

The Assembly met at 1:30 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

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

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take immediate action to ensure that the required level of service in radiology is maintained in the North Central Health District and the priorities of its board be adjusted accordingly.

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

Mr. Speaker, the signatures on this petition come from the community of Melfort. I so present.

**Mr. D'Autremont:** — Thank you, Mr. Speaker, I also have petitions to present. The prayer reads:

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

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

These petitions come from the Carievale, Alida, Storthoaks, Carnduff, Glen Ewen, and Whitewood areas. Mr. Speaker, I so present.

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

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

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

Those who've signed these petitions, Mr. Speaker, are from a number of communities in the province including communities such as Hazel Dell, Lintlaw, Okla, Kelvington, Preeceville, Invermay, and then a number from my constituency, the community of Briercrest, Drinkwater, and Hearne. I so present.

**Mr. Belanger:** — Thank you, Mr. Speaker. I also rise to present a petition, and I present a petition on behalf of the people of the North. And the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to address the issue of reducing the high cost of power rates in the North.

And the people that have signed this petition, Mr. Speaker, are primarily from Canoe Lake, including the famous Clarence Iron. I so present.

**Mr. McLane:** — Thank you, Mr. Speaker. I'm proud to rise again today on behalf of the people of Saskatchewan to present a petition on their behalf. The prayer reads as follows:

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

Mr. Speaker, the signatures on this petition are all from the city of Estevan.

**Mr. Osika:** — Thank you, Mr. Speaker. I rise on behalf of concerned citizens with respect to the custody of children involved in custody battles and the prayer reads:

Wherefore your petitioners humbly that your Hon. Assembly may take the required action to allow the children named to remain in the custody of the maternal grandparents and that appropriate amendments be made to the justice system.

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

And the signatures on these petitions, Mr. Speaker, are from Melville, Esterhazy, Neudorf, Edmonton, and Red Deer, Alberta as well. I so present.

**Mr. Hillson:** — Thank you, Mr. Speaker. I rise to present a petition this afternoon on the confusing and dangerous intersection leading into North Battleford and the prayer of relief reads as follows:

Your petitioners humbly that your Hon. Assembly may be pleased to relocate Highway 40 to east of the David Laird Campground in order to alleviate the congestion at the entrance to the city of North Battleford.

Your petitioners come from Medstead, Battleford, Denholm, and North Battleford.

**Mr. McPherson:** — Thank you, Mr. Speaker. I join with my colleagues here today and thousands around Saskatchewan in their efforts to stop the closure of the Plains hospital.

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

Mr. Speaker, the people that have signed these petitions are all from the community of Swift Current. I so present.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I also have petitions to present. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take immediate action to ensure the required level of service in radiology is maintained in the North Central Health District and the priorities of its board be adjusted accordingly.

As is in duty bound, your petitioners will ever pray.

The community involved, Mr. Speaker, are from Melfort, Bjorkdale, and Naicam. I so present.

**Mr. Gantefer:** — Thank you, Mr. Speaker. I rise as well to present presentations about people concerned about the future of the Carrot River Hospital. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take immediate actions to ensure the survival of the Carrot River Hospital.

Signatures on these petitions, Mr. Speaker, are from the communities of Arborfield, Carrot River, and Zenon Park. Mr. Speaker. I so present.

**Ms. Draude:** — Thank you, Mr. Speaker. I also have a petition to present today:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take immediate action to ensure the required level of service in radiology is maintained in the North Central Health District and the priorities of the board be adjusted accordingly.

As in duty bound, your petitioners will ever pray.

People that have signed this petition are from Melfort and Kinistino.

**Mr. Boyd:** — Thank you, Mr. Speaker. I have a petition as well to present to the Assembly this afternoon dealing with the issue of the concern about level of service in the North Central Health District. And the petitioners come from the Melfort, Kinistino areas, and I'm pleased to present on their behalf.

**The Speaker:** — Has the hon. member for Arm River been recognized previously for presentation of a petition?

**Mr. McLane:** — Yes I have.

**The Speaker:** — The hon. member can only be recognized once during presentation of petitions.

**Mr. Goohsen:** — Thank you, Mr. Speaker. As has become the normally expected process, I am happy again today to present the following petition:

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

As in duty bound, your petitioners will ever pray.

Mr. Speaker, these folks come from Calgary, Alberta, Tompkins, Saskatchewan, and Maple Creek, Saskatchewan, and I'm happy to present them on their behalf.

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. I'm very proud to rise once again on behalf of Saskatchewan citizens who are seeking justice for men and women who have lost spouses in work-related accidents. The prayer reads as follows:

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

And as in duty bound your petitioners will ever pray.

The people who have signed these petitions today are from Saskatoon and Chitek Lake and I'm pleased to present them on their behalf.

## READING AND RECEIVING PETITIONS

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

Of citizens of the province petitioning the Assembly on the following matters: to change the law to allow Saskatchewan citizens to erect a cross on the highway where a loved one was killed; to fund the twinning of the Trans-Canada Highway; to have the Workers' Compensation board reinstate pensions for disenfranchised widows; and to take action to ensure the required level of service in radiology in the North Central Health District.

## PRESENTING REPORTS BY STANDING, SELECT AND SPECIAL COMMITTEES

### Standing Committee on Communications

**Deputy Clerk:** — Mr. Speaker, the Chair of the Standing Committee on Communications presents the second report of the said committee, which is as follows:

Your committee has considered the recommendations of the Public Documents Committee under The Archives Act contained in retention and disposal schedules comprising session paper no. 185 including schedule no. 335 —

Saskatchewan Pension Plan; schedule no. 336 — Saskatchewan Securities Commission; schedule no. 337 — Saskatchewan Gaming, tabled this third session of the twenty-third legislature and referred to the committee by the Assembly May 5, 1998.

Your committee recommends to the Assembly that the recommendations of the Public Documents Committee on schedules no. 335, 336, and 337 be accepted.

Your committee also recommends that the Assembly do issue an order of reference to the Standing Committee on Communications to review the matter of enhancing the use of technology to support the parliamentary function of the Legislative Assembly.

Your committee also reviewed the report of the Legislative Library for the period ending March 31, 1996.

Honourable Glenn Hagel, Committee Chair and Speaker.

**Mr. Trew:** — Mr. Speaker, I move, seconded by the member for Cannington:

That the second report of the Standing Committee on Communications be now concurred in.

Motion agreed to.

#### INTRODUCTION OF GUESTS

**Mr. Gantfoer:** — Thank you, Mr. Speaker. Mr. Speaker, it's always a pleasure to introduce students that come from your own community. And today I have the great pleasure of introducing students from Brunswick School which is across the alley from where I live. And I'm particularly pleased to introduce them because I haven't had a baseball or softball through my dining room window in a long time so I'm really pleased.

Today, Mr. Speaker, there's 36 grade 6 students here from Melfort, from the Brunswick School. They're here with Mr. Randy Steciuk, Miss Brenda Vickers — their teachers; and Mrs. Lynn Selkirk, their chaperon.

Mr. Speaker, would everyone in the Assembly please join me in welcoming these fine people to the Assembly.

**Hon. Members:** Hear, hear!

**Hon. Mr. Wiens:** — Mr. Speaker, I rise to introduce to you and through you another Rosetown delegation. I should begin by asking that we give special recognition to Mr. Berezowski, who has now led 72 students in two days through a 220-mile, two-way trip. And with him is Mrs. Poff and chaperons, Greg Carlson, Elaine Harding, and Ruth Livingston.

These are the rest of the grade 8 students from the Rosetown Central High School. It is a regular matter that the Rosetown school sends students to observe the goings on in the Assembly during the session. And I welcome them and ask other members to join me in welcoming them.

**Hon. Members:** Hear, hear!

**Hon. Mr. Nilson:** — Mr. Speaker, it's my pleasure to introduce to you and to all the members of the Assembly, a young woman from Berlin, Germany — Djamila Garten, who's in the west gallery. I'll ask Djamila to stand.

Djamila is a student at Luther College here in Regina. She came to Regina on an exchange program last year, and she enjoyed going to Luther College so much that she decided she would come on her own accord and finish her grade 12 at Luther College in Regina. She'll be returning to Germany this summer.

Welcome, Djamila.

**Hon. Members:** Hear, hear!

**Mr. Kowalsky:** — Mr. Speaker, it's my pleasure to introduce to you two people today who organize my life and make my life easier by telling me where I should go and what time I should get there. Sitting in the west gallery, Mr. Speaker, is Jean Moore, who has been a constituency assistant in our office for sometime and who is now currently working here as a sessional with our caucus. And beside her is Anna Marie Kowalsky, who is her understudy and who came down to Saskatchewan, moved to Saskatchewan from the Northwest Territories lately with her family. And I want you to welcome them both to the Legislative Assembly.

**Hon. Members:** Hear, hear!

#### STATEMENTS BY MEMBERS

##### Tourism Week

**Mr. Koenker:** — Thank you, Mr. Speaker. June 1 through 7 is Tourism Week in Saskatchewan, and tourism is leading the way in growth in jobs in our province. As the fastest growing economic sector in the province, tourism employs 42,000 people — 1 out of every 11 people in Saskatchewan — and tourism specific jobs grew by 10 per cent last year.

Clearly tourism is playing a big role in the economic and employment growth that Saskatchewan now enjoys, and Tourism Saskatchewan is paving the way. It's an industry-led partnership with government and it has an emphasis on ecotourism and the clean natural resources that we are blessed with in our province.

In the Land of Living Skies, tourism contributes over one billion to the provincial economy every year. And that's why dinners and festivals and rodeos and fairs will be held across Saskatchewan this week to help celebrate Tourism Awareness Week.

**Some Hon. Members:** Hear, hear!

##### Health Care Concerns

**Mr. Osika:** — Thank you, Mr. Speaker. Mr. Speaker, the NDP (New Democratic Party) member for Regina South continues to demonstrate how little he respects the health care concerns of people who reside in rural Saskatchewan, or how little he

actually knows about health care.

A few weeks ago he indicated that anyone who couldn't find the General Hospital was dumb. Yesterday we received a copy of a letter this MLA (Member of the Legislative Assembly) sent to one of his constituents, and it explains that the General hospital is easily accessible but rural residents in need of urgent care may wish to consider using the Pasqua Hospital.

Mr. Speaker, if the Plains hospital closes, trauma services will be located at the General, not the Pasqua. Expectant mothers will be delivering their babies at the General, not the Pasqua. And many other services will only be provided at the General and not the Pasqua.

What makes this particularly ironic, Mr. Speaker, is that this member continually talks about the Liberal opposition fearmongering and having its facts wrong. My simple advice to the member, Mr. Speaker, is put down the crossword puzzles that you do every day, and listen to what we and even your Minister of Health has to say about our situation.

**Some Hon. Members:** Hear, hear!

#### Prince Albert Tourism Awards

**Mr. Kowalsky:** — Thank you, Mr. Speaker. As mentioned by the member from Saskatoon Sutherland just a moment ago, tourism is growing rapidly in Saskatchewan. And I might say it's growing rapidly also in my city of Prince Albert, Mr. Speaker.

And recently, in recognition of its economic importance, the Prince Albert Tourism and Convention Bureau held its fourth annual tourism awards banquet. Four years ago this ceremony attracted only 90 people. This year 175 attended. Last year 30 groups or individuals were nominated for awards. This year nearly 50 were in the running.

Mr. Speaker, there were many winners in several categories. And I want to add my congratulations and thanks for their contributions. But I do want to single out one individual and one attraction for special recognition. Chief Leo Omani of the Wahpeton Dakota First Nation was named as tourism individual of the year. The Northern Lights Casino which was driven by Chief Omani was named tourism business of the year.

This business was nominated because it trained hundreds of young people and because it provided excellent customer service to the many tourists it helped attract to Prince Albert.

Mr. Speaker, Prince Albert is still the gateway to the North but it's also the perfect end destination for a discerning tourist.

**Some Hon. Members:** Hear, hear!

#### Saskatchewan's Population

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. In 1971 Saskatchewan had a population of roughly 1 million people. Alberta had a population of 1,627,900. At the end of 1997 our population had grown to 1.023 million while Alberta's had grown to 2.847 million, an increase of 1.2 million, an

amount greater than the entire population of our province.

Alberta's population increased by 75 per cent; Saskatchewan's by 2.3 per cent. In that 26-year period, this province had the misfortune to be governed by the New Democrats for 17 years and the Conservatives for 9. This 73 per cent difference in population growth rate is directly attributable to Saskatchewan people labouring under the highest tax regime in Canada and Alberta people enjoying the lowest taxes.

Mr. Speaker, Saskatchewan is still losing people. Over 1,700 more left our province in the first three-quarters of last year than arrived from other provinces. It is simply not acceptable that Saskatchewan continues to lose its people and its future. And these statistics, Mr. Speaker, are a reality that the NDP can't blame on someone else.

**Some Hon. Members:** Hear, hear!

#### New Apprenticeship Programs

**Mr. Trew:** — Thank you, Mr. Speaker. Further to the members' statements by the member for Saskatoon Sutherland and Prince Albert Carlton . . .

**The Speaker:** — Order. Now the Chair is having some difficulty being able to hear the hon. member for Regina Coronation Park . . . being able to make his member's statement. And as all hon. members will recognize, the hon. member for Regina Coronation Park is not located very far from the Chair.

And I will ask for the cooperation of all members of the House to enable members' statements to be provided in an uninterrupted manner.

**Mr. Trew:** — Thank you, Mr. Speaker. Further to the members' statements of the hon. member for Saskatoon Sutherland and Prince Albert Carlton, the Saskatchewan Tourism Education Council, or STEC, held their Professional Recognition by Industry for Development and Excellence, or PRIDE, dinners Monday in Regina and Tuesday in Saskatoon.

Leading Canada with another first are two new tourism trades, Guest Services Representative and Food and Beverage Person. These are both now apprenticeable trades in Saskatchewan. On Monday, Aileen Krismer was presented her apprenticeship and journey person certificates in the Guest Services Representative Trade.

On Tuesday, Mary Lynn Paquette was presented her apprenticeship and journey person certificates in the Food and Beverage Person Trade.

Congratulations to STEC for the continued attention to training and standards in the growing Saskatchewan tourism industry.

And of course congratulations to Aileen Krismer and Mary Lynn Paquette on being the first graduates to hold the new apprenticeship and journey person trades certificates in Canada.

**Some Hon. Members:** Hear, hear!

### Surgery Waiting-lists

**Mr. Aldridge:** — Thank you, Mr. Speaker. Mr. Speaker, during this session the Liberal opposition has revealed that more than 6,000 people now occupy surgery waiting-lists. We've revealed that waiting-lists in Regina have increased by 30 per cent in the past year. We've revealed that people awaiting general surgeries in Saskatoon are waiting an average of 370 days.

Well today we read that the University Hospital in Saskatoon will not be taking any bookings for elective surgery this summer. For the first time, there will be a complete suspension of elective surgery bookings.

Mr. Speaker, it's getting to the point where people requiring treatment no longer need a calendar to mark when they'll get their surgery — they need a crystal ball to determine if they'll get their surgery.

At what point is this government going to understand that our health districts are underfunded? They need the money to provide an appropriate level of health care.

We have one clear message today for the Premier and for this government and that is, open your eyes, open your ears, and more importantly, open your hearts because there's people that are suffering out there. If you want to portray yourself as the saviours of medicare, then start saving medicare.

**Some Hon. Members:** Hear, hear!

### International Agricultural Biotechnology Conference

**Mr. Jess:** — Thank you, Mr. Speaker. The month of June has been declared Agricultural Sciences Month by the Minister of Agriculture. The month will be highlighted by the agricultural biotechnology international conference in Saskatoon from June 9 to 12.

Agricultural research contributes to Saskatchewan's international leadership in agriculture to our economy, to our lifestyle, plant breeding. Molecular genetics, better vaccines, and animal products all continue to expand the agricultural industry.

The industry has expanded 300 per cent since 1991 and continues to grow. There are 1,100 jobs connected to the agricultural research industry and ag biotech sales add \$100 million to the Saskatchewan economy. By the year 2000, this amount will grow to over \$300 million.

The ag biotech conference will be attended by delegates from around the world including a Nobel prize winner in chemistry. The theme of the conference is "The Science of Success" and the primary focus will be on the strategies for marketing ag biotech products. Rest assured, Mr. Speaker, that the Saskatchewan Ag and Food, and ag biotech agricultural industries will remain the world leader in the application of technologies to the many agricultural related industries. Thank you.

**Some Hon. Members:** Hear, hear!

### Eighth Annual Sommerfest in Humboldt

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, the town of Humboldt will be hosting their eighth annual Sommerfest June 19 to 21. The theme of this year's Sommerfest is "A Celebration of German-Canadian Culture". The celebration includes a parade of Volksmarch, a Bierfest with singing and dancing, a car show, and many more community activities.

Not only is Sommerfest a celebration of German culture, it is a celebration of all culture as Humboldt hosts the "Mosaic of Nations", a display of ethnic foods, an artisan craft show and sale, and multicultural entertainment including Irish, German, and Ukrainian dance groups.

Among featured performers, Mr. Speaker, are renowned comedian, Brent Butt, originally from Tisdale; yodeller Richard Brandl of Landshut, Germany; and Bill Hopson of Calgary, a famous Alpenhorn player.

Humboldt is a great community. As the largest town in Saskatchewan, Humboldt and area people are known far and wide for their determination and their success in making good things happen and Sommerfest is a wonderful example of an event ingrained with the spirit of the people of the community and district.

Many volunteers work long hours under the capable direction of Ruth Wilson, Humboldt's director of tourism and special events.

I invite one and all to come to Humboldt to celebrate with us June 19 to 21.

**Some Hon. Members:** Hear, hear!

### ORAL QUESTIONS

#### Elective Surgery at Royal University Hospital

**Ms. Draude:** — Thank you, Mr. Speaker. My question is for the Minister of Health. Mr. Minister, more evidence of the complete chaos in the NDP health care system. Waiting-lists are already far too long and now we get the news that there'll be no elective surgeries at all this summer at the Royal University Hospital.

The vice-president of the district medical association said this has never happened before. Dr. Afridi says people have been told they'll be provided with universal health care. Why doesn't this government just tell people to go fend for themselves?

Mr. Minister, waiting-lists are already far too long and this is going to make them longer. How can you say that your health care system is working when the University Hospital is shutting down elective surgeries for the entire summer?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Well, Mr. Speaker, I want to say to the member opposite that her information is partly informed, and most of it needs some additional tuning and additional information, which is usual.

I say to the member opposite that I have here a series of comments that were made to me by the district health board out of Saskatoon, and this is what they say:

Like virtually all other health district hospitals in the country — implementation of summer surgical schedules to accommodate vacations for the hard-working surgeons, anaesthetists, nurses, and other staff — is consistent with what we've been doing for years. There are similar schedule adjustments each year at Christmas, at Easter, and in the summer. And these decisions are based on staff availability and are not driven by financial considerations.

That comes from, Mr. Member, comes from Susan Bazylewski, who's the vice-president, and Dr. Jack Reilly, who's the Chair of Surgical Operations Committee from the Saskatoon district.

**Some Hon. Members:** Hear, hear!

**Ms. Draude:** — Mr. Speaker. Mr. Minister, you're partially right. One of the reasons being cited for the shut-down of elective surgeries is the shortage of available nurses. Where are these 90 nurses Saskatoon is supposed to be getting?

People are starting to think that your promise of new nurses is nothing more than smoke and mirrors and it's going to vanish into thin air as soon as the Eastview by-election is over — just like the elective surgeries at the University Hospital are vanishing on June 29th.

Mr. Minister, if you're hiring more nurses, why is the nursing shortage being cited as the reason for shutting down elective surgeries? How long do the waiting-lists have to be before you are going to address this problem? And when are you going to admit this health care system is in total chaos?

**Hon. Mr. Serby:** — Mr. Speaker, I want to go on and provide for the member opposite what else the Saskatoon Health District has said because she continues to say that there will not be any elective procedures performed in Saskatoon throughout the summer.

And I say to the member opposite that they go on to say this: they say that this year the period of the summer census is seven weeks, from June 29 to August 14. And in 1997 the summer census was ten weeks. Thus this summer we'll have more beds available than last summer.

And they go on to say — which wasn't printed in the Saskatoon *Star-Phoenix*, the article; it wasn't printed — is that, we will continue to be booking elective surgeries in a number of areas, especially those that affect children, such as pediatrics, pediatrics urology and dental. And we will continue to book in these areas because children are available in the summer and we can have surgeries to recover without missing school.

So elective surgeries will continue to be performed within the Saskatoon Health District. And I want to inform you that that continues to be the case as Ms. Bazylewski and Dr. Jack Reilly have provided for me.

**Some Hon. Members:** Hear, hear!

### Health Care Ombudsman

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier or his designate. Mr. Premier, day after day we hear horror stories from people who were failed by the NDP's health reforms. Beds continue to close and hospitals continue to be shut down. Royal University Hospital in Saskatoon is closing their operating room for elective surgery this summer because there's no funding. Waiting-lists for surgery are longer now than they have ever been in Saskatchewan's history.

Mr. Speaker, day after day the Saskatchewan Party brings health care concerns of our constituents to the Legislative Assembly and we ask the minister to do something about it. But all we get is NDP excuses and NDP rhetoric. Mr. Premier, that kind of reaction to legitimate health care concerns is not helping.

Mr. Speaker, we need an independent health care ombudsman to investigate public complaints about the health care system and find reasonable solutions to the problem. Mr. Premier, will you support the Sask Party's legislation calling for the establishment of an independent health care ombudsman?

**Hon. Mr. Serby:** — Mr. Speaker, for a minute I thought you had taken the questions from the member from Kelvington and just kept right on reading them or were repeating her's. But I see now that what you've done is you've taken the question from Mr. Mandryk and are now developing a series of questions out of the *Leader-Post*.

But I say to the member opposite, say to the member opposite, that Susan Bazylewski and Dr. Jack Reilly have clearly stated, have clearly stated, as I've read to you . . . to the member opposite that there is a slightly different procedure in the way in which they're going to be pre-planning their summer census this year — slightly different. But they're going to reduce that census over last year.

They go on to say — this is what Susan Bazylewski goes on to say, she says that this "decision will not mean fewer elective surgeries will be performed" this year than last year. And those are the words of Miss Bazylewski.

So I say to you, Mr. Member, that this is not the NDP making the statement. This is the Saskatoon Health District who are telling you and the people of Saskatchewan what procedures will be available to them.

**Some Hon. Members:** Hear, hear!

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Speaker, the minister is not listening to our question. We're talking about a health care ombudsman.

Mr. Minister, how much more evidence do you need before you admit the NDP's health reforms are failing miserably? Just this week we heard about a young woman from Gerald who caught her hand in a meat grinder. This young woman was shuffled around four hospitals for 10 hours before she had surgery to reattach her fingers.

On Tuesday, we hear about a 59-year-old Yorkton man who died of a heart attack because his doctor could not find a bed for him in any Regina hospital. And when these issues are raised in the legislature, do you know what we got from the NDP Health minister, Mr. Speaker? More NDP excuses and more NDP rhetoric.

Mr. Minister, it's time to stop the excuses, it's time to establish an independent health ombudsman in Saskatchewan. Will you support the passage of our health ombudsman Act in this session of the legislature or immediately table your own health ombudsman legislation?

Mr. Minister, either way it's fine with the Saskatchewan Party; either pass our legislation or table and pass your own legislation, but let's get it done immediately. Will you do that much, Mr. Minister?

**Hon. Mr. Serby:** — Well I want to say, Mr. Speaker, first to the member opposite that today you get on the same path that the Liberals were on for a couple of days.

I say to you, the member opposite, that when I stand up in the House and I say to you and the people of Saskatchewan that under the Act, under the health Act, where it says very clearly that the minister may cause to make investigation inquiries respecting the cause of disease, death of people in the province, and the cause of injuries to such people, the steps may be taken to reduce the cause of disease or ill health, the minister has that power to do that.

So when I stand up in the House and I say to you that I'm asking for an independent review of this case — of where the college will be involved, of where the district health boards will be involved — that information will be provided to me, what do I read, and what do I read, and what do I hear from you is that the minister is acting in a political fashion.

And I say to the member opposite and to the media who write this: how is it, how is it that information of this nature would be coming to the House, would be made public, without disclosure of that information by the family? How could that be happening? And I say to you and to the media, that when you're providing that kind of information publicly, at least you should have the dignity to contact the family first.

**Some Hon. Members:** Hear, hear!

#### **Fund-raising Efforts by Sheldon Kennedy**

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier. Last year people in Saskatchewan and all across Canada and the United States were stunned to hear the disturbing story of Sheldon Kennedy and the abuse inflicted on him by his former hockey coach.

Sheldon Kennedy showed tremendous courage by coming forward to tell his story. He raised public awareness about sexual abuse of children. This has resulted in major reforms to minor hockey and other organizations where children are placed in the care and trust of adults.

Mr. Speaker, Sheldon Kennedy's efforts to help sexually

abused children are continuing. He has just begun a cross-Canada in-line skate to raise awareness about the issue of child abuse, and raise funds to build and operate a ranch for children who have been victimized by this horrible ordeal.

Mr. Premier, the Saskatchewan Party would like to pass a resolution of this House supporting the efforts of Sheldon Kennedy. Will you support this resolution?

**Some Hon. Members:** Hear, hear!

**Hon. Ms. MacKinnon:** — Well, Mr. Speaker, we all share the concern that the members opposite have about the sexual abuse of children. And we all have a great deal of admiration for people who have been through this experience and come forward and tell in an open and honest way what it has meant to them and we are desirous of helping others who have to go through that very difficult situation.

So we all have a lot of compassion for Sheldon Kennedy and what has happened to him. And of course we all support his efforts to ensure that other children are helped, and hopefully there's prevention so these sorts of things don't happen to children in the future.

**Some Hon. Members:** Hear, hear!

**Mr. Krawetz:** — Mr. Speaker, Madam Minister, Sheldon Kennedy has found a way to overcome one of the most terrible experiences imaginable and turn it into something positive, first by raising awareness of the issue of child abuse, and now by embarking on this cross-Canada skate.

Sheldon Kennedy will cross into Saskatchewan on August 12. A full day of events is being planned in Swift Current on August 21.

Madam Minister, most of us are fortunate enough not to have to have suffered this kind of terrible ordeal. But every one of us has the responsibility to protect children and help those who have been victimized.

Immediately after question period I will be asking leave to introduce a motion encouraging all Saskatchewan people to support Sheldon Kennedy's efforts and asking you to proclaim August 21 as Sheldon Kennedy Day in Saskatchewan.

Will you support this motion and allow us to pass it today?

**Hon. Ms. MacKinnon:** — Again, Mr. Speaker, I say to the member opposite, we all have a lot of respect for people like Sheldon Kennedy who are working to deal with a very difficult situation — which will help people suffering from this problem, who have experienced this problem — and hopefully will prevent this sort of thing from happening in the future.

And again this person will be in Saskatchewan August 21 and I think it is appropriate that the province recognize the fact that he will be coming through the province and that he will be doing something that will be of benefit to all of the people in the province.

**Some Hon. Members:** Hear, hear!

### Emergency Rescue Equipment

**Mr. Belanger:** — Thank you, Mr. Speaker. On December 19, 1997, Harold Aubichon and Tony Stewart were involved in a two-vehicle accident on the Canoe Lake road. This is not the first time that this road has claimed lives and sadly as members are aware, Mr. Stewart passed away at the hospital in Saskatoon.

However, as I noted, it took at least four hours before Tony was finally freed. He had to endure four hours trapped in the car because the Beauval rescue team did not have the Jaws of Life. Now Tony's wife, Kim Stewart, has donated \$13,000 to the Beauval fire brigade for the purchase of the Jaws of Life so that other accident victims do not have to go through the same pain and suffering.

Mr. Speaker, my question is to the Minister of Northern Affairs. You know that some communities cannot afford to buy equipment such as the Jaws of Life. We should take a lesson from Mrs. Stewart and provide funding for the Jaws of Life needed in our community. Mr. Minister, what is your response?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — I want to say first, Mr. Speaker, to the member opposite that in the North just recently — with the determination of the two new district health boards that are going to be serving the northern part of Saskatchewan — a good deal of work is now being undertaken in order to ensure that there can be additional enrichments in both the facilities and the equipment that's necessary to provide some of the emergency-type services.

I say to the member opposite that there has been some additional funding that's been included now to enrich the number of first responders, the emergency measures services in the area of northern Saskatchewan. Clearly there will be continued work with the Department of Health, the district health boards that are now in place, and municipal levels of government to enrich some of that infrastructure and equipment that's required to provide better enriched services to people of the North. Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Mr. Belanger:** — Mr. Speaker, it's too easy for words. But for the people of the North this is an issue of life and death.

Will the minister ensure that communities like Beauval have the proper life-saving equipment such as the Jaws of Life? Especially because we have poor roads and we have no road ambulance services in that area, at the very least we should have this type of equipment with our rescue teams.

And will the minister make a commitment today to match public or private donations towards life-saving equipment for isolated and northern communities?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Mr. Speaker, I want to say first to the member opposite that these are not hollow words that I make

because we made a commitment this year. In this year's budget there was an allocation of funding to northern Saskatchewan where money will be directed for enrichments in the areas that the member speaks of: emergency measure services, emergency response teams, and for additional equipment that will be purchased in the North to assist in providing some of those services.

So those are not hollow words. Those are commitments that have already been made and financial resources that are flowing to the northern part of Saskatchewan to see that that happens. And I say to the member opposite that today, within the services that are provided by all levels of municipal government across the province, that by and large the purchase of capital equipment is undertaken by the municipalities themselves.

In specific instances where municipalities aren't able to achieve that because of their resources, there have been different partnerships and we'll continue to ensure that those relationships continue — will be worked through with the levels of municipal government and Health and the district health boards to ensure that we can meet some of those obligations that you speak of.

**Some Hon. Members:** Hear, hear!

### Capital Funding for Health Care Facilities

**Mr. McPherson:** — Thank you, Mr. Speaker. The Minister of Health indicated last week that an announcement on capital projects across the province will be forthcoming in a few days. The south country district had proposed the construction of an integrated facility and had targeted April 1 of this year as a starting date for construction at the project.

Mr. Minister, can you tell us if this project will be on your capital list of projects for this year?

**Hon. Mr. Serby:** — I want to say to the member opposite we have begun our process of announcing the capital projects across the province and are continuing to do that over the next several weeks. I say to the member opposite that as the projects in various parts of the province become fully available we'll disclose them in the same fashion that we have currently.

And I appreciate the member recognizing that across the province the government is making an investment in infrastructure and facility recently in his community. Just a couple of days ago a new hospital facility for the member from Melville. And so along with all of the other issues that this government responds to, infrastructure and buildings are part of what we believe in and we'll continue to provide enrichments across the province.

**Some Hon. Members:** Hear, hear!

**Mr. McPherson:** — Mr. Speaker, Pioneer Lodge in Assiniboia doesn't have a sprinkler system. Its fire alarm system is inadequate and hallways and doors are too narrow for current long-term care standards.

The Fire Commissioner's office says, and I quote from a project brief from that district:



Pioneer Lodge presents a fire hazard to residents and should be taken out of service as soon as possible.

Even Dale Schmeichel, the CEO (chief executive officer) of South Country Health District has called this facility a fire trap. Mr. Minister, shouldn't replacing a fire trap be a priority item on your capital project list? What immediate action are you taking to ensure that this is going to happen?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Mr. Speaker, I want to say to the member opposite that this year, like every other year, there are tremendous pressures within the health budget to try to enhance and enrich facilities and equipment and staff all across the province.

And I say to the member opposite that this year we're going to be making a commitment to a number of facilities across the province in which we're able to provide some financial assistance to ensure that the people are well protected and served in their communities. And we're doing that, Mr. Speaker, I say, on our own resources — on our own resources.

And I say to the member opposite that in this province today we've made a full commitment to ensuring that health services are provided across the province. And we're doing that, as I said, on our own resources.

And I say to the member opposite that had we received some additional financial support from your cousins in Ottawa, we would be able to do a lot more than we're doing today. And so I say to the member opposite, you need to help us to ensure that in the future that the federal government helps to provide us with the financial resources that we need to enrich the levels of community services across the province.

**Some Hon. Members:** Hear, hear!

#### **Confidentiality of Health Information**

**Mr. McLane:** — Thank you, Mr. Speaker. When the NDP announced it would be establishing a health information network, I thought they would proceed step by step . . . (inaudible) . . . with privacy legislation.

**(tape malfunction)**

A . . . (inaudible) . . . noted the most . . . (inaudible) . . . would be to introduce legislation to protect personal health information and guide the creation and continued management of SHIN (Saskatchewan Health Information Network). Unfortunately the NDP don't appear too concerned about privacy or wasting money. They've yanked their legislation but continue to pay their political friend Gordon . . . (inaudible) . . . wage.

Mr. Minister, since you don't appear to . . . (inaudible) . . . privacy concerns, I will be introducing the doctor-patient confidentiality Act following question period. Mr. Minister, will you be supporting this legislation or will you at least look for a basis for your own?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Mr. Speaker, this is an interesting question that the member opposite asks because just a couple of weeks ago he was on his feet saying to me that we're moving too fast, that there are parts of Saskatchewan that say that they don't support the SHIN project.

He said to me that the legislation wasn't supported by physicians and the public across the province.

And today the member opposite says to me that we're taking too much time. We're going too slowly in order of moving both the legislation and the practical application of the equipment across the province, which is common to this member — which is common to this member — because one moment he talks about a two-tiered health system in the province where we have user fees and that we have premiums, and then on the other moment he says to us that we should not be making an investment and he supports the medicare system.

And today here he is talking about ensuring that we bring better legislation and quicker on SHIN. And I say to the member opposite we're going to move slowly with this investment both in terms of the capital piece and we're going to make sure that we have full consultation as it relates to the Act and to the privacy legislation.

**Some Hon. Members:** Hear, hear!

#### **Vehicle Damage Claims**

**Mr. McLane:** — Thank you, Mr. Speaker. The Liberals have passed a number of damage claims onto the Minister of Highways in recent weeks. Today I'm advising the minister that she can expect a claim from Mr. Ron Bessey whose vehicle suffered damages after striking a large chunk of loose pavement on Highway No. 44 just west of Davidson.

Mr. Bessey, who is the mayor of Bladworth, tells us that there were no flags around the broken pavement at the time of the incident. Flags were only placed there a week later and Mr. Bessey also tells us that he has witnesses to this incident.

Madam Minister, can you tell us today how many residents have filed damage claims with your office this year and what the total value of those claims are? And can Mr. Bessey expect to be compensated by your department for the damage sustained to his vehicle on Highway No. 44?

**Some Hon. Members:** Hear, hear!

**Hon. Ms. Bradley:** — Thank you, Mr. Speaker. The policy that we have on vehicle damage claims is certainly if there is a . . . is that we do monitor the highway system very closely. If he's brought his individual claim forward that will be looked at — and the circumstances around it.

The number of claims that we've had in the last year are 202 claims. And after investigations we have paid 94 claims on that.

**Some Hon. Members:** Hear, hear!

### Workers' Compensation Board Policy

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. This session is drawing to a close. It is a session characterized by theatrics and accusations rather than solid legislative accomplishments. It is also a session of missed opportunities and unfinished business.

A glaring example of this is the government's tardiness in correcting the reprehensible injustice inflicted on widows and widowers by the Workers' Compensation Board.

My question to the Minister of Labour today is, what exact steps, sir, have you taken in the last several weeks to move this situation to its logical and decent conclusion?

**Hon. Mr. Mitchell:** — The member knows the answer to her question, Mr. Speaker, through a number of discussions that we have had. She knows that the government has this matter under consideration, and she knows that a decision will be announced when that consideration has been completed. That's the situation and she knows that.

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. The government has for several weeks had the report from the Workers' Compensation Board and the estimate of the cost to bring justice to this group of people who feel that they have been abused further by an uncaring bureaucracy in an unresponsive government. On April 11 the Minister of Labour said and I quote, "that the WCB is in a very strong financial position."

Mr. Minister, all of the necessary information has been in your hands. The Workers' Compensation Board has the funds to pay the widows and widowers what is legally and morally theirs. Would you please explain when your government is going to settle with these individuals? Will it indeed be this year or not?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Mitchell:** — I think that certainly a decision will be made this year. I don't think there's any question about that.

The question is not a light one, Mr. Speaker. The question is a very serious question because the amounts involved are very large. You know the Workers' Compensation Board in this province is in a solid financial situation and everyone knows that and appreciates that.

But it's not in such a situation that it can lightly afford the kind of consequences that go with accepting the proposal that has been put to the government. And hence it is taking us a while to determine whether or not this claim should be honoured, and if it's honoured, to what extent it should be honoured? What are the financial implications of that and how can they be absorbed?

These are big, serious questions and government can not act quickly on them nor should it. Our responsibility is to the taxpayers, to the employers in this province who pay contributions to the premiums to the Workers' Compensation Board and to the employees who look to that fund for compensation for their own injuries. These are serious questions

and we have to deal with them in a serious manner.

**Some Hon. Members:** Hear, hear!

### INTRODUCTION OF BILLS

#### Bill No. 228 — The Doctor-Patient Confidentiality Act

**Mr. McLane:** — Thank you, Mr. Speaker. I move first reading of Bill No. 228, The Doctor-Patient Confidentiality Act.

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

**Mr. Krawetz:** — Mr. Speaker, before orders of the day I ask for leave under rule 46 to move a motion of an urgent and pressing nature.

**The Speaker:** — Order, order. The Leader of the Opposition requests leave — Order! — Requests leave of the House to introduce a motion under rule 46 and I'll ask the Leader of the Opposition to very, very briefly outline why he considers it to be a matter of urgent and pressing necessity, and therefore to set aside the ordinary business of the House, and to very briefly advise the House of the motion he wishes to have considered.

### MOTION UNDER RULE 46

#### Cross-Canada Skate for Child Abuse Awareness

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I think all members of the House are aware of the Sheldon Kennedy story and what he went through at the hands of a person of authority a few years ago.

Further we are all aware of the courage Sheldon Kennedy showed in coming forward with his story. And, of course, aware of his current mission to in-line skate across Canada to raise awareness about the problem of child abuse in our country.

Mr. Speaker, Sheldon Kennedy's skate will bring him to Saskatchewan in late August and I think it's only appropriate that this House pass a motion of support in recognition of Mr. Kennedy.

Mr. Speaker, briefly the motion says:

That the Assembly encourage all Saskatchewan people to support Sheldon Kennedy's cross-Canada skate to raise awareness and understanding for the issue of child abuse and to raise funds to build and operate a ranch for children who have been victimized by this horrible ordeal, and that this Assembly calls on the government to proclaim August 21, 1998 Sheldon Kennedy Day in Saskatchewan.

I hope I have support of all members in the House.

**Some Hon. Members:** Hear, hear!

Leave granted.

**Mr. Krawetz:** — Thank you very much, Mr. Speaker, and I want to extend our appreciation to all members of the House.

Mr. Speaker, I know this motion is an unusual one to bring up as an emergency debate. But given the lateness of this session we felt this was the best way to draw this to the attention of other members of the legislature.

I think every member of this legislature is well aware of the facts surrounding the Sheldon Kennedy story so there is little need for me to go into that at this moment. But it goes without saying that the decision Sheldon Kennedy took when he went public with his story of abuse at the hands of his coach — a man trusted by players and parents alike — took real courage.

Of course Sheldon Kennedy became well-known in Saskatchewan through his great play with the Swift Current Broncos of the Western Hockey League. As a player in the NHL (National Hockey League) Sheldon Kennedy was high profile in his community and took great risks in bringing his story into the open in order to get a sexual predator off the street before he could hurt anyone else.

When Mr. Kennedy made that decision he knew he would probably be opening himself up to ridicule by some people. Thankfully, as it turns out, that group is a very, very small one. Mostly there has been praise for Sheldon Kennedy — and admiration.

Mr. Speaker, the actions taken by Sheldon Kennedy, I have no doubt, will help other youths who are enduring similar terrible circumstances. The problem of sexual abuse against minors is a topic that many of us feel uncomfortable discussing, but discuss it we must. Because if we don't, we'll never get any closer to reducing the number of cases of abuse that pervade our society.

Sheldon Kennedy more than anything made this a topic of urgent importance for all of us. We have to do all we can to protect our children against those who are supposed to be watching over them, keeping them out of harm's way. That did not happen in time for Sheldon Kennedy. However, instead of blaming society for what he was forced to endure, Sheldon has instead decided to help.

After his eight-year career in the NHL came to an end, Sheldon decided to devote time and energy to helping those kids who have been victims of sexual abuse. To that end, the Sheldon Kennedy Foundation was set up to increase an awareness of the issue of child abuse in our society. Through education at the grassroots level, and through specific programs, the foundation will make a major contribution to the prevention of child abuse in our society.

As well, Sheldon Kennedy is developing a retreat for children who have fallen victim to abuse. This ranch will deliver therapy to children and to their families; subsidized continuing education for doctors, clinicians, social workers, and it will be an international reference centre for the study of child abuse.

To that end he has embarked on a cross-country roller-blading trek to raise public awareness regarding this issue. He departed from St. John's, Newfoundland on May 30. His trek will cover more than 8,000 kilometres and take 136 days. His journey is scheduled to conclude on October 12 in Vancouver.

Along the way he will be encouraging all Canadians to join his

mission by in-line skating with him to show the support that is needed to make a difference in our society. His schedule will bring him to Saskatchewan in August, and on August 21 he will be honoured by the people of Swift Current, the city where he played the game he loved and where unfortunately the abuse occurred.

(1430)

The people of Swift Current should be congratulated as well for their remarkable response to Sheldon Kennedy's story. I know this hurt the people of Swift Current — to know what was occurring in their community at the hands of someone they looked up to so much. That city has rallied around Mr. Kennedy, and I think it's only right the whole province does the same.

This motion is but a small token of respect for the good that Sheldon Kennedy is trying to do for our youth. And I think we owe him this and much, much more. As the *Calgary Sun* declared, quote, "Sheldon Kennedy is in every way a true Canadian hero".

I urge all members to support this motion which I will now put forward, moved by myself, seconded by the member from Kindersley:

That this Assembly encourage all Saskatchewan people to support Sheldon Kennedy's cross-Canada skate to raise awareness and understanding for the issue of child abuse and to raise funds to build and operate a ranch for children who have been victimized by this horrible ordeal;

And that this Assembly calls on the government to proclaim August 21, 1998 as Sheldon Kennedy Day in Saskatchewan.

I so move. Thank you, Mr. Speaker.

**Mr. Hillson:** — Just very briefly, Mr. Speaker. I congratulate the Leader of the Opposition for bringing this motion forward. We in Saskatchewan remember that a few years ago Terry Fox began a cross-Canada run, and we remember with sadness that his run did not get to Saskatchewan. I trust that the skate across Canada of Sheldon Kennedy will have a happier conclusion than did the Terry Fox Marathon of Hope.

We wish Sheldon Kennedy well and we wish him *bon voyage*, and we especially look forward to welcoming him to this province, which unhappily played a major part in the story of Sheldon Kennedy. By confronting his own past, he has forced us all to deal with an issue which I think we all feel uncomfortable in having to deal with, yet we all recognize that it is important that the subject be faced up to honestly and openly.

So we wish Sheldon Kennedy *bon voyage* on his trip. We look forward to welcoming him to Saskatchewan, and I think it is important that we as members of this Assembly all show our unanimous support for the undertaking he has begun. And as I say, this time we hope that the skate across Canada will cross this province, will cross the whole of our nation, and will lead to necessary and valuable improvements.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Hon. Ms. MacKinnon:** — Thank you very much, Mr. Speaker. Mr. Speaker, as I've said in question period, I think the actions of people like Sheldon Kennedy show that one person can make a difference. His very open and frank discussion of this issue and his efforts since then to raise the awareness of sexual abuse of children has done a lot to raise public understanding, and one hopes to prevent such situations from occurring in the future.

**Some Hon. Members:** Hear, hear!

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I most certainly do agree with the motion being put forward today. As the Assembly well knows I have stood in this House a number of times speaking on this very subject, the sexual abuse of our children, especially as it is taking place on the streets of our cities and in fact throughout the province in its many horrendous forms. I commend Sheldon Kennedy, I can't say how much I commend him for his courage and for his efforts now to assist sexually abused youths through the opening of this facility. This undertaking is something that is needed desperately in Canada because up until this time we have not had done a child abuse study in our entire nation. And I understand that part of the work being done at his facility will provide that kind of a study.

Mr. Speaker, I often say it's wonderful when one person — and a government member just mentioned that — when one person does something that has such a wonderful effect and really does work towards providing dignity for our children and the people of our country.

But one person and one more person and one more person and governments can do a lot more. There is no doubt that in Saskatchewan our children on the streets are suffering daily. Within two minutes from where we sit right now, children are being abused daily — sexually abused — and no one seems to be doing anything about it.

It is my contention that something must be done about it and must be done immediately. We cannot say that these children must wait. It is our responsibility to provide protection for them today. And it is our responsibility to make sure that whatever is possible — that can come forward immediately — must be done.

Two minutes, Mr. Speaker, from where we are sitting, children are being abused. This is not acceptable, and it's not acceptable . . . and it's not responsible, rather, for us to say that these children must wait — June, July, August, September, October, November, December, January, February, March, and maybe April next year — before legislation is brought forward in this province that may assist these children.

I plead with the government and I plead with the Minister of Social Services and the Minister of Justice to enact legislation, even within these last few days, that will assist our children on the streets. Their lives are at risk daily; their lives are being destroyed daily. There is no excuse for not moving forward with legislation that has been put forward and tabled this

session.

I thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

Motion agreed to.

**Mr. McPherson:** — Leave to introduce guests, Mr. Speaker?

Leave granted.

#### INTRODUCTION OF GUESTS

**Mr. McPherson:** — Thank you, Mr. Speaker. Through you and to you to the Legislative Assembly I see I have a young friend in the gallery today. It looks like she's probably with the Saskatoon school group, but I'd like to welcome Megan Koski here to the legislature today.

**Hon. Members:** Hear, hear!

**Mr. Koenker:** — With leave to introduce guests, Mr. Speaker.

Leave granted.

**Mr. Koenker:** — Thank you, Mr. Speaker. It is my pleasure this afternoon to introduce to you and through you to members of the House a group of 88 students from Father Robinson School in Saskatoon and from the constituency of Saskatoon Sutherland. They're accompanied today by their teachers Mr. Remizowski, Mrs. Wawryk, and Mrs. Litziza. Also chaperons Mrs. Totland and Mrs. Mason, and I'd like to ask all members to give them a warm welcome to the Assembly this afternoon. Thank you, Mr. Speaker.

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

**Mr. Kowalsky:** — Mr. Speaker, in the tradition of being open, accessible, and responsible, I hereby submit the answer to question no. 71 on behalf of this government.

**The Speaker:** — The response to question 71 is tabled.

#### GOVERNMENT MOTIONS

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the member from Prince Albert Carlton:

That this Assembly, notwithstanding rule 3(1) of the *Rules and Procedures of the Legislative Assembly Saskatchewan*, do observe a daily meeting time Monday through Thursday from 1:30 p.m. until 10:30 p.m., except on Fridays, when this Assembly shall meet from 10 a.m. to 5 p.m. and ending upon adjournment of this session of the Legislative Assembly.

**The Speaker:** — Order. Order. Now I'll ask all hon. members to be silent when the Chair is on his feet.

Motion agreed to.

## GOVERNMENT ORDERS

### SECOND READINGS

#### Bill No. 63 — The Film Employment Tax Credit Act

**Hon. Mrs. Teichrob:** — Thank you very much, Mr. Speaker. Before I begin the second reading, there are some introductions that I would like to make and I would ask people to stand as they hear their name, to be acknowledged.

Leave granted.

### INTRODUCTION OF GUESTS

**Hon. Mrs. Teichrob:** — Thank you, Mr. Speaker. I'd like to ask Catherine McComb the president of the Saskatchewan Motion Picture Association, and Elizabeth Verrall the executive director of the Saskatchewan Motion Picture Association, and Kevin DeWalt, president of the Saskatchewan Film Producers Association.

And I have a couple of other introductions, Mr. Speaker. I'm pleased to introduce Mr. Don Archbold, the newly hired general manager for SaskFILM. Mr. Archbold has been involved in the motion picture and television industries since 1969, first as a composer and then as a writer, producer, and director. Throughout the years his innovative projects have garnered awards and provided first hand, in-depth experiences in virtually all aspects of the business, both nationally and internationally. And I'd like members to join me in welcoming Don to Saskatchewan and SaskFILM.

**Hon. Members:** Hear, hear!

**Hon. Mrs. Teichrob:** — Also with us today is Mr. Jay Heit, who is with Tri Mark Entertainment from Los Angeles, California. Jay's career in the film and television industry has given him the opportunity to create programming with a variety of entertainment production companies, Mr. Speaker. This includes Hollywood Pictures, Walt Disney Pictures, and Dreamworks.

Mr. Heit is in Saskatchewan to discuss co-production opportunities with Minds Eye Pictures. So I ask all members to help me welcome him to Saskatchewan today.

**Hon. Members:** Hear, hear!

(1445)

### SECOND READINGS

#### Bill No. 63 (continued)

**Hon. Mrs. Teichrob:** — Mr. Speaker, Bill No. 63, An Act respecting a Film Employment Tax Credit introduces a mechanism which will level the playing-field for the province's film and video industry as it seeks to grow and remain competitive with the industry in other provinces and offshore.

Adoption of this legislation will also aid in keeping major film companies in the province so they can continue to contribute to cultural expression, create employment in the industry, and economic growth in the province.

Saskatchewan's film industry is fast becoming one to reckon with both nationally and internationally. The industry has experienced exponential growth in the past few years — far beyond that of other jurisdictions. This growth and development does not come about by accident but partly as the result of a strategic partnership between government and industry and because of the irrefutable skill of Saskatchewan's producers and film professionals.

Mr. Speaker, film and television are widely accepted as being perhaps the most powerful media to reflect and inform society and project Canadian culture. Film and television productions are an integral part of the lives of Canadians and the citizens of most countries. They have emerged as the most accessible of all cultural activities and as media which enable us to share experiences and aspirations across provinces, countries, and languages.

The industry is labour-intensive and comprises a wide range of highly skilled creative and technical people. From 45 to 60 per cent of a production's total budget is allocated to salaries and labour costs. The industry provides opportunities for a diversity of people to work at creative, high skill, high value jobs. It also requires a wide range of materials and services making an impact on local economies wherever production activity takes place.

In 1996, the industry directly provided over 500 creative, technical, and administrative positions in Saskatchewan. Many who freelance their services also own and operate incorporated businesses, which further broadens the corporate foundation of the industry.

The film and television industry then, is a hybrid. It combines technical expertise with ingenuity and creativity to bring into being new stories that reflect our Saskatchewan way of life.

Our unique stories, distinctive landscapes, the faces, and accents of our people, and our way of seeing the human condition are incorporated into these products and delivered to audiences at home and around the world. The dramatic growth and demand for motion picture products is testimony to their power to inform, enlighten, and entertain.

However, the Canadian and Saskatchewan industry remains volatile and generally unprofitable for its production sector. Products are often developed on a project-by-project basis and are often considered too high-risk to attract enough private investment to allow the production to proceed without public subsidy.

The realities of the Canadian market-place, a small population, different languages, and the impact of foreign control of distribution make the success and significant growth experienced by the Saskatchewan industry in the past five years even more remarkable.

Total production volumes have grown from 5 million in

1993-94 to over 26 million in '96-97, with similar totals projected for the year that we are currently in, Mr. Speaker. Governments then chose to provide support to the industry to maximize employment and economic impact and to ensure that a broad range of culturally significant products reflecting different viewpoints and visions are produced.

With the exception of the United States, all of Canada's major trading partners deliver public support — direct, indirect, or both — to their film and video production industries. The business of film production here is only about 10 years old. The early foundation of the industry was the production of corporate like information, television, educational and documentary projects.

While these are still significant strengths for the industry, many companies are now also developing and producing larger and more expensive drama projects, often in cooperation with other Canadian or international companies through co-production agreements.

This evolution is positive from both a corporate and cultural perspective as it enables the development of crew and personnel resources, strengthens the companies, and helps to establish a Saskatchewan presence in the national and international market-place. The film employment tax credit will enhance and strengthen the industry as it continues to grow and develop.

Mr. Speaker, the film employment tax credit is fully refundable and will rebate 35 per cent of salaries paid to Saskatchewan residents on eligible film, video, and multimedia productions. Eligible salaries will be limited to no more than 50 per cent of a project's total production costs.

The industry estimates that the film employment tax credit will enable production volumes to grow to over 50 million annually and that the industry will directly employ nearly 800 people by the year 2000. Total employment generated by the industry will be over 1,700 positions.

The film employment tax credit also provides for a bonus of 5 per cent of total production cost for projects which have a fixed base of operations in Saskatchewan which is more than 40 kilometres from Regina or Saskatoon. This unique enhancement will, over time, help to ensure that communities and local economies across Saskatchewan benefit from production activity.

Mr. Speaker, the film employment tax credit has two additional features which I would like to mention. As I indicated earlier, over the past few years the industry has been working very hard to develop a qualified and talented base of technical crews and other professionals. However this process does not occur overnight and the industry has indicated that it will still be a year or two before we can truly say that we have the human resources we need to move ahead on our own. This means that some of the people hired for productions taking place in Saskatchewan will come from out of province and their salaries would not be eligible for the tax credit.

Mr. Speaker, I'm pleased to say that with the industry's help we have designed and included in this Bill the provision that, in a situation where no qualified Saskatchewan employee exists, the

salaries of qualified out-of-province mentors who are coming to Saskatchewan specifically to train local crew members and thereby develop our human resources may be eligible for the tax credit. This important feature will allow producers to take full advantage of the tax credit, attract top-quality talent, and develop Saskatchewan's crew base all at the same time.

The second additional feature concerns when the tax credit considers eligible labour expenditures to begin. Film tax credits in other provinces do not consider eligible labour costs to begin until after the final script stage has been reached. This means that the labour cost associated with the valuable research and writing work that goes into getting a project ready for production are not eligible for the tax credit. Mr. Speaker, the Saskatchewan film employment tax credit recognizes the cultural and economic benefits of enabling and encouraging the participation of Saskatchewan writers and researchers in the industry. Therefore, the tax credit will allow all qualifying labour expenditures to be claimed regardless of where in the production process they occur.

It is our government's intention to proclaim the Bill after completion of the regulations called for in the legislation. The drafting of regulations has already begun, as have discussions and negotiations with the Sask Film and Video Development Corporation — or SaskFILM as we fondly know it — regarding the administration of the film employment tax credit. While no final decisions have yet been made, it is hoped that the majority of the administration for the tax credit will be done at SaskFILM under an agreement with my department. The expertise and experience resident at SaskFILM will be key to this process and officials from my department will be involved in an advisory capacity.

Mr. Speaker, with a foundation built upon over 10 years of steady growth and increasing recognition, Saskatchewan's film and television industry has come of age. It is poised to take advantage of a burgeoning demand for products both at home and abroad.

The film tax credit will be a critical element of the industry's infrastructure. One which will help to ensure Saskatchewan companies, communities, and taxpayers realize the maximum benefit from this growing sector.

Mr. Speaker, I move second reading of this Bill, Bill No. 63, An Act respecting a Film Employment Tax Credit.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker just a few comments in regard to the Bill as presented to us this afternoon. Mr. Speaker, I would like to say I think as we look at the legislation before us and the film tax credit, I think it's going to do something for the industry that probably the industry has needed for a long time.

And I think for one thing, it takes the burden off the taxpayer. And it actually gives the taxpayer — through a tax credit — the option of showing their public support for the film industry. And I think that's something that's very positive. Because I think . . . even the film industry. . . I think will realize and recognize that every time they're looking to government via the

taxpayer for money, it just creates a negative feeling in the industry.

And this I believe is a positive way of allowing an industry, that is starting to come of age, to address a number of issues, and I believe they are showing to Saskatchewan people that they have the wherewithal. And I believe industry will certainly show its support as well once this tax credit is officially in place and allowed to function.

So, Mr. Speaker, in regards to the film industry, I think this is a very positive move. And I would like to say this is one time where I really commend the government for taking a serious look and thinking of the taxpayers as well as thinking of the industry and giving it a real opportunity to show Saskatchewan people that it can be a positive contributor to our province.

**Some Hon. Members:** Hear, hear!

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

**Bill No. 59 — The Jury Act, 1998/  
Loi do 1998 sur le jury**

**Hon. Mr. Nilson:** — Mr. Speaker, I rise today to move second reading of The Jury Act, 1998. The Jury Act outlines the procedures to be followed in selecting and summoning and choosing a jury. It's being re-enacted in French and English with no changes of substance. However in the drafting of the English version, the sections were rearranged in a more logical order and Latin terminology was eliminated. This Act is being translated at the request of the French community in Saskatchewan.

Mr. Speaker, I'd like to give a brief background to this Bill and the other Bills that are being considered today in English and French. This is the tenth anniversary of the *Mercure* decision which was handed down by the Supreme Court of Canada in 1988. In that decision the Supreme Court of Canada held that the use of English and French was a matter of Saskatchewan's constitution, and that the legislature of Saskatchewan had the authority to determine the extent to which those languages could be used for official purposes.

In 1988 the legislature enacted The Language Act which made English and French official languages in the courts of our province and in our Legislative Assembly. That Act also authorized this Assembly to enact laws in both official languages.

Mr. Speaker, in 1994 our government began a process of consulting with Saskatchewan francophones to develop a list of Acts that were of the greatest importance and usefulness to them. They provided us with a list of 35 Acts which they identified as Acts they would like to have translated. In 1995, eight Acts from that list were introduced and approved by the Assembly. In 1996, a further ten Acts were approved and in 1997, six Acts were approved.

This session we are introducing four more Bills from that list. They are The Adoption Act, 1998; The Jury Act, 1998; The Wildlife Act, 1998; and The Queen's Bench Act, 1998. In

addition to the Acts identified by the francophone community, the Assembly has enacted other legislation in English and French, including five Acts in 1988, one in 1993, two Acts in 1997, and one further Act earlier this session, The Enforcement of Judgments Conventions Act. After the Bills before the Assembly this afternoon are approved, Saskatchewan will have enacted a total of 36 bilingual Acts.

Mr. Speaker, I move second reading of An Act respecting Jurors and Juries.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

(1500)

**Bill No. 60 — The Wildlife Act, 1998/  
Loi de 1998 sur la faune**

**Hon. Mr. Nilson:** — Mr. Speaker, I'm pleased to rise today to give second reading to The Wildlife Act, 1998. This Bill is being presented in both English and French.

Mr. Speaker, this Bill is identical to The Wildlife Act, 1997 that was enacted last year. It also incorporates the changes that were made to that Act by The Wildlife Amendment Act, 1998 which was approved by this Assembly earlier this session.

The Bill establishes rules to protect wildlife and wild species at risk, and establishes rules to regulate hunting, trapping, and taking of wildlife. Because this Act is based on the 1997 Act, few changes were required to the English version to facilitate the translation into French.

Mr. Speaker, I move second reading of The Wildlife Act, 1998.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

**Bill No. 61 — The Alcohol and Gaming Regulation  
Amendment Act, 1998 (No. 2)/  
Loi n° 2 de 1998 modifiant la Loi de 1997 sur la  
réglementation des boissons alcoolisées  
et des jeux de hasard**

**Hon. Mr. Nilson:** — Mr. Speaker, I am pleased to rise today to give second reading to The Alcohol and Gaming Regulation Amendment Act, 1998 (No. 2). This Bill is being presented in both English and French.

Mr. Speaker, this Bill was introduced to make amendments to The Alcohol and Gaming Regulation Act, 1997 which was enacted in English and French during the last session. The amendments in this Bill are identical to the amendments approved by this Assembly earlier this session to The Alcohol and Gaming Regulation Act, the English-only Act that currently regulates alcohol and gaming matters.

The Alcohol and Gaming Regulation Act, 1997 has not been proclaimed in force. The Saskatchewan Liquor and Gaming Authority is still in the process of reviewing and updating its regulations and having them translated before the 1997 Act can

be proclaimed. Until the 1997 Act is proclaimed in force it is important to ensure that it is up to date with the 1993 Act which it will replace.

Mr. Speaker, I move second reading of The Alcohol and Gaming Regulation Amendment Act, 1998 (No. 2).

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

**Bill No. 62 — The Highway Traffic Amendment Act, 1998  
(No. 2)/**

**Loi n° 2 de 1998 modifiant le Code de la route de 1996**

**Hon. Mr. Nilson:** — Mr. Speaker, I'm pleased to rise today to give second reading to The Highway Traffic Amendment Act, 1998 (No. 2). This Bill is being presented in both English and French.

Mr. Speaker, this Bill is introduced to make amendments to The Highway Traffic Act, 1996 which was enacted in English and French in the 1996 session. The Highway Traffic Act, 1996 has not been proclaimed in force.

Saskatchewan Government Insurance is still in the process of reviewing and updating its regulations and having them translated before the 1996 Act can be proclaimed. Until the 1996 Act is proclaimed in force, it's important to ensure that it's up to date with the Act which it will replace.

Mr. Speaker, I move second reading of The Highway Traffic Amendment Act, 1998 (No. 2).

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

**Mr. Krawetz:** — Mr. Speaker, with leave to introduce guests.

Leave granted.

**INTRODUCTION OF GUESTS**

**Mr. Krawetz:** — Thank you very much, Mr. Speaker. And thank you to my colleagues in the legislature.

Mr. Speaker, I'd like to introduce a fine group of students seated in your gallery, they've just arrived, a group of young boys and girls from the community of Foam Lake. Specifically the Foam Lake Elementary School grades 5 and 6.

The students have had an interesting day, Mr. Speaker, thus far. They've had the opportunity to meet with Ms. Joan McCusker from the winning curling rink, the gold medal rink from Saskatchewan, and I'm sure that they have found that meeting very, very interesting. And I know a number of them are avid curlers and I'm sure some inspiration has also been forthcoming.

Mr. Speaker, besides the students I'd like to introduce teachers Jim Hack— Jim, if you would stand please — Wayne Bugera; Ruth Gislason; Shelley Koropatnicki; and of course I'm not

sure if the bus drivers are up there, but the two bus drivers who of course are the most important, Dennis Friesen and Michelle Babychuk . . . right over there. I'd ask all my colleagues to join me in welcoming this group from Foam Lake.

**Hon. Members:** Hear, hear!

**SECOND READINGS**

**Bill No. 58 — The Adoption Act, 1998/  
Loi de 1998 sur l'adoption**

**Hon. Mr. Nilson:** — Mr. Speaker, I'm pleased to rise today to give second reading to The Adoption Act, 1998. This Bill is being presented in both English and French. Mr. Speaker, this Bill is essentially identical to the Act it is replacing. The Bill establishes rules respecting the adoption and placement of children. Mr. Speaker, I move second reading of The Adoption Act, 1998.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

**ADJOURNED DEBATES**

**SECOND READINGS**

**Bill No. 57**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Atkinson that **Bill No. 57 — The Education Amendment Act, 1998/Loi de 1998 modifiant la Loi sur l'éducation** be now read a second time.

**Mr. Krawetz:** — Thank you very much, Mr. Speaker. Mr. Minister, as I was mentioning the last day that this Bill was before the House, I had made some comments regarding the contents of the Bill. Some of the clauses that are fully supported by all of the parties involved — the Saskatchewan School Trustees Association, the Saskatchewan Teachers' Federation, and the francophone society.

After all, the most important clause that we see coming forward in regards to the francophone community is the clause that will allow for the creation of one school division so that we will have the ability in Saskatchewan to have the current nine francophone school divisions amalgamate and actually form one school division, with nine subdivisions, which will allow a very thorough representation.

Mr. Speaker, I have been in contact with the francophone community, and I understand after talking with representatives of the francophone community that they are fully supportive and have been actively involved in the process and agree with the clause that is put forward.

Mr. Speaker, the other clauses that will be amended will change how urban school divisions may function. And as I indicated last day, if there is to be a referendum in an urban community that requires the school division to create the ward system, then a school board will be obligated to do that. That is clearly defined now in respect of the changes so that the wishes of the



people will be adhered to if indeed that referenda is passed.

Mr. Speaker, the point of contention, though, in this Act is one specific clause to sections 261 and 263 of the Act. Mr. Speaker, I'd like to quote from two letters to indicate to the members of the House how difficult this issue is and how I believe the Minister of Education must spend a little more time dealing with the partners in education.

Minister of Education has spoken a number of times in this House how she believes in collaboration, in cooperation, and consensus, and that there should be at all times an effort to put forward changes, to put forward ideas that are supported by everyone. She's indicated that the difficulty with the protocol agreement and the fact that after nine meetings there was a need to disband the protocol agreement and thus arrive at a negotiated settlement.

However, Mr. Speaker, in this instance when we look at the clause that is suggested about the handling of grievances, we note that the minister said that there was a meeting about a month ago between the parties. And I think that the minister can resolve the issue by bringing together the groups that are involved and putting forward a suggestion that I think could be supported by all.

And I want to quote from two letters, Mr. Speaker, so that the Assembly would understand how difficult an issue this is. This is a letter addressed to me from the Saskatchewan Teachers' Federation, and it says:

The Saskatchewan Teachers' Federation is fully supportive of the Bill, including the amendments to sections 261 and 263 with respect to the settlement of grievances.

Fully supportive. On the other side, we have a letter from the Saskatchewan School Trustees Association that I know all MLAs have received, and it says:

For the most part, the Saskatchewan School Trustees Association supports the changes. We are, however, very concerned that the government has introduced amendments to sections 261 and 263 which require that grievances under the provincial collective bargaining agreement must be handled by the government trustee bargaining team and the Saskatchewan Teachers' Federation bargaining team.

What you see is two very strong contradictions, one suggesting that the plan is okay and the other one suggesting that there needs to be some work.

Mr. Speaker, I know that the minister has received an amendment, a suggested amendment, that would not delete any of the changes that she has put forward but would put the legislation, The Education Act legislation in the same frame of mind as is the current Trade Union Act whereby the grievance procedures must be handled. And there's no question, I think, that the teachers in this province are somewhat unhappy with the grievance procedure and the fact that grievances are being tied up in the courts and that there is no settlement. There needs to be a clear understanding so that we can move those forward.

However, Mr. Speaker, the question here is whether or not it

would create a situation where the actual employer is not represented at the grievance settlement procedure and the amendment that is suggested is to place it into the same context as the current Trade Union Act.

I ask that the Minister of Education, I ask that she take a good, hard look at the suggestions that have been put forward by trustees, by individuals, by boards of education, and I know, Mr. Speaker, from the copies that I've received of letters from all across the province, these are copies of letters that have been sent to the minister. I know that she has received that lobby, and indeed she has received the suggested amendment from the Saskatchewan School Trustees Association.

However, Mr. Speaker, I think that kind of discussion, the kind of debate that we could have on the specific clauses, as I've indicated before, nearly 90 per cent of the suggested amendments are supported by everyone and will be supported by the opposition.

However, I think that the item that is causing all of this contention needs to be dealt with in Committee of the Whole where we have the opportunity to put forward amendment, to put forward suggestions to the minister that might be a compromise, might be able to be accepted by both the Saskatchewan Teachers' Federation and the Saskatchewan School Trustees Association so that indeed the ongoings of providing a better education system in the province continue.

So with those comments, Mr. Speaker, I see no reason to delay the Bill and we would allow it to move to committee.

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

(1515)

#### COMMITTEE OF THE WHOLE

##### Bill No. 59 — The Jury Act, 1998/ Loi de 1998 sur le jury

**The Chair:** — I would ask the minister to introduce his official please.

**Hon. Mr. Nilson:** — Yes. I'm pleased to have with me today Susan Amrud from Saskatchewan Justice.

**The Chair:** — Could we have leave of the Assembly to do this one in parts seeing as there's so many clauses?

Clauses 1 to 41 inclusive agreed to.

The committee agreed to report the Bill.

##### Bill No. 60 — The Wildlife Act, 1998/ Loi de 1998 sur la faune

**The Chair:** — I also would request leave of the Assembly. This has 9 parts and 91 clauses, can we do it in parts? Is that agreed? Agreed.

Clauses 1 to 91 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 61 — The Alcohol and Gaming Regulation  
Amendment Act, 1998 (No. 2)/  
Loi n° 2 de 1998 modifiant la Loi de 1997 sur la  
réglementation des boissons alcoolisées  
et des jeux de hasard**

**Clause 1**

**Mr. Goohsen:** — Thank you, Mr. Chairman. Mr. Chairman, I want to address a few questions to the minister. Mr. Minister, as we are dealing with the alcohol and gaming Act, you will be of course aware of the fact that a lot of people who volunteer in our province for various organizations of course use the permitting system in order to provide for functions in their communities.

They have been asking for some changes to the Acts and one of the things of course you will recall that they wanted is to have an opportunity under the gaming Act to have small lotteries without as many restrictions. Does this Act in any way affect that?

**Hon. Mr. Nilson:** — No.

**Mr. Goohsen:** — Thank you, Minister. You will also know that many people who are volunteering are worried about their responsibilities in terms of liability. They have constantly asked you for relief in this area over the past two years. They have lobbied, written letters, did everything except stand on their heads. Have you addressed this issue and is this issue included in this Act?

**Hon. Mr. Nilson:** — The issue that you've raised isn't discussed at all in this legislation. The issue is under review and discussion as there are many policy issues to be involved. And that discussion continues.

**Mr. Goohsen:** — Thank you, Mr. Chairman. Well, Mr. Minister, that's your answer and that's the one we will be faxing to people tomorrow when we get the transcripts from *Hansard*.

At this stage in the game, I really don't care what your answers are. I think the people out in the country and in the cities will care. That's who counts. And they're going to interpret that once again you've had the opportunity to have legislation opened up, the opportunity to make the changes they've asked for have been ignored, and that's the point. The legislation is open; the chance to do the job is here.

You have said to them basically by your inaction that you have no intentions of doing what they want done, which is basically to relieve the responsibility on volunteers in this province in order to save volunteerism.

You have refused to allow small communities the opportunity to run lotteries without the restrictions that are presently in place. What you're saying to them is that you had the legislation open and you are saying no to them. You are refusing to make the changes.

To say that they are under review or under consideration is not an acceptable answer to me or to them, I don't believe. But I'll let them make that judgement because we will be passing on the transcripts tomorrow to those people to let them know that the opportunity was here and that you clearly ignored them.

Minister, would you like to point out to the people what good things you've done in this legislation so that you can have that on the record in the same transcripts.

**Hon. Mr. Nilson:** — Mr. Chair, as the hon. member knows this is legislation that enacts French versions of legislation. The issues that he's raised are covered under other pieces of legislation, including The Non-Profit Corporations Act or other specific legislation that may be created to address some of those issues.

The legislation that we're dealing with right now is legislation that is not being used to address that particular issue. And it would be very much appreciated if the hon. member would keep to the subject at hand here.

**Mr. Goohsen:** — Thank you, Mr. Chairman. Well, Mr. Minister, I am keeping to the subject at hand and the subject at hand is the demands of the people of Saskatchewan to have the changes made that they want. You have stated to them that you have no time to take care of their problems, that your department has to spend all of its time researching, studying, and getting ready for next year.

And the reality is that you've opened up legislation here. You've shown to the people of Saskatchewan very clearly that in three days you can put together a piece of legislation and put it through this Assembly very quickly. You could have addressed their issues. You could have done it just as easily with a piece of legislation as you can to pass this piece of legislation. You could as easily put through their wants and their needs and their requests even though it might be a different Act or another process under your jurisdiction.

Nevertheless the opportunity is here and you have bypassed that opportunity. And to simply stand here and say that you want to stick to the issues or that you don't want to talk about this issue is not going to be sufficient to convince these people that you have addressed their problems. Because you haven't — you haven't looked at their problems and you are simply stalling in order to get out of this session as quickly as you can so that you don't have to address the problems in Saskatchewan that people have been bringing to your department.

Clause 1 agreed to.

Clauses 2 to 12 inclusive agreed to.

(1530)

**The Chair:** — My apologies to the minister, I didn't realize he had another official join him and I didn't give him the opportunity to introduce him. So I will ask the minister now to move the Bill without amendment, and if he wants to mention the name of the official that helped him that's fine.

**Hon. Mr. Nilson:** — The official that was with us to help us on

this particular legislation was Lorna Chomyn, who is the legal policy analyst with the Liquor and Gaming Authority, and I'd like to thank her for her assistance.

The committee agreed to report the Bill.

**Bill No. 62 — The Highway Traffic Amendment Act, 1998  
(No. 2)/**

**Loi n° 2 de 1998 modifiant le Code de la route de 1996**

Clauses 1 to 8 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 58 — The Adoption Act, 1998/  
Loi de 1998 sur l'adoption**

**The Chair:** — I see the Minister has one more official so I would ask him to introduce his other official please.

**Hon. Mr. Nilson:** — I'm pleased to have with me this afternoon, Lynn Allan, who's the acting director of the child welfare programs division of Social Services.

**The Chair:** — Thank you. This again being a Bill that has some 47 clauses but it is broke down into seven parts. With leave, can we go part by part? Thank you.

**Clause 1**

**Mr. Goohsen:** — Thank you, Mr. Chairman. Well, Mr. Minister, this is a very lengthy piece of legislation and you have many, many changes here. I guess I have a general question to start with; specific questions following. The general question is: how does this change to the Act fundamentally change the old Act? And I want to get into section no. 3 on page 8 next.

**Hon. Mr. Nilson:** — There are no changes from the Act; this is just a re-enactment in French.

**Mr. Goohsen:** — That's good, Minister, because I think what people would have expected when you take the time to put an Act into the legislature simply to translate it into French, that you might also have opened up the opportunity to make some changes to the Act that people have been hoping to get in this province and in other places of the country as well.

And I'm really amazed that you wouldn't have taken a little bit of time to make a few very simple fundamental changes while you have the Act open and in fact are going through this very expensive process of holding the legislature into a session that somebody told me costs \$34,000 a day and you would simply not use that opportunity to improve the legislation.

How do you justify bringing in a piece of legislation simply to translate it into French without making the changes that people have asked for?

**Hon. Mr. Nilson:** — Well, Mr. Chair, the hon. member would know that Bill 14 of this session was an Act to amend The Adoption Act, and at that point, there were some changes made to this legislation. Those changes have now been incorporated into the English version and now we're enacting it in both

French and English.

So we have taken the time this session to look at some changes and we've made those changes, and I think that the hon. member may wish to withdraw his comments.

**Mr. Goohsen:** — It begs to be differed with, Mr. Chairman, because of course the changes that were made were not fundamentally the changes that people had asked for. And of course that's why they're so appalled that we went through the process twice and still didn't get it right.

But, Mr. Minister, it's late in the day and far be it from me to tell you how to do your job any more, because obviously the people of Saskatchewan can't get through to you.

Clause 1 agreed to.

**The Chair:** — Again, I'm going to ask leave of the Assembly . . . and we have leave to do it parts, I guess. We do.

Clauses 2 to 47 inclusive agreed to.

**Hon. Mr. Nilson:** — Yes, Mr. Chair. I'd first like to thank Susan Amrud who's guided us through many Bills this session, and we very much appreciate her assistance. And I would like to move that we report this Bill without amendment.

The committee agreed to report the Bill.

**Bill No. 29 — The Workers' Compensation  
Amendment Act, 1998**

**The Chair:** — I would ask the minister to introduce his officials, please.

**Hon. Mr. Mitchell:** — Thank you, Mr. Chair. I have with me today, Cheryl Hanson who is an assistant deputy minister in the department. I have Pat Parenteau who is a policy analyst with the department, Sheri Biblow, a policy assistant with the Department of Labour, and I think . . . (inaudible interjection) . . . yes, right, on the other side of me, John Boyd, the director of policy and planning at the Department of Labour.

**Clause 1**

**Mr. Boyd:** — Thank you, Mr. Chairman. Mr. Minister, welcome to you and your officials. The changes that are being proposed under The Workers' Compensation Act are certainly of interest to many people in the workforce today in Saskatchewan. We receive numerous concerns about the operations of the Workers' Compensation Board. In fact I would go as far as saying that fully half of the concerns that come forward on a constituency basis to my office and many other members' offices I'm sure are workers' compensation-related in this province.

We understand that there have been 52, or approximately 52 recommendations, for changing the Workers' Compensation Board made in the most recent review of its operations. For the record, can you tell us how many of these recommendations need legislative amendments and how many are simply policy or regulatory changes?

**Hon. Mr. Mitchell:** — About half in each category, Mr. Chair.

**Mr. Boyd:** — Of the regulatory and policy changes, how many of the recommendations have been implemented?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, I'm told that it is our understanding that 11 of the policy recommendations have already been implemented and the board is working and considering the other policy recommendations that were put forward by the committee.

**Mr. Boyd:** — And with this piece of legislation how many of the legislative changes will now be in place?

**Hon. Mr. Mitchell:** — I think that you'd find there'd be 10 of the recommendations for changes in the legislation that have been carried forward.

**Mr. Boyd:** — Can you tell us which of the recommendations that were proposed and haven't been adopted — quite likely won't be adopted any time soon — and what are the reasons why.

(1545)

**Hon. Mr. Mitchell:** — I'm not sure, Mr. Chair, that I can answer the member's question with any precision at all. Let me try and address it in a general way though and see whether that suffices.

We have built into our Workers' Compensation Act a review that takes place every four years by a review panel that is external to government and to the board. That provision has been in operation since, I believe, the early '70s. So they've gone around on this maybe six times, but there has been a review of the Act.

And I believe it has performed a great service as far as this legislature is concerned because it has put the whole operation of the board, including the legislation, under the microscope of an external review and recommendations have been forthcoming in all of those reports. In none of them has the government of the day been prepared to accept all of the recommendations and there are no doubt very cogent reasons for not doing so. And I wouldn't be in a position to offer any insights as to why previous governments haven't accepted all of the recommendations.

So far as we are concerned we went through a process of consultation with respect to the recommendations of the board and put forward various proposals for legislative change. It was an exhaustive consultation process that took a good deal of time and in the end we came forward with the package that we have, which had attracted substantial consensus from both the employer and the worker communities. And I can't say that during the next couple of years before there is another review, I can't say that there won't be further amendments to this Act. The other recommendations that are not included in the Act remain before us and it may be that we will decide to act on one or more of them.

Now I can offer the reasons why we rejected any particular recommendation that doesn't appear in the legislation, the

reason why we have not . . . we decided not to act on them at this time. For example, one of the recommendations was the appointment that the Chair of the Workers' Compensation Board would be someone that was mutually acceptable to all of the so-called stakeholders. And we didn't include that because, quite frankly, dealing with these groups all the time as we do, we didn't think we'd be able to find an individual in Saskatchewan who would be able to attract the support of all of the stakeholders. It just didn't seem to be a practical idea.

But we did agree with the recommendation to the extent that there should be consultation with respect to the appointment of the Chair, and that provision is included in the legislation.

So I realize, as I'm about to take my place, that I haven't answered the member's question precisely. But I can give the member the reason why we didn't act on any particular recommendation. But I won't take the time of the committee to go through them all just at this point.

**Mr. Boyd:** — You've been reported as saying that the changes proposed will cost \$4.7 million. Is that an accurate figure?

**Hon. Mr. Mitchell:** — Yes. That's an accurate figure.

**Mr. Boyd:** — Where will most of the increased costs be incurred? How much of this increased cost will go to the claimants? And how much will go towards increased administration of the WCB (Workers' Compensation Board)?

**Hon. Mr. Mitchell:** — The total cost is about 4,700,000. And the large bulk of that is represented by benefits. Four million four hundred thousand is involved in the provisions respecting dependent spouses in the amendment to section 83, and 250,000 so far as common-law spouses are concerned under section 88(1).

Now there are administrative costs included in that figure, but they are small. The cost of an annual meeting is estimated at \$24,000. And the cost of preparing and packaging the strategic plan to be presented at the annual meeting is estimated to cost 15,000. So those are relatively insignificant. The bulk of the increased expenditures will go to beneficiaries.

**Mr. Boyd:** — You have also been quoted as saying that these changes in increased costs will not result in higher costs for the employers. Can you give us your absolute assurance that that will be the case? Employers from across this province have had some rather unpleasant experiences with workers' compensation rates over the years and we received numerous complaints as to the rate structures and how they arrive at them.

**Hon. Mr. Mitchell:** — I can tell the member that I'm assured by the board that these provisions will not result in any increase in the rates. Now that's a little short of what you were asking me to do but it's the best I can do. The board sets the rate and it is not any decision of mine that results in the rates or any changes to the rates. That process is entirely within the board.

I agree that there have been times when rate increases have taken place and that has been a bit of a shock to the employer community. And this past year though we saw decreases in the premiums that amounted to between 15 and 25 per cent for

most categories and that was a good news item and the very opposite of a shock — whatever that is. A pleasant surprise put it that way. So sometimes it's bad news and sometimes it's good news, and I'm really glad that this year it has been a good news item.

**Mr. Boyd:** — Within the operations of the WCB, unfortunately pleasant surprises come along more infrequently than shocks, and that's the concern that we get from many of the employers across this province. They are concerned about the operations of the WCB. They are concerned about their workers and wanting to ensure that there's a safe workplace but they see a great deal of concern within the operations of that board.

Mr. Minister, we have had plenty of interest in the benefit-of-doubt clause that will be enshrined in this piece of legislation. Can you briefly explain how you think that this will help the WCB claimants?

**Hon. Mr. Mitchell:** — The purpose of the provision is to imbed in the law the principle that if the evidence is equally divided on any particular point that's before the board, if the weight of the evidence is even, then the benefit of the doubt will be given to the worker and that issue will be decided in favour of the worker. This has been a part of a policy of the board in its policy manuals for some time, but I believe — and the community seems to agree — that it is an important principle to embed in the law of the province and that's what we're seeking to do with this Bill.

**Mr. Boyd:** — So you are saying that the benefit of doubt will clearly be in the interests of the claimant and not in the interests of the fiscal integrity of the WCB?

**Hon. Mr. Mitchell:** — I wouldn't put it in exactly those terms but I would simply say that the purpose of the Act is . . . the purpose of the whole scheme is to provide income replacement for people who have been injured on the job. And if their claim is one where the evidence is equally divided on a particular issue, why shouldn't they have the benefit of the doubt? Why should there be any kind of presumption against them? And so I think the principle is an appropriate one and a sound one.

**Mr. Boyd:** — One of the main complaints we get with regards to the WCB is the seeming attitude that the WCB has towards outside medical opinions. Many of the cases brought to our attention involve a family doctor or a medical specialist saying yes this person should be eligible for compensation, and that the WCB refuses to take that option. How will the benefit-of-doubt clause help in these cases or will it?

And I'd also like to explore a little bit with you that attitude that seems to be prevalent in many of the WCB claimants in this province with regard to outside medical opinions. Perhaps you could take some time to explain the WCB's position on outside medical advice.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, it's my understanding that the board no longer has its own in-house medical doctors. It didn't used to be that way. For all of the board's existence they have had in-house, full-time employees who were medical doctors. That practice was eliminated some time ago and the situation now is that the board does not have

its own doctors. Now they have contractual arrangements with a number of outside doctors in private practice to advise them from time to time on certain kinds of injuries, and that no doubt leads to the kind of situations that the member has in mind when you're asking the question that you asked.

And it is a very, very difficult situation for the board to deal with. When you get a family doctor who gives an opinion as to the cause of an injury or the extent of an injury, and the board seeks third party advice or another doctor's advice on the point and receives a contrary opinion, then the board is really in a tough spot.

I would think in those circumstances . . . depending on the circumstances, the board might well invoke the benefit-of-the-doubt provision. Or they may try to find other medical opinions — a third or a fourth opinion, try to get some consensus, a medical opinion as to just what it is that's involved in this particular case.

None of the members of the board are medical doctors themselves. And they depend entirely on the advice of the profession in order to deal with issues or questions relating to medical matters.

**Mr. Boyd:** — Well, Mr. Minister, what you are sort of attempting to do is suggest that the board is using people outside of the operations of the board. And I suppose in some respect they are. But what we are told by many of the claimants is, is that the board designates the doctor that they must go and have the examination with. Now that's where the problem is: essentially it's the same thing as having them in-house when you prescribe which doctor they're going to go and have the examination with.

And my question was with respect to additional outside medical opinion, that being the opinion of their family doctor or another medical specialist, which they have sought an opinion from. And too frequently we are hearing that there is conflicting opinions — very conflicting opinions — and invariably, invariably the board takes the opinion of the doctor that they have contracted with and is very reluctant — in fact simply does not take into account — the opinion of the person's own family doctor or specialist.

And that seems to be a concern that is very, very prevalent. And we get many, many calls to that: why does my family doctor say on one hand that I should be in a position to receive workers' compensation and the in-house doctor, or the doctor as you described that the Workers' Compensation Board has contracted with and has prescribed that the person has to have the medical opinion received from, why is there such a wide variation in opinions on this?

(1600)

Of course we realize that medical opinion is a little bit subjective, but if there should be . . . if there is a benefit-of-doubt clause in here, one would hope that the benefit of doubt should go towards the claimant as you've indicated it should. But it also should be tipped in favour of the medical opinion that their own family doctor — the doctor that probably is most familiar with their case, most familiar with their medical

history, most familiar with their background — would have at their disposal. That seems reasonable to me.

If you're going to offer a clause that suggests that people receive the benefit of doubt I suppose, I would be of the opinion anyway, that many people would feel that the first opinion should be the opinion of the doctor that they have as their own family doctor or the specialist that they have been referred to by their family doctor.

Now of course medical history and medical expertise, as I said, is subjective. But we all develop somewhat of a rapport and a trust with your own family physician — you're more likely I suspect to give detail of the concerns that you have about your condition, you're more likely to share on a frank basis, the concerns that you have about your problems. Rather than to this doctor that the board has prescribed that you must go and see. Someone who, in all likelihood, you've never met before, has no knowledge of, don't know their expertise in this area, don't know any of those kinds of things about them.

And I would be . . . I would think that many people would feel quite reluctant to share, what is in everyone's case, a pretty serious and a pretty personal type of information with doctors you've just met. So one would hope that the Workers' Compensation Board would take that into account and look at using the benefit-of-doubt clause, not only for the claimant but also for the claimant's benefit when it comes to looking at the medical advice that they are going to use as the basis for determining whether there should be a claim or not. And I wonder if you might want to comment at this point?

**Hon. Mr. Mitchell:** — Mr. Chair, I think that, and to the member, I don't take exception with the points that you made. And I agree particularly that people are obviously much more inclined to share personal information with a doctor who they've known and worked with for years than they would speaking to a stranger in an office probably in a city apart from where you live. So I'm not taking any real exception to the points that the member puts forward.

Some situations, I'm sure you'll agree, require a level of expertise or speciality that a general practitioner may not have. And in those situations, I think the board would be quite justified in accepting the opinion of the specialist over the opinion of the general practitioner, but it all depends on the circumstances. And I think the board should be sensitive to that and I . . . they obviously can't likely dismiss the opinion of a physician that knows the patient and knows things about the patient that a specialist who's never met the patient before can possibly find.

And in many of these situations, as I indicated in my previous answer, the benefit of the doubt should be given to the claimant. One would hope this isn't true — it's a matter of professional integrity — and if a family doctor is just doing it as a favour or offers an opinion to simply keep the patient as a patient, you know. In other words sometimes there could be tough, tough situations in which a family doctor may not want to go out on a limb and make the hard statement. I'm not saying that's happened; I don't know whether it's happened or not. But as I speak here today I can imagine circumstances in which it would happen.

And decision makers like boards and courts must have to deal with these situations all the time and I think that I'm prepared to let them continue to do that with the provision that the benefit-of-the-doubt clause be there, to make it clear that the claimant should be preferred.

**Mr. Boyd:** — Again, Mr. Minister, I certainly understand that and appreciate your comments. There are regulatory bodies like the college of physicians and surgeons that deal with these kinds of ethical, or in some cases, even legal issues and I'm not . . . I don't want to get into a discussion about that sort of thing.

What I want to suggest to you though and to the board is, again, that people feel more comfortable with their doctor, and they also feel more comfortable with the recommendation for a specialist that they receive from their doctor, from their family doctor. And I think that that is important.

One would hope that that area — that opinion that they received from their family doctor or from the specialist that their family doctor recommends to them — would make for a better diagnosis perhaps than the diagnosis of someone who's never met them. And I think we can all probably think of examples of how that might be the case.

As I said, there seems to be the concern out there in large number — and you probably have heard many of them yourself. And we'll get a little bit more into this in Labour estimates where we have a number of specific cases that we might be prepared to bring forward. Actually I'm a little bit reluctant to have to admit to bringing forward cases on a specific basis and I might just provide the information to you in the form of letters rather than bringing individual's cases. I don't think that that's necessary nor appropriate in a lot of cases to do that. We'll undertake that in Labour estimates — to get on with that business however.

But I want to make it very clear on behalf of many, many of the people that we have had contact from that there seems to be in too many cases such a vast difference between the medical advice that they were receiving on one hand from their family doctor or from the family doctor's recommendation for a specialist and what they received from the specialists or doctors that the Workers' Compensation Board contracts with. And because it's subjective and because it means, in many cases, that there is a claim that is successful in terms of having a pay-out to the claimant or not, you could understand the reasons why many of the claimants would feel that their family doctor is probably in a better position, or the specialists that their family doctor has recommended is in a better position to make a judgement on their case perhaps than the physician that you people recommend.

I just wanted to highlight that concern and make it very clear that we receive, oh, it's literally dozens of complaints about those kinds of differing opinions from various doctors.

In fact you may be . . . You may remember the case of a man — as I said I don't want to get into specific cases here — but you remember the case of a man who was injured on the job and granted compensation. But in the course of the treatment for that injury a doctor's mistake caused him a more severe injury that was unrelated to his workplace accident.

You may be familiar with that one. I think you know. The minister's nodding that he's familiar with that particular case.

Yet he still cannot take legal action against the doctor for a more severe non-work-related injury. Can you explain the rationale here and if the government is looking and you are looking into making changes to deal with this provision and problem?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, I indicated while the member was speaking that I was familiar with the case, and I am. And this is a situation that the government still has under consideration.

We weren't able to develop a consensus around how those cases should be handled. The board's position is that the doctor is an employer like any other employer and is entitled to the benefits of the Act and some line of reasoning that I, I must say, I don't understand fully enough to be able to rationalize as I stand here.

But I am told, I am advised that the . . . my officials believe that the matter is under review by the courts and this is a question that is not yet settled. But we were not able to settle it in time to include it in this Bill.

**Mr. Boyd:** — Mr. Chair, and Mr. Minister. You're proposing to expand the definition of the term "injury". Can you tell us what this will encompass now that it is before us?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, the change in the definition is to include the concept of industrial disease in the definition of "accident". It doesn't mark any big change in policy, but it is simply a clarifying provision.

The review panel found that while the current definition of injury is intended to include occupational disease, the reality is that there is no consistent recognition, recognition of occupational diseases and disorders, so the definition is expanded. Really it's going back to an earlier definition that had existed in the Act in prior years and had been removed in the interests of simplicity. We're going back to the original formulation for the sake of clarity.

**Mr. Boyd:** — Mr. Minister, can you tell us how many WCB people claimants are receiving compensation due to stress.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, we've got so much material it's often difficult to put our hands on it, but we do have the answer to the member's question. In 1997, which is of course just the previous year, the board accepted 41 claims for compensation on account of stress — 41.

**Mr. Boyd:** — Thank you, Mr. Minister, and we appreciate the fact that you have a very good group of staff of people to help you dig out the information. It makes it certainly helpful, I'm sure.

Mr. Minister, when was stress first covered, and can you tell us how the numbers of the WCB claimants due to stress have changed since this time? Are we seeing a continual growth in that particular category, or are we seeing just a sort of a normal pattern of work . . . what might be considered a normal pattern

of Workers' Compensation-related claims due to stress?

(1615)

**Hon. Mr. Mitchell:** — According to our information the board has been recognizing stress as a compensable situation for more than 20 years. They have recognized two categories of stress: one being a chronic stress, which is viewed as a long-term and ongoing problem that disables a person from functioning normally in day-to-day life situations; and the second is a traumatic type of stress that results from an incident where perhaps an individual has been involved in a life-threatening situation or a hostage-taking, or some kind of horrendous accident or injury.

So they've been recognizing the incidents or the reality of stress as a disabling condition for more than 20 years. I have numbers with me that show the situation since 1987 — would be the last 10 or 11 years — and the numbers show a gradual but consistent increase in the number of stress claims reported over the years with the exception of last year.

In 1987 the total reported was 29 of which the board accepted 14. And then the numbers increase steadily through to 1996 when there was 222 claims reported, and the board accepted 44 of those. Then last year the number was reduced to 175 and the board accepted 41 of those.

Now the explanation that is offered for the drop in the number of claims is that the workforce has been catching on to the fact that stress can affect them and that they should take measures to ensure that it doesn't capture them, that it doesn't disable them. And so they'll find ways to avoid stress or relieve stress or ameliorate stress and so protect themselves from it. But it's been a growing problem, as I have said to the member, steadily over the years and the board has been considering these claims and acting on them.

As I look over the number, I think it would be correct to say that the board has been accepting 25, 35 per cent of the claims in an average year. Now I'm just working out those percentages on the fly here, but I think that would cover most years.

**Mr. Boyd:** — Thank you, Mr. Minister. Of course when granting stress compensation it must be . . . and I can appreciate the difficulty in deciding whether a claim is valid or not. And I'm interested in knowing how the WCB determines whether the stress was work-related or how they make that kind of decision. Stress is prevalent in all of our lives and at times it's surprising that there isn't claimants coming out of this place a lot more than there ever has been in the past.

Can you give us some indication as to how the WCB determines stress-related incidents? You mentioned . . . and I wonder if you also might have some degree of . . . could provide us with an indication on those 41 claimants that you have as to what kind of stress-related things we are looking at here.

You mention hostage-taking related things. Do we actually have claimants that have been involved in hostage-related incidents that are currently claimants of Workers' Compensation? And in addition to that, what length of time are we looking at when we

talk about stress-related benefits? Is this something that is a lengthy claimant position . . . person in that position a lengthy claimant? Or is it relatively short-term claims that we are looking at, Mr. Minister?

**Hon. Mr. Mitchell:** — With respect to the first part of the member's question, Mr. Chair, I can quote from the board's policy on stress and I'm now quoting:

Injury from chronic stress will be seen to have arisen out of, and in the course of, employment if there is clear and convincing evidence that:

(1) the work stress was excessive and unusual in comparison to pressures and tensions experienced by the average employee; normal pressures and tensions including routine industrial relations actions taken by the employer such as discipline, work evaluation, transfers, lay-offs, demotions, terminations, reorganizations, etc.; and

(2) the work stress was the predominant cause of the injury.

I'm quoting there from the policy of the board.

The board must evaluate various factors in determining whether a stress claim is compensable.

For example, some occupations such as air traffic controllers are inherently stressful, while other occupations that are not typically stressful may be so in certain circumstances. And therefore the board must assess whether the workplace or the occupation is the predominate cause of stress; and in doing so, the board interviews the worker as well as the worker's family and fellow workers and the employer and tries to determine whether the condition of the claimant is attributable to stress on the job.

Now we are not able today to provide the member with information as to the examples of traumatic stress situations. The examples I gave earlier were theoretical more than any practical case. I was trying to illustrate some really horrible situation that would be expected to cause stress. But this is obtainable, and if the member wishes, I can provide that.

Similarly I don't have information as to the length of time in which these successful claimants have been on compensation for stress leave. But again, that's information that I can get.

**Mr. Boyd:** — Thank you, Mr. Minister, and we would appreciate if you would undertake to provide us with that information, and I see yourself and your officials nodding in the affirmative.

Mr. Minister, there is much concern that the WCB is moving towards compensating what would be called diseases of life, those afflictions where there's not a direct link to the workplace. And I want your comments on that.

And what I'm talking about here you're probably familiar with. What I'm talking about here is the concern that many employers have that we're going to see a mushrooming of claims out across the piece in Saskatchewan where, as an

example that has come to my attention, two examples that have come to my attention: someone who might be a heavy smoker who is also a diesel mechanic around a lot of fumes, all those kinds of things, concern in that area; or a heavy smoker who is a grain elevator agent subjected to a situation in the workplace where there's a lot of dust and resulting in respiratory problems for that particular worker.

Now I wonder how the Workers' Compensation Board makes those kinds of determinations, and whether or not we are going to be moving into situations where we'll see what many people consider diseases of life or lifestyle now become . . . coming forward in larger numbers as claimants into . . . and putting a great deal of additional burden on an overburdened system already.

**Hon. Mr. Mitchell:** — Thank you, Mr. Chair. And I hope the Assembly will forgive me for taking advice on this question. We're not able to answer the member's question with any precision, but we can offer some general observations based on our conversation with the board over the months and years.

The board does take into account certain lifestyle questions. And a heavy smoker, as mentioned by the member, that's a common one. And in determining the cause of the disablement they will take that into account and in appropriate circumstances may reduce the amount of the award that is given, so that they're not compensating a person for the damage they do to themselves because they're a smoker. But they will compensate them only to the extent to which their injury was caused by the workplace condition.

I think that is a sensible policy. It's obviously a complex situation, and it's becoming more complex as the workplace becomes more complex and as people run into new and different things in their lives that may have some effect on their health or make them more susceptible to occupational disease.

(1630)

**Mr. Boyd:** — Mr. Chair, Mr. Minister. One of the major concerns brought to our attention from employers is the concern about an occupational disease panel, which may be under consideration, and the cost associated with that; and the experience of provinces like Ontario where they've been tried and, many, many people believe, failed very miserably. Can you tell us if this plan is off the table permanently?

Certainly, we understand it was under consideration for a period of time, and only after the substantial lobbying efforts from the business community that that piece of a very contentious part of this legislation was removed. Is it off the table permanently or whether . . . Are you of the view that you might want to try and put it back on the table in the future?

**Hon. Mr. Mitchell:** — Now as far as I'm concerned, Mr. Chair, it's off the table permanently, yes, as far as I'm concerned. Who knows what may happen with another minister at another time, another board of review, whatever you like. That particular formulation in the end had no adherence, no one was saluting that particular flag. And I long ago learned that when you get in that situation, you pull down the flag and put it away.



**Mr. Boyd:** — Well, your cousins in Ontario thought it was a pretty good piece of legislation I'm quite sure. Where were they when you needed them? Well the people of Ontario might share your thoughts in that area in many respects I'm sure.

Can you tell us the average length of time between a claim being made to when it's approved or rejected outright? Is this a speedy process that we're looking at?

That is often again the concern that we hear that these things go on and on and on and there seems to be no end to them. Is there some kind of a target date that you use, a target time frame that you use — or is there actual . . . something in regulation that you use to try and determine whether a claim is valid or not?

**Hon. Mr. Mitchell:** — The board tells us that they have substantially improved their performance over recent years and now are at the point where they will normally give a decision within 14 days, sometimes the same day, and in no case later than 30 days from the date in which the claim is filed.

So, apparently that's much better than has been the case in prior years, Mr. Chair.

**Mr. Boyd:** — Mr. Chair, Mr. Minister, how many investigators do you have on staff, and are all claims fully investigated before being granted or rejected?

**Hon. Mr. Mitchell:** — Mr. Chair, we would be guessing. We don't have that information with us but these are all matters that are referred to . . . are public and are referred to in the annual reports, and we can undertake to give to the member the breakdown of the various classifications that the board had.

**Mr. Boyd:** — If a person were to make a claim and then find that it is subject to further investigation, is there a provision that grants them some interim compensation, or are they just on their own until that claim is finally settled?

**Hon. Mr. Mitchell:** — The board does not pay interim compensation. The board will make a decision before they pay out any money, so that if the investigation takes a little longer it is a fact that the claimant has to wait.

**Mr. Boyd:** — What is the average caseload of a case worker, and has this number showed any significant change over the years? Are we looking at case workers with substantial more cases before them and burdening them down so that they're having difficulty making decisions, or are we making some progress in this area?

**Hon. Mr. Mitchell:** — I'm sorry, Mr. Chair, we don't have that particular information. If it's satisfactory with the member, we will get it and provide it to him.

**Ms. Haverstock:** — Thank you very much. I'm going to begin with some basic comments, Mr. Minister, and then lead into particular questions if I may. The changes to The Workers' Compensation Act are certainly welcome and considered long overdue, and any changes that results in workers being treated with greater respect, fairness, and consideration are to be supported.

The four issues that my constituents have the greatest concerns with and raise most frequently with me are: first, health care or the lack thereof; secondly, social services; thirdly, their dealings with SGI (Saskatchewan Government Insurance) and in particular no-fault insurance; and lastly, Workers' Compensation Board issues. And those are not done in any particular priority. We just seem overwhelmed with all of the above, Mr. Minister.

I find it passing strange and quite disturbing that according to you, Mr. Minister, the government is responding to complaints about the board that have been heard over 25 years. It is, I think, unusual that it would take 25 years to bring about the changes these amendments propose when this Act is subject to review every four years. One cannot help but wonder what additional improvements are required but will now have to wait for the next round of reviews four years hence.

And so the question on Bill 29 is whether the amendments adequately address the obvious problems now with the Workers' Compensation Board. Certainly there are some who would not feel that they do. The Blue Rose Advocacy group does not think so. There's a citizen in the Speaker's gallery who doesn't think so. The Blue Rose Advocacy group claims that it is not so much problems with the Act but rather with the board itself which does not use the Act and follow its own rules.

And if I may take some liberty — and I'll probably will not be addressing this very articulately — the individual present today has been seriously affected by treatment she received at the hands of employers and yet cannot get her concerns addressed because the damage done was not physical in nature.

I wonder if a review of how the board administers the Act should not go hand in hand with these amendments. You can have the best designed legislation in the world, but if those administering it do not observe its intent in spirit fully, it can be totally ineffective. And certainly there are enough horror stories about the shabby treatment of injured and disabled workers. As I mentioned just a few moments ago, complaints from my constituents about Workers' Compensation Board are amongst the most frequently voiced.

And I want you to know that I don't believe for one moment that each and every one of these people can be people who all come from some made-up place in the world that they think that they deserve something that they really don't deserve. Each and every one of these cases is quite distinct. Each and every one of these individuals has their own stories. And it is truly of concern to those of us who must listen to these stories that they don't feel not only that they're receiving fairness, but often times they're treated in such an appalling manner that that exacerbates what already has been an extremely difficult situation.

I'm going to begin then with a series of questions, the first of which is: will these amendments prevent the board from first of all denying compensation claims, pressuring individuals to return to work before they are well, and ordering inappropriate medical treatment or physical therapy?

**Hon. Mr. Mitchell:** — The answer is no. The board receives claims, and we in this legislature expect the board to adjudicate

on them. We instruct them to determine whether an injury or a disease has arose out of or in the course of employment, and that the injury or disease indeed disables the person either temporarily or permanently from earning their income. And as in any such system, you would expect that some of those claims would fail. So the board has always denied certain claims that they found to be groundless or not within the Act, and they'll continue to do that.

The numbers over the years have been — over the last few years anyway — have been that the board accepts about 94 per cent of the claims that they receive and reject about 6 per cent of the claims in an average year so that they will continue to deny some claims, and of course so they should. If they receive a fraudulent claim and they learn it's a fraudulent claim, they're going to dismiss it. That's an example.

They have an early Return-to-Work program which has been really quite popular. Where they learned it from — I'll just take a moment to explain this to the member — they picked it up from sports, from athletics, where they learned that football injuries and hockey injuries can be best treated if the injured athlete is up on their feet and working out and doing everything they can physically within the limits of their injury as quickly as they can. And we've seen that in hospitals, for example, where you used to lay in bed for weeks after an operation, now they've got you walking up and down the hall the next day.

So the board has, I think, with caution and with care introduced the early Return-to-Work program where they get the employee back into the workforce in a reduced capacity that's appropriate to the level of injury. In most cases it's not their original job, but it's some kind of a job around the place that the employer provides so that the employee's back in the work environment and back with their fellow workers and maintaining an attachment to the workforce, rather than being at home alone and depressed about their condition and so on and so forth.

And so I think that there's nothing in the legislation to discourage that. And indeed I think we in this legislature would encourage it provided that it's administered with care and with compassion and with sensitivity.

**Ms. Haverstock:** — Well thank you very much. I am interested in what you've said very much. I'm interested in the fact that 94 per cent of people in fact have their claims addressed in a positive way.

And I guess that raises the question: does your department collate all of this information? What sort of follow-up is done with, not only just the 94 per cent but the 96 per cent or 94 per cent, but the other remaining group as well, in a way that can really tell us the story of these people who say that their claims have been settled. I mean have they got things to contribute to the overall body of knowledge that can tell the board how to do a better job, what sorts of things work, what sorts of things haven't worked, what sorts of things made their lives easier after having to endure something that may have taken away their ability to work as they ever had in the past.

I mean what is being done to collect information that can allow the Workers' Compensation Board and your department to do a better job?

(1645)

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, I don't pretend for a moment that an adequate job is being done. I mean I think you raise ideas there that are food for thought, and we will consider those and I'll have the board consider them also.

We're not totally inactive though. I mean the four-year review in this province is a wonderful idea I think. As I've said earlier, it is an arm's-length review by people from the industry; from employers and workers and a Chair outside of government, away from government, and they review not only the contents of the legislation but the administration of the Act.

And they have things to say about that each year. And each committee review seems to look at a different aspect of the board's operation. This year they were concerned, as you know, with the way in which the board governed itself and its accountability and that sort of thing; they tended to focus on that.

The points that you make are maybe relevant for review because we have an early Return-to-Work program which obviously yields experience that will be very, very useful — one thing to have a theory and implement it and another thing to evaluate it. And you're speaking to the evaluation of it, and I think that's a very useful suggestion. We're not totally remiss on it, but I think there's a great deal more we can do.

**Ms. Haverstock:** — I most certainly would encourage you to be doing such because I think that it's probably one of the most beneficial things that people can do over time. I know that the best place to gain knowledge is from those who have gone through the actual experience.

And I most certainly agree that in many instances it's a great and worthwhile undertaking for people to be able to become active rather than being sedentary after being injured or undergoing some other kind of problem from the workplace. But I guess my concern lies in the fact that oftentimes the stories that I'm told deal directly with individuals whose own personal physicians tell them one thing, but they're receiving conflicting information from people they're dealing with at the Workers' Compensation Board.

And I think that one has to be very, very cautious about that. I think in fact it's a dangerous way of proceeding if someone is being told one thing by people in whom they have been taught to place their trust and are placing their overall health, and yet an agency from which really in some ways they're going to be beholden for their own livelihood is requiring them to do something else.

And I most certainly would hope that the board would take into consideration, more frequently than it does, information that comes directly from people's physicians and specialists because it appears too often that this information's ignored.

And if I may I just want to make one more comment surrounding that. Too often people are treated as simply surrogating entities following some sort of accident and sustained injury. And as we all know, Mr. Minister, we aren't just physical bodies going through this world? People are whole

people, and that means that they are their mental selves, their physical selves, their emotional selves, and their spiritual selves.

If they are not treated with fairness, if they're treated disrespectfully, if they feel that they're constantly under suspicion, if they're undermined, it most certainly does affect their mental well-being. It most certainly has an emotional cost. It is very damaging to one's sense of spirit and spirituality about humankind overall, let alone the group with whom you're having to deal.

And that comes with a physical cost. It keeps people from healing. It makes them unable to be productive citizens that they could be otherwise. And I think it goes without saying that too often people who are dealing with the Workers' Compensation Board and some of the employees . . . and I don't want to say it in some overall inclusive way; I want to emphasize some, not all because there are some individuals there who most certainly do provide much more thoughtful care when they're dealing with individuals who have to approach them, but there are others who do not. And I think that that comes at too great a cost.

I more than anyone would support finding those people who misuse and abuse the system because they make it wrong and problematic for everyone else. But one always has to come from the point of view that one is innocent before guilty. And I think that it's a very sad statement indeed when one is automatically assumed somehow to be wanting to abuse the system.

Now having said all of that, I do have a question, and just for the sake of time I'm going to move on to this one because I think it is something that really is going to be more and more problematic as time goes on, and it deals with occupational disease. Are there lists for occupational diseases associated with particular trades, with particular industries, employment categories, and so forth? And the reason I raise this, I want to know about specific identification and a list, hitherto, of unidentified occupational diseases for two reasons, Mr. Minister. And they are as follows.

There's one thing that we're guaranteed of, given what has been transpiring not just within our own province and nation but internationally, and the member from Humboldt raised this yesterday in terms of what is now in our water supply in Saskatchewan, what has been transpiring with the Camecospill just within the last few days.

All of these things come with a price, and that price will be multiple chemical syndrome. It is a guarantee, if one is reading the literature today, that this is going to become more and more problematic which means it's going to lend greater and greater problems to something like the Workers' Compensation Board in making these kind of differentiated diagnoses, if you will, of things that are truly related to one's occupation. And I'd like you to address that.

I'd also like you to, if you may or will, include in that some comments regarding firefighters and their requests in the province of Saskatchewan because of the high percentage now of those who have been firefighters in our province who have

been diagnosed with, and are dying from in some cases — that's past tense — from different cancers that they believe are related to occupational hazard.

I would appreciate your comments, please.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, there is no list of diseases. The board has the freedom given to it by the Act to make its decisions with respect to individual situations and they do that. They recognize that at any point in time, you don't know everything about everything. There's always new information and new analysis and new research and they try to keep up with that.

This takes then to the member's point about the multiple intrusions on the human body and the way in which those can build up over the years. This is going to become particularly acute as people go through a number of different occupations in their lifetime and they wind up at the end of the day with a serious respiratory problem or something like that and the board not only has to deal with that in the case so far as the individual worker is concerned, but to which category of . . . (inaudible) . . . do you apply the costs because the individual may have moved from employers in different classes which then presents the board with a question of how to apportion those costs through the different sub-funds that are in existence. I agree with the member. It's going to be a bigger problem as time goes on.

The fire-fighter situation is very current and we have had representations from them. They were the one group that strongly supported the idea of the occupational disease panels that we had . . . we had in draft legislation and was out for consultation. We pulled those provisions because with the exception of the fire-fighters, I think there was nobody that liked the idea that we put forward.

But certainly it's current and a lot of research is being done about it and the board is very conscious — I know this in conversations with the chairman — very conscious of the . . . problems like we saw in Saskatoon recently where a number of fire-fighters had gone to a landfill and fought a fire and they're all having problems. Well that's a clue, isn't it, I mean that's the signal for the board to do some serious . . . (inaudible) . . . on the problem, and I know that they are.

**Ms. Haverstock:** — I'm going to ask something that will be fairly short for the sake of some time, hoping that you'll be able to give me a specific response. And I have several more here so we'll probably be joining each other later. With respect to the benefit-of-a-doubt clause, who will determine when everything is equal with respect to the information gathered and presented by each side?

**Hon. Mr. Mitchell:** — The whole structure of the board, the whole decision-making apparatus within the board has to observe that requirement. Right from the initial claims officer, client . . . (inaudible interjection) . . . client service representative — yes, sorry, I forgot the name — right through the various appeal processes, right up to the board itself. Everybody has to apply that rule.

**Ms. Haverstock:** — I'm going to look at the verbatim on that

one because I missed some of it, I'm sorry to say. Just going back to a moment, with this whole idea of occupational health, I'm curious about why cooperation between the Workers' Compensation Board and the occupational health and safety division of the Department of Labour has been a matter of controversy in the past.

Will this legislation be requiring cooperation? I mean, will it be effective in fact if the two solitudes lack the cooperative spirit that's necessary?

**Hon. Mr. Mitchell:** — I am ensuring cooperation, and I have a full expectation that my successors will ensure cooperation.

There is a tension between the two, which is natural. The occupational health and safety program is funded by Workers' Compensation funds. That in itself creates a certain tension. The occupational health and safety division is responsible for all of the . . . all aspects of occupational health and safety, including education and prevention and that sort of thing.

This has historically been the turf of the Workers' Compensation Board and that has been the source of tension between these two organizations since at least 1972, you know. And it doesn't seem to go away.

But I go back to my first answer. The minister has to ensure that there is a satisfactory degree of cooperation and a good working relationship. And I believe that very strongly, and I take advantage of every opportunity with both organizations to remind them of the necessity for that.

**Ms. Haverstock:** — Thank you very much. I bet that if you resolved one outstanding issue I could think that you would be the best person to be able to work with these two groups and solve any issues that might come forward. If this happens before the end of session, the thing I'm referring to, well probably believe you can walk on water too.

Does increasing the minimum lump sum annuity payment from 5,000 to \$20,000 really and meaningfully give injured workers more retirement options?

**Hon. Mr. Mitchell:** — The problem with the \$5,000 limit is that the agents simply won't accept \$5,000 for the purchase of an annuity. I'll just repeat that for the member — the problem with the present law is that the \$5,000 is just too trifling a sum for agents to deal with, so they just won't accept it. They will accept \$20,000 so that just opens up at least one option and probably more for the beneficiaries.

(1700)

**Ms. Haverstock:** — How does holding one general annual meeting for all organizations with interests in the operations of Workers' Compensation Board concretely benefit workers? I mean I'm quite interested in this and I'm talking about in terms of the workers and direct benefits to them.

And I'll pose these other two. They kind of go in conjunction with one another. In the past, I'm curious if the Chair of the board has also been the chief executive and the chief administrative officer of the board.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, the board has of course always done public consultations. They've done it separately with employer groups and with the worker groups — trade unions chiefly. There's for a long time been the fear, perhaps even the impression, that the board has different messages for the different groups. This is a provision designed to ensure that the message is the same for both groups; that it's consistent. Now I don't necessarily accept that it was different in the past, but perception is as important as reality in some situations.

Now as far as the chief executive officer is concerned, I think this is an advance that is long, long overdue; it should have been done years ago. But the board makes the policy decisions and sets the general direction, and then there is an administrative official who is responsible for executing the board policy. And Peter Federko, the current CEO, is the first one that we've had. Prior to that the Chair has tried to do both jobs.

The Chair is appointed invariably — almost invariably — because of their stature, their decision-making abilities, rather than their administrative abilities. So in practice it has been that the Chair has performed like a Chair of a board should. And then the executive function has been diffusely spread out across the organization, the top levels of the organization, with no single official sort of in charge the way a CEO should. The Chair just simply didn't have the time, nor the background in many cases, to do these particular duties that a CEO does.

So I think this is a very good move, and the committee of review agreed with that and asked that we put it into the legislation to ensure that these two functions were not put in one person again.

**Ms. Haverstock:** — Mr. Minister, was there any particular conflict or difficulty that arose? I mean I am curious as to why this has not been changed before. And of course that begs the question: why is it being changed now if there weren't problems that arose from it before? Is there something that I need to know here?

**Hon. Mr. Mitchell:** — I think not. As I mentioned earlier, this particular committee of review focused on governance issues, and this is a governance issue. I think that it just didn't occur to previous boards of review, committees of review, to look at that particular part of the structure. So as I say, it is overdue. It should have been done years ago but nobody really thought of it until Stan Cameron saw it and implemented it.

**Ms. Haverstock:** — Mr. Minister, when you introduced the amendments, you stated that according to Price Waterhouse the Workers' Compensation Board surplus and reserves should be able to absorb, and I quote the word "most," of the increased costs resulting from these amendments. It says most; it does not say all.

So I'm wondering, how much is the shortfall if there is one? And how will it be covered if not through premium increases?

**Hon. Mr. Mitchell:** — The increased costs that will follow from these amendments are estimated to be \$4.7 million — 4.4 of that will go into the pockets of beneficiaries and the rest will

be increased administrative expenses mostly around the annual meeting and the strategic plan and that sort of thing. The board believes that it will be able to handle this out of its existing rate structure. If it had to recover those costs they . . . well they don't think they'll have to so I shouldn't even speculate about it. So this is a manageable increase in costs as far as they're concerned.

**Ms. Haverstock:** — Well I'll sum up here with just a comment and would most certainly welcome any response.

Mr. Minister, there is one amendment that I believe is glaringly absent from this Bill, and that is an amendment to correct what I've deemed here a grievous injustice to the disenfranchised widows and widowers by the Workers' Compensation Board. And without such an amendment I don't believe that this is a whole Bill.

I'm wanting to ask, with what you've seen to date, will an amendment of The Workers' Compensation Board Act be required in order to address the issue that I've raised with you throughout this session?

**Hon. Mr. Mitchell:** — There is some division of opinion on it but the best advice appears to be that a legislative amendment will be required. We have tried hard to get things to a position where we could have a decision so we'd know whether to go with the amendment or not. I think it's becoming increasingly clear that we won't have that, but we did try because there's a great deal of pressure on us to get this thing sorted out and get a decision on it right now, and I think we're going to fail.

I think that answers the member's question. We dealt with this in question period today. I said at that time that this is a big-ticket item. This is an expensive thing no matter how you look at it. And so it just can't be decided in a hurry. It's a tough one. And there are various options that are available, and we're trying to work our way through those.

**Ms. Haverstock:** — I have tabled before this House a private members' Bill that deals with session dates. Mr. Minister, of course why I believe we should have set session dates is not for the convenience of the people who come to this Legislative Assembly on a regular basis and receive pay cheques, but primarily because the people of this province should be able to know with great predictability when we will and will not be here to have public discussion of their concerns.

I most certainly hope that at some point this government, our province, will do what other provinces have done and that's to create a short fall session where controversial Bills in particular are tabled, allowing time for us to go throughout the province and talk with stakeholders who will be affected, and then come back in a winter session, which doesn't go into the middle of June, in which we can complete our work on the citizens' behalf.

Now if in fact by some miracle that private member's Bill is adopted next week, we'll have a wonderful opportunity to have the necessary amendments to The Workers' Compensation Board Act brought forward in a fall session. It's unlikely however that that will happen.

And I'm wondering what you could say to people today. And you know that I'm not exaggerating when I say that some of these women, and they're primarily women, I'm not exaggerating their condition when I say that many of them are not well and many of them do live in poverty. And it's not even so much for some the thought of a lump sum — it's what a difference it would make to have \$150 a month come into their home to help them. What is it that we can say to them about this particular Act which will be passed this legislative session, not including them, when in their view justice delayed is justice denied.

I know that you've indicated to me if there are things that you can share with me, you will. I've not seen any best guestimates as to the costs.

And these are not unreasonable people. If they had a sense of what this might mean to the taxpayers of Saskatchewan, I think that it would in fact help them to understand why there seems to be such delay involved. But to them it means that it's all right for your government to take them into litigation — that's how they're conceptualizing this.

People who have no money — many of whom are old and many of whom are not well, who have already endured some great challenges in their lives — are feeling that they will have to do what people had to do in another New Democratic province of British Columbia and take their government to court, which went all the way to the Supreme Court of British Columbia. I don't believe . . . I mean in my heart of hearts I don't believe that you think that is right. I most certainly would not like to have that happen.

And you have an opportunity this afternoon, although I'm sure if 1 per cent of them are listening — there may be others who are — you have an opportunity to at least give them some sense of what might transpire, that you can give them some hope and maybe bring them a little bit of peace.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member. I don't know what I can say to give them hope and peace except that we're treating this claim very seriously, they know that, and we're working on it hard and they know that.

This legislature spoke on this issue back in 1985 and passed the law that it passed, which dealt with all situations where spouses of deceased beneficiaries remarry. Prior to that they were all cut off and after the amendments that this House passed, such situations did not cut them off.

And the legislature presumably had an opportunity at that time, and I was here — no I wasn't here — but I mean they had an opportunity to go, to be retroactive then, and they didn't. And it's an issue that just was not on our radar screen at all until last fall when the Workers' Compensation Board itself read in a newspaper of this group of people who were dissatisfied and invited them in. And so the process started and of course you know the rest of that story.

(1715)

So I can't hold out any hope other than that we're treating it seriously. We have a lot of sympathy for them. I mean there's

302 people affected that we know of, most of whom are widows, some of whom are in dire circumstances and we're sympathetic but it's a big ticket item. And I'll just briefly mention the numbers.

We haven't even calculated the cost of the solution you proposed, which was to go retroactive in every case to the date of their second marriage, with interest. We haven't even calculated that because it's too high. But just calculating retroactivity to the April 1, 1985 — without interest, just the claim — the cost to the board would be about \$74 million. Now that's a lot of money. The board just can't absorb that. Maybe it can afford . . . it can absorb the costs here, of this Bill, but it couldn't absorb that.

And even if we talked in terms of simply paying them a pension today, with no retroactivity at all, the estimated cost of funding those pensions would be \$40 million. Well those are obviously big-ticket items with a lot of issues. Do you land all that on existing employers? Or do you subsidize the board in some way? Or what do you do?

These are hard issues and it's the reason why we're having . . . it's taking us some time to produce a decision on it.

**Ms. Haverstock:** — Well I know that, I just want to . . .

**The Chair:** — Order, order.

**Hon. Ms. MacKinnon:** — By leave of the Assembly to recess until 7 o'clock.

The Assembly recessed until 7 p.m.

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