be distributed this year and 1 million of that is from the General Revenue Fund, so the balance would be from those sources.

Mr. Belanger: — And what does SERM currently charge the NRSTA (Northern Revenue Sharing Trust Account) for administration, which primarily is just the issuing of the lease fees and the collection of such fees?

Hon. Mrs. Teichrob: — Mr. Chairman, I regret that I don't have that with me, but the Northern Revenue Sharing Trust Account is audited annually and reports to the legislature. And it has been . . . the latest annual report has been tabled with our . . . (inaudible) . . . and the accounting that the member asks for. So I would refer him to that. It's not the subject of discussion in the context of this legislation tonight.

Mr. Heppner: — Thank you, Mr. Chairman. One of the questions that I had, dealt with the functions and the powers of the board, and that question was just asked by the member that was asking the questions previously.

Dealing with the make-up of that board, the NRSTA Board, I have basically two questions. One is, what's the length of time that people will serve on that board? And what if any is their remuneration for that?

Hon. Mrs. Teichrob: — Mr. Chairman, the terms by the order in council would be a maximum of two years to a term. And there is a per diem paid from the Northern Revenue Sharing Trust Account.

Mr. Heppner: — Thank you. Well, Mr. Chairman, that takes care of the questions that we had on that particular Bill. And I would like to thank the minister for the work that she has done throughout the last number of Bills and the discussion, and for her official as well for being here.

Mr. Goohsen: — Yes, thank you, Mr. Chairman. Well, Madam Minister, again I've been listening with interest. And when the member from Athabasca asked about the amounts of taxes that are taken in, obviously you state that you don't have those tonight. And we respect the fact that you may not be able to lay your hands to that immediately. Would you give a commitment to provide that information to that member and myself.

Hon. Mrs. Teichrob: — I would just repeat and remind the member that it has been provided, in that the Northern Revenue Sharing Trust Account fund is one which is reported and tabled in the legislature every year in the form of an audited statement of all the activities, revenue, and expenditures. So I would be happy to provide the member with a copy but it has been tabled in the legislature in this session.

Mr. Goohsen: — Thank you. You referred, Madam Minister, to the fact that this Bill, like one of the last ones for southern regions, changes the assessment appeal process. In what way is that process being changed and how will it benefit the individuals that want to have reassessments done?

Hon. Mrs. Teichrob: — Mr. Chairman, just briefly I'll go over some of the highlights of what the amendments do, is that the amendments confirm that both municipalities and SAMA may appeal, or be party to appeals. Appellants are prevented from appealing the entire assessment roll rather than just property in which they have an interest. It permits a person to voluntarily withdraw an appeal. It permits an appeal to be settled without going to the board of revision hearing if there's a mutual agreement that there's an error in the assessment, that it's defective. It applies the same notice requirements to SAMA as is done for owners of appeals to the Municipal Board; fixes a term for the board of revision appointments and provides

remuneration for that appointment.

Some of these are responding to legal decisions and some of them are as a result of expressions from the public or from administrators or councillors or conventions of municipal organizations.

Mr. Goohsen: — Thank you, Mr. Chairman. Madam Minister, that doesn't at all answer my question or relieve my fears that the system is still just as convoluted as it has been. You know very well from correspondence that we've had in the past year that a lot of people were denied the right to appeals on their assessments. And they were denied a lot of times those rights to appeal on the basis of having missed deadlines; that in fact we were able to prove people hadn't missed and this was being used as a vehicle to try to circumvent people's rights to have their appeals heard.

And in fact I got a nice letter from a gentleman the other day, thanking me for helping him to overcome that particular problem. And he stated that after he was able to get his appeal in front of the appropriate authorities, they in fact fully agreed with him and he got everything that he wanted in terms of relief from the taxation burden that he felt was unfair on his properties.

Have you in any way addressed that problem?

Hon. Mrs. Teichrob: — Well, Mr. Chairman, it sounds very much as if the system worked. There is an appeal process, and among people with common sense listening to each other and paying attention, that these stories will always have a happy ending, Mr. Chairman.

Mr. Goohsen: — Well thank you, Mr. Chairman. And thank you, Madam Minister, but obviously some people in the SAMA departments and what not don't have all that common sense that you keep talking about, because these are cases in reality, and I do have the letters on my desk in my office.

So the reality is that this individual in particular that I talked about tonight — and there were others as well — were successful only after pursuing through their MLA getting the appeal that they should have been allowed without any problems to begin with.

And that is a problem in your department and in the department of SAMA and you need to address that, and not say that people with common sense will listen. Because they didn't listen. And the fact of the matter is that we've gone through this experience. It didn't happen. There is no common sense. The common sense part has failed. Now there is no understanding, there is no compassion. All of this stuff is fluff that you make up to try to get Bills passed in a hurry here.

And I have no objection to you passing your Bills in a hurry, but I object vehemently to you suggesting that people in your department have common sense or any kind of respect for people that try to get fair play, because we have proof positive that that has not happened. And it took an exorbitant amount of effort to get through those bridges and pitfalls that were thrown in front of people.

And so, Madam Minister, I've asked you very simply, have you addressed that question in this legislation? And so far I hear the answer as being no.

Hon. Mrs. Teichrob: — Mr. Chairman, we have an appeal . . . or a review process going on right now. And if the member opposite has some constructive suggestions that he would like to pass on, I'm sure that the committee would welcome any suggestions that he might have to make.

I just have to add briefly that I made a mistake on the term of the officers of the Northern Revenue Sharing Trust Account. It's three years, not two years.

(2145)

Clause 1 agreed to.

Clauses 2 to 28 inclusive agreed to.

The Chair: — If the minister would report the Bill without amendments, please.

Hon. Mrs. Teichrob: — Mr. Chairman, before I do that I'd like to thank the members opposite for their questions and I'd like to thank the officials from the department for their assistance.

The committee agreed to report the Bill.

Bill No. 32 — The Wildlife Amendment Act, 1998

The Chair: — I would ask the minister to introduce his officials before we start.

Hon. Mr. Scott: — Thank you, Mr. Chairman. I have with me the deputy minister, Stuart Kramer, and director of fish and wildlife, Dennis Sherratt.

Clause 1

Mr. D'Autremont: — Thank you, Mr. Chairman of committee. I'd like to welcome the minister and his officials here this evening and hopefully you'll have all the answers and we can all go away happy.

Mr. Minister, one of the things this particular Bill is doing is raising the fines for offences involved with The Wildlife Act. You're raising it up to \$100,000 and in some cases that's probably a good idea. In others I would have some concerns that perhaps you're rushing too far too quickly in that area.

I wonder if you could outline for us what offences would fall into that \$100,000 range.

Hon. Mr. Scott: — Well thank you, Mr. Chairman. Our wildlife and natural resources are very important and in raising the fees to \$100,000 we are in line with our own Fisheries Act which has fees or penalties ranging up to \$100,000. Also the neighbouring province's offences with regards to fish and wildlife are in the neighbourhood of \$100,000 as well.

Basically this would be the more severe, the more organized crime — poaching, trafficking in wildlife — which is certainly

beyond the person going out to the back 40 and shooting a deer for their own use. This is trafficking, poaching, and such like — the severe crimes.

Mr. D'Autremont: — Thank you, Mr. Minister. Mr. Minister, where will these offences be laid out that would qualify or be subject to the \$100,000 penalty? You say poaching, trafficking in wildlife parts, etc. What does the et cetera include?

Hon. Mr. Scott: — The et cetera might include trafficking and poaching in rare and endangered species. And obviously the penalty that is enforced, levied, will be at the discretion of the judge and the courts when they weigh all of the evidence.

Mr. D'Autremont: — Thank you, Mr. Minister. Would this be on a first offence or on subsequent offences after a person has been charged and convicted?

How exactly do you see this working? If someone has a deer head and they're shipping it illegally across one of our borders in any direction, would that be tantamount to exporting of animal parts and therefore qualify for the \$100,000 fine? How do you see this working?

Hon. Mr. Scott: — Well obviously the maximum fine would only be levied in very exceptional circumstances. Again that would be at the discretion of the judge and the courts. But probably a first offence if somebody forgot to get a permit, certainly they would not be penalized to that extent. But again, if there was organized crime and trafficking and many people involved, the fines could amount to \$100,000.

Mr. D'Autremont: — Thank you, Mr. Minister. Well some of the complaints that have been raised in the past involving such things as trafficking or illegal taking of game — animal parts — part of that equation has also included outfitters that are operating illegally. Will this fine of \$100,000 also be applicable to operations that are running illegal outfitting operations, illegal guiding operations for big game, for birds, for fish, for any of our wildlife resources? Will these also apply in that area?

Hon. Mr. Scott: — The whole purpose of this Act, Mr. Chairman, is to point out the value of our wildlife — our birds, animals, and such like. And with many species declining in numbers — more and more endangered species — we want to send a message to the public that we will not tolerate crimes, especially organized crimes for profit, trafficking in wildlife. And if outfitting or whatever the case might be, we want to send a clear message that our wildlife is important and will not be . . . offences involving wildlife will simply not be tolerated. And obviously the courts and the judges decide the levies of the fines.

Mr. D'Autremont: — Thank you, Mr. Minister. What are you doing though to apprehend the illegal outfitting operations that are taking place? I'm sure that most of us have rumours of them. We may even have information or knowledge that some of them are taking place, with difficulty in proving it at times, but what is the department doing to enforce those regulations and therefore have the opportunity to levy these kind of fines?

Hon. Mr. Scott: — But first of all, Mr. Chairman, if somebody is aware of someone else breaking the law with regards to fish

and wildlife and natural resources, we urge them to call our tip line. It's a turn-in-poacher line which you do not have to leave your name, and we would appreciate the call, and we do get hundreds of calls each year.

And other ways that we combat crime include undercover operations, which does take a lot of manpower, a lot of time, so a little slap-on-the-wrist fee penalty would certainly not compensate for the efforts put into breaking into some of these criminal activities. So that was another reason we need a substantial fine to make the enforcement of the law more reasonable as well.

Mr. D'Autremont: — Thank you, Mr. Minister. One of the issues that has been of notice in the last six months to a year has been the issue of night hunting. What is the fine range for someone who is illegally hunting at night or illegally spotlighting animals at night?

Hon. Mr. Scott: — For night-hunting offences which is now illegal here in Saskatchewan — with hunting policed at night — with the use of artificial lights, the minimum fine is \$1,000. And again it can be all the way up to \$100,000 but that again it would depend on the judge and the courts.

Mr. D'Autremont: — One of the sections of this particular Act allows the government to dispose of seized game parts or meat from such. What manner does the department use to dispose of these particular items — let's say you have two different examples: a gallbladder from a bear and a hindquarter of a moose.

Hon. Mr. Scott: — The meat example, Mr. Chairman, that was used, the meat would be donated to either a local food bank or some charitable group which is raising money for the community such as perhaps a Boy Scouts banquet. Things like the bear gall bladder would be retained in custody for further evidence and simply would not be released back into the public.

Mr. D'Autremont: — Thank you, Mr. Minister. I was just checking to make sure that you weren't using them for whatever purposes some people want them for. I'm not sure that you need them for that purposes, but I was just checking to make sure you didn't have . . .

I would like to thank the minister and his officials for coming in. I think my other questions can be dealt with under SERM.

Clause 1 agreed to.

Clauses 2 to 10 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 11 - The Trustee Amendment Act, 1998

The Deputy Chair: — I'll invite the Minister of Justice to introduce his official.

Hon. Mr. Nilson: — Yes, I'm pleased to have with me this evening Madeleine Robertson from Saskatchewan Justice.

Clause 1

Mr. Heppner: — Thank you, Mr. Deputy Chair. I believe most of us understand fairly well what this particular piece of legislation is attempting to accomplish — giving trustees a little more latitude — especially in times when interest rates are such as they are, there's need to look a little further abroad for better investments.

However, anytime you look for better investments you also put things a bit more at risk. And I'm . . . just like to have a little bit of assurances how this Bill manages to take . . . give the opportunity for the flexibility to look for some other opportunities and balance that off with not putting money at risk.

Hon. Mr. Nilson: — The simple answer to that is, that the trustees have to act prudently and they have to follow the criteria that are set out in the Act.

Mr. Heppner: — Thank you, Mr. Deputy Chairman. I guess one of the questions that comes up is, I think, traditionally in the way the previous legislation was set up, it was so structured that I doubt if trustees ever were found to be negligent in what they were doing. This gives them a lot more latitude. What happens to trustees that could be found negligent in how they take care of the money that they're trustees of?

Hon. Mr. Nilson: — Basically trustees can still be sued if they don't act prudently and follow the criteria.

(2200)

Mr. Heppner: — On trusts in which government is involved, and I think some examples would be the Meewasin Valley Authority, Wascana Centre Authority, Municipal Board, is there any possibility that government could be held, or left holding the bag for funding if trust investments are lost in those situations?

Hon. Mr. Nilson: — I think practically most of those kinds of trust funds would be managed by separate authorities and wouldn't end up with some of the questions that arise here.

Mr. Heppner: — Thank you. And, Mr. Deputy Chairman, as we mentioned just a little earlier on that, one of the reasons for the changes is to give the trust the opportunity for better investment situations than they may be facing at present.

And I'm wondering are there any trusts that are currently facing or experiencing financial difficulties because their investments are as restricted as they have been?

Hon. Mr. Nilson: — Well I think practically there are some situations where, for example in testamentary trusts, where a family inherits a business and they have to dispose of the business because it wouldn't qualify as an investment that could stay in the trust. And so there are quite a number of hardships that way.

And so practically the people who have requested this legislation are people who have been hamstrung by the present legislation.

Mr. Heppner: — Thank you. Deputy Chairman, as we talked

about earlier on, this gives the opportunity for trustees to look for better investment situations than previous.

And I'm wondering approximately how much better rate of return can trusts expect under this situation? Because I would imagine that as you loosen the situation you took into consideration how much of an advantage it would be to, you know, stretch the situation somewhat.

Hon. Mr. Nilson: — Well I think the answer to that is it really depends on the situation at the time that they're required to make their investment decisions. And so at this time there may be some more beneficial ways to invest money than, for example, in a savings account or the strict list that's under the present Act.

But practically it requires a prudent decision and a decision made in the circumstances at the time. And so it's not very easy to answer that question with an exact number.

Mr. Heppner: — Thank you. Mr. Deputy Chairman, that basically concludes the questions we have on this one. I think that the direction and the intent is something we support. And we'll be watching fairly closely to make sure that, as some of the restrictions have been loosened, that we haven't put at risk some of the trust funds that are out there.

And I would also like to thank you for this opportunity to go through this piece of legislation, and to your official as well. Thank you.

Mr. Goohsen: — Thank you, Mr. Chairman. Minister, when you loosen up the ability for people to play with other folks' money there's always a risk, as the other members have pointed out here. So I pose to you questions — supposing someone handling a trust decides to buy shares in a stock market in a company similar to Bre-X, and the bottom falls out of it, and the money is lost. Is anybody responsible, or do you have any safeguards for that type of eventuality?

Hon. Mr. Nilson: — Well I think you have the same kinds of protections that you do now, Mr. Deputy Chair. And basically in the section 3, where it sets out the investment, there are quite a number of very clear criteria that you would have to use if you're investing other people's money.

And those criteria set out quite clearly — that you have to be prudent and that you have to be careful in what you're doing. And if you don't, then you're subject to being sued, and you follow the similar remedies that we have now.

Mr. Goohsen: — Well thank you, Mr. Chairman. Minister, I'm quite . . . that all the people in St. Paul that lost their shirts thought they were being very prudent when they bought shares in Bre-X. So the word "being prudent" doesn't protect anybody from anything, really does it?

The other question I have is — do family trusts fall in this category?

Hon. Mr. Nilson: — Yes.

Clause 1 agreed to.

Clauses 2 to 18 inclusive agreed to.

Hon. Mr. Nilson: — Yes, I'd like to thank my official who is here and other officials who've worked on this legislation, and I'd like to also thank the opposition members for their questions, and I would like to move this Bill be recommended without amendment.

The committee agreed to report the Bill.

THIRD READINGS

Bill No. 33 — The Provincial Court Act

Hon. Mr. Nilson: — 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.

Bill No. 56 — The Municipal Revenue Sharing Amendment Act, 1998

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

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

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

Hon. Mrs. Teichrob: — Mr. Speaker, I move this Bill be now read a third time and passed under its title.

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

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

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

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

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

Hon. Mrs. Teichrob: — Mr. Speaker, I move that this Bill be read a third time and passed under its title.

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

Bill No. 32 — The Wildlife Amendment Act, 1998

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

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

Bill No. 11 — The Trustee Amendment Act, 1998

Hon. Mr. Nilson: — 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.

(2215)

COMMITTEE OF FINANCE

**General Revenue Fund
Environment and Resource Management
Vote 26**

The Deputy Chair: — I invite the minister to introduce his officials. Before I do that, I just want to remind committee members that the minister and his officials were here last on April 20.

Hon. Mr. Scott: — Thank you, Mr. Deputy Chair, I have with me Stuart Kramer, the deputy minister; Dave Phillips, assistant deputy minister; Dennis Sherratt, director of fish and wildlife branch; and Shelly Vandermeij, executive director of corporate services.

Subvote (ER01)

Mr. D'Autremont: — Thank you, Mr. Deputy Chairman of committees. I'd like to welcome the minister and his officials here again this evening. The last time we met, April 20, I asked you at that time about the global questions. Do you have them available?

Hon. Mr. Scott: — Thank you, Mr. Deputy Chair. In response to the hon. member's question, we are working to provide a very thorough and diligent reply to the questions, and we assure you that the information will be coming.

Mr. D'Autremont: — Thank you, Mr. Minister. I'd just like to let you know that my tax cheque is also in that same mail so your salary may very well be in jeopardy.

Now, Mr. Minister, we do need those estimates to determine . . . not estimates, sorry, those global questions rather than simply going through all of this one question at a time in the House. We are certainly prepared to do that if we don't receive the global questions although we hope that won't be necessary. So if you could please expedite those responses before you return again on another day in a couple of weeks or a month or so, whenever the next time will be, because those responses are very important, Mr. Minister.

I have quite a number of questions here I would like to ask you. I'm wondering if you could outline for us what the new goals, programs, and legislation, or regulations are for your department that you're working on for this coming year.

Hon. Mr. Scott: — Thank you, Mr. Deputy Chair. We are just in the process of course of beginning legislation and regulation activities for the coming year but certainly there'll be ongoing efforts around the forestry, wildlife, and environmental

monitoring and protection. But we do not have any details of any particular regulations or legislation which will be coming forward next year.

Mr. D'Autremont: — Thank you, Mr. Minister. I wonder if you could sort of give us your main directions in issues like forestry; in wildlife management; and in the parks area; and also in the environmental area that's under your administration.

Hon. Mr. Scott: — Thank you for the question. With regards to forestry, we are more and more looking at all uses of the forest. Forestry used to be a matter of sort of divvying up the trees that we cut down. Now we look at all of the activities in the forest. So we're looking at sustainable management and, of course, reforestation.

In wildlife management we want to ensure sustainable game populations. There will be surveys conducted along with fishery population. We will be monitoring that closely.

With regards to environmental issues, we'll certainly be working to enhance things like used oil recycling, used tires, and other things that will get potential contaminants out of the environment. So ongoing progress on a number of these fronts.

Mr. D'Autremont: — Thank you, Mr. Minister. In a number of those areas that you have mentioned, there are difficulties and we will get into some of those as we go along.

I'd like to deal with some of the park questions right now, Mr. Minister. What are you doing with the parks programs this year? I know that over the past few years parks have received a diminishing amount — of particularly capital funding, but funding in general at a time when we would hope — I don't know that it's a fact — but we would hope that the usage for the parks has been increasing. With the situation with our roads, people visit our parks once and then look for some other place to go because they don't want to drive back over that road again. So what is happening with the parks in your department? With the funding for those parks? Are we receiving new capital for the infrastructure within the park system? And is the usage for our parks increasing?

Hon. Mr. Scott: — Well certainly, Mr. Deputy Chair, our parks are very important to people in Saskatchewan. Last year we had 2.2 million visitors to our parks.

And we were very pleased last year that we were able to get \$1.7 million of new money for our parks infrastructure. This would be for roads within parks, buildings, water, sewage — basically any of the essential services. And this 1.7 million will be added on to our existing capital, which brings us to 2.5 million, and this is over a 10 year period. So we're very pleased with the attention that we are giving our parks, and I'm sure the public will be as well.

The committee reported progress.

The Assembly adjourned at 10:27 p.m.

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