

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I have a petition for the Assembly today from citizens throughout our province who would like to see the retention of the hospitals in Lanigan and Watrous. And the prayer reads as follows, Mr. Speaker:

Wherefore your petitioners will ever pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure the Lanigan and Watrous hospitals remain open.

And the signators on this petition, Mr. Speaker, are from the community of Lanigan.

I so present.

Mr. Toth: — Thank you, Mr. Speaker. As well to present petitions regarding health care and reading the prayer:

Wherefore your petitioners will ever pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure the Lanigan and Watrous hospitals remain open.

And the petition I present is signed by the good folks from Lanigan and Guernsey.

I so present.

Ms. Harpauer: — Thank you, Mr. Speaker. I too rise with a petition about the citizens concerned about hospital closures. The prayer reads:

Wherefore your petitioners will ever pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure the Lanigan and Watrous hospitals remain open.

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

The petitioners are from the communities of Viscount and Colonsay.

I so present.

Mr. Hart: — Thank you, Mr. Speaker. I have a petition to present today on behalf of the citizens of Cupar who are concerned about medical services in their community. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure that the Cupar Health Care Centre remains open and physician services are retained in the community of Cupar.

I do so present.

Mr. Stewart: — Thank you, Mr. Speaker. I rise to present a petition signed by citizens concerned with the possible closures of Lanigan and Watrous hospitals. And the prayer reads:

Wherefore your petitioners will ever pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure the Lanigan and Watrous hospitals remain open.

The petition is signed by individuals from the communities of Lanigan, Guernsey, and Drake.

I so present.

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 halt plans to proceed with the amalgamation of municipalities; and

To ensure the Lanigan and Watrous hospitals remain open.

NOTICES OF MOTIONS AND QUESTIONS

Mr. Brkich: — Mr. Speaker, I give notice that I shall on day no. 67 ask the government the following question:

To the Minister of Agriculture: how much revenue is generated through cash lease agreements and crop share lease agreements?

INTRODUCTION OF GUESTS

Hon. Mr. Romanow: — Thank you, Mr. Speaker. Mr. Speaker, I would like to introduce to you, sir, and to the members of the Legislative Assembly — it's my honour I might add and privilege to do so — His Excellency Mr. César Mayoral, the ambassador from Argentina to Canada seated in your gallery.

Hon. members will recall earlier this week that we had the pleasure of a visit from a diplomat making his last visit to our beautiful province. Well today we have the honour of welcoming a diplomat making his first official to Saskatchewan.

He is here with the secretary of agriculture from Argentina to attend the International Grains Conference being held in Regina. Mr. Ambassador, this is a lengthy introduction so you may want to take a chair for a moment, and I'll call on you to stand at the end.

His Excellency has served the people of Argentina in a number of diplomatic posts since beginning his professional career with the Argentine Foreign Service Institute in 1976, including service at the Argentine Embassy in Paraguay, at the United Nations, in Paris as Consul General, as an international relations advisor to the

transition team of President Fernando de la Rúa, and since April of this year as his government's ambassador to Canada.

His Excellency has also taught international relations and constitutional history at the university level.

Mr. Speaker, Saskatchewan and Argentina have much in common, most notably, a strong agricultural sector. As such, we look forward to working with Argentina on addressing important issues in international agricultural trade policy.

In addition, Argentina and Saskatchewan enjoy strong and growing relations in the academic and cultural fields. Both the University of Saskatchewan and the University of Regina have research agreements with universities in Argentina. So we are good friends and we look forward to being even better friends in the coming years.

Mr. Speaker, while His Excellency is here he has a very busy agenda. He has already met with our Minister of Intergovernmental and Aboriginal Affairs who's seated in the gallery with him. Right after question period, it'll be my pleasure to meet with him in my office — a meeting, I might add, to which I'm looking forward to very much.

Later His Excellency will be the guest at a luncheon hosted by the Minister of Economic and Co-operative Development; a meeting with STEP (Saskatchewan Trade and Export Partnership Inc.) officials; a meeting with our Associate Minister of Health, who recently was in Argentina; and then he will call upon Her Honour, the Lieutenant Governor at Government House.

Finally, His Excellency will meet with Dr. André Lalonde, the director of the Language Institute at the University of Regina. And, Mr. Speaker, His Excellency will be in good company at the institute for language because in addition to his many impressive credentials that I've cited, His Excellency speaks five languages.

Mr. Speaker, on behalf of the Government of Saskatchewan and the people of Saskatchewan and this Assembly, I want to welcome His Excellency César Mayoral, the Ambassador to Canada from Argentina, and I invite him now to rise and to accept the greetings and best wishes of this House. Mr. Ambassador.

Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. It's my honour on behalf of the official opposition to welcome Ambassador Mayoral to Saskatchewan. We hope that his visit here is very warm and welcome, as I'm sure it will be.

As the Premier said, the grain and livestock sectors are very important to both of our countries and to our province. The fact is, Mr. Speaker, I know that there are people from my own constituency that have shipped animals down to Argentina.

I hope that we have long and beneficial trade between both of our countries and province and that we make the ambassador and his group very welcome here. Welcome, sir.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, it's a pleasure indeed to introduce to you a very important person from India. The Minister of Consumer Affairs and Public Distribution for the Government of India, Minister Shanta Kumar.

Mr. Kumar of course is in Canada for the Grain Council meeting, and at the same time looking at the distribution system of grains in Canada with some intent to look at a similar distribution system for grains in India.

Just to put in perspective, the production in India of grains is 200 million tonnes of grain, which has to be distributed across a very large country with a system that improvements would allow for 5 per cent of that crop to be saved. And one doesn't have to do very many calculations to realize a saving of close to a billion dollars a year for them, by looking at a system similar to what is used in Canada by the Saskatchewan Wheat Pool.

With the minister is also Ram Subhag Singh, the secretary to the minister. With the minister as well is Mr. Jaishankar, consul general of India and Mr. V.K. Gilani consul as well.

I wonder if all these individuals would rise and we will show you our appreciation for your attendance here today.

Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, on behalf of the official opposition, I too would like to join with the Deputy Premier in welcoming the representatives from India to the International Grains Conference.

It's indeed an important conference about the future of the grain industry, not just in North America but indeed worldwide. And the representatives from countries all over the world that are attending it, I believe have had an enjoyable time but also a good work experience opportunity here in Canada — the first time that the International Grains Conference has been held outside of . . . or in North America. And fortunately having it here in Regina was a very important thing.

So I would want to welcome the Minister of Consumer Affairs from India, Shanta Kumar, and his delegation, on behalf of the opposition to the Assembly, here as well.

Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. Well this is quite a day for honoured guests in the gallery. I'd like to introduce Fred Pomeroy, president of the Chemical, Energy and Paperworkers, and his immediate family, Catherine Pomeroy, Jessica Pomeroy. As well, accompanied by Richard Long, CEP (Communications, Energy and Paperworkers) vice-president from Ontario, and Krys Long. And Rejean Bercier, CEP vice-president from Quebec, and many friends who have joined them as well.

Now Fred started working at SaskTel on July 15 of 1957 and started with the CEP in 1970. And from 1972 to 1992 he was president of the 40,000-member Communications and Electrical Workers of Canada, which is one of CEP's founding unions.

He was on the executive board of the Canadian Labour Congress, Algoma Steel, the Canadian Labour Market and Productivity Centre, the International Federation of Chemical, Energy, Mine, and General Workers Unions.

His interests have been local, national, and international. And I'm told he's recognized for his common sense approach to problem solving which of course, Mr. Speaker, is needed now more than ever.

So please help me welcome ... And he's wearing a Saskatchewan tie, so we'll give him extra points there. But please help me welcome Moose Jaw-born Fred Pomeroy, family and associates to the gallery today. Please stand, Fred.

Hon. Members: Hear, hear!

Mr. Hermanson: — Thank you, Mr. Speaker. Mr. Speaker, I would like to draw to the attention of the House, two visitors in the east gallery, one a former member of the Legislative Assembly — Jack Sandberg, who was a representative for Saskatoon Centre and a former minister of the Crown.

Mr. Sandberg and I had the privilege of running against one another in a federal election and fortunately I happened to win that contest. I hope Mr. Sandberg feels I did an acceptable job serving him as a Member of Parliament for Kindersley-Lloydminster.

Mr. Sandberg and also Mr. Bill Schultz who is with him, are part of the support team who are making the International Grains Conference a success here in Regina. So we extend our best wishes to you in that task and welcome you to the Assembly.

Hon. Members: Hear, hear!

Mr. Kwiatkowski: — Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly, 47 students from Wagner Elementary School in Nipawin.

I had an opportunity to meet with these students a little earlier. They had some excellent questions for their MLA (Member of the Legislative Assembly).

Today they are accompanied by Mr. Posehn, Ms. Gunnlaugson, and a number of chaperones.

And they still have a big day ahead of them, and optimistically they're hoping to be back in Nipawin by 6:30 this afternoon. I'm not sure that they're going to be able to accomplish all that they want to and still keep that time frame, but I would ask everyone to join with me in welcoming the students here today from Nipawin.

Hon. Members: Hear, hear!

Hon. Mr. Goulet: — Mr. Speaker, I too would like to recognize a person up in your Speaker's gallery. Of course, he's been introduced by the Minister of Labour and his name is Rejean Bercier.

Mr. Speaker, the reason I want to recognize him is that I was with him to the international delegation in Berlin in 1992. We met at the Reichstag with the Socialist International.

At that meeting there was a lot of discussion by the late Yitzhak Rabin and peace in the Mideast. And there was a lot of talk by Brundtland, Prime Minister Brundtland from Norway, on the economy and the environment. As well, Mr. Speaker, the very importance of democracy in the world.

So I would like again to recognize Rejean Bercier.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

New Baby for the Romanuks

Ms. Julé: — Well, Mr. Speaker, more good news for Saskatchewan — more good news.

Some Hon. Members: Hear, hear!

Ms. Julé: — Or, Mr. Speaker, if the members opposite would just calm down for a minute, we have the best news yet for the month of June 2000.

Mr. Speaker, many of us in this Assembly have been eagerly anticipating the birth of a new family member for Rhonda and Jeff Romanuk. Kevin Jeffrey Romanuk finally made his entry into the world at 4:45 p.m. on June 15, 2000, weighing in at 8 pounds, 4 ounces.

Being approximately two weeks overdue, Kevin finally decided that June 15 was to be his chosen date to begin his exciting life. No doubt, Mr. Speaker, these are signs of a self-directing young man.

His mother, Rhonda Romanuk, has worked in the Speaker's office for approximately four years, but will be taking off a little time to enjoy this new addition to her family.

Rhonda and Jeff, we congratulate you and we celebrate this happy occasion with you and your two other children — Alissa and Karley — on your new family member.

Congratulations Rhonda, and you can be sure that many of us look forward to the opportunity, when it presents itself, to sharing a little bit of time with you and your new arrival and to oohing and ahhhing over your precious new son.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Danka Industries Relocates to Regina

Mr. Yates: — Thank you, Mr. Speaker. We'd also like to congratulate Rhonda and Jeff on the birth of their child, and it is good news for Saskatchewan.

But now that the opposition has finally caught on, we should all sing it together. Because, Mr. Speaker, we have more good

news for Saskatchewan.

I haven't quite figured this one out, Mr. Speaker, but somehow I think we owe today's good news to the Leader of the Opposition. I say this because every time he opens his mouth to claim Saskatchewan is going to you know where in a handbag, Mr. Speaker, something good happens. He's our secret weapon.

Two days ago today, or as we were told yesterday at a business lunch in Saskatoon, the leader gave a shill for Alberta — their party's holy land. The road to success, he said, runs through Calgary.

And one day ago, yesterday, Danka industries announced that it's moving its headquarters and major call centre from Toronto and Montreal to Regina, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Yates: — Bringing with it at least 100 new jobs because of, quote, the availability and quality of the workforce, our central location, and the low cost of operation, said the CEO (chief executive officer), Garry Huntington. No government enticement, just great economic conditions, he said.

I guess Danka ran out of gas before it got to Calgary.

By the way, Mr. Speaker, the leader also said he would reduce income taxes. This just two weeks before the first stage of the largest income tax reduction in the history of Saskatchewan, Mr. Speaker.

You got to love this guy. We're trying to decide where to send him next, Mr. Speaker.

Some Hon. Members: Hear, hear!

University of Saskatchewan Scientist Wins Award

Mr. Brkich: — Thank you, Mr. Speaker. It gives me great honour to inform the members of the Assembly today about Jeffrey Schoenau, a constituent of mine who farms near Central Butte. Mr. Schoenau is also a highly respected soil scientist and was recently named winner of the prestigious 2000 Robert E. Wagner Young Scientist Award by the Potash and Phosphate Institute in North Cross, Georgia.

This annual award recognizes outstanding achievements in agronomic research, education, or extension. In particular it honours research that expands crop yields, lower production costs, and maintains environmental quality.

This is only the second time a Canadian has won this award. Mr. Schoenau is a faculty member at the University of Saskatchewan. As a senior research scientist and a professor in the department of soil science, he's a leading expert in agronomy, the study of field crop production and soil management.

His recommendations on fertilizer requirements for new traditional crops, on enhancing crop production using reduced tillage methods, have been of great benefit to the farming sector.

Mr. Speaker, once again a prominent Saskatchewan resident of a rural community has been highly honoured for great achievement. Perhaps now this government will start to pay some attention to rural Saskatchewan which continues to produce men and women of high achievements and honour.

Some Hon. Members: Hear, hear!

Symposium on Heavy Vehicle Weights and Dimensions

Ms. Jones: — Thank you. Mr. Speaker, I'm pleased to rise in the House today with the news that the Sixth International Symposium on Heavy Vehicle Weights and Dimensions, the theme being past, present, and future, will begin this Sunday, June 18, in Saskatoon.

It's an honour for Saskatoon and Saskatchewan to be chosen as the site for this prestigious symposium. This event will gather together researchers, policy-makers, and industry leaders from around the world. These individuals are active in road, rail, and vehicle technology. The participating transportation experts will exchange views and discuss developments in highway and rail freight transportation systems.

Much discussion will focus on technology and regulatory issues. There will about 50 papers to be presented and discussed over the course of five days. This symposium is an opportunity to share ideas and innovations that will benefit us all.

Mr. Speaker, Saskatchewan Highways and Transportation is proud to act as the host in this international exchange of ideas. May the sixth International Symposium on Heavy Vehicle Weights and Dimensions be a great success for our province.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

National Public Service Week

Mr. Kowalsky: — Mr. Speaker, I'm happy to highlight that this week, June 11 to 17, has been designated National Public Service Week. This week allows us to recognize the many ways that public servants, at all levels, contribute to the quality of life for all Canadians.

In Saskatchewan, we're fortunate to have a very highly skilled, professional public service. In the time that I've had the privilege to be an elected member of this legislature, I have met and worked with many public servants and I have been struck by the depth of their commitment and dedication to their work.

Every day in every department and agency, there are hard-working, talented people who work to provide the services that are essential to the people of Saskatchewan and valued by the people of Saskatchewan.

Today, Mr. Speaker, on behalf of my colleagues, during National Public Service Week, I would like to recognize the work of our provincial public servants and thank them for their continued contributions to the betterment of this province and its people.

Bazaar at the MacKenzie Art Gallery

Hon. Ms. Crofford: — Thank you, Mr. Speaker. As many of us know, particularly those who call Regina home, the capital city has more artists, more talent, and more culture per square kilometre than any other place in Saskatchewan, although of course I'm just a little biased, Mr. Speaker.

But a sure sign that summer is coming are the many wonderful and interesting outdoor activities around Regina. If the weather co-operates, the 27th annual Bazaar will prove to be no exception. This Saturday on the grounds of the MacKenzie Art Gallery there will be great art, crafts, fabulous food, entertainment — something for everyone.

Bazaar is Saskatchewan's finest outdoor arts and crafts fair with over 100 artists, craftspeople, and new displays. And I tell you, Mr. Speaker, you're going to have to see this to believe the quality of work and the excitement of the diversity of work that's there. Certainly a good way to spend Father's Day weekend.

So I'd like to congratulate all the organizers of the event, and to encourage everyone to take part in this craft and arts festival and the wonderful Saskatchewan outdoors. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Liberal Position in Coalition Government

Mr. Hermanson: — Thank you, Mr. Speaker. There's big trouble on the island — Gilligan's making plans without asking the Skipper about it first.

The Liberal leader says he wants to negotiate the coalition agreement. What's he asking for, Mr. Speaker? Is it better highways? No. Is it better health care? No. Is it to lower taxes? No.

What does he want? He wants another political payoff for the Liberals. That's his number one priority, not what's best for the people of Saskatchewan — what's best for the Liberal Party.

To the minister who is also a leader and a signator to the coalition agreement, when are you going to learn . . . When are you going to put the interests of Saskatchewan ahead of the interests of the Liberal Party?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, despite this question not really having any relevance to education, I will answer this and let him know that this coalition government stands for highways, improved highways, and that's why we put \$250 million into the budget.

We stand for quality education, and that's why we put 7.2 per cent back into the budget. And this is the only coalition parties that stand for health care — single-tier, publicly funded, publicly administered — because we know where the two-tier

Sask-a-Tory's stand, and they are opposed to health care in this province.

Some Hon. Members: Hear, hear!

Mr. Hermanson: — Well thank you, Mr. Speaker. You know actually the Liberal leader is getting better at this. After the election it took him two whole weeks — two whole weeks, Mr. Speaker, to sell out to the NDP (New Democratic Party). This time he's doing it before the election is even over.

Mr. Speaker, let's just review the record. Since the Liberals joined the NDP, taxes have gone up, health care has gotten worse, highways have gotten worse, and now the teachers are ready to go on strike. That's the Liberals' record in this government.

And now the doctor wants to prescribe more of the same bad medicine.

Mr. Minister and co-leader of the coalition government, two Liberals in this government have been an absolute disaster. Why on earth would we want a third one?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — The Leader of the Opposition, Mr. Speaker, talks about higher taxes, and they propose higher taxes because how else could we account for the increase of 1.1 billion that they've asked for this session.

This coalition government stands for sustainable, planned, managed, no-deficit financing, and that's why we can have more for health care. And that's why we can have tax deductions. And that's why we can improve our highways. Because the members opposite cannot do that.

And the Leader of the Opposition has referred on numerous occasions about sellouts. And I point to the member from Canora-Pelly who yells from his seat; and the member from Melfort-Tisdale who yells from their seat; and the member from Kelvington-Wadena who . . . Who sold out? The sellouts are over there, Mr. Speaker.

Some Hon. Members: Hear, hear!

The Speaker: — Order. I would just remind again the Hon. Leader of the Opposition, the questions must be within the competence of the government . . . of the administration of government, not party responsibilities.

Mr. Hermanson: — Thank you, Mr. Speaker. I'm very happy to address my questions to the co-leader of the government, one of the signators to the coalition agreement.

Mr. Speaker, the minister says that another Liberal in cabinet would help address issues like highways and health care. Which begs the question, what have you been doing for the last nine months?

Why did you let the NDP raise taxes? Why did you let the waiting lists in our health care system get longer? Why do you let the Minister of Highways gravel them? Why, if this coalition

is such a brilliant idea, why aren't you fighting for safer highways and better health care? Why aren't you doing that for the last nine months?

Mr. Minister, if the Liberal leader and the leader of the coalition can't accomplish anything — even the teachers are going on strike — what good is another Liberal going to do?

Some Hon. Members: Hear, hear!

Hon. Mr. Melnychuk: — You know, Mr. Speaker, the Leader of the Opposition stands in his place and talks about the accomplishments of this coalition government and he says we raised taxes. No, the biggest tax cuts . . . the biggest tax cuts in the history of this province.

Some Hon. Members: Hear, hear!

Hon. Mr. Melnychuk: — Every single, every single member of society will benefit from the tax cuts.

And when we talk about their plan — their plan that would have given crumbs to seniors, to people on fixed incomes — and our plan that provides for tax credits — it's fair. It doesn't add up, Mr. Speaker. They have not been able to add at any time in the past nine months of this coalition government. And they point to our record. Well I'm proud of our record within the coalition government because we have improved the lot of the lives of Saskatchewan citizens every day.

Some Hon. Members: Hear, hear!

Mr. Hermanson: — Mr. Speaker, that minister is part of a government that just raised fees for patients of long-term care homes. Now what's he talking about? There's one part of the Liberals proposal though that I like. That's the part about getting rid of one of the other ministers.

Now I want to know which one does the Premier want to the fire here? Is he going to cut . . . is he going to fire the Minister of Finance for raising taxes instead of cutting them? Or he could fire the Minister of Health for wrecking the health care system instead of saving it. Or he could fire the Minister of Highways for gravelling highways instead of fixing them. Or he could fire the Minister of Education for bumbling the teachers negotiations. He's also embarrassing the government every time he opens his mouth.

I think I know which one the Premier wants to fire. But, Mr. Premier, would you tell us today which one is it? Are you prepared to fire one of your existing cabinet ministers so this new Liberal, if he was elected, could sit in your cabinet?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, on July 1, in just a short few days from now, we're going to have the biggest personal income tax cut in years in Saskatchewan, thanks to this coalition government.

Mr. Speaker, we have launched a medicare review for Saskatchewan which I think will be a medicare review in some ways for all of Canada in order to save medicare, thanks to this

coalition government.

Mr. Speaker, we have initiated more funds for education this year, more funds for highways at \$250 million, and I could go on with all of the great accomplishments of this coalition government.

But the Leader of the Opposition seems to have firing on his mind. I tell you, I'm not going to fire anybody on this side; but I make a prediction that people of Saskatchewan will fire the Leader of the Opposition and all of those Sask Party people, come the next general election.

Some Hon. Members: Hear, hear!

Mr. Hermanson: — Thank you, Mr. Speaker. Well I think the Premier's being a little presumptuous, saying what the people of Saskatchewan are going to do. We'll see on the 26th whether he's got the right idea or not.

Some Hon. Members: Hear, hear!

Mr. Hermanson: — Mr. Speaker, the Liberal leader wants to talk about what will happen if he wins the by-election. I think he should be talking about what will happen if he loses the by-election — if he loses in one of the strongest Liberal seats in the province. That would be a clear rejection of the coalition government. This will be a clear thumbs down on . . .

The Speaker: — Order. Order, order. Order.

Mr. Hermanson: — Thank you, Mr. Speaker. Well the members over there are excited but he should be thinking about renegotiating the coalition agreement if he loses. He shouldn't be doing that only . . . he should be ripping up the coalition agreement if he loses the by-election.

Mr. Minister, will you listen to the message of the people in Wood River that they will deliver on the June 26 by-election? If the Liberals lose, will you tear up the coalition agreement?

Some Hon. Members: Hear, hear!

The Speaker: — Order, order, order. Order. I will allow the minister to answer if he wishes, but I must remind members that questions should be related to . . . not related to any party responsibilities. But I will allow the minister to answer, if he so wishes.

Hon. Mr. Melnychuk: — You know, Mr. Speaker, for the course of this session the members opposite have spited the rules of this House. They know full well that it is the role of question period to ask questions to ministers related to their portfolios and within the administrative jurisdiction of government.

And we have allowed some leeway with the member opposite to respond on political matters because of the by-election in Wood River. And I'm prepared to answer the question of the member opposite.

No, regardless of the result in Wood River, we will not be tearing up the coalition agreement.

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — The fact of the matter is, in all seriousness, Mr. Speaker, the coalition government is working very well; we have achieved a lot of high water marks with this coalition government. We're proud of our record. And I believe that a Liberal elected in Wood River would add to the strength of this coalition . . .

The Speaker: — Order.

Some Hon. Members: Hear, hear!

Mr. Hermanson: — Well thank you, Mr. Speaker. I think it's appropriate that the leader of a coalition government answers on behalf of that coalition.

But the bottom line is, the NDP and the Liberals can argue all they want about which of their candidates is best able to speak for the coalition government. The Saskatchewan Party will speak for the people of Wood River.

The last thing the people of Wood River need is another yes man for this coalition government. The last thing they need is another Liberal MLA yes man who will vote to raise taxes, vote to gravel highways, and vote to close hospitals.

The people of Wood River trusted the Liberal Party and the Liberal leader betrayed them. It's not going to happen again, Mr. Speaker. The Saskatchewan Party will give the people of Wood River an MLA that listens to their concerns and who stands up for them instead of rolling over to the NDP.

My question to the minister: will you admit the failure of your coalition agreement?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, I want to say that I'll answer this question on behalf of the government because the Leader of the Liberal Party has already clearly set out his position on the coalition agreement. And that agreement is in good stead.

I will let you, Mr. Speaker, rule as to whether or not these questions are in order and abide by your ruling.

But I simply say to the Leader of the Saskatchewan Party the following, when he says what good is another Liberal and what good is a New Democrat and what . . . I'll tell you one thing. Either a Liberal or a New Democrat sitting on the side of government, acting in the best interests of Wood River is 10 times, 100 times better than one additional Saskatchewan Party member in opposition pointing the way to Calgary, misrepresenting the facts, not acknowledging the real problems facing Saskatchewan people.

That person elected in Wood River will work for positive benefits for the people of Saskatchewan rather than another voice in the darkness of the opposition.

Some Hon. Members: Hear, hear!

Teachers' Strike Mandate

Ms. Draude: — Mr. Speaker, another coalition member would make it possible for you to pay more taxes and then go fix your own highway.

Mr. Speaker, my question's for the Minister of Education. Ninety-one per cent of teachers in Saskatchewan voted in favour of strike action — that is an overwhelming majority and a clear signal that our teachers want more than political rhetoric from their minister.

On Wednesday, the minister said that negotiations with the teachers were going very well and that there's only three or four more contentious issues. Then the minister was quoted saying he was prepared to negotiate further, and inferring there was going to be more money on the table. No wonder 91 per cent of the teachers voted in favour of a strike mandate, Mr. Minister.

Mr. Minister, what are you going to do within contract negotiations now to ensure that teachers do not take strike action?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, in all seriousness — and this is a serious matter, there's no question in my mind — but just to clear the record with some of the preamble from the member opposite. Negotiations began in October of 1999. Bargaining has occurred at the table in good faith by all parties.

A conciliation panel was brought in with representation from the teachers. They made a unanimous recommendation which was used as the base to have an interim agreement, which was signed by all parties. This was then presented to the teachers as a whole and was rejected by about 56 per cent of the teachers.

We recognize now that the teachers have moved on to the next step which is a sanctions vote which they have endorsed by a large majority. And that does give them the mandate to continue with negotiations. And certainly it is the policy of this coalition government for the government-trustee negotiating team to go back to the table.

And what I said this morning is no options have been closed, and we want to negotiate a collective agreement.

Some Hon. Members: Hear, hear!

Ms. Draude: — Thank you, Mr. Speaker. The key word, Mr. Minister, is rejected.

Mr. Speaker, just a few weeks ago we heard that the tentative contract agreement was rejected by teachers by only 54 per cent, and that time the minister said he was optimistic that a new agreement could be reached, and soon. But now 91 per cent of teachers are saying they want to go on strike.

Mr. Minister, you are leading this province to the very first teachers' strike in 30 years. And now you want the Premier to give your candidate a cabinet post. Just what this province needs is another Liberal cabinet minister.

Mr. Minister, the teachers are talking about strike action as early as Monday. What leadership are you showing as Minister of Education to avert this action?

Hon. Mr. Melenchuk: — Mr. Speaker, Mr. Speaker, again with regard to the sanctions vote, we recognize that a sanctions vote was an endorsement of the teachers' negotiating team to allow them to have a renewed mandate to go back to the negotiating table. And certainly we are hopeful that we can have a collective agreement bargained at the table.

And what we have said, and I will repeat to the member opposite, is that we have closed no options; that we believe in fair, collective bargaining, unlike the members opposite who are opposed to unions, who are opposed to collective bargaining.

And of course the member opposite who said that the tentative agreement that was reached was fair. And now she sits in her chair and says, well what will you do? Well what I've said is we want to bear . . . want to bargain fairly and we are asking teachers to return to the table for a . . . to have a bargain collective agreement.

Ms. Draude: — Mr. Speaker, nine months ago the member from Saskatoon Northwest was made Minister of Education in the coalition government. Since then we've had tax revolt meetings all across this province from citizens that are sick and tired of paying the lion's share of education tax.

We've seen the SSTA (Saskatchewan School Trustees Association) begging the government to take on the responsibility for funding our public education system. And now we see the teachers ready to walk out on you. Mr. Minister, I remember that feeling.

Mr. Minister, what are you going to do to make education a priority for this coalition government?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — You know, Mr. Speaker, they've asked this question repeatedly during this session and of course I've given them the answer. And we are in the process of voting the budget estimates for Education, and we've had several discussions with regard to that.

And let me just tell the members opposite what they will be voting for, and what this government will be proposing in terms of education estimates: \$28.5 million more foundation operating grant; 30 million plus for school capital; \$5 million for the Centenary Capital Fund each year for the next four years; an additional \$18 million for special education; doubling of the community programs in Northern Saskatchewan; and increased funding for disabled children.

And I say those members opposite would have given not one dime to education because they said education spending would be frozen. And this government has provided a large sum of money for education this year.

Some Hon. Members: Hear, hear!

Maintenance of Highways

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Highways. Mr. Speaker, for weeks the minister has been saying he has no plan to download highways onto municipalities. Now he's saying that's exactly what he's going to do.

Mr. Minister, the municipalities I've talked to want no part of this. They know your government's record of downloading more and more responsibilities, while providing less and less funding. At the end of the day, local ratepayers end up footing the bill.

Highways are a provincial responsibility — Mr. Minister, they're your responsibility. When are you going to accept that responsibility and start to fix the highways in this province?

Some Hon. Members: Hear, hear!

Hon. Mr. Sonntag: — Mr. Speaker, I've been very clear — if the communities want no part of it, they don't have to have any part of it.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Well, Mr. Minister, that might be a short answer, and that's just about how much effort you're putting into repairing the highways in this province.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Mr. Speaker, it's quite a deal that this minister is offering. He says that if a municipality takes over a highway, he'll give them the same amount of money that the province is spending on them now.

Mr. Minister, the problem is you're spending very little on the highways now so that's exactly what you're going to give them to repair it.

Mr. Minister, we have another problem out there. You're talking about turning highways back to gravel. The problem being municipalities are running out of gravel out there. The cost and availability of gravel are on many municipalities' minds. How are you going to replace that gravel that's running out? How are RMs (rural municipality) going to pay for that gravel? Where are they going to find it if you use it on your highways?

Some Hon. Members: Hear, hear!

Hon. Mr. Sonntag: — Mr. Speaker, if the member is concerned about gravel roads, I am surprised then that he would have suggested the following. In *Hansard* he said that:

Maybe there is a point that we would be better off having them back to gravel and I don't think I'd probably have many of my constituents agree with me on this point, but I honestly feel there must be some point there where we have to give up.

Well, Mr. Speaker, our government, our coalition government is not going to give up. That's why, Mr. Speaker, we've committed \$250 million this year, Mr. Speaker, the highest Highways budget ever, and a 6.6 per cent increase, well above the rate of inflation, Mr. Speaker.

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, the minister isn't looking for a solution, he's looking for a scapegoat. That's all they ever do over there. Blame the previous government, blame the federal government, blame the farmers for hauling grain, blame the winter weather, and now they want to off-load the highways and they can blame the RMs then for not fixing them.

It's just like you do with the health boards. You give all the responsibility but none of the decision-making powers and not enough money to do the job. And that means they get all the blame and you get all the glory if anything goes well, which very seldom happens.

Mr. Minister, it's time. Quit giving up over there, quit throwing your hands in the air, take your responsibility, and start fixing the roads in this province. Start turning them around. Make an improvement. Will you do that today, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Sonntag: — Well, Mr. Speaker, in case the member from Saltcoats doesn't remember what he said, he talked about us giving up. Well, Mr. Speaker, here's what he said. He said:

Maybe there is a point that we would be better off having them back in gravel and I don't think I'd probably have many of my constituents agree with me . . . on this point, but I honestly . . .

Now listen carefully:

. . . but I honestly feel there must be some point there where we (talking about himself) have to give up.

Mr. Speaker, I don't understand that, Mr. Speaker; that's what he says, Mr. Speaker.

Mr. Speaker, we will not give up on this side of the House, Mr. Speaker, and that's why we've committed \$250 million to our budget this year for Highways and Transportation.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Well maybe the Minister of Highways should take a second look, join the Liberal Party. According to the Liberal leader, all his accomplishments are going great. If we had that attitude in Highways, maybe we could get some highways fixed over there.

Mr. Speaker, we're getting calls from reeves and mayors all over this province. We had a call . . .

The Speaker: — Order. Order, please. The question will be heard.

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, we're getting calls from reeves and mayors all over this province concerned about our highways in this province. We had a call from the reeve of the RM of Laurier and the municipalities in his area are talking about blockading the highways if they turn them to gravel.

We got a letter this morning about the mayors and the reeves having a meeting on Monday. If the minister may even be going, he may even have got a copy. And all — in the Arm River area — all these municipalities are concerned with your lack of work on the highways and roads.

Mr. Minister, are you going out to meetings like this to talk to these people, to explain to them what you're going to do to their highway system, and will you tell them that you're not turning them back to gravel and you're not going to give them back to those municipalities?

Some Hon. Members: Hear, hear!

Hon. Mr. Sonntag: — Well, Mr. Speaker, I want to say to the member opposite, the member from Saltcoats. He gave up on the Liberals, Mr. Speaker; then he gave up on the Conservatives, Mr. Speaker. We sure hope he doesn't give up on the Saskatchewan Party, Mr. Speaker. We don't want him over here, Mr. Speaker — absolutely not.

Some Hon. Members: Hear, hear!

Hon. Mr. Sonntag: — Mr. Speaker, if the member opposite is asking us to direct all of our resources from that region and from other parts of the province to fix the roads in an area that just happens to have a by-election occurring in it, Mr. Speaker — just happens to have a by-election occurring in it — we will not, Mr. Speaker.

We have put \$250 million into Highways and Transportation, Mr. Speaker, to fix our infrastructure across the province of Saskatchewan. We think that is a commitment that we certainly will honour, Mr. Speaker, and we think that's a commitment to the people of Saskatchewan, Mr. Speaker.

Some Hon. Members: Hear, hear!

The Speaker: — Order. Order.

ORDERS OF THE DAY

WRITTEN QUESTIONS

Mr. Yates: — Thank you, Mr. Speaker. Being an open accountable government, we are very happy and pleased to table the response to question no. 178, and hope the opposition can understand it, Mr. Speaker.

The Speaker: — The answer to question no. 178 is tabled.

Hon. members, I would ask you all to please come to order.

Mr. Yates: — Convert, please.

The Speaker: — Convert question no. 179.

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 45

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 45 — The Fuel Tax Act, 2000** be now read a second time.

The Speaker: — Order, order. Hon. members, order please. Hon. members on both sides, you seem to have lost the respect for the decorum of this institution. Now please come to order!

Mr. Wakefield: — Thank you, Mr. Speaker. I'd like to add a couple of comments if I could, to the earlier debates on this particular Bill, Bill No. 45. This is The Fuel Tax Act, 2000.

The Speaker: — Why is the member on his feet?

Hon. Mr. Serby: — Mr. Speaker, with leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Serby: — Thank you very much, Mr. Speaker, and thank you to the member from Lloydminster for the leave.

I want to introduce, Mr. Speaker, seated in the west gallery this morning are 48 students from the Yorkdale Central School in my constituency of Yorkton. Accompanying them today is their teacher Valerie Jeske; chaperons Darlene Arnold, Shannon Moore, Norman Roberts; and others are Barb Morin, Colleen Patzer, Janet Wegner, and Shelley Nussbaumer.

I'm going to be meeting with the students in a few minutes. I want to say to the students though that, like you, on Friday we get pretty excited down here too. So we're really happy that we're all going to get a chance to go home soon so this is what you see in the legislature today — it's Friday.

Thank you very much, Mr. Speaker, and I ask the Assembly to join me in welcoming the students.

Hon. Members: Hear, hear!

ADJOURNED DEBATES

SECOND READINGS

Bill No. 45 — The Fuel Tax Act, 2000
(continued)

Mr. Wakefield: — Thank you, Mr. Speaker. Continuing with the comments I'd like to have regarding Bill No. 45, The Fuel Tax Act, 2000.

I think there's several items that have already been covered by my colleagues in the discussion on this particular Act, and some

of them I think need to be repeated again and highlighted.

We are going to have an opportunity of course to address some of these particular concerns and some of these issues when we get into the Committee of the Whole. But I think for the record, it really behooves me to focus on one or two items that I think is really quite important before we do that.

Mr. Speaker, one of the things that I've noticed in the amendments to this particular Act, focuses on the fact that it's to simplify the collection of the tax — to simplify and standardize the system for — here in Saskatchewan as it applies to other jurisdictions across Canada.

And maybe that's of value overall. I do suspect in there that it's a way to try and make sure that it's very clear that this is a legal and a straightforward way of collecting this tax so that there is no confusion as to who is collecting it and at what level. Because at the end of the day the consumer in fact is the one that is identified by these amendments as the one that will be paying this tax. And the consumer, in my view, is exactly the one that should be taken into consideration.

The amendments focus on the administration, the simplification for that department. The consumer is outside of that consideration, in my view, and I think the consumer has to look at this, at the gas tax here, fuel tax in Saskatchewan, and really question why it's so high in comparison to other jurisdictions — 15 cents of each litre is in fact a provincial tax adding to the 10 cents of tax for federal. That's 25 cents out of the total amount that just goes to taxation.

And that's a problem that I have because I think a lot of the money collected from this fuel tax, if it is directed back to the road maintenance and construction, I think people in the province would accept that amount certainly with much more confidence than they do now; because all they see is this particular tax which generates a significant amount of money — for instance about 347 million according to the budget numbers that were presented to us earlier.

Besides the 250 million that is budgeted, from the statement of the Minister of Highways, that shows that there's a lot of money being spent in budget numbers to highways but in fact by the same numbers of the budget only \$109 million is going to maintenance, 61 million to construction, and that's actually a lower figure than last year. So I have some real problems with that.

And before we pass this on, Mr. Speaker, the other point I would like to say is that there is an item or a mention of the fuel tax on propane itself. And although the tax on propane was considered exempt for small propane tanks of 100 pounds or less, that certainly might help the people in urban communities that use propane for barbecuing and so on, but the large amount of propane certainly is for home heating and in the rural areas for drying grain. That is a very major item. And that tax on that propane is a very serious item when it comes to the cost-conscious communities and the people that are heating their homes with it and using it as a tool in their agricultural endeavours.

Also the oil industry . . . petroleum industry certainly in my

constituency use a considerable amount of propane in making sure that the oil in tanks remains liquefied and being able to be transported via truck. And that is a serious, serious expense amount. And the taxation on that I think is a very crucial item because that is not absorbed by farmers, by homeowners, and certainly not by the oil companies — that is a direct taxation through them to the consumers and to the taxpayers.

Mr. Speaker, some of these items we will get to in more detail when we get to Committee of the Whole. So at this time I would have no further comments.

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

Bill No. 44

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 44 — The Insurance Premiums Tax Amendment Act, 2000** be now read a second time.

Mr. Wakefield: — Mr. Speaker, I rise again to add a couple of my comments to this particular Bill and the amendments put forward in this Bill.

Again, we'll be looking forward to addressing some of the more specifics in this Bill when we get to Committee of the Whole, but there are some issues here that again I want to go on record, making sure that they are highlighted so that we can address these in more detail once we get into Committee of the Whole.

What this shows basically is that this is a taxation increase, Mr. Speaker, on insurance rates that are being put in place. The amendments, as I read them and have been reported to us, commented on by the minister, is in fact it's an increase in taxation. A tax on life insurance, accident insurance, sickness insurance, will in fact raise to 3 per cent. It will increase by 1 per cent from 2 to 3. That's a very significant increase.

The tax on all other types of insurance, except for hail, as the minister outlined, raises from 4 to 3. That is a tax increase, Mr. Speaker, and that is a concern, certainly to me and to the people on this side. Because even though hail insurance remains at 3 per cent, other forms of insurance increase is a major concern.

When the provincial government in their budget tried to put forward the fact that there was going to be a tax saving, we are finding that there are other areas that the tax has been expanded or increased.

Certainly, as you well know, that the tax expanded in what is being charged on the PST (provincial sales tax).

And here's another example where tax is being taken out of the system, and not in fact being absorbed by insurance companies of course, that is being passed through to customers. One of the things that the Vicq commission, when it did its reporting, suggested that — putting a tax on these insurance premiums. And I think again the consequence of that passes right straight through to the taxpayer, and that is a tax increase.

Whereas the Vicq report suggested that the PST be reduced to 5

per cent, that was not taken into consideration. That makes it much more difficult to justify the fact that this is not a tax increase budget which we've been maintaining all along.

One of the concerns and we'll get to in Committee of the Whole, is that the minister talked about the tax increase that's he's proposing is only going to raise \$14 million. In the same statement he says they could have increased it by 40 million. That to me is rather offensive, saying that we could have been a lot worse, but because we only raised it a little bit you should view us as really the good guys in this case. And I have a lot of trouble with that hypocrisy, Mr. Speaker.

The Bill in fact isn't a very complicated Bill. The amendments are pretty straightforward, trying to show that there is in fact a real increase. It's not a very long Bill but it certainly was predictable in terms of the outcome and the intent.

As I mentioned earlier, we're very anxious to get into discussing some of these items in Committee of the Whole. So, Mr. Speaker, at this time I would not have any further comments and suggest we move it forward.

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

Bill No. 25

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Sonntag that **Bill No. 25 — The Irrigation Amendment Act, 2000** be now read a second time.

Mr. Brkich: — Thank you, Mr. Speaker. I am pleased to rise in the House today to comment on the proposed amendments of The Irrigation Act, 1996. This Act was passed in 1996 to replace three Acts which had previously served the irrigation industry in this province.

I know very well how important irrigation is to this province, indeed, the Arm River constituency. There exists a very large irrigation sector for example, in the Lake Diefenbaker, Outlook area.

I am therefore, in my duties as critic, very interested in protecting the interest of my irrigation-based farmers. As I look at the amendments contained in Bill 25, I must say that I look on, with any and all changes which regard Sask Water, with more than usual scrutiny.

As evidenced by the SPUDCO (Saskatchewan Potato Utility Development Company) failure, Sask Water's proven that mismanagement does exist within its administrative structure.

You know, I believe this Bill gets to the centre of what this NDP administration's all about — arrogance. This Bill could, and I'm not sure, will give immunity to Sask Water from lawsuits launched under The Irrigation Act, one of the tools responsible for developing the failed SPUDCO.

This government is at the point where it can get itself into ill-conceived and ill-thought-out developments, lose a ton of taxpayers' money, and then say sorry, we lost your money; don't bother suing us to get it back because now you can't. If

that isn't arrogance, nothing is.

You know, this SPUDCO deal the NDP had got themselves into, took more than just millions of dollars of taxpayers' money. How much else was taken? How many people's finances are now in ruins because of this bad deal? How many private investors lost money in it? The NDP doesn't take one minute ever to think about what it's doing and its effect on people of this province.

I'm not sure, but I believe four companies right now are presently thinking about launching lawsuits against this NDP government. How will this new Bill affect them? We're not sure. Even the Canadian Taxpayers Federation feels this is a bad Bill.

You know, watching the members opposite get into business deals is a lot like watching *The Three Stooges* run a pie store.

But of course, you know, we must assume that Sask Water is acting on behalf of the irrigators as well. When we look at the cancellation amendment however, some doubts come to mind. As an example, if Sask Water issues an irrigation certificate to an individual and then down the road decide to cancel the certificate for any number of reasons, we must ensure that the reasons are well documented and valid in each case. For in the end, cancellation of the certificate means a cancellation of that particular irrigator's business.

Of course we must keep our environment in mind, as well as concerns of also the neighbouring property, which I hope Sask Water is addressing at all times.

But what is important though at the end of the day is whether or not the affected irrigator is treated fairly by Sask Water. And I hope some of this fair treatment, I hope to be included in the amendments.

I think there is another amendment is included where provincial irrigation districts will now be responsible for irrigation equipment that is owned by the province of Saskatchewan. I think this came from the request to the Irrigation Crop Diversification Corporation. This producer organization is responsible for irrigation research and education in the province.

During the past two years, there was levies that were assessed on district irrigators and seemed to be a sufficient amount of funds to operate effectively. Now, as it seems to be the habit of this government, permission has been granted to ICDC (Irrigation Crop Diversification Corporation) to collect levies from all irrigators. It will be interesting to see if this particular new tax will be popular across the whole irrigation industry.

I agree that the public needs to be consulted. And that is the key to valuable input into this industry. Though the minister says that most irrigators — and he only said most — who participated in this consultation agree with these changes. So I'm not sure if they all agree. Because I think I've had a few calls that — some are awful — are concerned about some things.

In conclusion though I must state that I will remain vigilant to

ensure that the proposed amendments serve the intended purpose that the irrigation industry will have success in the near future.

And opposition has a duty to guarantee that this Bill addresses all concerns of the irrigation industry, resulting in renewed growth, more employment, and more businesses for the area.

And I hope, under Committee of the Whole, we will be addressing some of these issues. So with that, I will move that it move to committee.

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

Bill No. 34

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Axworthy that **Bill No. 34 — The Saskatchewan Evidence Amendment Act, 2000** be now read a second time.

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, it is my pleasure to rise today to speak to Bill No. 34 — The Saskatchewan Evidence Amendment Act, 2000. Mr. Speaker, there has been quite a lot of scrutiny of this Bill and there certainly has been discussion in the House on this Bill by the official opposition.

We have taken a really good look at the Bill, and remaining, we have many, many questions that we'd like to put forward about this Bill. But we feel at this time, that would be the most valuable way to address the Bill, is to move it to Committee of the Whole, and to issue our questions at that time.

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

Bill No. 37

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Serby that **Bill No. 37 — The Public Libraries Amendment Act, 2000** be now read a second time.

Mr. McMorris: — Thank you, Mr. Speaker. It's a pleasure to talk on this Bill. And I believe at the end we'll move it to committee, but there are a few things I wanted to mention at this time.

And I guess there are four main areas that this Bill addresses. Most of the issues regarding public libraries and the issues that rose in that area were addressed in 1996, but there were four main areas that needed to be addressed and are being addressed with this Bill.

The first deals with boundary changes. And we've heard a lot in the House over the last probably two to three months, about boundary changes. And this, I think, is no different. We would see that if there are going to be boundary changes, that the boundary changes are made at the local level. It's extremely important that they are not mandatory or mandated from the provincial government, but worked on from the local level to serve their purposes as well as they possibly can.

So the first one is on the boundary changes. The second issue that is addressed in this Bill is the process of resolving conflict — local conflict. Previously the process often involved the Provincial Library and the minister. Conflictual resolution can also be lengthy, costly, and not acceptable in the outcome for a lot of the parties that are involved.

The amendment will allow for more decision to be made at the local level, which is certainly a much more efficient process and one that the municipalities are much more familiar and comfortable with.

The third issue that Bill 37 looks at is the issue surrounding regional library agreements, agreements which essentially created libraries. And since all municipalities now participate in the library system, proposed legislation will not require them to enter into agreements unless they opt to do so.

The amendment will still allow for those agreements if there is a specific relationship that is to exist between a municipality and its libraries. The government does not require these agreements to be in place. So it's kind of a bit of a housekeeping item that will be addressed in this Bill.

The fourth and final issue that this Bill addresses is the fair representation on the library board and especially the executive committee. Regional libraries have representation and then there's a provincial board of about 100 representatives. From that board, which only meets one or two times a year, they select an executive committee. This committee is primarily responsible for the day-to-day operations and the majority of administration decisions.

There are virtually no regulations regarding representation of members on the executive committee. Proposed legislation, this proposed legislation will allow urban representation on the executive committee that will be representative of the population, which isn't there right now. So a regulation that exists for the regional library boards.

So, Mr. Speaker, we will have more questions in Committee of the Whole on this Bill. But those are the four main areas that it addresses, and for the most part we think the areas that it addresses need to be addressed, and it's going in the right direction.

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

(1115)

COMMITTEE OF THE WHOLE

Bill No. 41 — The Medical Profession Amendment Act, 2000

The Chair: — Before I call clause 1, I'll invite the Hon. Minister of Health to introduce her officials.

Hon. Ms. Atkinson: — Thank you very much, Mr. Chair. Beside me is Drew Johnston who is a health professional consultant in the Department of Health. Now behind me is Lawrence Krahn who is in charge of the medical services

branch. And beside me to the left is Rick Hischebett, who is a legal adviser to the Department of Health from the civil law branch.

Clause 1

Mr. Gantefer: — Thank you very much, Mr. Deputy Speaker, and welcome, Minister, and your officials, this morning, I guess.

Madam Minister, a few brief comments before we get into some of the details. First of all, of course, we are very supportive of the thrust of this legislation in terms of allowing for the incorporation of medical doctors in this province. We think that that is an important step in the right direction.

Madam Minister, in terms of the details of this, I don't have a lot of questions because in going through it, it seemed that everything is in order. And in our material received back from the chartered accountants association, etc., there are really no issues raised in terms of how this would work from an incorporation standpoint and those sorts of things.

A couple of details though. Is this limited to general practitioners or is it general practitioner, specialists? Who does this apply to specifically, Minister?

Hon. Ms. Atkinson: — This applies to all physicians in the province of Saskatchewan.

Mr. Gantefer: — Thank you, Minister. Minister, there has been some concern raised by other medical professionals in other categories — dentists, for example, chiropractors, other medical professionals. Have you considered expanding this legislation to incorporate professionals of that nature?

Hon. Ms. Atkinson: — A decision to look at physician incorporation came out of a letter of understanding that went along with the last collective agreement that was negotiated between the province and the Saskatchewan Medical Association.

This letter of understanding needed to take into consideration physician shortage in the province of Saskatchewan, and the need to recruit and retain physicians in our province. The member may know that physician incorporation is allowed in other provinces, particularly our neighbouring provinces. So it did have an impact on us in terms of our ability to retain and recruit physicians.

This kind of shortage that has been identified in the area of physician recruitment and retention has not been identified in other areas of the various professions. We have indicated to the college of dental surgeons that we're prepared to have a discussion with them, because they have made a similar request to determine whether or not a shortage of dentists could develop in the province of Saskatchewan. And as I understand it, those discussions are proceeding.

I would say that the loss in tax revenue, if we were to allow professional incorporation for all professions in the province, could amount to between 18 and \$23 million, which would be significant in terms of our provincial treasury and our ability to

raise revenues.

And we're hoping that our recent announcement of tax reductions and going to basically a tax on income system in the province of Saskatchewan to be phased in over a three-year period, will certainly help us with the recruitment and retention of other professionals who are better paid than most of us in the province.

Mr. Gantefoer: — Thank you, Minister. Minister I do appreciate that this Bill does speak to the issue of retention and recruitment of medical professionals.

Madam Minister, and I hope I'm not too far off topic, but are there any other initiatives that you're using in terms of the recruitment and retention? I noticed just recently that there were extra educational seats set up in Alberta. Are we doing something similar here in order to retain physicians if the major thrust of this is indeed to retain and recruit doctors?

Has there been a real assessment of what the demographics are, what the needs are, looking forward a number of years? And are there other initiatives that are going to be required in order to meet that challenge?

Hon. Ms. Atkinson: — We put in a number of initiatives into the province of Saskatchewan. In particular, we're trying to retain the young people that were graduating from the College of Medicine. And we did have a discussion at a national meeting with ministers of Health, and certainly the college . . . or the Canadian Medical Association was arguing that various provinces put back into the system the seats that they took out of their medical school in the early 1990s.

For us, the issue that is very important is not only the number of seats in the College of Medicine, but then being able to keep those young people that graduate from the College of Medicine. And there are a number of initiatives that we have put in place.

One of the initiatives that has been very helpful is the medical resident bursary program, which allows young people to receive up to \$18,000 and in return they have to sign a commitment to rural Saskatchewan. And that has been quite successful.

The other thing that we've been able to do is introduce a medical resident bursary program that provides bursaries of \$18,000 to three family medicine residents to assist them in their educational expenses.

And we've also introduced the rural practice establishment grant which provides a grant of \$18,000 to a Canadian-trained or landed immigrant physician that establishes a new practice in rural Saskatchewan for a minimum of 18 months.

And it's an ongoing program. And it has assisted us, we believe, in attracting 23 physicians to rural Saskatchewan. Six Canadian-trained physicians took advantage of the program in 1998 and they located in such communities as Meadow Lake and Kindersley. And currently there are three additional applications that are being reviewed, and one has already been offered.

We have the recruitment . . . or the physician recruitment

coordinator. And this is Dr. Dewar who resides on a farm outside of Wynyard, and she's the coordinator who helps rural districts and physicians in recruitment. And as part of that, she is linking between students at the College of Medicine and the health districts. And that's important.

In our last collective agreement with the physicians, we provided additional funds for emergency room coverage and weekend relief. And this was really helpful in ensuring that physicians in rural Saskatchewan would have weekend relief. And \$6.8 million in funding is directed to compensating physicians providing emergency room relief in rural areas and assisting those communities that have fewer than three physicians in their community. And we think physician incorporation will help as well.

The other thing that we've done — and we just announced this, this year — we have announced two spots, or two seats, in a specialist residency program for family medicine physicians in the province of Saskatchewan, which means that they will be able to receive funding while they pursue a residency in a specialty. And this is for those specializations that we have a difficult time recruiting to the province. In exchange they're expected to come back to the province, if they take their training outside of the province, to provide those services to Saskatchewan people.

We also have a re-entry training program, and this provides grants annually to rural family physicians who wish to enter specialty training. And what it does is it means that they could become a GP (general practitioner), anesthetist, or a GP surgeon; and in exchange, we expect a return commitment to rural Saskatchewan.

I'm told by people outside of the province that we have the most enhanced program in Canada in terms of trying to recruit and retrain . . . or retain physicians in the province. We've worked very closely with the Saskatchewan Medical Association and the College of Medicine, and we think that this kind of support is certainly paying off in terms of our ability to retain and recruit doctors.

Mr. Gantefoer: — Thank you, Madam Minister, for that overview. And certainly we are supportive of this as one component of that initiative and therefore we're supportive of it. So thank you to yourself, Minister, to your officials. That would conclude my questioning this morning.

Clause 1 agreed to.

Clauses 2 to 15 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 30 — The Vital Statistics Amendment Act, 2000/
Loi de 2000 modifiant la Loi de 1995
sur les services de l'état civil**

Clauses 1 to 3 inclusive agreed to.

The committee agreed to report the Bill.

The Chair: — Why is the Minister of Intergovernmental

Affairs on his feet?

Hon. Mr. Hillson: — Yes, thank you, Mr. Chairman. Mr. Chairman, by leave I would like to introduce guests now entering the west gallery.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Hillson: — Yes, Mr. Chairman, it gives me great pleasure to introduce to you and to members of the Assembly, a large school group we have with us this morning from North Battleford, from Connaught School. And I would ask them to please stand for you.

We have grade 5 to 7 students of Connaught School in North Battleford, who I'll be meeting with in a few moments. And they're also accompanied by teachers: principal, Mr. Fransoo, Mr. Humphreys, Mr. Wouters, Mrs. Etcheverry, Mrs. Baldwin, and Mrs. Bullerwell.

So I'd ask all members to kindly join me in welcoming these visitors from the great community of North Battleford and Connaught School.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 3 — The Health Labour Relations Reorganization Amendment Act, 1999

The Chair: — Before I call clause 1, I'll invite the Minister of Labour to introduce her officials.

Hon. Ms. Crofford: — Thank you, Mr. Chair. Today with me is Sandra Morgan, the deputy minister of the Department of Labour; John Boyd, director of policy and planning; and Jan Whitridge, manager of legal analysis policy and planning.

Clause 1

Hon. Ms. Crofford: — Yes, Mr. Chair. I'd like to:

Amend Clause 1 of the printed Bill by striking out "*The Health Labour Relations Reorganization Amendment Act, 1999*" and substituting "*The Health Labour Relations Reorganization Amendment Act, 2000*".

The Chair: — Committee members just heard the minister state the amendment. Will committee members take it as read — the amendment as read?

Mr. Hart: — Thank you, Mr. Deputy Chair. I guess the first question that I would have to the minister is: why wasn't the appropriate dates put on the first presentation of the Bill? And I wonder if she could explain why the need for this amendment.

Hon. Ms. Crofford: — I'm pleased to do that, Mr. Speaker. We first introduced this Bill in 1999 but because we didn't complete our work in 1999, it is now . . . 2000 is the more appropriate title.

Amendment agreed to.

Mr. Hart: — Thank you, Mr. Chair. Madam Minister, this amendment basically extends the Dorsey commission provisions for another three years.

I wonder, could the minister explain . . . Initially when these recommendations and the original Bill was brought into place, I presume that the minister felt that all the work that needed to be done under the Bill could be done in three years.

I wonder now, could the minister explain why she chose three years to extend these provisions? Does she not feel that the work could be done in a shorter period of time, so that things could move forward as . . . on a normal basis?

Hon. Ms. Crofford: — Certainly, I think you characterized that very accurately. And, Mr. Speaker, I would say that when you have a process that takes 500 different collective bargaining units — over 500 — and brings them down in the range of 40, there's a substantial amount that has to be considered, negotiated, and reconfigured.

So this has taken longer than people expected and we believe that people are supportive of this process of extending the time period.

Mr. Hart: — Mr. Chair, I guess a further question to that is, if in fact that we — in the future — we see a reduction in the number of health districts and so on, will that . . . what implications will that have with respect to these . . . to this report and contract negotiations and so on?

Hon. Ms. Crofford: — Mr. Chair, perhaps the member knows something I don't. I don't know that there is any change going to happen in that. But if it did, this speaks to the collective bargaining arrangements, not necessarily to the way that the employer is organized. So I think that we would cross that bridge when it comes . . . when we come to it.

This is basically just governing the rules around the raiding between unions during an open period, and giving three more years for their work to be completed before we move into that type of environment again.

Mr. Hart: — Mr. Chair, to the minister. Under this original Act, I wonder if the minister could tell us how many health care workers that weren't in unions prior to the implementation of the Dorsey commission ended up in unions?

Hon. Ms. Crofford: — Because it was such a long time ago, Mr. Chair, I don't have that detail with me, but we can certainly get it and provide it to the member.

Mr. Hart: — Mr. Chair, further to dealing with the shifts in people who weren't unionized and forced into unions, and also the shift of union members from one union to another, I wonder if the minister could briefly review the reorganization that . . . effects that it had on unions within the health care system and in terms of who were the winners in terms of numbers and losers as far as unions were concerned?

Hon. Ms. Crofford: — Well, you can imagine when you go

from over 500 bargaining units down to 40, there's some fairly major shifts.

From the perspective of the unions, I think they would see themselves in a much stronger position for bargaining today because rather than having over 500 fractured units, they now have a much smaller number of unified units for the purposes of bargaining.

The other positive effect that it had for the unions was taking a number of inequities that existed across the system and really had the effect of levelling up wages, working conditions, and benefits for a large number of workers. So in fact a lot of people got, I guess, benefits that may have been much slower in coming by any other process.

The union that would have lost the most members in this process was SGEU (Saskatchewan Government and General Employees' Union).

Mr. Hart: — Mr. Chair, further to the minister's answer. Is the minister then suggesting that some of the unions who in the past had represented workers in the health care system were failing to adequately represent their members, and that this shift and reduction in number of unions that were bargaining with health care districts are now doing a better job?

Hon. Ms. Crofford: — I don't think anybody places any value judgments on this process. It was a matter of fairness for the unions. And I will remind the member that the unions asked us for this process. We did not impose it. We were asked to put this process in place and they agreed that Mr. Dorsey should be the person who did it.

Mr. Hart: — Mr. Chair, I wonder if the minister could review the current contract environment with the various unions that are presently representing workers in the health care system as to what state the contract negotiations are, when the contracts expire? There are some expiring very shortly. Will some of the contracts run for another year or two, and that sort of thing? Can you just give us a general overview of the state of negotiations as far as contracts in the health care system?

The Chair: — Before the hon. minister even attempts to answer that question, I'm going to rule the question out of order in that it does not deal with the Bill. The Bill before us is An Act to Amend the Health Labour Relations Reorganization Act and you're asking a detailed question about the state of, I believe, current negotiations.

Now if I misunderstood the hon. member and the intent, I will certainly provide an opportunity for you to clarify that. But as you put the question and as I heard it, it's just not relevant to the Bill.

Mr. Hart: — Mr. Chair, if I could clarify the question. The question deals with the point that the Dorsey commission amalgamated a number of unions into smaller bargaining units and that sort of thing. And I guess what we are wondering as to whether this had an . . . poisoned the atmosphere in working relationships and how that is affecting contract negotiations? And so it does pertain to the Dorsey recommendation in that now workers find themselves being represented by a smaller

number of unions and bargaining units.

Hon. Ms. Crofford: — Again I'll just reaffirm that this was a process that was requested because people saw, as all of these large number of bargaining units came together within the districts, that there would be a need to reorganize collective bargaining.

And in order to do it in a process maybe that you're suggesting, where a long extended period of raiding back and forth could go on until they arrived somehow more organically at the 40, they agreed themselves that that would be a very acrimonious, long, and unnecessary process. And they, together with SAHO (Saskatchewan Association of Health Organizations), requested that we put this process in place.

Now maybe to give you a little bit of comfort. I'll mention that the three unions, the Saskatchewan Union of Nurses, which is SUN of course, the Saskatchewan Government and General Employees Union, SGEU, and the Canadian Union of Public Employees, all had open periods that began in February 1 of 2000 and concluded in March 2 of 2000, and that was partly because we didn't pass the Bill in the last sitting.

The open period in February did allow for raiding. The Labour Relations Board did not receive any applications from the unions representing health care workers. So I guess that to me would suggest that they agree that in the interest of stability it would be best to get the rest of the work that was agreed to under the last round of collective bargaining completed before any new factors enter into the equation.

Mr. D'Autremont: — Thank you, Mr. Chairman. Madam Minister, when the Dorsey report was implemented and the various units were put together in the three separate unions, they had different collective bargaining agreements within the original structures. Some were coming from SGEU going to CUPE (Canadian Union of Public Employees), some were going from SEIU (Service Employees' International Union) to SGEU, and those various things.

How many of those different units now, in their amalgamations, are completed in their different negotiations to equalize all of the benefits and salaries within the different groups?

I know that SGEU was very unhappy after the legislation was passed and being implemented as to how this was being settled. In viewing other areas such as amalgamations with school divisions where you have two separate bargaining units even though they're under the same union, they have separate, different, small clauses within their structures that they have negotiated. It's difficult sometimes to put them together.

Have all of those issues been settled at all the work sites? Or are there still some issues outstanding at the work sites?

(1145)

Hon. Ms. Crofford: — I think the basic work that's outstanding is the job evaluations related to pay equity. There was substantial increases within that sector, particularly because it's a female-dominated sector, for pay equity adjustments due to the long-standing underpay of women in that sector.

So that process is ongoing because it's necessary to have a base job evaluation done across the piece in order to determine the relative pay of each job. But this is something that they requested and it's something that everybody agrees needs to be done, but it also is a time-consuming process.

Mr. D'Autremont: — Well, Madam Minister, as we saw with the nurses' strike that some of the units had much different pay scales and when they were amalgamated all under SUN, it caused some conflicts.

Now when you have amalgamated the various groups within the support staff, how many of those units that have come from the different unions had different bargaining within their units? How many of those are still outstanding — not related to pay equity but related to the different contracts that were originally in place that were put together — how many of those remain outstanding?

Hon. Ms. Crofford: — I will maybe clarify for the member that my role is not to be at the bargaining table. My role is to govern the framework legislation that governs collective bargaining in the province.

But I will say is there would have been conflict no matter how you cut it, because you would have had people working side by side in the same organization doing the same job at very different rates of pay.

And that's what Dorsey was all about. It was about bringing that together, recognizing that there was 500-and-some separate, different agreements that needed to be brought into line so that people weren't working side by side who had \$2 an hour difference in their pay; one might have had a health plan, one no health plan; one might have had some job security, some no job security.

So there was a whole range of issues that had to be dealt with by some method. And it was the agreement of SAHO and the unions that this was the best method and that Mr. Dorsey was the best person. And recently, I also have a letter from Brian Rourke at SAHO requesting the extension so that work could be completed.

I'm not sure what you're getting at. But it wouldn't have solved it not to do it, because you would have had people working side by side doing identical work who were paid very different wages and benefits.

Mr. D'Autremont: — Well thank you, Madam Minister. Well you had that prior to the Dorsey report, where people may not necessarily have been working side by side, but they may very well have been working in different physical structures within the same health districts, and getting different pay, different securities, different pensions, different benefits.

So what you have gone from previously was disputes between union and management. Now you're in a position where amongst the union members themselves, there are still some differences in place. And how many of those have not yet been resolved? Or is it now strictly a difference between union and management. Between the unions representing the health care workers, either the professional workers or the support staff and

SAHO. Or is it still being negotiated in the union structure itself as to exactly what benefits they're going after, what securities are they going after, what pay scales are they going after?

Hon. Ms. Crofford: — The best way to describe this, is the amount of additional money that was added into the process after Dorsey, was enough to do some interim adjustments that dealt with the biggest inconsistencies between people's job wages and benefits. And the job evaluation process should take care of the rest of the inequities.

Mr. D'Autremont: — Well if the job evaluations take care of the rest of the inequities, why do you need three years to extend the Dorsey report?

Hon. Ms. Crofford: — The point of this, and again it's by agreement, and as I indicated there was an open period for raiding and people didn't do it. People want the stability of knowing that the environment that they're doing these changes in will be stable until it's completed. And you know as well as I do that the health sector is very big; there's 36,000 employees. You don't do job evaluations on 36,000 employees in an afternoon. Someone has to meet with each of those employees and go through this process.

So as much as you would like to paint a spectre of difficulty, the fact is that people have, in a very responsible way, gone through a very big change. And I would urge the member opposite to be supportive of the work they're doing, rather than trying to find conflict where none exists.

Mr. D'Autremont: — Well, Madam Minister, I think what's being protected here is the government, to prevent any further disruptions in the health care field by forcing the unions to work under the Dorsey commission report, that they are not allowed to cause any labour conflict when it comes to putting these unions together.

If there wasn't a potential for conflict here, and protecting the government, there would be no need for this three-year extension. It would simply be settled at the bargaining table, the same as all wages and benefits are settled in the normal course of events.

This is not a benefit to the unions and the union workers. This is protection of the government. That's all it's about.

Hon. Ms. Crofford: — I'll repeat this again very slowly for the member's benefit and it'll be in *Hansard* if you want to read it again after. But SAHO, CUPE, SEIU, and SUN asked for this. We didn't go to them and impose it. They came to us and asked for it.

And I presume that you guys are consistent when you say to listen to people; that in this case people came to us, the people who are charged with these responsibilities, they asked for it and we did what they asked for.

Now if you have an objection to the government responding to people's wishes, then please tell me.

Clause 1 as amended agreed to.

Clauses 2 and 3 agreed to.

The committee agreed to report the Bill as amended.

Mr. Hart: — Mr. Chair, just at this time I'd like to thank the minister and her officials for providing us with the information.

Hon. Ms. Crofford: — And I'd like to add my thank you and to the members opposite for their questions. Thank you.

Bill No. 48 — The Adult Guardianship and Co-decision-making Act

The Chair: — Before I call clause 1, I'll invite the Hon. Minister of Justice to introduce his officials.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. I'd introduce Andrea Seale, who's on my left, the Crown counsel in legislative services, and Ron Kruzeniski, who is a Q.C. (Queen's Counsel), the Public Trustee for Saskatchewan.

Clause 1

Ms. Julé: — Thank you, Mr. Deputy Speaker. And good afternoon and welcome to the minister and his officials.

Mr. Minister, I want to take the opportunity to commend the . . . I guess initially the persons who came to you concerned about the vulnerability and sometimes abuse of adults who are in circumstances that would, I guess, render them quite vulnerable. And I would like to again give commendation to the committee that was struck to come up with some recommendations to ministers of various departments.

Mr. Minister, I was just wondering . . . There are many, many questions that are needed to be asked about this particular Bill, The Adult Guardianship and Co-decision-making Act. But I wonder if you could provide me with the amount of money, or the cost I guess, that was paid by the government or . . . by the government for the first steering committee that was set up. And if that steering committee's work is complete, I would be pleased if you could indicate that to the Assembly.

Hon. Mr. Axworthy: — Thanks, Mr. Chair. In response to the member's question, the committee was comprised of people within . . . essentially within the Department of Justice, and the budget which was relatively small was absorbed within normal budgetary expenditures within the department. So it was not a large expenditure incurred outside of the Department of Justice expenditures.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, subsequently from the recommendations put forward by the steering committee, there was . . . according to your speech on this particular Act, there was a further working committee set up. Now that working committee had to do with producing draft legislation in the area of vulnerable adults and guardianship. And it says in your notes that the legislation working committee has completed stage one of its work.

So I would ask you: to date, what is the cost of that committee? And how are those costs taken care of?

Hon. Mr. Axworthy: — Thank you for the question, Mr. Chair. Once again the answer is that very little money has been expended on this procedure. Ms. Seale and Mr. Kruzeniski co-chair the committee, and essentially people from . . . representatives from the various groups which, as you point out, have been very helpful and very co-operative in assisting in the development of this legislation, come to Regina and it essentially involves providing them with lunch. So the costs incurred by the department are extremely modest.

Ms. Julé: — Thank you, Mr. Minister. From your comments then I take it that the representatives of community agencies that have concern here were not reimbursed for their expenses or been given any other per diems or any kind of payment. Is that correct?

Hon. Mr. Axworthy: — That essentially is correct, Mr. Chair. Most of the representatives are from Regina. There are not all that many that come from outside. And so, as I say, the costs are really very small.

(1200)

Ms. Julé: — Thank you, Mr. Minister. Mr. Chair, Mr. Minister, who appoints the guardians that are referred to in this legislation, guardians that are appointed in emergency situations? Who would be the body or the person that would have the authority to appoint those people?

Hon. Mr. Axworthy: — Mr. Chair, the Court of Queen's Bench would appoint the guardians.

Ms. Julé: — So, Mr. Minister, after reading the legislation, I understand from the legislation that anyone that wants to make application to be a guardian in as far as personal or property instances take place, that anyone who wants to make an application can make that application to the courts I believe, and then the courts would be selective of the person that they feel is most suited.

I'm just wondering how we can be assured that the individual that is selected is working in the very best interests of persons they are trying to represent. Now I say that because if it's . . . if anyone is able to make representation and the courts have a number of people that might be equally qualified to do that, how can the courts make sure that the best person is selected? Will the courts, to your satisfaction, be doing a proper scrutiny and background research on these people?

Hon. Mr. Axworthy: — Mr. Chair. Thank you very much for the question, Madam Member. Yes, I do have faith, as I think we all do, that the Court of Queen's Bench treats these applications seriously and appropriately, considers what is in the best interest of the person in question. And that is what the law provides, and that is the guidance provided to the court, and the court responds to that.

There are though provisions in the Bill, which to assist in ensuring . . . And the member, I think, raises a valid question: can we assure that the person who comes forward asking to be a guardian is the appropriate person?

Amongst the changes in this Bill are provisions which I think

provide confidence in this regard, so that all interested parties, including those who've spoken on behalf of the person in the past, who have assisted or counselled the person in the past, would be provided with a notice that this application was taking place and they had the opportunity to state any objections they might have.

I think we can be confident that the surrounding circumstances and facts are presented, which enable the court to have before them what they need in order to appoint the appropriate person.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, what I'm wanting to ask is very relevant to a situation very close to myself. Does this legislation pertain only to those vulnerable adults that would have no other guardianship in the case that they had to make a decision or a decision had to be made for them?

In other words, is there . . . I'm concerned about who determines whether or not a person has adequate guardianship already. If a determination like that is made and jeopardizes, for instance, any kind of provision that is made through the will of a parent of a vulnerable adult, or any other provision is made already for guardianship, I would be quite concerned if this Bill gives the right to the courts to appoint yet another guardian. And I would like to know if there's any danger, I guess, that that might be done.

Hon. Mr. Axworthy: — Mr. Chair, I think there are two or three situations in which this question applies. You might, for example, have a guardian who is older and in a will prescribes for someone to replace them in the event that they die. And that would apply unless someone . . . unless it was something in which a review was prompted by someone else who thought that was not appropriate. There's no change there.

Someone else might also be a guardian and some other person might not be satisfied with that person as a guardian — which is perhaps the question the member raises — and apply to replace the first guardian; and the court would hear that application and would consider it in the context of what it was in the best interests of the person who was the subject of the guardianship.

And if the guardianship was a relatively informal process, or informal arrangement, it probably wouldn't even come to the court's attention in the first place.

Ms. Julé: — Thank you, Mr. Minister. Mr. Chair, to the minister. Is there a timeline, Mr. Minister, whereby a permanent guardianship must be established after an emergency situation takes place? I noted in your explanatory notes that you had mentioned that there can be a temporal — temporary, rather — personal or property guardian in emergency situations.

So that seems very good, but then there would have to be permanent guardianship set up, I guess, and ongoing guardianship — I was wondering whether or not there's a timeline on that.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. All these guardians would be temporal, I guess. They would all be temporal but whether they're temporary or not . . . But in the event that a guardianship is temporary, that could last for a

maximum of six months at which time an application of this sort would be appropriate.

Ms. Julé: — Mr. Minister, Mr. Chair, to the minister regarding the signing of documents portion of the legislation — Mr. Minister, does a lawyer have to be present if any documentation is signed by the adult and personal co-decision maker to ensure that there is no discrepancy?

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, it is not necessary for a lawyer to be at a site where a document is being signed by a co-decision maker and indeed the . . . I mean the responsibility would lie with the co-decision maker to ensure that they are effectively carrying out the wishes, I suppose, but most importantly the best interests of the person for whom they are acting.

In the event that that turns out not to be the case, the signed document would not be void and therefore unenforceable altogether, but would be voidable and thereby would be, at the instance of the person who was being assisted, somebody acting on his or her behalf, to ascertain whether or not it should stand.

So there doesn't have to a lawyer present at the signing.

Ms. Julé: — Thank you, Mr. Chair. Mr. Minister, regarding section 26, the order of fees — could you give me some sort of indication as to what sums of money the guardian would be paid?

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, the majority of persons acting for others in this context do it for nothing. So there generally are no fees there. I mean there aren't a lot of examples of this to draw on from experience, but most would be doing this voluntarily. And the court, which would be making the order, would generally make an order for zero fees in those cases.

There may be others, other co-decision makers who find themselves travelling quite a bit on behalf of the person for whom they're . . . person they're assisting, in which case the court would provide recompense for that.

But our experience is, as I say, limited and so we . . . and we haven't had cases in which large sums of money were either requested or deemed appropriate for fees in this case.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, I just have one last question and I would like some clarification here so that I can have sort of a settlement within myself, I guess, about this whole thing.

Now if for instance there is a vulnerable adult that has had a guardian appointed to their care in the event that their parents die, if they're living with their parents at the time, say for instance that that guardian passed away within a week of the parents dying, and there are other family members that would be able to look after the . . . or be guardians for that vulnerable adult, would consideration be given to other family members over and above someone that the courts may appoint if in fact there were other applications made?

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's

question, in the vast majority of these cases indeed it is family members who act as the guardian. And in the event that someone, that a vulnerable person passed away shortly after their guardian passed away, in general the court would assess who could best respond. But most frequently these would be in fact be family members, unless there had been some past history of abuse or something of that sort, which I think we can all understand.

Ms. Julé: — All right. I thank you very much, Mr. Minister, and I thank your officials for coming out today and providing us some assistance on this Bill. Thank you.

Clause 1 agreed to.

Clauses 2 to 86 inclusive agreed to.

(1215)

Hon. Mr. Axworthy: — Thank you, Mr. Chair. I'd like before I do that to thank Andrea Seale and Ron Kruzeniski for being here today and helping us, and I appreciate the comments of the members opposite. And indeed thank them for organizing the consultation that was very significant in the development of this piece of legislation, and of course all those who participated in that consultation.

And with that, I would move that we report the Bill without amendment.

The committee agreed to report the Bill.

Bill No. 38 — The Electronic Information and Documents Act, 2000

The Chair: — Before I call clause 1, I'll invite the Hon. Minister of Justice to introduce his officials.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. I'm pleased to have two officials here today to assist the committee dealing with the electronic commerce Bill. Behind me is Robert Hersche, who is executive director, policy and planning in the information and technology office of the Economic and Co-operative Development Department. And to my left, Brent Prenevost who actually, Mr. Chair, has, in spite of being a former student of mine, has gone on to do very well and undertake significant responsibilities in the Department of Justice. He is Crown counsel in the legislative services branch.

Clause 1

Ms. Julé: — Thank you, Mr. Chair. Good afternoon once again, Mr. Minister and welcome to these officials.

Mr. Chair, Mr. Minister, our office has received some calls regarding this piece of legislation and people are concerned regarding security and privacy. And that's understandable, because any time you're on the Internet, there are really a lot of worries about this and whether privacy is going to be guarded.

Mr. Minister, what steps have you taken to ensure people's privacy and security regarding this Bill?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well the member's quite right that this is a matter of some concern to citizens and indeed to the business community as well. In order for the Internet and the various aspects of electronic commerce to be more widely accepted, these questions of privacy and security need to be addressed.

Now the purpose of this piece of legislation is actually not to address those issues. And I would just say that the Bill before us is about ensuring that the rules of . . . the law relating to contractual arrangements which presently is in place dealing mostly with . . . dealing with such things as buying produce at the supermarket or a CD (compact disc) at a CD store, those rules and regulations, those laws will be applicable in electronic commerce transactions. And, as the member knows, this is the first piece of legislation of this sort in the country and is the result of widespread consultation both internationally and here in Canada.

But in response to the member's question, the federal government recently passed the Personal Information Protection and Electronic Documents Act and that's expected to be proclaimed shortly.

And we've been watching, and I think many have been watching, the proceedings to and as they deal with the collection, the use, and the disclosure of private information in the private sector. So we've been watching the development of that . . . of those . . . of that piece of legislation through the House of Commons and the Senate. It's received extensive debate and extensive discussion. And once we have . . . once it's proclaimed and we have an opportunity to fully consult both with the business community and with the federal Department of Industry, we'll be able to respond to the member's question.

I might say though that it is a matter of great seriousness to all of us, and we are moving forward in conjunction with the activities of the federal government, the Department of Industry.

Ms. Julé: — Thank you, Mr. Minister. Well, Mr. Minister, that is good to hear that the federal government is taking some leadership as far as having a Bill tabled to protect the privacy of consumers and so on.

I guess it's the internal mechanics of everything that is really going to be very interesting to see how in fact this can be worked out in a way that all provinces can ensure that kind of privacy. I can't imagine . . . I mean its experts like you have sitting next to you I guess that would be more able to understand those workings. But I know that there have been endless, endless stories — and sometimes very tragic stories — brought to our attention about people losing their life savings because their credit card number has been lifted off the Internet.

And so my question to you is: how can . . . or are you assured that with what the federal people are doing, as well as the steps taken provincially to work in unison with them, that those steps will really help safeguard the information of the people of this province? And what assurances can you give the people of Saskatchewan today — in respect to this Bill — that this Bill is going to be something that is going to aid in, I guess, a federal initiative to ensure privacy?

Hon. Mr. Axworthy: — Mr. Chair, the member's question is, I'm sure, on the minds of many as they consider using the Internet for some of their purchasing decisions. And indeed as time goes on, it would appear that more and more, this will be commonplace.

I should say to the member that the problem of someone using a credit card illegally is also present in the non-economic commerce. And we all, I'm sure, sometimes wonder the extent to which our cards can be used.

But fraud is fraud whether it be on the Internet, whether it be over the mail, whether it be a telephone fraud, or whether it be at our local store. And we treat them all with the same amount of seriousness.

Now the fact of the matter is, that when you're using the Internet and perhaps dealing with somebody in another province, another country, or another continent, that the chances of . . . or the risk is significant. Co-operation is incredibly important here, both between governments, but also between business and governments. And there are, as the member probably knows, activities or provisions on the Internet to ensure that there is security.

One of the things the business community will have to do, is in fact alleviate any fears the consumers have with regards to security on the Internet. That is already in place. And we just have to make sure that we do that more and more, and ensure the security of consumer transactions and member's personal information and credit card information.

And I would say to the member that the Organization for Economic Cooperation and Development, of which Canada's a member and indeed a Canadian is the president, has looked at this specific question — the question of fraud on the Internet — and has developed in consultation with all member countries, that's all developed countries in the world, guidelines for consumer protection in the context of electronic commerce.

So while these issues have not all been finalized and completed and arranged to the total satisfaction of consumers, a great deal of work is being done to ensure that the information that consumers have, both personal and financial, is protected. And it's, I think, all of our expectations that everything will be done to ensure that this is the case.

But we know too that those intent on fraud find ways to defraud consumers. And over long-distance transactions . . . I mean we particularly have a problem in Saskatchewan with older and more vulnerable consumers who, especially over the telephone, get tricked into making significant errors of judgment in sending money to someone who's just going to take it from them.

That contact is not quite the same on the Internet of course, but because it's not personal, it's not on the telephone, and perhaps many of those older residents won't use the Internet as much. But it's a matter of grave concern to which we're all committed, not only government but business and consumer organizations as well.

And if it's not resolved to the satisfaction of consumers, of

course the opportunity is for business on the Internet will not be as great as they otherwise would, and we know that business has a great interest in expanding commerce on the Internet, primarily because it's such an efficient way to deliver goods and services.

Ms. Julé: — Thank you, Mr. Chair, Mr. Minister. Just a comment or two. When I was fortunate enough to be a part of the CPA (Commonwealth Parliamentary Association) delegation that went to Cincinnati, there was a workshop on this very issue. And I was really astounded to learn that if the know-how is there, that people can access information about anybody in the world within seconds, all the information about that person that is available.

And so that certainly pronounced very loudly the need to make sure that we do work at providing some sort of mechanism for privacy here and that we continue working on that.

Mr. Minister, just one last question. If in fact there is some fraudulent activity that does occur, even in spite of the efforts being put forward, is there any, like I mean theft of identity . . . identity theft through credit cards, etc., can you explain whether there is any way that the province could be held responsible for that as far as a suit or . . . Can you just comment on that?

Hon. Mr. Axworthy: — Well I think the short answer to the member's question, Mr. Chair, is that there would be no liability on the part of the province if somebody defrauded a consumer on the Internet, which I understand to be the member's question.

But she does perhaps point to an important issue of consumer education. And I mean we all have to play our part in ensuring that consumers are informed as much as possible about the things that can happen and about how to protect themselves. And that's part, I think, of the general co-operation and work together between government officials, both provincial and federal, and consumers and business groups.

It's also of course a matter for, which is why this has come through the international route through the United Nations and so on, it's a matter for the international community as a whole as borders continue to break down and we have to focus on these things in a much more expansive way.

Clause 1 agreed to.

The Chair: — Committee members, this Bill has 32 clauses; it's also broken down into parts and divisions. There's four parts. The Chair is asking permission to vote part II and part III in their entirety as we come to them. Do I have agreement to proceed that way.

Clauses 2 to 32 inclusive agreed to.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Let me, before doing that, thank Robert Hersche and Brian Prenevost for being here today, and thank the member opposite for her questions which enabled us to, I think, explore some of the challenges that we have here.

And I think we should all be proud that Saskatchewan is the

first province in Canada to introduce this legislation, and we've received very good response across the country as a result.

And with that I'd like to move that we report the Bill without amendment.

The committee agreed to report the Bill.

**Bill No. 66 — The Personal Property Security
Amendment Act, 2000**

The Chair: — Before I call clause 1 of this Bill, I invite the Minister of Justice to introduce his officials to the committee.

Hon. Mr. Axworthy: — Thank you very much, Mr. Chair. I am pleased to introduce on my left, Ron Hewitt, who is the senior vice-president for the Saskatchewan Land Information Services Corporation; and Darcy McGovern, on my right, who is a lawyer with Saskatchewan Justice.

Clause 1

Ms. Julé: — Thank you, Mr. Chair. Mr. Minister, welcome to your officials today.

And, Mr. Minister, I just have a few questions regarding this Bill that I would like some clarification on. And I assume that the minister and his department have gone through a bit of research to assess how much it's going to cost for some of this transfer.

So I'd like you to indicate how much it's going to cost to transfer all of the assets, employees, and functions to the Land Information Services.

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, the actual transfer of employees and assets and liabilities won't generate any cost.

But what the transfer will do is enable the corporation to more efficiently and more effectively respond to the public's concerns and needs to ensure that the transactions are more speedy, and will enable the costs to be brought into the corporation and used in its normal process of deciding how to use its assets and how to respond to the interests of users.

Ms. Julé: — Thank you, Mr. Minister. Can you give me some indication of how long you think this whole process will take?

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, which I think is when will this transfer take place and when will the new structure be in place, the target is for October 1, later this year, so not very far away.

Ms. Julé: — Thank you, Mr. Minister. In regards to the closure of the Bank of Montreal in different locations in Saskatchewan and the subsequent offer by the credit union to take over those clients and services provided to those clients, I know that there were a number of people concerned about job loss.

And so I'm asking you today if you can give me some indication if there was job loss in respect to those people that had jobs with the Bank of Montreal. And whether or not there is

going to be any danger, I guess, to the people in the credit unions that may have their jobs replaced, or whether or not they may be moved to another location as a result of this whole process.

Hon. Mr. Axworthy: — Mr. Chair, I'd like to thank the member for her question, which I think presents us with an opportunity to . . . all of us, to congratulate the credit union system in Saskatchewan for responding positively to rural communities, and enabling those communities to keep banking services in their communities, which perhaps would not otherwise have been the case had the Bank of Montreal just closed and left.

The issue is really a matter for the Saskatchewan Credit Union Central. They assure us, and I think the member would know this, that while this transfer affects about 60 — I think 63 branch staff, they anticipate being able to preserve those jobs in the communities in question. They don't anticipate anyone losing their jobs. But, Mr. Chair, this really is a matter which should be brought up more effectively with the Credit Union Central.

But the fact of the matter is that these branches . . . that these transfers ensure that banking services are available in communities which perhaps otherwise would not have them. And every effort is being made by Credit Union Central to ensure that those 63 staff members keep their jobs in those communities.

Clause 1 agreed to.

Clauses 2 to 16 inclusive agreed to.

Hon. Mr. Axworthy: — Thank you, Mr. Speaker. And in doing so I'd like to thank Ron Hewitt and Darcy McGovern for being here. Mr. Hewitt, as you probably all know, has had a long association with the land project and has been instrumental in moving it forward. With that I'd like to move that we report the Bill without amendment.

The committee agreed to report the Bill.

**Bill No. 43 — The Summary Offences Procedure
Amendment Act, 2000**

The Chair: — Before I call clause 1, I will invite the Hon. Minister of Justice to introduce his new officials.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. With me today at this moment, Madeleine Robertson on my left from legislative services in the Department of Justice; and behind me Tom Irvine from the constitutional law department.

The Chair: — I thank you, Minister, and thank you for the efficiency of the shift from Bill to Bill.

Clause 1

Ms. Julé: — Thank you, Mr. Chair, Mr. Chair I just have a couple of questions for the minister on this Bill. Mr. Minister, will there be any new costs involved with utilizing the red light cameras?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. As the member will know, the operation of the red light cameras will be carried out by police services. There will be some increase in costs because presumably more tickets will be issued as a result of the use of red light cameras, and that would add some cost in the prosecution department and in the court system in general, and then in the enforcement of fines.

The member may not know, but the test on the use of red light cameras generated huge numbers of people running red lights, and some doing so at considerable speeds. But I'm happy to advise the member that her number plate was not one which was passed on to anybody in the Department of Justice.

Ms. Julé: — Thank you. I'm really glad to hear that because I certainly did see the little guy sitting in the ditch there.

Mr. Minister, through the Chair, I'm really quite interested in knowing where the revenue, all the extra revenue that is going to be accumulated because of these red light cameras, where will that revenue be going?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. The split — in terms of the earning, if you want, on the fines — is 25 per cent to the province in order to cover their various costs we've just communicated, and the 75 per cent would go to the municipality which was operating the red light camera system.

So in the present situation, Regina would . . . the city of Regina would benefit to the extent of 75 per cent of the fine.

Ms. Julé: — Mr. Minister, no doubt the municipalities are going to need that money after the withdrawal of all the funding your NDP government has imposed on them. They will be in need of any kind of revenues that they can get their hands on.

Mr. Minister, I'd like to ask you, Mr. Chair, Mr. Minister, what is the course of action that a person could take if they feel that the camera may have made a mistake and they should not have received the ticket in the first place?

Hon. Mr. Axworthy: — Well, Mr. Chair, I'm not sure what the motivation is behind the member's question here — I'm sure it's just to find out the information — but the issuing of a ticket and the receipt of a ticket by a motorist or by an owner in fact of the car, in response to someone driving that car through a red light and being picked up by the red light camera, could be challenge . . . the choice is for that person to pay the fine voluntarily, as would be the case in any other traffic violation, or go to court and challenge the case presented by the prosecution.

Ms. Julé: — Thank you, Mr. Minister. The reason I bring that up is I think mentioned to you in the last second reading debate that there is a provision there for the police, whoever's operating the camera, to give an estimated speed of a vehicle. And I think that there's going to be some dispute on the part of motorists when that sort of indication is given on their ticket, that they were charged because of an estimated speed.

I'm wondering if there's any kind of a parameter that that estimated speed is put within, so that people would know . . . For instance, if you're within 5 miles an hour over the speed

limit, 10 miles an hour over the speed limit, how do they calculate an estimated speed?

(1245)

Hon. Mr. Axworthy: — In response to the member's question, the purpose behind the use of red lights is not to assess speed but to assess whether or not the driver drove through a red light and infringed that provision of the highway regulations. So the evidence will be about running the red light, not about the speed.

But I think it's interesting to note that in fact on one occasion, someone ran a red light in the child . . . (inaudible) . . . at 92 kilometres an hour. So there are some serious issues revolving around driving in the city, in these circumstances. And as I said, there were significant numbers, hundreds of people in a very short period of time, who were running red lights.

But I think the answer to the member's question is, this is a process of dealing with an offence which involves running a red light, not excessive speed.

Ms. Julé: — Thank you, Mr. Minister. Well, Mr. Minister, you are exactly correct but there is a dual implication here. There is the implication of going through the red light, as you've mentioned, sometimes that's done at a high speed. And so the motorist would want to have recourse to some action to challenge that estimated speed, if it should be the case.

Mr. Minister, I just have one question and then I would like to refer the questions to my colleague from Moosomin. Mr. Minister, could you please clarify some of the amendments that are being made to the search and seizure provisions?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well I can say actually the amendments, the other amendments other than the red light cameraman, serve two . . . (inaudible) . . . One, authorizes, the member will note, a driver's licence to be withheld for outstanding fines for Criminal Code driving offences, as a mechanism for ensuring extra weight to someone who's committing those kinds of offences and, as the member indicates, includes a search and seizure provision applicable to provincial statutes which don't have search and seizure provisions attached to them at the moment. And I can give a couple of examples for the member.

The Passenger and Freight Elevator Act for example has no search provisions. And if it was felt that standards were insufficient and a charge was being considered, the Act doesn't at the present time provide for any authority to do a search which obviously would be useful if we were to proceed to address safety concerns in that way. So that's one example.

The Agri-Food Act and The Animal Products Act for example allow warrantless searches at the present time which don't comply with the Charter. This would ensure that they do, that they are valid searches.

And I'll just give one other example. The Alcohol and Gaming Regulation Act allows searches and seizures but doesn't have a provision authorizing the object seized to be retained, to be used for evidence at the trial. This has caused some problem in the

past. So this would . . . these amendments would resolve that difficulty too.

Mr. Toth: — Thank you, Mr. Chairman, and to the Minister. Mr. Minister, one thing I've noted about the . . . taken a note of and I'm not exactly sure if this is a major concern. But for example you get some intersections are fairly wide. And I just happened to notice there were lights on Prince of Wales . . . or the camera was on Prince of Wales and Highway 1 East and that's quite a wide intersection.

And just out of curiosity, I was approaching the intersection and the light just turned yellow. Where is the person held, because if you can't get across the intersection without the red already coming into effect . . . And if you're seen as having gone just through the intersection, the red hits . . . I guess the concern I have is when you hit it and when you're right . . .

An Hon. Member: — You weren't going fast enough.

Mr. Toth: — Well that may be true, but at the same time I think we're cognizant of the speed when a light changes as well.

And I think we need to be really mindful of the fact that we need to step down on people trying to speed through red lights. But I still think we need to have an understanding of how the light works so that if you're entering the intersection when the red turns, is that when the light is catching you?

Or you've gone through, you've started, you've been there, you've gone through as the reason for the yellow light, and yet it turns red before you get through on a wide intersection. So I kind of want to know exactly what the parameters are regarding the lights so that people aren't really being sent tickets when they've been caught in a situation when really they had no — it wasn't really their fault. They were just proceeding and following normal traffic patterns.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well, like the hon. member, I would never drive so fast that I couldn't stop when the light turned red. But, the . . . my understanding is that the cameras, which are operated by the police services in the municipalities which choose to use them at the present time, I think only in Regina, they calibrate the machines so that it takes a photograph of a car . . . if it passes through the red light some eight seconds after the light changes.

So it provides some tolerance for those who are going through red lights, in the example the member proposes. So the calibration of the machine permits some tolerance in regard to that situation.

Mr. Toth: — Mr. Chair, one supplement. So you're basically saying the camera is actually photoing after you've proceeded rather than entering the intersection. If you're entering the intersection on the red, then automatically there's no questions. If it's amber and you've got . . . and you're going through, then 80 seconds may not . . . although I guess, it possibly should be, but I'm just bringing that to your points . . . just a clarification.

Hon. Mr. Axworthy: — Mr. Chair, the photographs I've seen show the red light and show the car through the — through the red light, and I think addresses the member's concern. The issue

was to catch those who, in a sense, blithely ignore the red light and, you know, we have many examples of pedestrians, and other cars, and people in other cars, being injured, even killed as a result.

Mr. McMorris: — Thank you, Mr. Chair. I just had a couple of questions regarding the red light issue and the fact that you're using photo radar. Obviously with the red-light if you're getting a speed with that red-light . . . or how do you come up with a speed, or an estimated speed. And I'm just, I guess, interested in any progression then down that road of photo radar at intersections and . . . because this is . . . I mean, we're moving into the electronic age and that's what the red-light cameras are all about.

The member from Humboldt had asked the question on the revenues and I'm very interested in seeing this because of trying to get a grasp on where that revenue is going to go. I mean the red-light cameras and red-light cameras at intersections are really for traffic safety. I mean, they're trying to stop people from running amber and red lights, to reduce collisions.

And so if you're finding people breaking the law, how much of that money would be directed back into any safety programs educating people on the cons of running red lights.

So really, I guess it's two questions, one a little bit on the photo radar and a little bit on the red-light camera.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well I want to thank the member for those two useful questions.

In response to the first question. While the cameras do pick up speed, it is not . . . the purpose of the red-light camera is not to address speeding, it's to address running a red light. And so while the speed is there it will not be used to generate an offence or evidence to support the commission of an offence. So the added detail of the speed will not be something which is taken into account here.

Now the question of . . . actually the member had three questions. The issue of photo radar itself on highways, for example, is not contemplated and is not dealt with in this piece of legislation. This deals specifically with red-light cameras at intersections. So the member can be assured that this is not an issue of photo radar on the highways or indeed on any other street in a municipality other than at an intersection with traffic lights.

On the third point, as I mentioned in response to the member from Humboldt, the proceeds of the fines are divided 25 per cent to the province, 75 per cent to the municipality. And both administer various safety programs. And so I think we can assume that some of the resources will be used for that purpose.

But I think the member is right, that it's a question of safety and the member from Moosomin mentioned the same thing. It's a question of safety and anything we can do to ensure more safety on our highways is positive. And the trial period for the use of red light cameras was indeed for that purpose. People who infringe were sent notifications that they had in fact broken . . . or run the red light and that was part of an education process

too.

But I think the member will understand that there needs to be more. And I think he's saying this, there needs to be more education of drivers about the dangerousness of running red lights.

Mr. McMorris: — Okay, I just had one other question. I just briefly heard you mention about the withholding of licence for outstanding fines at that area there.

I guess I had some reservations with this because I know when I was dealing in the traffic safety area as much as I did, we heard statistics of upwards of 10,000 people driving in our province without a licence.

So withholding more licences and taking more licences away from people, not necessarily as a deterrent or not necessarily a deterrent but a reason for people to automatically pay their fines, you know they may just drive without a licence.

As I said there's well over 10,000, I believe, every day driving in Saskatchewan. And I thought the number used to be quite a bit higher. I think I'm low on that figure, but I don't have the numbers in front of me any more. So I'm quite, quite sure with that — driving without a licence.

So these people that owe a number of dollars as far as fines, they withhold the licence; they continue driving. What happens to any insurance situations that arise a week down the road because you've withheld their licence; they have no legal right of being on the road, and they get into an accident, and there's no insurance valid? Is that correct? Or how does that all work out?

Hon. Mr. Axworthy: — In response to the member's question, Mr. Chair, the member is aware I think that non-renewal of driver's licence has already been in place in the province for provincial offences. And in 1996 the Criminal Code was changed to provide for the refusal to issue a renewal licence until a fine is paid for a Criminal Code driving offence too.

So the member is right that this is an effort to ensure that people pay the fines that they've incurred as a result of committing an offence.

The alternative in the past, as the member will know, has been for a person to spend time in jail for not paying a fine. This I think is a more useful way of responding to non-payment. Of course, we have other measures too — community service and so on.

In response to the member's question about what happens if an uninsured driver is involved in an accident, my understanding — and we can check this — but my understanding is that there is a base level of coverage under SGI (Saskatchewan Government Insurance) which provides coverage when someone is driving without a licence.

Clause 1 agreed to.

Clauses 2 to 9 inclusive agreed to.

The committee agreed to report the Bill.

Ms. Julé: — Mr. Chair, I was a bit remiss in not thanking the officials earlier but I would like to take the opportunity to thank them for coming in today to provide answers and assistance to the minister. Thank you.

(1300)

THIRD READINGS

Bill No. 41 — The Medical Profession Amendment Act, 2000

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

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

Bill No 30 — The Vital Statistics Amendment Act, 2000/ Loi de 2000 modifiant la Loi de 1995 sur les services de l'état civil

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

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

Bill No. 3 — The Health Labour Relations Reorganization Amendment Act, 1999

Hon. Ms. Crofford: — Thank you. I move the amendments be now read the first and second time.

Motion agreed to.

Hon. Ms. Crofford: — Mr. Speaker, by leave of the Assembly, I move that Bill No. 3 be now read the third time and passed under its title.

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

Bill No. 48 — The Adult Guardianship and Co-decision-making Act

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

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

Bill No. 38 — The Electronic Information and Documents Act, 2000

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

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

**Bill No. 66 — The Personal Property Security
Amendment Act, 2000**

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

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

Some Hon. Members: Hear, hear!

**Bill No. 43 — The Summary Offences Procedure
Amendment Act, 2000**

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

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

Hon. Mr. Van Mulligen: — Mr. Speaker, I move the House do now adjourn.

Mr. Speaker, by leave of the House I should like to withdraw the motion that we do now adjourn. There's obvious agreement to extend the business at this time. And so therefore I would ask for that leave.

Leave granted.

COMMITTEE OF FINANCE

**General Revenue Fund
Justice
Vote 3**

Subvote (JU01)

Ms. Julé: — Thank you, Mr. Chair. Good afternoon, Mr. Minister. We are definitely into the afternoon. And I wanted to just bring to your attention one more time, my deep belief that we do need to have a registry for sexual offenders in the province. And I wonder if you still take the view, Mr. Minister, that this is a bad idea; that it is not necessary in our province.

And I think by now you realize that at least two of the agencies, the police agencies in the province, have indicated support for this. And I take it that you too do recognize the difference between CPIC (Canadian Police Information Centre) and a provincial registry and how they could complement each other.

Mr. Minister, I also have . . . you know, we received word from Chief Dave Scott, from Saskatoon, that in Saskatoon, particularly, they would most likely have enough monies in their budget to accommodate this sort of a registry.

And I, first of all, would like your comments for the people of Saskatchewan who are very, very concerned about this sort of an initiative being taken. They want to see this happen because, frankly, in my community of Humboldt there has been expression of concern by citizens about this very thing.

And I think the people in that community as well as

communities throughout this province would feel a measure of safety and confidence that the police are monitoring sex offenders that have been convicted and released, and that that would certainly provide for their safety and also for the protection of their children.

So, Mr. Minister, I would be pleased if you could, like I said, for the benefit of the people of Saskatchewan, comment on why in fact you felt that this is not a good idea and why you feel that CPIC is sufficient and effective and complete as far as a registry goes.

Hon. Mr. Axworthy: — Thanks, Mr. Chair. Well let me reiterate our commitment to ensure that we do everything to protect our children, and in particular to protect them from the most heinous of crimes, that is the sexual abuse of children, and indeed, the sexual abuse of anyone. And I share the member's commitment to ensuring that we do everything we can in this regard.

With regards to her proposal for a sex offender registry, I'll restate some of my position and add some other points. At the behest of Ontario and British Columbia, the ministers of Justice across the country, in their annual meetings with the federal Minister of Justice, considered the advisability of taking this route, and indeed considered the advisability of a national sex offender registry, and concluded that the most appropriate, the most effective way to proceed would be through a beefed-up CPIC.

(1315)

And consequently we have a hundred and fifteen million dollars being . . . having been committed to improving CPIC and to making it a faster and more efficient service. And the committee which is charged with implementing that hundred and fifteen million dollar investment is chaired by Deputy Chief Weighill here from Regina.

We are all concerned to ensure that the appropriate authorities have as much information as possible so as to protect our children and indeed our families in general. And it is of the view . . . it is the view of the ministers of Justice, and indeed it's the view of most experts across the country, that the most effective way is through a beefed-up CPIC.

I might also say to the member that one of the reasons . . . that there are two other factors which I think are important. One, and this is presently being experienced by Ontario, which passed legislation of this sort, is that it is very difficult to craft the registry and to ensure that it will work. And Ontario has already taken a great deal of time to move towards the implementation of their registry.

And the aspect of her Bill, which is very similar to the Ontario Bill, which argues that sex offenders . . . or which requires sex offenders to, in the face of \$25,000 penalty, ensure that their name is on the list and that their — any new information about them — their address and so on is on the list simply has been shown not to work in those states . . . in the United States where the sex offender registry has been in place.

And you have a kind of one-in-four compliance rate. So you

have three out of four sex offenders who are not on the registry, or at least not on the registry in a way which enables it to be used effectively — it's not up-to-date information and so on. There is further serious concerns about the constitutionality of a sex offender registry.

So for all those reasons, Mr. Chair, and, Madam Member, I remain of the view that the most effective way to proceed in this area is with regards to a beefed-up CPIC process.

Now I might add also, as the member will know, we have provisions in place for notifying appropriate persons, including communities in certain circumstances, where a dangerous offender is in their community. We also have provisions for long-term supervision of people who have served their sentence. We also have designations of dangerous offender, which the province has . . . the prosecutions division has pushed for in many, many more cases in recent years than previously. So the information on a registry is not the only vehicle through which we protect our most vulnerable.

Further I would say, lastly there is a question always with regards to this kind of information and it is: what do you do with it — who do you notify and under what circumstances?

And that, as the member will know, with regards to public disclosure of persons . . . of dangerous . . . of persons who are dangerous in a community is now conducted by a committee in the province which assesses whether or not it is a good thing to do or not prompted by a request from a police service.

So with those comments I remain committed, as I know the member is, to ensuring the greatest degree of safety possible. And on continued reflection, it seems to me that a beefed-up CPIC is the most appropriate response in conjunction with all of those other vehicles we have for ensuring public safety.

Ms. Julé: — Thank you, Mr. Chair, Mr. Minister. Mr. Minister, from all the information that I have been given regarding this, I would have to dispute your claim that in the US of America that this is not working very well because it was upon their . . . some of the research and, I guess, inspection done as to how well this is working in the US that the Ontario government proceeded with it.

Now, Mr. Minister, your choice of words is a beefed-up CPIC. Surely to goodness you would understand as well as everyone that to have an improved CPIC that is more extensive in its information in regards to addresses being provided for police, that would require the assistance and the co-operation of every province. This is primarily why Ontario went ahead — or they're going ahead rather — to set up their own sex registry.

There is some responsibility on the part of a province — the Minister of Justice in this province is yourself — and so there is some responsibility for you to take to establish a sex registry — offender registry rather — in this province.

Now I really question how CPIC can be beefed up, how CPIC can be improved. Because right now . . . I mean I fail to see how it can be improved if provinces do not co-operate and work along with the federal registry.

And I also understand that the federal registry, if it does come to pass that it is beefed up to provide more information including current addresses of sex offenders, that it's going to take two to three years to do that. Now I don't know how many times I've stood in the House and I don't know how many times people out there in the province have been telling us, we need to have action immediately. We need our government to care enough to do something now.

And in view of the fact that this is not going to cost a great deal of money — it is just a matter of will — then I can't understand why you would not take this measure.

I would like you to prove to the people of Saskatchewan, Mr. Minister, that you do care and that you won't rebut a Bill just because a member of the opposition has put it forward. I think that is very unfair to the children and the people of this province who need some assistance and need assuredness that they will be protected.

Mr. Minister, in regards to some of the other comments that you have made, I point out quite clearly what was pointed out to me: CPIC at this time has only information upon the conviction of a sex offender. They have the information in regards to the name of the sex offender and that they were charged with whatever offence.

Now that is the last known bit of information, Mr. Minister, that any police can access in this country. There is no way of monitoring the movement to another location in this country by a sex offender because there is no registry of that anywhere.

Even though communities are given information, given knowledge that an offender may be in their community, without the obligation being put on the offender of reporting to the police upon the intention of that offender to move, and information given to police in the jurisdiction where they are going to move, there is no way that police can properly track this. This registry that I am proposing would allow for that kind of tracking.

Now in view of the fact that it would not cost a great deal of money; that there are, certainly, the Saskatoon police and the Prince Albert police that are supporting this kind of thing, I can't quite understand why it is that as minister you would not be behind this and do your part provincially, getting ready for maybe a federal registry in time, a beefed-up CPIC that would provide information for everyone across Canada.

But this certainly would help to monitor offenders also, not only to track them but to monitor them when they do enter a community, because the fear that people feel in a community when a sex offender has moved into their community is an extremely high fear. They are really afraid of this. They're afraid for their children.

Mr. Minister, it is not a great deal to ask. It is a very common sense, a very effective measure and that has been indicated by the police.

It seems to me that people throughout this entire province can see clearly also that this would not . . . this would not take a lot of working and would not take a lot of money. And they're

asking for every measure to be taken that can possibly be taken to help the children in our province to ensure their safety and protection.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well I want to add a couple of points from listening to the member's question.

First of all, I want her to not to draw conclusions from my opposition to her private members' Bill and to argue that on the basis of it coming from the opposition I wouldn't support it. Mr. Speaker, that is not the way in which I or indeed people on this side of the House will respond. Provided the member, provided the member proposes legislative initiatives, which are effective and will work and are constitutional, I will support them.

With regards to her point that a sex offender registry wouldn't be very expensive and would be easy to administer and would provide extra protection for the public at large, I think we're not sure how much it would cost. But we know that in order to beef up CPIC, we're talking about a hundred and fifteen million dollars. I would say that CPIC is first of all more appropriate because it is a national registry, and it is indeed a national registry of sex offenders and sex offences, and more.

If she talks rightly about mobility and the difficulty of tracking people as they move around, that precisely, Mr. Speaker, is one of the reasons why a registry dedicated to Saskatchewan is less desirable than a national registry. Because with that mobility we need to ensure that police services across the country are able to receive information of those who move into their communities.

I'd add that the police in a community to which an offender is being released are notified ahead of time. They are somewhat dissatisfied with the ability they have to speak with Parole Board officials about the release. But, Mr. Chair, the police services are notified, when offenders move into their community, by the Parole Board, and that includes all offenders.

And that doesn't deal with the point of what happens if somebody moves from one community to another. But there are of course . . . there is of course capacity within CPIC to update the information and that of course would be done. The challenge for keeping an update CPIC registry is no different than keeping an updated sex offender registry, Mr. Chair.

There are two other points which are important in this regard. One is with regards to the links between police services in Ontario. And the linkages between police services in Saskatchewan is much more sophisticated and much more effective and much more encompassing than is the case in Ontario.

Consequently we can understand why Ontario might say, well we need something which is more provincial in nature. In Saskatchewan we don't need that because our police services are effectively linked up and therefore have all the information available under CPIC, which, as I say and which I think is worth emphasizing, is a sex offender registry plus. So it contains much more information than a sex offender registry would do.

And with regards to the experience in the United States . . . In

the United States, there is not a national police information process. So they are driven to respond on a state-by-state approach. This is plainly not as useful or as advanced as our process. And I would conclude, again, that a beefed-up CPIC is the choice of ministers, the choice of experts, and the preference of those who have the greatest understanding of how these things work.

With that being said, it is appropriate to reiterate that all of us are committed to ensuring that we do everything we possibly can to ensure that those most vulnerable in our communities are protected, and we'll continue to do that.

The Deputy Chair: — My apologies to the hon. member for Humboldt, but I'd like to ask the minister to introduce his officials and then we'll go to the . . .

Hon. Mr. Axworthy: — Thank you, Mr. Chair. On my right is . . . I'm pleased to introduce Doug Moen, who is the executive director of community justice. Behind me, John Baker, who is executive director of law enforcement services, and Colleen Matthews, who is the executive assistant to the deputy minister. And there's some others at the back.

Ms. Julé: — Thank you, Mr. Chair, and welcome to your officials, Mr. Minister. Mr. Minister, I think that it has been said many, many times over that action speaks a little bit louder than words.

I hear time and time again and over and over that your government is committed to children — to the protection of children. And I hear time and time again where your compassion is equal to anyone else's compassion.

(1330)

But, Mr. Minister, I don't see appropriate action that could be taken, that is necessary to be taken, that would take not too much effort but would show a willingness, would put some proof behind your words that you care and that you're compassionate, and that you're really intent on . . . providing the best kind of protection for our children that your government can possibly give.

I don't see a great deal of action where action could be taken, and I challenge you, Mr. Minister, to take up your influence with your government, with your entire cabinet, and your Premier to ensure that this kind of legislation comes to pass.

Now, Mr. Minister, in regards to your concern about constitutional challenges and so on, it's very interesting that you would make that statement because what you're concerned about here, and I guess you have to be concerned about it, but it's pointing out to me that your concern is the challenge that might come forward from the offender as far as his freedoms and rights go. What I'm concerned about is those same rights and freedoms that children should enjoy that they are not enjoying.

Now we have the rights and freedoms in children encoded. We have that down on paper just like any other rights and freedoms are encoded on paper. I am interested, Mr. Minister, in protecting the children, innocent children, and communities

from people who have offended in the past and are at a risk of offending again. And that has been well established that that does happen.

So I guess if you're concerned about a constitutional challenge, maybe that will happen in Ontario, maybe that will happen in other places. If CPIC is beefed up that same constitutional challenge may come about. The onus must be put on the offender to report to police agencies when they are released. When they're on parole I understand that the parole officers are to communicate with the police in different jurisdictions about the whereabouts of this offender. If the onus was put on the offender, it would be simply a requirement of release due to the risk at hand to the general public.

I can't quite understand why that could not happen. Possibly it would have to be a requirement of release. It might have to be a little change in legislation. But due to the fact that it is well documented that these people can endanger our children, I would hope that possibly that's a kind of a change you might be promoting also. I think it's very, very important.

Mr. Chair, to the minister: I would like to know from you where information that CPIC gathers originates from? Where does that information come from in the first place? It's my understanding that CPIC has got some information coming when there is a conviction of a sex offender or other. And I'd like to know if that's accurate.

Hon. Mr. Axworthy: — In response to the member's question then, a more general suggestion — I know that's not the point of this but which may be helpful in the long term — CPIC is administered by police agencies, as I suspect the member knows, and is updated by police agencies as well, as information becomes available to them. And then, of course, because all have access to . . . CPIC is available to each police service across the province and indeed across the country.

With regards to the member's comments about constitutionality. I think it's appropriate to remark that there's a good chance that the Ontario legislation and the legislation the member's proposing would be regarded as unconstitutional. Consequently not much is achieved, other than a false sense of security, to anyone in the community, of having legislation of that sort in place. Because you can't . . . You know the first time that somebody challenges it, it will be struck down and then it is of no use.

I would reiterate the member's point — I absolutely agree with her — that faced with an option of responding to the civil rights of sex offenders and the civil rights of children, we have to focus all of our energies on protecting children. I absolutely share that view, but within the confines of our constitutional guidelines and the Charter of Rights and Freedoms.

My suggestion, Mr. Chair, if I may, to the member, is that we meet to explore the possibilities here. We share the same goal; I think that's true. We want to make whatever legislative initiatives and policy initiatives we can to ensure that children and others are protected to the greatest extent possible.

And I extend to the member an invitation to meet with officials and with myself to explore whatever possibilities we have for

us to share with her, maybe in a more formal way, the concerns that I have expressed here about the registry and to see the extent to which we can move forward to address the concerns that she's raised.

Ms. Julé: — Thank you, Mr. Chair, Mr. Minister. Mr. Minister, your reference to me in regards to how CPIC gathers its information indicated that police agencies, you know, are a part of this — a part of gathering information, putting information forward for CPIC registry.

Mr. Minister, you well know that police can only give information of the last known address — the last known address of an offender. And when they are released, upon release, the last known address is the address they had when they were convicted. There is no requirement on the part of released offenders to give their next address to anyone, to register themselves anywhere. So police do not have any sort of access or availability of information about the whereabouts of that offender once they leave prison.

I think that we really need to take this step, Mr. Minister, and the requirement where the onus is on the offender, to give notification of where they intend to live, to the police in that jurisdiction, is extremely important.

I don't think that it is too much to ask. In fact, Mr. Minister, I trust, I really do trust that if Ontario has taken this step, that they could see the very likelihood and . . . likelihood, yes, of this going through, and that they would have done a great deal of research into whether or not it's workable.

I also want to bring to your attention, Mr. Minister, that when I was at the Edmonton conference for the sexual exploitation and healing of people that have been victims and survivors of this activity, that there was a workshop where the Vancouver city police presented on their efforts to try to get information recorded and put in. And it was certainly going to be I think an adjunct also, or a contribution eventually to CPIC.

So there are efforts all over the country now, specifically in Vancouver and also in Ontario, to take responsibility provincially to make sure that we are doing our part and putting in place whatever we can in order to make this national registry a success in the end.

So I wouldn't want to have it said that Saskatchewan is just simply lazy on this. I think you have every opportunity to consult with Ontario, to consult with Vancouver, to find out what they have done, why it's working, and why they can see that it's going to work; and to ensure that we have in place in Saskatchewan the same sort of provisions to protect our communities, to assist the police, and to alleviate violence and crime against women and children in our province. Mr. Minister, I ask will you do that and will you do it as soon as possible?

Hon. Mr. Axworthy: — Well, Mr. Chair, in response to the member's question, I'm committed to ensuring that effective legislation which will sustain a constitutional challenge is introduced to protect the most vulnerable in the province. I'm not committed to introducing legislation that will not support a constitutional . . . that will not sustain a constitutional challenge

or which will not be effective.

The member focuses on the requirement in legislation of this sort, for a convicted sex offender to update the registry in the face of a \$25,000 fine. Well the simple evidence is that three-quarters of offenders do not pursue . . . do not respond to that compulsory requirement in the face of \$25,000 fines. So at best it would appear, from the experience south of the border, that you have an up-to-date sex offender's registry of a quarter of the sex offenders in that region where that registry takes place.

With CPIC, it's national first of all, continually updated by police services as they find that information has changed, such as addresses and so on. There is a flagging process, the special interest category, which contains all sorts of information including whether the person is violent, possibly suicidal, whether they're a sex offender, whether they're dangerous. And in the event that information is plugged into that special interest category, the originating police service, the police service to which the person was first released, is informed of that.

So I think there are significant problems — significant practical problems — with what the member is proposing. Her concerns and her desire to effectively protect children is, of course, one I share. But the practicalities of the process she's providing do not — I reiterate — respond to the question that she is concerned about. A better way, I remain committed, is to ensure — and I remain committed to this — is to ensure that a national registry, which covers not only sex offenders but everything else, is made more effective and that it is used in conjunction with all the other procedures we have in place, of which she's quite familiar, to ensure the protection of children and those most vulnerable in our communities.

Ms. Julé: — Thank you, Mr. Chair, and, Mr. Minister. If you were afraid of constitutional challenge, that says to me that, you know, you're more concerned about protecting the offender than you are about the children.

What challenge, what opportunity do children have? I think it would be just a great work for some of us legislators in this province to sort of re-look at some of the rights that people have, that people that have committed crimes in our society and have hurt and in fact taken the lives of many people, the rights they have are quite, quite extreme and quite high — and I think there's been a protest by many people in our country about that — as opposed to the rights and privileges of those that have been at the receiving end of the crime.

Mr. Minister, I ask you what you intend to do in the meantime then, until CPIC is beefed up?

I challenge you with this, Mr. Minister, because I believe that when police — who are very brilliant police in our province — chiefs of police have seen that this kind of a registry could be very helpful, would not take a great deal of complexity in order to initiate these measures, are requesting and asking you to do this. I think they would take issue with you when you dismiss this whole idea of such a necessary initiative to assist them in the work that they are trying so desperately to do.

Mr. Minister, I want to give you an example of something that

was brought to the attention of my office. And that was of a sex offender that had been released back into community. And because of the inability of police to really know . . . be able to monitor this person, the offender had established a residential address in one community, and in fact had moved to another community, rented a space in a building and was working at Early seed and feed in Saskatoon with young people who had been placed there, Mr. Minister, for a summer job, summer employment. No one there — not even the employer — knew of the history and background of this person.

(1345)

Now I think, Mr. Minister, if you look at a situation like that and the police would have the ability to monitor the whereabouts of these people a little closer, I think that it would assist everyone. And I think that, you know, if there are provisions, parole provisions and so on that are in place, that's great. But I think we need to respect and honour those people — namely the police — and communities who are trying so very hard to ensure that there is safety in their communities.

This initiative would be one of the initiatives that we could take in this province to assist the work of the special committee that is certainly working to stop the sexual abuse and exploitation of children in our province. We need to take every initiative that we can.

I say again it's not enough to speak of support and compassion without taking some action and doing something about it. So I would ask the minister to comment on that.

And I have one other — after that time — I have one other issue that I need to bring forward, and time providing, some of my colleagues would also like to present some questions.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well the member raises an important concern, and indeed one which over the years we read about in newspapers; and many of us will know situations in which volunteer organizations find themselves having employed or have as a part of their volunteer base, people who are offenders and who can harm those whom they try to help.

But in response to the member's question, I would really have two . . . three points I guess. The first is, in order for monitoring to take place the police would have to know that the person is where they are. And the experience, as I've said many times with registries in the United States, is that only one in four persons who are sex offenders register. Consequently, three out of four would not be known . . . their whereabouts would not be known to the police other than through CPIC, and consequently it would be very difficult of course to monitor them.

Secondly, the point I'd make is that this really . . . the monitoring question is a question really of resources. Once you know that somebody who is dangerous is in a particular place and a particular city or in a particular location within that city, then it becomes a question of resources to effectively monitor that person.

I think the member would have to agree that our commitment to 200 new police officers across the province in the term of the

government, the work we've done along with other provinces to ensure that the RCMP (Royal Canadian Mounted Police) will be filling about 147 vacancies in the province from last October to next October, will ensure a great deal more resources so that monitoring can be done more effectively.

With regards to the member's specific question, I think it is worth noting, and the member probably is aware of this, that the national association of volunteers which is essentially the umbrella organization which represents community organizations, is not of the view that a sex offender registry would assist.

They are of the view that the most appropriate response to the question the member raises, the issue the member raises, is to have more effective screening mechanisms in place in the organizations in question so that they can access criminal records which would then show that the person was or was not a sex . . . had a criminal history of sex offending and indeed a whole raft of other offences. They're of the view that better screening is the appropriate mechanism to follow, thereby ensuring that they effectively know who they're hiring.

And they are in the process — national association of volunteers, as the member probably knows — is in the process of increasing the capacity of organizations through training programs to ensure that they can effectively ensure that the people they hire and those whom they have working as volunteers also, they know as much about them as possible.

So I think the response to the member's question is the one that the national association of volunteers has taken, which is better screening and better training to do that screening.

Ms. Julé: — Thank you, Mr. Chair, Mr. Minister. I'm really very happy to hear of the association's work, and I really wasn't aware of that. So I thank you for bringing that to my attention.

Mr. Minister, I just wanted to revert back again to the Bill that I have tabled. And you commented that you didn't believe that this registry is going to work simply . . . I mean you commented about this I guess, Mr. Minister, in the House a few days ago, that the sex offenders just simply would not register — they fail to do so.

Okay, in the legislation there is a provision for a penalty. Sometimes penalties are things that make people think twice. Without that, they just simply continue to say, oh well that's fine, I don't have to. I don't have to be responsible and I can go wherever I want, do whatever I want to do, and nobody's monitoring me.

Now it's not only the \$25,000 fine. In the event where that would be extremely burdensome on a person, I think if you read further in the legislation you would see clearly that there is up to one year of a return to prison.

I believe, I do believe in holistic healing, Mr. Minister. I believe in proper rehabilitation for inmates — for specific rehabilitation according to a person's life and the needs that they may have specifically. I believe in reconciliation. And I believe in what many of the Aboriginal people are bringing forward, is restorative healing while in prison. Because I think it's a time

spent where one can restore one's own soul as well as restore their communion with community.

And I think it's important that we do those kind of things rather than just put people in prison without any kind of effort to look at the needs of . . . all the needs of a human being and to move towards healing in that way.

But on the other hand, Mr. Minister, I think that we do need to make sure that there are deterrents up so that those deterrents and those penalties speak loud and clear to people in our society that would otherwise just sort of laugh at the law. I think we need to have some deterrents that tell people that no, we will not accept this kind of abuse of our children, of terrorizing our communities, of having people have to watch every step their children make. I think we need those deterrents in place also.

And I would hope that when there's an Act that is very simple of registering . . . a sex offender registering with the local police upon their release from prison, which isn't a great deal to ask. And I just think it's something that they would do rather than have to worry about \$25,000 fines or returning to prison. I think it would be something that would be done.

And so, Mr. Minister, I'm going to leave that issue for the time being. I think we have agreed that it would be advantageous for possibly both of us to sit down and to discuss the matter further, and I hope this kind of a Bill will come to pass in Saskatchewan.

Mr. Minister, I wanted to draw your attention to the Provincial Ombudsman's report. Speaking of prison, there are problems at the Regina Correctional Centre, I guess you probably have noted if you read her report, and I'm sure you heard about it before. But I was just wondering, Mr. Minister, do you know what I'm referring to specifically, the cameras that would monitor activities that are in the cell areas?

And I was wondering if you could give me an update on what kind of action has been taken by your department to better the situation at the Regina Correctional Centre. Because there again, we have this horrendous abuse of some of the prisoners, and although they're in there for a reason, I don't think that that's any reason why we do not ensure that their dignity, while they're in there, is protected a little bit.

To have to go through the kind of physical and sexual abuse that the said prisoner went through, I think is just unconscionable, and I think we need a review of the whole justice system in regards to correctional centres in this province.

I think there are many, many archaic situations in our correctional centres, and especially pertaining to our youth, things that need to be changed. But I would ask if you could give me some indication of what is being done in the case of the Regina Correctional Centre.

Hon. Mr. Axworthy: — Thank you very much, Mr. Chair. Well this is a matter of significant concern to all of us. And while I'm responding to this, just let me introduce Don Head on my left, who is head of corrections Saskatchewan and Elizabeth Smith,

who is the person who controls the purse strings mostly, in the department.

In response to your question, in fact I was at the corrections centre on Wednesday, Wednesday morning, and I met with the inmates' committee and with staff and discussed some of these questions and other questions with them. And I can say that in response to the issues which the Ombudsman raised and the member raises and indeed have been raised before and have caused us concern before, the Saskatchewan corrections has approached the issue in the following way.

Minimize the use of that facility as much as possible, first of all. Secondly, responded by a higher staff complement in that part of the Regina correction centre which, as the member quite rightly states, was designed for a different corrections philosophy which was designed for a different time.

And I'm not sure if the member's been there, but if she contrasts that building with the more modern buildings she will notice, as everybody would, the different philosophy of corrections. You won't find blind spots; you won't find facilities which are of the sort of the main building. But that building was built what, 85 years ago.

Secondly . . . thirdly I mean, we are of course considering what we can do about that building and what other facilities we could have instead of the Regina correction centre and that will continue. But as the member can appreciate, I'm sure, replacing a facility of the size of the Regina correction centre, even a smaller facility is extremely expensive and must take its place in the priority of other spending commitments of the government.

And I close by saying that in the Ombudsman's report, she quite rightly, and I think we should recognize this, compliments the Saskatchewan corrections department, Don Head and his staff, for responding to her concerns in as effective a way as they did and as effective a way as possible.

And I think it's important to remember that, within the constraints of resources and finances, Saskatchewan corrections is doing everything it can to ensure that inmates in our facilities are as safe and secure as they possibly can be.

Ms. Julé: — Mr. Minister, I thank you for your comments and I take a great deal of interest in your comparison that you made between the Regina Correctional Centre and other facilities.

Now if you were referring to the correctional centre in Saskatoon, I have to say that I'm not impressed with that correctional centre. Some of these places are hellholes. It pays to go and visit them. I think that proper rehabilitation for young offenders is necessary. I think they need to have rehabilitation, but they have to have access also to a humane environment while that's happening, or else they're going to be returning to prison over and over.

Buildings that are as old as that one are . . . Certainly I'm not placing any fault on you, Mr. Minister, about the building — obviously it's old — you're doing what you can with it. But I think that we have to ensure . . . (inaudible interjection) . . . Right. But I think we have to ensure that the kind of monitoring

and the kind of services that are provided in those centres are adequate and are protecting people against activities like that that are just . . . certainly should never be happening in that environment.

So I will just thank you and your officials. But I wanted you to spend a couple more moments — some of my colleagues have got questions that they would like to put forward.

Mr. Hart: — Thank you, Mr. Chair. Mr. Chair, my question to the minister deals with a pension issue that is raised by employees of the government in various agencies. I have in my hand a statement of claim that was filed on October, in October of 1999 on behalf of a number of employees, with the assistance of SGEU, and it's against the Saskatchewan Crop Insurance Corporation.

And what my understanding of the issue is, is that . . . what has happened is back in 1981 there was changes to the superannuation Act which allowed non-permanent employees, part-time and casual employees to join the pension plan. And part of the regulations stated that it was the employer's responsibility to inform these employees that they were eligible to join the plan.

(1400)

Apparently that was not done and sometime later the employees found out that they were eligible and asked to buy back their service. For some reason they were denied this, and as a result they had to take this legal action.

Now my question to the minister is how many other departments and agencies of the government have had this statement of claim filed against them?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well on the member's first point, as he points out, the issue of pensions in this regard is before the courts and I think he can understand that it would be inappropriate for me to respond to it.

His second point, which I take it is about other actions against other government departments. I can't give him the answer right now, but if he would allow me, I'll talk to my colleagues in other departments. It's probably more appropriate for them. But I'll talk to them and see the extent to which we can respond to that question.

Mr. Hart: — Mr. Chair, just to follow that up. To the minister: it's my understanding, I'm told, that in total there is — well, I'm not sure exactly the number but that's why I asked the minister — four or five or six other statements of claim and it affects approximately 250 employees.

I might, just for the minister's information, give the case of one of the claimants. In the statement of claim against crop insurance was the former employee of crop insurance who used to work in the Wynyard office.

When the Wynyard office was closed and she then had to drive to Raymore as part of her condition of employment because of the closure of the Wynyard office — now this person had some additional difficulties with your government. One day when

going home from work she was involved in a very serious car accident and suffered, you know, substantial injuries. She is now in a dispute with SGIO . . . SGI, I should say, through the no-fault insurance claim and that whole scenario. And now she's being denied her pension benefits because she wasn't a part-time employee and that sort of thing. So she's suffering a double whammy and that sort of thing.

And also, I have a memo in my hand that SGEU wrote to all government members of the Legislative Assembly urging the government to simply just settle this issue. It's not dealing with a large number of employees. I would assume that the number of dollars that are involved in this issue are not large and that it is creating some hardships for quite a number of these employees that are directly affected by this.

And I would just simply urge the minister and his government to do the right thing, as the memo from SGEU suggests, do the right thing and just settle this thing rather than dragging it out through the court system.

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well in response to the member's question, again, I think he'll understand that as it is before the courts, it would be inappropriate for me as Attorney General to respond.

But I might say, I might say, Mr. Speaker, that the Saskatchewan Crop Insurance, being a Crown corporation, does not have the Department of Justice as its lawyer. In fact, if the question is an appropriate one at all, bearing in mind that there is litigation in place, the appropriate minister would be the minister responsible for Saskatchewan Crop Insurance Corporation.

Mr. Hart: — Mr. Chair, one further question. I believe there are other department agencies and government departments that are involved in this situation. And yesterday during the Committee of Finance, my colleague the member from Spiritwood, asked the Minister of Labour about . . . raised this issue with the Minister of Labour. And at that time she suggested that we take it up with the Minister of Justice. And so that's why I'm raising this question this afternoon.

Mr. McMorris: — Mr. Chair, my questions are regarding the correction centre too, and Arlene had touched on it. I'm not into the . . . not going to talk on the . . .

The Chair: — Order, order. The member I think recognizes the problem already. It's against the rules of the legislature to use a member's name. Just carry on.

Mr. McMorris: — My question was regarding corrections and the whole issue of the no smoking policy for all people in the correction centre — staff, everything else. I've had a number of phone calls and know a number of the people personally that are staff in the correction centre. And they had some real concerns with it.

And I just want to know where that is. What is . . . where are you at with that now as far as . . . is there no smoking of course in the building, on the grounds, in the parking lot — thinking of the Regina correction centre. In other words, if they go off the grounds, then are they leaving their post, and addressed

accordingly? Just where are you on that type of thing?

Hon. Mr. Axworthy: — Thanks, Mr. Chair. Well this is an important question.

As you know, we introduced the smoking ban at Regina correction centre first — I forget the date; April 1 I think. And that is progressively being continued through the system in the province.

The member's right — there is a smoking ban in the institution and on the grounds of the institution for both inmates and staff. This is not always an easy transition, as you can imagine, either for inmates, in particular new inmates, but even those who've been there for some time, nor on the part of staff.

We are addressing those concerns as they arise. And we will continue to do that and continue to try to address the concerns of staff as the process continues.

I might say that there are any number of methods of assistance to inmates to enable them to deal with their inability to respond to their nicotine addiction in the institution.

Mr. McMorris: — Okay, I can understand, you know, the principle in the building and I have no problem with that. I really question what's the meaning of, on the grounds? You know, you have a staff member that takes a coffee break. They're going through the withdrawal of the inmate and all the stresses that go with that, then themselves, and they go out on a coffee break to have a cigarette. It's 40 below out, and they're willing to go ahead and do that outside the doors on their coffee break, and you're saying, no, they can't do it.

And that's just the staff. I mean with the addiction of nicotine, which fortunately enough I've never been involved with it, I've never smoked in my life, but it's got to be one of the toughest addictions to break. And you've got inmates that are under all sorts of stresses, and now they can't go outside and have a cigarette. They come back in, and they're put in the environment where staff is going through withdrawal and they can't even go out and have a cigarette in the parking lot. And I really question the whole logic behind that. Who is it hurting and why are you doing it?

Hon. Mr. Axworthy: — I think the response to the member's . . . the member, I think, understands why smoking is prohibited on the grounds of the institution for inmates. I don't think he's raising that question. The problem, as he will realize, was when smoking was permitted outside and in designated areas within the institution, the rules were constantly broken and were very difficult to enforce.

That interim measure lasted for several years and the inmates, as occurred, did not respect those rules and regulations, and consequently the only effective way was to ban smoking on the part of inmates in the whole institution — the same measure taken for staff.

And with regards to the member's specific point about why don't you let staff smoke outside, the approach taken by corrections Saskatchewan was permitting that would not contribute to harmony within the institution that we would

expect — and indeed there must be evidence from before — that we would expect disruptions on the part of the inmates, because of course it would be visible to them, the staff outside smoking on the grounds or outside the door.

Mr. McMorris: — Mr. Chair, just a couple of quick statements to end. I understand that harmony thing, but I would really believe that there is lack of harmony out there right now from the reports that I've had, just on that very issue.

And one of . . . the one point about the inmates and they had areas where they could smoke, and they weren't sticking to that. Hearing from people inside that I have talked to, said it was never enforced. It was never enforced. And that, you know . . . So you're wiping the whole thing out because you didn't enforce the problem. That's what I'm hearing from people inside the building, both staff and inmates.

And so, you know, you've really, I think, caused a lot of problem where the problem didn't need to be caused.

Hon. Mr. Axworthy: — Let me just respond very, very briefly. I mean the issue is a health issue, and I think the member understands that. The province, and indeed the people of Saskatchewan, are of the view that it's a health issue and that we should do what we can to address it. And indeed the legislature has had a committee studying this question, specifically with regards to children.

So I mean it was a health initiative, not a corrections initiative. And it was an initiative that had been delayed really, or its implementation had been delayed for quite some years.

In order to protect the health of inmates and staff in the institution from second-hand smoke, this was the only avenue available after trying everything else. And I would say to the member that the enforcement of the partial ban in the institution was extremely difficult to enforce, and the conclusion of officials was that it just simply was not enforceable.

And I should add that other provinces are moving in the same direction as this, Mr. Chair. And indeed there are many, many institutions across North America where smoking bans of this sort are in place.

Mr. Toth: — Thank you, Mr. Chair. Mr. Minister, and to your officials. Just a couple of questions here. First of all, regarding yesterday's ruling by the Supreme Court, and I believe the Saskatoon *StarPhoenix* describes it very fittingly. It says: "Gun law legal but still stupid."

Mr. Minister, as I look at the debate that's taken place, I have a concern, and we all fall into the next comment I'm going to make, that sometimes politicians really are out of touch with the population in general. And certainly it appears that the federal ministers of Justice, Mr. Rock, and now Anne McLellan, have just decided that they're going to just go full bore ahead as a result from the push of a few concerned citizens and groups, and forget about the rest of Canada.

The concern I have, Mr. Minister, is while this issue has been more of a western issue . . . And again we find ourselves sitting in a situation where we've got a group of politicians in Ottawa

who have just decided that they could care less about Western Canada. Then they rely on the Supreme Court, which is basically a politically appointed group of people and there for life . . . And I begin to think that maybe it's time we have at least a term on the Supreme Court so that former parties that are elected to government don't always have to rely on somebody else's appointment in the past.

But the concern I have here, Mr. Minister, is where do we go from here? I know a lot of gun owners across Western Canada, certainly in Western Ontario too — it's not just Western Canada; it would be outside of the Niagara Peninsula and west. And it's not just men; there's a lot of women who enjoy the recreation of hunting as well.

And in the province of Saskatchewan, Mr. Minister, we've taken a strong stand. I believe your party has given some leadership, and I'd just like a clarification of where we go from here.

(1415)

And I think one of the . . . when you look at provincial jurisdiction, last night Ms. McLellan basically said, well, we have federal prosecutors, we have federal police. Ontario, I think, has a provincial police, Quebec has a provincial police, we use a national police force — what are the avenues that the province is going to pursue now?

Hon. Mr. Axworthy: — Well very briefly, Mr. Speaker, my comments remain the same as yesterday and our disappointment with regards to the Supreme Court of Canada. I should remind the member that six provinces and three territories shared in this constitutional challenge, and he quite rightly points out the difficulties that this legislation has caused many across the country. And there is plainly a prairie or a Western Canada perspective on this which is different than that of the federal government.

Having explored all of the legal options, I mean both before and after the failure of the constitutional challenge — and I think your party agrees — the possibilities are extremely limited. We'll still look at them but they are extremely limited on the legal front. This remains or this then becomes solely — it seems to me almost solely at any rate — a political issue now which requires us all to bring as much pressure to bear on the federal government.

We know that they have not responded effectively to the pressure which has already been quite significant. I think it's our obligation to continue to call upon the Minister of Justice to prove that this works. We think it's very, very unlikely that you could ever prove that this was an effective way of responding to concerns about violence in our communities and safety and security at home.

So we will continue that process. We will continue to not enforce the Firearms Act. As you know, the government made that position clear in 1996 and reiterated it in 1998. So we won't be using our resources to enforce the firearms legislation. If charges are to be laid they will have to proceed through federal prosecutors and we will continue the political pressure, as I'm sure the member will as well.

Mr. Toth: — Thank you, Mr. Chair. Mr. Minister, I appreciate that and I think you're right. It certainly is a political question and it's going to have to be addressed probably in that manner. That's the only way that some people may begin to listen.

One other question I have and a concern I have, Mr. Minister, and it comes to . . . As I understand it, in this country you're innocent until proven guilty. And I'm wondering, Mr. Minister, if indeed that is the rule of law. And the reason I ask that question, while I'm not always defending police officers, but I think police officers work very diligently to try and establish . . . not establish the law, but uphold the law. But I'm concerned about the fact that in Saskatoon we've had a couple of officers that are under question for some activity, and now we just had an announcement in Regina as well.

And it would seem to me whether it's police officers, whether it's an individual person, that if we're innocent until proven guilty, I'm concerned when groups start saying, well you're suspended.

If there's a suspension required, until a decision is made and until you find out the facts and whether or not there was actually a charge should be laid or a guilty verdict, I am concerned about the fact that people maybe have their salary removed. Because it seems to me the message we're sending is that that person is actually guilty of the offence.

And I think what we should be saying, that anyone, regardless, until a final verdict is reached, is innocent. And that is the concern I have, and I just wonder if there is a response, Mr. Minister.

Hon. Mr. Axworthy: — I think the appropriate response, Mr. Chair, and one I hope the member will understand, is that with this matter before the courts, it would be inappropriate for me to comment on it.

Mr. D'Autremont: — Thank you, Mr. Chairman. I'd like to welcome the Minister of Justice here, along with his officials.

I have some questions that I have asked to the Minister of Energy and Mines, but as he correctly pointed out, they fall within the purview of Justice in dealing with the Surface Rights Arbitration Board.

Mr. Minister, I have a letter here that was sent . . . a copy of a letter that was sent to you in dealing with resolutions passed by the Southeast Surface Rights Association, and I wonder if you could give me some indication as to what your response is to these particular matters.

The first resolution deals with additional funding for the board, that is the Surface Rights Board, under The Surface Rights Acquisition and Compensation Act, for the board to actually have hearings in the rural municipality in which the action is taking place, so that the board members can actually see the location that they're making a determination on, to gain a better understanding of all of the issues involved.

In most cases the board hearings are held in Regina or Saskatoon or a major centre. It's a major inconvenience and cost to the land owner to travel into that centre for the hearings

because this is where the Surface Rights Board has its hearings, it's more convenient for the companies involved because they can fly people in from Calgary or Edmonton or Toronto or wherever they might come from, and putting a large imposition on the land owner who is being inconvenienced by the operation. He may very well have not wanted that operation on his land but is being forced to put up with it and feels extremely put out when he has to travel, say, from the southeast part of Saskatchewan to Saskatoon for a board hearing.

What are you doing about those circumstances, Mr. Minister, to make it . . . make the board more aware of what is actually happening at the site? And what are you doing about making it more equitable for the land owner when he has to travel great distances for a hearing that conveniences the board and conveniences the oil companies involved?

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Well as the member will know, there have been extensive discussions over the years about this and other matters affecting the Surface Rights Board, and plainly it would be preferable to many if the hearings could be heard closer to their home.

We do the best we can, and I think the member would recognize that, to ensure that the timing of the hearings and so on are designed to inconvenience those participants as much as possible. The point remains that sometimes these hearings are inconvenient geographically, and therefore from an economic point of view, for the participants.

It is, as I'm sure the member can appreciate, primarily a question of — or significantly a question of — of resources. If more resources were committed to the surface rights arbitration process then these are some of the things that could be addressed.

I'm not sure whether the member is suggesting that we commit more resources to this process, but that would address the concern at our . . . At the present stage, Mr. Chair, we are not considering additional resources to the board but we continue to discuss this matter and indeed other matters with surface rights . . . with people who are affected by surface rights.

Mr. D'Autremont: — Well, thank you, Mr. Minister. Since cost seems to be a factor in being available to the landowner in particular, perhaps the resolution no. 3 that was put forward by the association would help in dealing with those costs.

They're recommending that mediation be a part of this process, that both the landowner and the company involved sit down and participate in mediation to try and resolve some of these matters before it goes to the quasi-judicial board for a final determination, to try and settle some of the issues before it happens . . . before the major costs become involved.

And that a failure to comply with a mediated agreement then be given some teeth to force the offending party, either the landowner or the oil company, once they have agreed to the results of mediation, that that compliance be carried out and that the board be able to enforce those.

Hon. Mr. Axworthy: — Mr. Chair, this is a matter we've also discussed at some length with surface rights organizations. And

certainly in terms of mediation there's a long-standing commitment on this side of the House to mediation and to supporting mediation. And we would certainly encourage all participants in this process to attempt to mediate their dispute before taking any further action. And mediations take place, as the member will know, not infrequently, and will continue to do so. And we will continue to encourage it.

Mr. D'Autremont: — Thank you, Mr. Minister. When mediation does take place an agreement occurs. There are times when that agreement is not followed, and yet there is no teeth within the legislation to enforce a mediated settlement agreement. But the board, when they do put forward a settlement, what kind of penalties or enforcement capabilities does the board have to ensure that the parties involved are in compliance to a board order?

Hon. Mr. Axworthy: — Well, Mr. Chair, in response to the member's question, the decision would be, would be filed as a court order and then the normal court enforcement mechanisms would apply, and in the same way as if it had been a decision of a court.

Mr. D'Autremont: — Well thank you, Mr. Minister. I wonder if you could explain that a little bit more in context of a settlement that has been ordered by the board. One of the parties does not comply — does that mean that the other party is then responsible to seek compensation or redress through the court system incurring therefore all of the legal costs involved on that party even though the board has ordered a particular action to take place?

Hon. Mr. Axworthy: — Well the short answer to the question, Mr. Speaker, and I will — Mr. Chair — and I will give a short answer — is yes.

But if the member has any specific cases in mind which he could bring, to which he could bring our attention; we'd be happy to look at them, but he is raising a hypothetical issue. But if there are specifics then we'd be happy to look into them for him.

Mr. D'Autremont: — Well thank you, Mr. Minister. I had a case that I brought to your attention last year on this. But what you're telling me is that the board can make an order, and then either party to that order doesn't have to follow it if they feel that the other party does not have the financial resources in which to pursue it. So what is the value of this board if parties to the actions can simply ignore it if the other party doesn't have the financial resources to pursue the matter?

Hon. Mr. Axworthy: — Well, Mr. Speaker, in response to the member's — Mr. Chairman — in response to the member's question, like all boards, like all court decisions, like all decision-making processes in our society, a decision is rendered, the responsibility to enforce that decision is upon the person who's seeking the redress. That would apply whether it was a Court of Queen's Bench action, a decision made by the Surface Rights Board, or any other board.

That is the way the system works. You get an order, the responsibility to enforce that order is with the person who wants it enforced. And that process is through the court process, Mr.

Speaker. That would be the case in every legal system that I know of.

Mr. D'Autremont: — Well, Mr. Minister, that certainly . . . well maybe the actual application. Because if the government takes somebody to court and the court ruling goes in government's favour, let's say a fine is to be paid by an individual, and they don't wish to pay it, the government would certainly then pursue that because they have the financial resources to do so.

In this particular case though, if you have a quarter-section farmer taking on a huge multinational oil company, that can provide for all of the high-cost lawyers and all of the hoops that they have to jump that they can take advantage of within the legal system, it certainly does seem to be an unfair playing field, and that is what the Surface Rights Arbitration Board is in place for, is to try and level that playing field.

Otherwise there is no use for the Surface Rights Arbitration Board to be in place. Why not simply let the parties go to court and hash it out there? Because that's what you're saying at the end of the day is going to be the net result if one of the parties does not want to follow the rulings of the Surface Rights Arbitration Board.

Why even involve the Surface Rights Arbitration Board if the parties involved do not have to follow the rulings that that board has made and the only recourse of the offended party is to go all the way through the court system? They might as well do that in the first place.

So you're waste . . . if you're not prepared to provide the support to the individuals once a determination has been made, then simply disband and get rid of the Surface Rights Arbitration Board.

(1430)

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, I might just point out to him that section 87 of the Act deals with a decision which has not been enforced, which at the behest of one of the parties can be enforced by the sheriff or his bailiff or somebody that he designates.

So in terms of enforcing the order, that is the appropriate process to go to. Or if the person is seeking, in this case the oil company I suppose, to do anything or to pay any compensation or damages, and that is not forthcoming after the board has made an order, then the appropriate vehicle is through the Court of Queen's Bench.

It's not, I think, accurate to talk about the whole judicial process. An order is registered with the Court of Queen's Bench and then the normal enforcement measures are followed.

I think the member should recognize, and I'm sure he does, that the vast majority of decisions made by the Surface Rights Arbitration Board are complied with by those who are ordered to comply. And the reason for the board is because it is a significantly more efficient, more effective, and a speedier process to boot, to deal with these kinds of questions.

I doubt that the member is really suggesting that all disputes about surface rights should be addressed personally between the two people involved if they can't make an agreement and that then you go to court. That, Mr. Speaker, would be, or Mr. Chair, would be a much more cumbersome, much more expensive, and much less effective a process. And I doubt that the member is suggesting that.

Mr. D'Autremont: — Well I certainly am not, Mr. Minister. But I question the viability of the Surface Rights Board if its orders cannot be enforced and when one party can arbitrarily simply ignore them.

I'd like to ask you: what is the procedures then if one . . . if a judgment has been made against one of the parties they simply refuse to do whatever the order indicated they were to do and an application is made to the Court of Queen's Bench. Is it simply a matter of filing an application and then the court deals with the matter, saying that has been dealt with by the Surface Rights Arbitration Board, now you will do X or else? Or does the applicant have to go in there and defend their application?

Hon. Mr. Axworthy: — Well, Mr. Speaker, Mr. Chair, the member raises the issue of the effectiveness I suppose of a decision of the board and continues to discuss the question of how you enforce, or how that order is enforced.

The Act is clear and it's I think relatively straightforward. If the order is not complied with — as I mentioned, the vast majority of orders are in fact complied with — but if the order is not, then the aggrieved person, the owner usually, or occupant, may file with the local registrar of the Court of Queen's Bench in the centre nearest to the land involved. That then becomes a court order which is enforced by the sheriff in the normal way.

That, Mr. Chair, is the way in which legal decisions, disputes between individuals, civil actions, are enforced in this province and every other province and in every other country in the world.

Mr. D'Autremont: — Thank you, Mr. Minister. Then does every other country in the world also have a Surface Rights Arbitration Board to deal with these matters?

Hon. Mr. Axworthy: — Indeed not everybody does have a Surface Rights Arbitration Board. But I think you can easily envisage the alternative, Mr. Chair, and the hon. member I'm sure can too.

Rather than a farmer going to the Surface Rights Arbitration Board for the matter to be resolved with a relatively modest cost involved in that, and the relatively modest commitment in time, the alternative would be for that farmer to go to court, to the Court of Queen's Bench, with the incredible expense of lawyers and so on, to enforce that claim.

So the presence of the Surface Rights Arbitration Board in the province saves farmers significant resources, both in terms of dollars for hiring lawyers and so, and in terms of time. I mean I think it's pretty clear, the benefits over the court alternative.

Mr. D'Autremont: — It's certainly of benefit to those parties that wish to comply with the board decision. In those cases

where a party does not wish to comply with a board decision, it seems to be of no assistance whatsoever that they end up back in the court system where they . . . and simply could have avoided all of that in the first place.

What needs to change here, Mr. Minister, is that the Surface Rights Arbitration Board needs to have the ability to enforce its own rulings, which it presently does not have.

And one of the recommendations being put forward by the surface rights association is to allow the board of arbitration to reconvene a hearing with powers to impose penalties and punitive measures for non-compliance of a board order. Have you considered that, Mr. Minister?

Hon. Mr. Axworthy: — Well, Mr. Chair, as I've said a number of times, this is the procedure followed in all boards and indeed in all provinces.

The member's suggesting that the Surface Rights Arbitration Board should have enforcement powers, I take it he would assume then that other boards should have enforcement powers too, whereby you would have a myriad of sheriffs working for boards around the province enforcing the boards' decisions.

Rather than the process we have now, which is a system whereby the enforcement process is through the Court of Queen's Bench and through the sheriffs who respond, who work out of the Court of Queen's Bench . . . a more efficient, more effective service, Mr. Speaker. And I can't, Mr. Chair, and I can't imagine that the member's suggesting that every board should have its own enforcement mechanisms with the huge expense of personnel and processes and paper and so on to enforce it.

Mr. D'Autremont: — Certainly not, Mr. Minister, but not every board has the power to authorize access onto individual owners' property. This board certainly does have and this board certainly does do that.

A landowner who may not wish to have . . . to allow access onto his property, at the end of the day appears before the Surface Rights Arbitration Board and is told, they're coming on whether you like it or not. Now he can say, no you're not; and he simply winds up in court again or with the sheriff doing whatever the sheriff has to do and allowing access onto that property.

However, on the other side of the story, if the court has ordered compensation or a certain way of dealing with the matter, then — and that company does not wish to comply with that — the sheriff doesn't show up and say, yes you will. The landowner has to go to the Queen's Bench court and make an application to have the circumstances rectified. It doesn't seem very equitable, Mr. Minister.

So why does the board, the Surface Rights Arbitration Board, which is allowing companies to have access to individual owners' property; not have some mechanism in which to enforce the orders that it has applied against the parties without it having to cost or take additional time for the landowner? Because the landowner is certainly being forced to comply.

Hon. Mr. Axworthy: — Mr. Chair, I don't have anything to add to my previous answers other than to say that the department is looking at a more overarching creditors' remedies project to assist in the enforcement of remedies of the sort the member is talking about through the Queen's Bench of court process . . . through the normal judgment enforcement process which one would hope would facilitate these matters.

But I don't have anything to add about the enforcement of the court orders for the Surface Rights Arbitration Board other than what I've said three or four times, Mr. Chair.

Mr. D'Autremont: — Well, thank you, Mr. Minister — for not answering, I guess.

Another part of their letter deals with resolution 5, Mr. Minister, that deals with seismic surveys, geophysical surveys upon the land, in particular deals with rural municipalities and having the geophysical surveys done on right-of-ways, municipal right-of-ways, and road allowances as opposed to having it done on private property.

And the suggestion that the surface rights association is making is that rural municipalities be allowed to levy a licence and a permit fee for those geophysical surveys which are carried out on public lands. When those geophysical surveys are carried out on private property, there is a fee, access fees and damages that are paid, but those fees and damages do not apply when the surveys are carried out on public lands.

Have you given any consideration to allowing municipalities to levy those kind of licences and those kind of permit fees?

Hon. Mr. Axworthy: — Mr. Chair, the member will probably know that the matter of issuing . . . rural municipalities licensing geographical surveys is a matter within the jurisdiction of the Municipal Affairs, Culture and Housing minister, and it would be appropriate for him to raise that question there.

Mr. D'Autremont: — Well thank you, Mr. Minister. On the issue of compensation, and practices and procedures of the board in dealing with environmental responsibilities, waste management, restorations of abandoned sites, and accountability, what have you been doing in this department to bring these up to date with the current practices in other jurisdictions?

Hon. Mr. Axworthy: — Mr. Chair, I think the member will know that there are significant initiatives really in Energy and Mines jurisdiction in dealing with these questions, significant issues, on the part of the government to address the concerns he's raised.

And it would be I think most appropriate if he raised those questions with the Minister of Energy and Mines, and with the Minister of the Environment and Resource Management, where those initiatives are addressed.

Mr. D'Autremont: — Well thank you, Mr. Minister. Then perhaps you need to discuss this with the Minister of Energy and Mines. Because when I asked him about it, he said it's your responsibility because it deals with the determinations by the

Surface Rights Board in dealing with compensation, with the practices being carried out by the companies on the landowner's land, and the procedures that they use as well as what their environmental responsibilities are.

This is clearly, Mr. Minister, not in the purview of the Minister of Energy and Mines. This is your responsibility and no one else's. So what are you doing about it?

What are you doing to ensure that the compensations and practices being carried out in this province as being mandated by the Surface Rights Arbitration Board are standardized across Western Canada? And how . . . Actually, I'll come back to this next question. That's my question now.

Hon. Mr. Axworthy: — Mr. Chair, I must have misunderstood the member's former question. I thought he was addressing issues of environmental initiatives in the environmental field and that's why I responded in the way in which I did.

In response to his specific question, he will know that there are appeals by all companies based on the board's recent awards — the oil companies claiming they're too generous. We will have to wait for the appeals to go through the court process. And of course we continue to monitor this development, but we will await the court's decision here.

(1445)

Mr. D'Autremont: — Well thank you, Mr. Minister. I guess that comes to the next point. How does the board make a determination as to the values that it places on access, on nuisance, on whether or not this land should be considered agricultural land? Because when a company is given access to a landowner's property, that land may very well be cultivated land for the raising of crops; it may very well be pasture land.

But when that company takes ownership or a lease or access to it, they're not planning on raising wheat and chasing cows on it. It now becomes an industrial site.

So why is the determination made to make compensation based on agricultural land when in actual fact the property is going to be used as an industrial site? How is that determination being made?

Hon. Mr. Axworthy: — Well, Mr. Speaker, this question goes to the heart of in fact having a board at all, an independent board, independent from the Department of Justice, indeed from the government as a whole. Independent boards set their criteria, Mr. Speaker . . . Mr. Chair, that's what their job is, and then apply those criteria.

And it would be unwise and indeed inappropriate for me to second-guess the guidelines they establish. And for those who are concerned about the compensation levels of decisions made by the Surface Rights Arbitration Board, I presume they make those arguments to the board when applications are being considered.

But that's the purpose of the board — to assess how best to proceed in an administrative, detailed area and then to proceed in accordance with their own guidelines.

Mr. D'Autremont: — Well thank you, Mr. Minister. Well in explaining how they make those determinations and where they gather their information from, certainly doesn't second-guess the decisions they make based on that method of determination and the information they have.

So how do they gather that information that they use to make their assessments and what is the process they use to make those assessments?

Hon. Mr. Axworthy: — Well I don't know how much time the member has, Mr. Speaker, but I could go through the various different mechanisms the board follows. But I think the member will have access to them himself; and he probably also has access to various studies, for example, negotiating surface rights out of the Centre for Studies in Agriculture, Law and the Environment at the University of Saskatchewan which sets out the criteria pursued by the board, Mr. Speaker.

But I reiterate, it's in this area of administered tribunals . . . the very purpose for having boards is to ensure that a detailed area of the law which would not be appropriate for this place or for the courts to deal with the detailed issues, be addressed by that board in accordance with the procedures they set down for their activities and then that they, in fact, comply with those procedures. I'm not sure if the member is arguing that the procedures aren't being followed by the board, and he has avenues to pursue if that is the case.

Mr. D'Autremont: — Well thank you, Mr. Minister. Let's deal with something that is directly in the Act then. Under resolution 6, from the surface rights association, it says:

The proponent must deposit an amount sufficient to satisfy all compensation claims and costs; and whereas the current deposit required under The Surface Rights Acquisition and Compensation Act is fixed in 1968 and is outdated, insufficient, and inadequate . . .

What is the compensation set out in the Act as it was in 1968 and currently the rule that applies?

Hon. Mr. Axworthy: — Mr. Speaker, and Mr. Chair, in response to the member's general point about the desire for an increase in deposits, these are matters that we constantly look at and we constantly discuss with affected parties, and we'll continue to do that of course.

But it appears that the deposits at the present time are \$1,200 for a well site or a roadway, and \$150 an acre to 2,000 for a flow line or a service line.

And what the member is referring to is a resolution by the surface rights association, the Southeast Saskatchewan Surface Rights Association, to increase those numbers to 20,000 and \$2,000 respectively, which would be difficult to justify such a huge increase at this time.

But I might add that, or might reiterate that we constantly look at these kinds of issues with those affected and will continue to do so in the future.

Mr. D'Autremont: — Well, Mr. Minister, I'm not quite sure

why you would think it would be difficult to justify at the present time, when the cost of servicing, drilling a lease — a three and a half, four acre lease — will run easily into a half a million dollars. And to put down a deposit on possible claims of \$20,000 seems to be very minimal in that case.

The same with flow lines. You can cause considerable amount of damage with a leak on a pipeline that could easily amount to greater than \$2,000 worth of damage, particularly in this age when environmental concerns are so critical, where the loss of value of a piece of property can be astronomical when such a leak occurs.

I think that there is some value in taking a very serious look at increasing this dramatically; \$150 and \$1,200 for a well site certainly does seem to be very low. And it's time, Mr. Minister, that that be visited and corrected.

And my colleague from Moosomin has one question left.

Mr. Toth: — Thank you, Mr. Chair. Mr. Minister, just one question here, and I don't know if you have a total answer for me today, and maybe it's something your department is struggling with.

But I'm just looking at *Leader-Post*, June 14, "Judge struggles with sentence for FAS victim," fetal alcohol syndrome. I know as . . . Certainly the Department of Social Services, it's been an issue that's been raised considerably, and something that we're going to have to deal with. And it certainly appears that it's going to be an issue that is going to confront the legal community and judges in particular as well.

And I'm just wondering, Mr. Minister, if you could make a quick comment. And maybe even at a later date, just fill us in as to what your department is doing to address this problem that seems to be becoming just maybe a fairly large problem that we'll have to deal with in the future.

Hon. Mr. Axworthy: — I can very briefly, but I will provide the member with significant details of the approaches being pursued by the government, and indeed there is an interdepartmental working group working on this that has been in effect since 1993.

And the lead department is the Department of Health, but in fact we met just recently about the various initiatives. I think we all share the member's concern that we provide responses to these questions in a timely and effective way. This plainly is a significant issue for us.

Subvote (JU01) agreed to.

Subvotes (JU02), (JU03), (JU04), (JU05), (JU06), (JU07), (JU08) agreed to.

**General Revenue Fund
Lending and Investing Activities
Saskatchewan Land Information Services Corporation
Vote 159**

Subvote (SL01) — Statutory.

**General Revenue Fund
Justice
Vote 3**

Vote 3 agreed to.

**Supplementary Estimates 1999-2000
General Revenue Fund
Justice
Vote 3**

Subvotes (JU03), (JU06), (JU07), (JU08), (JU09) agreed to.

Vote 3 agreed to.

The committee reported progress.

The Speaker: — Have a safe, pleasant weekend and return next week at 1:30 Monday.

The Assembly adjourned at 2:58 p.m.