



FIRST SESSION - TWENTY-FIFTH LEGISLATURE

of the

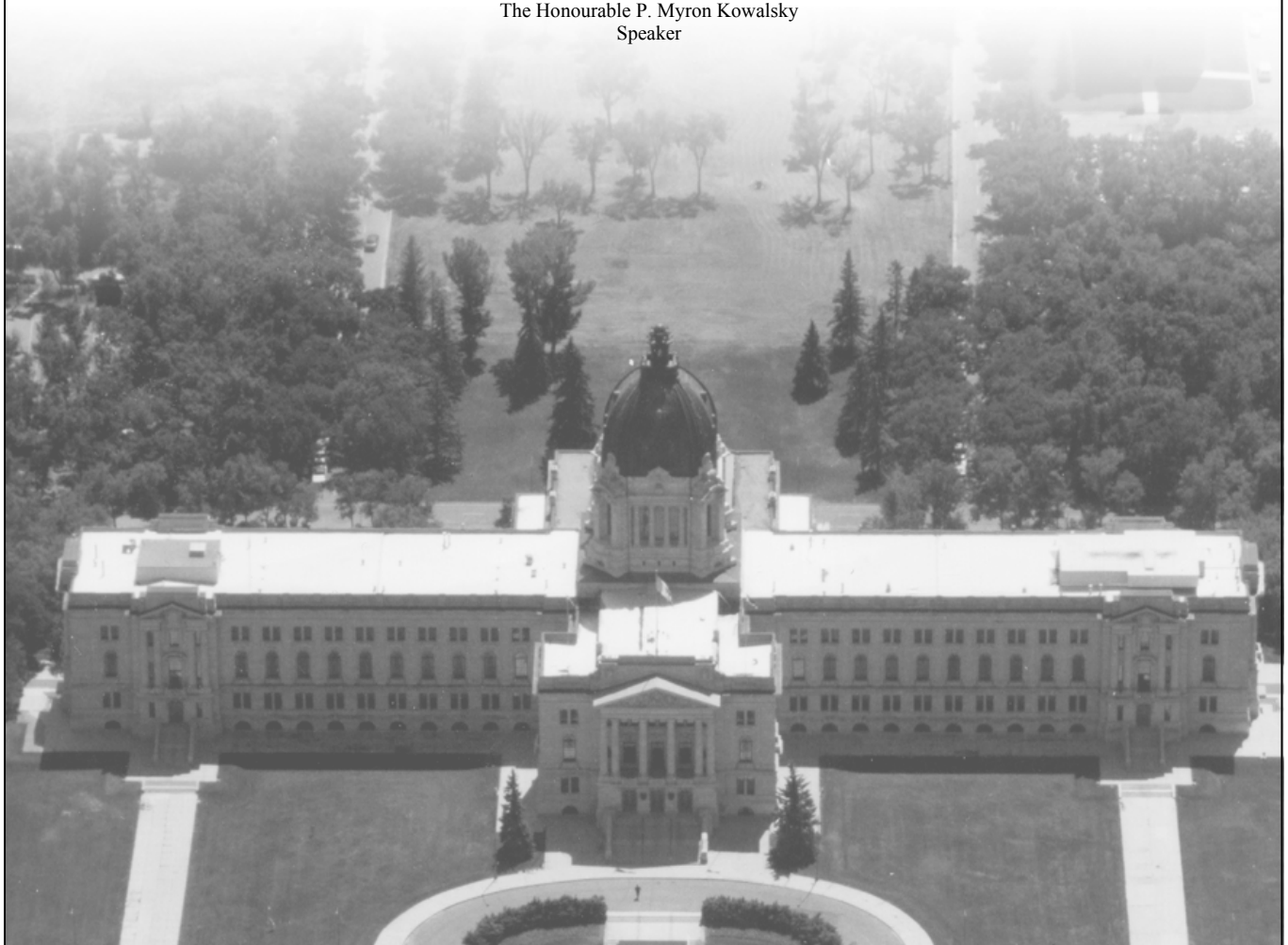
Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of

The Honourable P. Myron Kowalsky
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. P. Myron Kowalsky
 Premier — Hon. Lorne Calvert
 Leader of the Opposition — Brad Wall

Name of Member	Political Affiliation	Constituency
Addley, Graham	NDP	Saskatoon Sutherland
Allchurch, Denis	SP	Rosthern-Shellbrook
Atkinson, Hon. Pat	NDP	Saskatoon Nutana
Bakken, Brenda	SP	Weyburn-Big Muddy
Beatty, Hon. Joan	NDP	Cumberland
Belanger, Hon. Buckley	NDP	Athabasca
Bjornerud, Bob	SP	Melville-Saltcoats
Borgerson, Lon	NDP	Saskatchewan Rivers
Brkich, Greg	SP	Arm River-Watrous
Calvert, Hon. Lorne	NDP	Saskatoon Riversdale
Cheveldayoff, Ken	SP	Saskatoon Silver Springs
Chisholm, Michael	SP	Cut Knife-Turtleford
Cline, Hon. Eric	NDP	Saskatoon Massey Place
Crofford, Hon. Joanne	NDP	Regina Rosemont
D'Autremont, Dan	SP	Cannington
Dearborn, Jason	SP	Kindersley
Draude, June	SP	Kelvington-Wadena
Eagles, Doreen	SP	Estevan
Elhard, Wayne	SP	Cypress Hills
Forbes, Hon. David	NDP	Saskatoon Centre
Gantfoer, Rod	SP	Melfort
Hagel, Glenn	NDP	Moose Jaw North
Hamilton, Doreen	NDP	Regina Wascana Plains
Harpauer, Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Ben	SP	Martensville
Hermanson, Elwin	SP	Rosetown-Elrose
Higgins, Hon. Deb	NDP	Moose Jaw Wakamow
Huyghebaert, Yogi	SP	Wood River
Iwanchuk, Andy	NDP	Saskatoon Fairview
Junor, Judy	NDP	Saskatoon Eastview
Kerpan, Allan	SP	Carrot River Valley
Kirsch, Delbert	SP	Batoche
Kowalsky, Hon. P. Myron	NDP	Prince Albert Carlton
Krawetz, Ken	SP	Canora-Pelly
Lautermilch, Eldon	NDP	Prince Albert Northcote
McCall, Warren	NDP	Regina Elphinstone-Centre
McMorris, Don	SP	Indian Head-Milestone
Merriman, Ted	SP	Saskatoon Northwest
Morgan, Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, Hon. John	NDP	Regina Lakeview
Prebble, Hon. Peter	NDP	Saskatoon Greystone
Quennell, Hon. Frank	NDP	Saskatoon Meewasin
Serby, Hon. Clay	NDP	Yorkton
Sonntag, Hon. Maynard	NDP	Meadow Lake
Stewart, Lyle	SP	Thunder Creek
Taylor, Hon. Len	NDP	The Battlefords
Thomson, Hon. Andrew	NDP	Regina South
Toth, Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation Park
Van Mulligen, Hon. Harry	NDP	Regina Douglas Park
Wakefield, Milton	SP	Lloydminster
Wall, Brad	SP	Swift Current
Wartman, Hon. Mark	NDP	Regina Qu'Appelle Valley
Weekes, Randy	SP	Biggar
Yates, Kevin	NDP	Regina Dewdney

[The Assembly met at 13:30.]

[Prayers]

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

The Speaker: — The Chair recognizes the member for Cypress Hills.

Mr. Elhard: — Thank you, Mr. Speaker. I am pleased to present a petition today on behalf of constituents from the communities of Pennant, Cabri, Webb, and Success. Now the petition concerns the cost of SAMA [Saskatchewan Assessment Management Agency]. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take all necessary action to reverse charges recently made that require the education sector to contribute to the cost of SAMA, as this added burden for school boards will ultimately lead to higher property taxes for Saskatchewan residents.

As in duty bound, your petitioners will ever pray.

I so present.

The Speaker: — The Chair recognizes the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. I too do rise today on behalf of people who are concerned about the devastation that crystal meth is bringing to their community. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause this government to take the necessary action to implement a strategy that will deal with crystal methamphetamine, its education, prevention, enforcement, and treatment.

The people that have signed this petition are from Kelvington and Wadena. I so present.

The Speaker: — The Chair recognizes the member for Rosetown-Elrose.

Mr. Hermanson: — Thank you, Mr. Speaker. I have yet another petition to halt the forced amalgamation of school divisions. Mr. Speaker, the prayer of the petition reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to reverse the decision to force the amalgamation of school divisions in Saskatchewan and to continue reorganization of school divisions on a strictly voluntary basis.

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

Mr. Speaker, signatures on this petition are from the community

of Eston, and I am pleased to present this petition on their behalf.

The Speaker: — The Chair recognizes the member for Swift Current.

Mr. Wall: — Thank you, Mr. Speaker. Again I rise on behalf of constituents of mine who are concerned about the lack of residential support offered to people who have long-term disabilities in my constituency. The prayer of their petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to provide the funding required for additional spaces for Swift Current residents with lifelong disabilities.

And as in duty bound, your petitioners pray.

Mr. Speaker, all of the petitioners today are from the great city of Swift Current. I so present.

The Speaker: — The Chair recognizes the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Speaker. I too have a petition to present on behalf of citizens of the province regarding the Claybank Brick Plant. And the prayer reads as follows:

Wherefore your petitioners humbly pray that the Hon. Assembly may be pleased to cause the government to reconsider a decision to reduce funding of the Claybank Brick Plant.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this petition is signed from people from Regina, Saskatoon; Calgary, Alberta; Toronto, Ontario; a number more from Alberta; Milestone, Briercrest, and Regina. I so present.

The Speaker: — The Chair recognizes the member for Estevan.

Ms. Eagles: — Thank you, Mr. Speaker. Mr. Speaker, again today I stand to present a petition on behalf of constituents of mine who are very concerned about the forced amalgamation of school divisions. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to reverse the decision to force the amalgamation of school divisions in Saskatchewan and continue reorganization of school divisions on a strictly voluntary basis.

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

And this is signed by residents of Midale and Steelman. I so present. Thank you.

The Speaker: — The Chair recognizes the member for Weyburn-Big Muddy.

Ms. Bakken: — Mr. Speaker, I rise today to present a petition on behalf of constituents who are very concerned about the inadequate CAIS [Canadian agricultural income stabilization] program. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to ensure that the CAIS program receives adequate provincial funding, the funding formula is changed to ensure equal access to compensation, and to contribute funds to the latest BSE assistance package released by the federal government.

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

And the petition is signed by residents of Bengough.

The Speaker: — The Chair recognizes the member for Saskatoon Silver Springs.

Mr. Cheveldayoff: — Thank you, Mr. Speaker. I'm pleased to rise today to present a petition from concerned parents in my constituency of Saskatoon Silver Springs regarding a much needed elementary school in the Arbor Creek area of Saskatoon. The prayer of the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to implement an allocation of financial resources to build an elementary school in Arbor Creek.

The petitioners today live on Wright Crescent, Guenter Crescent, and Kutz Crescent, and Kenderdine Road in the northeast part of Saskatoon. I so present, Mr. Speaker.

The Speaker: — The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. I have a petition here with citizens that are concerned about SaskTel cellular service in rural Saskatchewan:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take all necessary action to install the technical equipment necessary to ensure that all rural areas of Saskatchewan are protected for reliable cellular phone coverage.

As in duty bound, petitioners will ever pray.

Signed by the good citizens from Jansen and Drake. I so present.

The Speaker: — The Chair recognizes the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. I'd like to present another petition opposed to reductions of the health care services in Biggar. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to ensure that the Biggar Hospital, long-term care home, and ambulance service is maintained at the very least their current level of services.

As in duty bound, your petitioners will ever pray.

Signed by the good citizens of Biggar and district. I so present.

READING AND RECEIVING PETITIONS

Deputy Clerk: — According to order the following petitions have been reviewed, and pursuant to rule 14 are hereby read and received as addendums to previously tabled petitions being sessional paper nos. 72, 106, 637, 670, 715, and 720.

NOTICES OF MOTIONS AND QUESTIONS

The Speaker: — The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. I give notice that I shall on day no. 95 ask the government the following question:

To the Minister Responsible for Rural Development: will the Department of Rural Development be setting up any offices around the province in 2005? If so, where will they be located and what are the lease arrangements?

The Speaker: — The Chair recognizes the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, I have a series of questions. I give notice that I shall on day no. 95 ask the government the following question:

To the Minister of Corrections and Public Safety: how many grievances were filed by SGEU employees at the correctional centre in Saskatoon in 2004, and how many of those grievances remain outstanding?

I have the same question for the year 2003, Mr. Speaker, and 2002.

I give notice that I shall on day no. 95 ask the government the following question:

To the Minister Responsible for the Public Service Commission: how many grievances were filed by all SGEU employees in 2004, and how many of those grievances remain outstanding?

I have the same question for the year 2003 and the year 2002, Mr. Speaker.

I give notice that I shall on day no. 95 ask the government the following question:

To the Minister of Labour: how many decisions have been reserved by the Labour Relations Board, and the decisions not yet rendered for the year 2004?

And I have the same questions for the years 2003, 2002, 2001, 2000, and the year 1999, Mr. Speaker. Thank you.

The Speaker: — The Chair recognizes the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. I give notice that I shall on day no. 95 ask the government the following question:

To the Minister of Culture and Youth: will the minister provide a list of all the applicants who have applied to the homecoming 2005 program, indicating the amount of funding requested by each applicant, and whether each grant recipient was successful or unsuccessful in their application?

I give notice on day no. 95:

To the Minister of Culture and Youth: will the minister provide a list of all the applicants who have applied to the centennial heritage commemoration program, indicating the amount of funding requested by each applicant, the nature of the project proposed by the applicant, and whether each grant recipient was successful or unsuccessful?

And the last question:

Will the minister provide a list of all the applicants that have applied to the Celebrating Community centennial grant program from 2003 through 2005, indicating the amount of funding requested by each applicant, the nature of each applicant's proposed project programming event, and whether each grant applicant was successful or unsuccessful in their application?

INTRODUCTION OF GUESTS

The Speaker: — The Chair recognizes the member for Regina South.

Hon. Mr. Thomson: — Thank you very much, Mr. Speaker. It is my pleasure today to introduce to you a number of people who are joining us in the west gallery. They are members of the Canadian Information Processing Society, and are here today to take witness to a piece of work that they've spent a great deal of time on, and that I'm particularly pleased to be able to speak to later on today.

I want to specifically introduce members of their board to members of this Assembly. And I would just ask that they rise as I call their name. Grant Kerr, who is the president; Daryle Niedermayer, who's the vice-president; Poyee Hung is the treasurer; Donna Lindskog, who is a member; Bev Gooding, who is the registrar; Jan Ali, who is the Chair of the discipline committee; and Dorothy Josephson, who is the national Canadian Information Processing Society liaison.

If I could ask members to join me in welcoming these people here today. They have worked very hard on a piece of legislation that we'll be debating later on today in the House.

Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Speaker. Well to you and through you to all members of the Assembly, it's my pleasure today to introduce, seated in your gallery, Mr. Adrian Janssens of Mildred. Mr. Janssens was recently in the employ of the Heartland Health District. He served as a communication director there for a year and a half. He's come to our legislature today to view the proceedings, and was involved this morning out front as well. And I'd ask all members of the Legislative Assembly to, if you get a chance to speak to him afterwards, please take that opportunity and welcome him to his legislature today.

Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Regina Qu'Appelle Valley.

Hon. Mr. Wartman: — Thank you very much, Mr. Speaker. Mr. Speaker, though I can't see her, I know that my friend is here. And she is up in your gallery, in the far corner, a friend of many years who happens to be the mother of one of our Pages, Glenna Coleman, and her mother's name is Jean. Jean is a dietitian with the Regina Qu'Appelle Health Region.

And today is a very special day for her. It's her birthday and I know she's much younger than what I am. And I'd ask members to please join me in welcoming her and we hope that you have a wonderful day celebrating with us here.

Hon. Members: — Hear, hear!

STATEMENTS BY MEMBERS

The Speaker: — The Chair recognizes the member for Saskatoon Eastview.

25th Anniversary of Terry Fox's Marathon of Hope

Ms. Junor: — Thank you, Mr. Speaker. Today marks the 25th anniversary of the beginning of one of the great Canadian stories of courage, strength, and perseverance — Terry Fox and his marathon of hope.

Mr. Speaker, Terry Fox was clearly an extraordinary individual. Diagnosed with bone cancer at age 18, he had his right leg amputated above the knee and was fitted with a prosthesis. Following his surgery he became involved in wheelchair sports and despite significant pain and discomfort caused by his artificial leg, became a long-distance runner. A short time later, remembering the suffering of the children he saw undergoing cancer treatment, he came up with the idea of running across Canada in the hope of raising \$1 million for cancer research. The marathon of hope was born.

Mr. Speaker, the image of Terry Fox making his determined way along the edge of the highway as he ran the marathon of hope is unforgettable. He covered more than 5,700 kilometres and raised over \$11 million before the cancer returned, forcing him to stop.

Mr. Speaker, Terry Fox died in June 1981. By that time he had raised almost \$25 million for cancer research. In September of that year, the first Terry Fox run was held to honour his memory and continue his work. Terry Fox runs are now held yearly in 60 countries around the world and more than \$350 million have been raised for cancer research.

Mr. Speaker, Terry Fox continues to capture our hearts and our imaginations. This year Canada issued a special commemorative coin in recognition of his courage and his contributions. Twenty-five years after he began it, the legacy of Terry Fox and his marathon of hope continues.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Speaker. When Terry Fox dipped his prosthetic leg in the St. John's harbour 25 years ago, announced that he was going to be running across Canada, few people paid attention. But Canadians were soon captivated by the courage, passion, and grit of this 21-year-old BC [British Columbia] university student, who had lost his right leg to cancer as a teenager and was determined to find a cure for this disease. By the time he had reached Ontario, people were lining the streets cheering him on. For over 4,300 kilometres and 143 days, Terry Fox battled the wind and snow, then the stifling heat and pain before having to stop just outside of Thunder Bay, Ontario.

[13:45]

Terry's hope was to raise \$1 from every Canadian but, Mr. Speaker, he has far exceeded that. More than \$360 million has been raised for cancer research through the Terry Fox run, which is held every year in towns and cities across Canada and around the world. Today, exactly 25 years after Terry Fox set out down a lonely highway, he has inspired a nation and a world. People around the world are making his miracle come true.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Regina Elphinstone.

Kawacatoose First Nation to Host Summer Games

Mr. McCall: — Mr. Speaker, on Friday, the Premier and I had the pleasure of visiting Kawacatoose First Nation, a thriving community of about 1,200 located a couple of hours north of Regina. It was a thoroughly enjoyable and interesting visit and I want to thank Chief Dennis Dustyhorn, the band council, and band members for their kindness and hospitality.

Mr. Speaker, Kawacatoose First Nation will be hosting one of our province's big events this summer. From July 2 to 8, Saskatchewan First Nations athletes, coaches, officials, and supporters will be gathering at Kawacatoose for the 2005 Saskatchewan First Nation Summer Games.

Mr. Speaker, these games are held every two years and while

there are events for a variety of age groups, the games put a special emphasis on youth. Chief Dustyhorn is also the games coordinator and makes the point that the games are good for First Nations youth because they promote healthy choices, and they also benefit the community because of the infrastructure development legacy associated with hosting the event.

Some 5,000 athletes are expected to participate in the games in a variety of sports including softball, soccer, golf, and track and field.

Mr. Speaker, I want to acknowledge the good work of Chief Dennis Dustyhorn, the games Chair, Lyle Worm, and the volunteers from across Kawacatoose First Nation, from throughout the Touchwood Tribal Council territory, and all across the province, people who are working to ensure that the 2005 Saskatchewan First Nations Games are a huge success.

I encourage everyone to take the opportunity to visit Kawacatoose First Nation this July and take part in a premier sports and culture event. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Arm River-Watrous.

Watrous Winterhawks — 2005 Senior "B" Provincial Champs

Mr. Brkich: — Thank you, Mr. Speaker. Yesterday I had the opportunity to talk to you about Ervin Gross, the 2004 Watrous Citizen of the Year, who played goal for 25 years with the Watrous Winterhawks. Today I'm pleased to inform the House on Friday, March 25 the Watrous Winterhawks won the 2005 Senior "B" provincial championship.

The Winterhawks rolled through the provincial playoffs, defeating the Outlook Ice Hawks, Lumsden Monarchs, Esterhazy Flyers, and finally the Redwings from Rosetown — an incredible playoff run that finished with the Winterhawks capturing the Saskatchewan Hockey Association title at home in Watrous against the Rosetown Redwings. It was definitely a good Friday for team members, management, fans alike when the clock counted down a 6-2 final score.

Not only did the Watrous squad sweep provincials, but also came back from a two-game deficit in the league finals to take the series to a fifth and deciding game against Leroy. Individual winner plaques were presented to all the Winterhawks. Captain Scott Collins and assistant captains Craig Collins, Dale Miettinen, and Grahame Potts accepted the provincial banner and winner's cup on the team's behalf. This team played very well this year and are most deserving of this championship. I would ask all the members to join me congratulating the Watrous Winterhawks hockey club in their successful season this year.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatchewan Rivers.

National Wildlife Week

Mr. Borgerson: — Thank you, Mr. Speaker. Mr. Speaker, this is National Wildlife Week, a time to celebrate nature and educate the public about wildlife conservation. Each year, Mr. Speaker, National Wildlife Week is celebrated around the birthday of Jack Miner, one of the founders of Canada's conservation movement. Mr. Speaker, by learning about wildlife and conservation efforts in our communities, we also learn how all of us can have a positive influence on our environment.

National Wildlife Week is one of the many ways that we can educate, inspire, and assist individuals and organizations to protect our natural resources in order to achieve a sustainable future. This year's theme is Explore and Embrace a Special Wild Place. Mr. Speaker, Canada and Saskatchewan are both home to many special wild places including national, provincial, and local parks, nature trails, canoe routes, and migratory bird sanctuaries, wetlands, and vast expanses of protected wilderness areas. Mr. Speaker, these places are as important to our well-being as they are to the plants and animals that live there.

In order to have a healthy environment, it takes co-operation from many committed individuals, volunteers, and organizations. Mr. Speaker, I ask all my colleagues to join me in acknowledging the commitment of all the conservation groups in our province for uniting people from all walks of life to protect nature, wildlife, and the earth on which we live. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Melfort.

Melfort and District Mel-Bex Awards

Mr. Gantefer: — Mr. Speaker, my wife Carole and I had the pleasure of attending the Melfort and district 2004 Mel-Bex Awards last weekend. This of course is the awards ceremony where excellence is recognized in the Melfort community and also where Vera Kruger was recognized as the Citizen of the Year.

Craig Neely was presented with the Minor Sports Builder of the Year Award, while Ken Singer, business manager of Radio CJVR Ltd. accepted Business of the Year for the category of 11 employees and over. Ken's Cresting and Apparel owned by Ken and Novelle Trach was awarded the Business of the Year category for 10 employees or less.

The Property Appearance Award went to Sunshine Chrysler owned by Kevin Phillips and Kevin Moulds. The Customer Service Award was earned by Fouillard Carpet Sales Ltd., owners Donna and Roger Fouillard.

Grant Hodgins accepted the Heritage Award for his late father, Bill Hodgins of Hodgins Auctioneering Ltd. Entrepreneur of the Year was awarded to Denise Moskal for The Coffee Mill. The Advantage Credit Union was acknowledged with the Community Involvement Award, and Community Recognition Awards were given to the Melfort Communities in Bloom

committee, the Melfort Canada Day committee 2004, and the Melfort Kinsmen and Kinettes playground project.

Mr. Speaker, and members, I am sure everyone here will want to join with me in congratulating all the award recipients and all the nominees.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Cumberland.

Lac La Ronge Indian Band Elects First Woman Chief

Hon. Ms. Beatty: — Mr. Speaker, the La Ronge Cree Nation recently elected a new chief and now that she has been officially sworn in, I wanted to congratulate Tammy Cook-Searson on her election and on being the first woman elected as chief of the La Ronge Band. They have made a very good choice.

Chief Cook-Searson has clearly stated her belief in inclusiveness and ensuring that all members have a voice in the decision-making process. She believes in education and balancing economic and social development. And I know she believes strongly in keeping the Cree language, culture, and traditions vibrant and alive. For example, she consults with elders in all major decisions.

Mr. Speaker, 2005 is the Year of the First Nations and Métis Women. It's important to note that three-quarters of First Nations university graduates are women and First Nations are electing more and more women as chiefs and councillors in Saskatchewan.

I'm very proud of the leadership role that women are playing in our First Nations communities. There are currently 10 chiefs and about 100 councillors in the province who are women. This is important in terms of moving towards more equal gender representation and therefore ensuring that women's voices are heard regarding the political, social, and economic issues faced by our communities.

Mr. Speaker, I congratulate Chief Cook-Searson on her election and I look forward to working with her and the members of the La Ronge Cree Nation. Thank you.

Some Hon. Members: — Hear, hear!

ORAL QUESTIONS

The Speaker: — The Chair recognizes the Leader of the Opposition.

Some Hon. Members: — Hear, hear!

SaskPower's Wholesale Electrical Rates for Swift Current's Electrical Utility

Mr. Wall: — Well thank you, Mr. Speaker. Mr. Speaker, as you will know there are two cities in Saskatchewan that own their own electrical utility. They chose not to sell the utility to the government some decades ago and have invested in

infrastructure, invested in the resources it takes to deliver electricity to their citizens. Now these two communities, Saskatoon and Swift Current, then must negotiate with the provincial government, hopefully in good faith, about the bulk supply of electricity to these distribution utilities.

Legal documents filed this morning, Mr. Speaker, in the province of Saskatchewan make some disturbing, very disturbing accusations about the negotiating tactics of this NDP [New Democratic Party] government when it comes to the Swift Current electrical utility. They say that when the city of Swift Current refused to sell its electrical utility to this NDP government, SaskPower said that it would increase the rates to the city of Swift Current, to the electrical utility, until that utility was worthless, and then they would buy it for nothing. The question is simple: is this true, Mr. Speaker?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister Responsible for SaskPower.

Hon. Mr. Quennell: — Mr. Speaker, the answer is also simple. No, that is not true. SaskPower sells electricity at a wholesale bulk rate to the city utility owned by the city of Swift Current. The city of Swift Current utility resells that electricity at a retail rate matching SaskPower's rate across the province. And the money that the utility makes — the city utility — is on the margin between what they buy the electricity for and what they sell it for.

The result of the last increases in the wholesale rate to the city of Swift Current utility has been greater revenue to the city of Swift Current. The result of the last rate increase is an increase to the city of Swift Current of approximately \$50,000 a year. The claim of the city of Swift Current is without merit, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Leader of the Opposition.

Mr. Wall: — Mr. Speaker, the mayor of the city of Swift Current, the city council in Swift Current, the people of Swift Current have made a claim that this government, in negotiating with them, said if you won't sell us the utility, we'll raise your rates so much the utility will be worthless, and then we'll buy it for nothing.

The minister has just stood up and gave a response to the question on that account which the question was simple. Is this true? The minister says it is not true, so I'd ask the minister very directly, is his position today in the Legislative Assembly that the mayor and council of the city of Swift Current are lying?

The Speaker: — Order. Order. Order. Order. Order, please. Order. Order, please. Members, there are ways of phrasing things without . . . and using parliamentary language. The language that's just been used is unparliamentary. I would ask the Leader of the Opposition to rise in his place, withdraw the remark, and apologize to the House.

Mr. Wall: — Mr. Speaker, I was not accusing any member of . . .

The Speaker: — Order, please. The language that was used was unparliamentary. I simply ask the member to withdraw the remark, apologize to the House.

Mr. Wall: — I withdraw the remark and apologize. Mr. Speaker, the question then to the minister is this: is he saying that what the mayor of the city of Swift Current and the city council have said today publicly, is the minister's claim that what they have said is not true, that they are not telling the truth?

The Speaker: — The Chair recognizes the Minister Responsible for SaskPower.

Hon. Mr. Quennell: — Mr. Speaker, most recently — last year and previously, I believe, in 2002 — the SaskPower Corporation made an application to increase rates and a different application in respect to various classes. In respect to the class to which the city of Swift Current utility belongs, the reseller class, the rate review panel recommended a different increase, a rollback of the increase that SaskPower was requesting. The Government of Saskatchewan set the rate suggested by the rate review panel. In effect, the rate that the city of Swift Current's paying or its utility's paying has been set by the rate review panel, not by SaskPower.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Leader of the Opposition.

Mr. Wall: — Mr. Speaker, the statement of claim, I hope the minister has read the statement of claim. It is not simply about the most current disagreement between the city of Swift Current, the taxpayers there, and this government. It goes back years. It deals with how this government has dealt with the citizens of Swift Current through their duly elected city council.

The tactics that are being referenced today in the media, that have been highlighted by the mayor of Swift Current and their council is something from a bad movie, Mr. Speaker. It's the behaviour of thugs. It's, sell us your utility, or we'll drive down the value so that it's worthless.

I want to know from the Minister of SaskPower today or from the Premier if this is exactly what happened, and will he apologize to the citizens of the city of Swift Current today?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister Responsible for SaskPower.

Hon. Mr. Quennell: — Mr. Speaker, the rates charged by SaskPower to a customer in the class to which the city utility belongs have been set by application, by rate review, and by, and in this case, an acceptance of the rate review recommendations. They had not been set — and let me be clear, they had not been set — so as to either increase or lower the profitability of the city of Swift Current utility. That's not been

the purpose of the applications, Mr. Speaker. They have had the effect of actually increasing the profitability of the utility, and again the claim is without merit.

Some Hon. Members: — Hear, hear!

[14:00]

The Speaker: — The Chair recognizes the Leader of the Opposition.

Mr. Wall: — Well, Mr. Speaker, unfortunately there is a pattern of behaviour here. You remember during the SPUDCO [Saskatchewan Potato Utility Development Company] scandal, Mr. Speaker, what this government did to a company called Microgro when they owed that company money, Mr. Speaker. And instead of paying the bill, they decided to drive that company out of business so the bill would disappear. Do you remember that, Mr. Speaker?

The minister responsible for that was the member for P.A. [Prince Albert] Northcote. Guess who was the minister responsible for SaskPower when the allegation of this kind of negotiating tactic happened in this case. It was good old SPUDCO, Mr. Speaker. It was the member for P.A. Northcote.

Now I want the minister, since he wants to, since he's willing to discuss the merits of the statement of claim, to clearly state for the record that he completely rejects, he completely rejects what the mayor of the city of Swift Current, what the current council for the city of Swift Current, and apparently what four other witnesses say were the negotiating tactics of this NDP government.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister Responsible for SaskPower.

Hon. Mr. Quennell: — Mr. Speaker, the claim is without merit. The Government of Saskatchewan and SaskPower Corporation, Crown Investments Corporation will defend the claim, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Leader of the Opposition.

Mr. Wall: — Well now the minister is just standing up and saying, well we'll defend the claim; we'll let it play out in court. But he can't have it both ways. He was more than happy at the beginning of question period to weigh in on the merits of what the city of Swift Current, what their representatives are saying in court. He can't have it both ways, Mr. Speaker.

And the people of Swift Current deserve better. They deserve an answer from this minister and this Premier. Is this the kind of negotiating tactics the NDP government uses, the kind of tactics you wouldn't even see on an episode of *The Sopranos*, Mr. Speaker?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister Responsible for SaskPower.

Hon. Mr. Quennell: — Mr. Speaker, I am a watcher of *The Sopranos*, and I am deeply offended, deeply offended at the analogy coming from a member of the legislature who worked, who worked for a government in which members of the Crown were convicted of fraud. I am offended by that.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Southeast. Order, please. Order, please. Order, please. The Chair recognizes the member for Saskatoon Southeast.

Tobacco Control Act Litigation

Mr. Morgan: — Mr. Speaker, as the member from Regina Dewdney says, well, well, well, how is all this allowed to happen? The minister who said that all his ducks were in a row is now eating crow. The same minister who assured the members of this House that all the homework was done now has to come back and explain himself to the teacher.

Today a statement of claim has been filed saying that The Tobacco Control Act creates an uneven playing field. Mr. Speaker, without hiding behind that it's before-the-courts-conversation rules, can this government tell us what is the extent of the taxpayers' liability as a result of this long and offensive string of errors?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, we have a tobacco reduction strategy that includes many aspects. And I have to admit frankly, being sued by people is one of the important parts because it creates a lot of public interest, and it also points out some of the challenges.

But, Mr. Speaker, we will continue to defend the legislation that we brought forward, which is a law of general application in the province. There are certain provisions and certain jurisdictional issues that arise under our Constitution and we will abide by those.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, members on this side of the House voted in favour of The Tobacco Control Act based on that minister giving his word. We believed this sound piece of public policy would be competently shepherded through the implementation process.

Now we find out the First Nations are justifiably angry and the Hotels Association is suing. Mr. Speaker, to the Minister of Justice, what action did he take to assure the Minister of Health was limiting the exposure of Saskatchewan taxpayers to a

horrific potential liability, Mr. Speaker?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, as a long-time student of history, one of the things that you always have to watch for is revisionist historians. And, Mr. Speaker, we have one of those across the way there because, if we all recall what happened last spring, we were ready to go forward and have the legislation introduced and then deal with it in fall, but somebody asked me if we were ready to proceed. I said, fine, as long as the opposition agreed.

The Leader of the Opposition stood up in this House . . .

The Speaker: — Order, please, members. Order, order. Minister of Health.

Hon. Mr. Nilson: — The Leader of the Opposition stood up in this House and said that he had never received more phone calls about an issue than any other issue that had been there. I think it's probably similar to what's happening in Alberta this week. But, Mr. Speaker, what we will continue to do is make sure we reduce the amount of tobacco use in this province.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, I've never heard of anything so ridiculous. The members opposite last year wanted to ram this through. They rammed it through so that they didn't have a chance to do their consultation. They didn't have a chance to do their homework. The simple answer is they did nothing, and now we're being sued and the taxpayer is on the hook for this.

Mr. Speaker, we trusted them to give us correct information on the consultation. The consultation, Mr. Speaker, didn't happen. Mr. Speaker, what are they going to do to repair the damage that's now going to be done to this province?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, as I recollect it last spring, the Leader of the Opposition couldn't take the pressure. And so they said, let's go ahead. And we said fine; we're ready to go. And so we did. Mr. Speaker, this is a very curious issue to be raising on this day that the Canadian Cancer Society brings forth information showing that more . . .

The Speaker: — Order please, members. I must be able to hear what is being said. Order, please. Order. The Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, this is a curious day to raise this particular issue in the House because the Canadian Cancer Society has come forward today and say the amount of cancer is increasing across the country, especially lung cancer among

women, and that relates to smoking, Mr. Speaker. And, Mr. Speaker, we're going to continue working to make sure we reduce the use of tobacco in Saskatchewan.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, we can tell the members opposite what they did. They covered their own losses. They set aside tens of millions of dollars to recover their losses because of The Tobacco Control Act. They covered their own butts, but they left the Saskatchewan hotel operators twisting in the wind.

Mr. Speaker, to the Minister of Justice and to the Minister of Health: what action did they take to affirm the province's own decision to cover its smoking losses was not going to be used as an admission of liability against them so that others could sue this province, Mr. Speaker?

The Speaker: — The Chair recognizes the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, we know that tobacco kills through many different ways. I ask the members opposite, what is their position on tobacco? Are they changing their mind again?

I think in this province people have overwhelmingly said they support the reduction of the use of tobacco in the province, and we're going to use all methods to make sure that that happens.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Estevan.

Saskatchewan Potato Utility Development Company Litigation

Ms. Eagles: — Mr. Speaker, Swift Current is suing the government. Hotel owners are suing the government. The NDP says it expects to win those lawsuits. But of course that's what they said about the SPUDCO lawsuit, and look how that tuned out. This government lost another \$9 million taxpayers' dollars last year on SPUDCO lawsuits and legal fees, and they're not done yet. SaskWater's annual report says, and I quote:

The Corporation is party to a number of lawsuits and has provided for these claims . . . in accordance with management's best estimates and the advice received from legal counsel.

The problem is the SaskWater report doesn't tell us what the amount is. Mr. Speaker, how much more money does the NDP expect to lose in SPUDCO lawsuits and legal fees?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister for Corrections and Public Safety.

Hon. Mr. Prebble: — Thank you very much, Mr. Speaker.

Well, Mr. Speaker, the members of the opposition had one of their staff present yesterday at the news conference on the SaskWater annual report. And I made it very clear at that point in time — and the member should know this already — that there is one remaining lawsuit, Mr. Speaker, related to SPUDCO that has not been settled yet, and that is a lawsuit that has been filed by the Dolman family. Members of the opposition are very familiar with that suit, Mr. Speaker.

And at this point in time . . . Initially that lawsuit was for \$800,000, but the lawyer for the Dolmans has indicated now to government that that's being reduced to \$300,000. We have said, Mr. Speaker, that we are willing to discuss an out-of-court settlement, and I'll have more to say about that with the next question, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Estevan.

Ms. Eagles: — Mr. Speaker, for years the NDP told us that SPUDCO would make us money. Then it all went bankrupt and lost \$26 million. Then the NDP told us that they would win the lawsuits against them, and they lost 9 million more. Now they expect to lose even more money. If the NDP has an estimate of how much more they expect to lose, why didn't the annual report tell us how much it was?

The Speaker: — The Chair recognizes the Minister for SaskWater.

Hon. Mr. Prebble: — Thank you very much, Mr. Speaker. Well just very simply, Mr. Speaker, the reason why the annual report doesn't speak directly to that is because this is going to be a negotiation process.

I just want to point out to the member opposite that the Dolmans, in the view of the Crown, the Dolmans also owe the Crown money, Mr. Speaker. And so it's a two-way process here. The Dolmans believe that they have allegations against government that are the basis for their lawsuit. And, Mr. Speaker, on the other side, government, Mr. Speaker, believes that the Dolmans also owe them money that wasn't paid to SaskWater at that time.

So we're waiting for the Dolmans' lawyer to present us with a statement of claim, a detailed statement of claim. And as soon as we get that, Mr. Speaker, our government lawyer is very prepared to sit down with their lawyer and discuss all the details of this settlement, but there's no point in outlining this in the annual report. But I was very candid yesterday with the media in the media conference. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Negotiations with Saskatchewan Teachers' Federation

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, yesterday reporters asked the Minister of Learning if the NDP's

0, 1, and 1 wage mandate applied to the contract negotiations underway with the province's teachers. Minister refused to answer. I'm prepared to give him another opportunity in this Assembly. Will teachers be subject to the 0, 1, and 1 wage mandate, yes or no?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — Let me remind all members of this Assembly that negotiations on this particular contract will happen between the teachers, the trustees, and the provincial government at a bargaining table.

The teachers do not want that negotiation on the floor at the legislature, and they certainly do not want that member back in those negotiations, so I thank them very much for their interest in this, but we will resolve this contract at the negotiating table.

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, it's great to see that the minister remembers that I must have played some kind of a role back in 1989 as far as negotiations.

Let me ask the minister — to repeat — yesterday the Learning minister was asked whether or not the NDP's 0, 1, and 1 wage mandate was still in effect. It's a simple question that should garner a simple yes or no. The minister told reporters, and I quote: "At this point it would be inappropriate to comment about what's going on."

So here we have a government that is given a mandate, and now the minister says no comment. Again to the minister: is he sticking to it or not? Yes or no?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — Mr. Speaker, I am sticking to the point that we have continued to make in this House, that agreements are going to be negotiated between the appropriate parties and not on the floor of this Assembly. That is our approach. The Premier said it'll be free collective bargaining. That is what we are undertaking today.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Well, Mr. Speaker, yesterday the minister of Public Sector Compensation told reporters the definition of mandate according to the NDP's dictionary. And here's what she said, and I quote, "just another word for how much money you have to spend." According to the *Oxford English Dictionary*, mandate is, and I quote, "an official command or instruction by an authority." In other

words, the minister thinks that the province's employees are worth zero.

[14:15]

Last time I checked, the government made a choice to impose a 0, 1, and 1 wage mandate on all public sector worker by issuing an official command or instruction — a mandate. Now it appears the government has more money to spend. Now does that mean that the mandate has increased, or is it still 0, 1, and 1? Will the minister please answer the question, yes or no?

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — Well I appreciated that lecture from the member opposite. That was very, very enlightening in terms of what the dictionary says. Now let me tell him how collective bargaining works. You get different parties together who have a role in the negotiations. They sit down. They negotiate an agreement, at which point they will sign that agreement, at which point it will go out for ratification. That is the process that we use to negotiate collective agreements, the 11 we've negotiated to date. As the teachers' agreement comes along, it'll be that approach. That's what this government believes in. That is the approach we'll be using.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, yesterday the minister responsible for public sector bargaining said this about 0, 1, and 1, quote, "In this past year we have adopted 0, 1, and 1 with flexibility." The minister went on to say, and I quote again, "I'd be happy to explain more about what this is."

Well, Mr. Speaker, I'm willing to give her that opportunity right now. Let me remind her that zero according to the Oxford dictionary means, "no quantity or number; nil." Not any, no, nothing, zilch, nada, and for my Ukrainian friends . . .

[The hon. member spoke for a time in Ukrainian.]

Which one of these definitions does the minister not understand? I think zero means the same thing in almost any language, except of course NDP language. What specifically did this minister . . . has she done to make zero more flexible?

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — Well I certainly appreciate again the ongoing lecture from the member for Canora-Pelly. It is certainly interesting to hear his expertise of finding synonyms, and I appreciate that.

But the fact is as we come to negotiate an agreement, it will be negotiated. That is what we are doing, and the member opposite should understand that. I am hopeful that we are going to come soon to a negotiated, collective agreement with the teachers.

And that is something parents want. That is something taxpayers want. That is something this NDP government wants, and that is something the teachers want. And I would encourage the member opposite to simply allow that process to move forward.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Canora-Pelly.

Mr. Krawetz: — Mr. Speaker, I think it's time that this minister stood in this House and clarified what he means by the definition of zero. Zero in a wage mandate, as this minister has implied, is that — zero per cent increase. Now if the minister has brought to the table . . . And I understand he implied that sufficient resources would be provided to the bargaining team to negotiate a contract. Is he meaning that zero will now be enhanced, will be flexible, will be determined by a huge pot of money? What does the Minister of Finance mean about the word zero?

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — We have indicated on many, many occasions that there has always been flexibility. That is why we are negotiating agreements. If we were simply imposing agreements then there would not be negotiations.

I'm going to encourage the member opposite to flip ahead in the dictionary to the part where it talks about negotiating. And he can maybe look up what the definition of negotiating means and report back to the Assembly tomorrow. I look forward to that report from that member.

Some Hon. Members: — Hear, hear!

The Speaker: — Order, please. Order, please. Order, please.

INTRODUCTION OF BILLS

Bill No. 102 — The Mandatory Testing and Disclosure (Bodily Substances) Act

The Speaker: — The Chair recognizes the Minister of Justice. Order, please. Order, please, members. Order. Order, please. The Chair recognizes the Minister of Justice.

Hon. Mr. Quennell: — Mr. Speaker, I move that Bill 102, The Mandatory Testing and Disclosure (Bodily Substances) Act be now introduced and read the first time.

Some Hon. Members: — Hear, hear!

The Speaker: — It has been moved by the Minister of Justice that Bill No. 102, The Mandatory Testing and Disclosure (Bodily Substances) Act be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Deputy Clerk: — First reading of this Bill.

The Speaker: — When shall the Bill be read a second time? The Chair recognizes the minister.

Hon. Mr. Quennell: — The next sitting of the House, Mr. Speaker.

The Speaker: — Next sitting. Why is the member for Melfort on his feet?

Mr. Gantefoer: — Mr. Speaker, to make a point of order.

The Speaker: — Would the member state his point of order, please.

POINT OF ORDER

Mr. Gantefoer: — Thank you, Mr. Speaker. In the course of question period, the Speaker made a ruling on a question that was asked by the Leader of the Opposition in which he asked the minister opposite if the minister was implying that citizens were misrepresenting the truth and that the citizens were lying.

I would ask the Speaker to review the transcript of *Hansard* because I think very clearly there was no inference of impugning the reputation of any member in the House, and the words were not meant to discredit any member in this Assembly, or act in a disrespectful way in this Assembly to any member. It was simply asking the question, since the minister had said the point was not valid and their lawsuit was not valid, were the accusations that the citizens making . . . what they were saying, was that implied to be lying. So, Mr. Speaker, I don't think it was meant any way to impugn a member of this House and, as such, should have been allowed.

Some Hon. Members: — Hear, hear!

The Speaker: — On the point of order, the Chair recognizes the Government House Leader.

Hon. Mr. Van Mulligen: — Thank you, Mr. Speaker. It's well held in this Assembly that one ought not to do indirectly what one cannot do directly, and one ought not to ascribe comments to parties outside the Legislative Assembly, or draw on references from third parties outside the Legislative Assembly as they pertain to members of the Legislative Assembly and then use that as a guise to use unparliamentary language, Mr. Speaker.

Mr. Speaker, while you're reviewing this matter, I wonder if you could also review the comments made by the Leader of the Opposition. Right after withdrawing the unparliamentary language in question, the Leader of the Opposition then posited, is the minister accusing them of not telling the truth? I would submit that too is unparliamentary, Mr. Speaker, and I want . . .

The Speaker: — Order, order, order. Order, order, order. Members of the Assembly, order. Order, order. While I

appreciate the fact that the members raised the point of order, I do believe it is the role of the Speaker to make these judgment calls and to apply the rules of the legislature in such a fashion that the members respect themselves and respect members of the public.

Members of this Assembly have some very, very special privileges. And that is the privilege of free speech, that things can be said in this House that would leave them free from being taken to court in a court of law. But however, that privilege should not be abused in any way. And my ruling stands on that, and I ask members to watch your language very carefully and not to use unparliamentary language. There are many, many examples of that in their daily course of remarks.

The member's point is not well taken. Neither is the point of the leader of . . . the Government House Leader's point with respect to his point on the point of order on the speech.

ORDERS OF THE DAY

WRITTEN QUESTIONS

The Speaker: — The Chair recognizes the Government Whip.

Mr. Yates: — Thank you very much, Mr. Speaker. Once again I'm extremely pleased to stand on behalf of the government and table written responses to written questions no. 973 through 975 inclusive.

The Speaker: — Responses to 973, 974, 975 have been submitted.

SPECIAL ORDER

PRIVILEGE

[The Assembly resumed the adjourned debate on the proposed motion moved by Mr. Gantefoer, and the amendment moved by the Hon. Mr. Van Mulligen.]

The Speaker: — The Chair recognizes the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Speaker. Mr. Speaker, it's a privilege today to rise on the point of privilege presented before this House, and I'd like to speak to the amendment before the House.

As Mr. Speaker just alluded to, we do have many privileges as elected members. And with regards to language, we often have to watch what we say. I recently myself had a situation such as this that inadvertently ended up shooting myself in the foot.

Mr. Speaker, with regards to this point of privilege that is before the House, this is exactly what it is: it is a point of privilege. The issue before our Legislative Assembly today is, can the elected members do their jobs properly, or is being banned from a technical briefing available to the press a correct thing to have happen? And I would argue, Mr. Speaker, this is the only aspect before the legislature. It does inhibit members to do their duty. Mr. Speaker, it's not just my opinion on this point. Federally, in the House of Commons, Speaker Milliken,

after a review to special committee of the House of Commons, found this as well.

It seems that it would be a redundancy to have two sets of briefings, Mr. Speaker, when we can have one set of briefings using the precious resources of this province for the press and for members opposite, regardless of what partisan stripe they may wear, or even if there are members of the backbench of the government that would wish to be informed by a technical briefing to help their constituents.

And, Mr. Speaker, this is the essence of what it's about. And I really am somewhat bewildered to find that the House Leader opposite would speak against such a thing. It only raises one simple question. What is there possibly to be gained from this? What is there possibly to hide? And I don't really think that there is anything — Mr. Speaker, I would hope not — and that's why it should be open to the members of the opposition as well as to the members of the press.

Mr. Speaker, it's not my intent to discuss this motion at length today due to the fact that we have much important work to do before this Assembly. But in saying that, I would move an amendment to the amendment, just adding the words, "and the committee table its report in this Assembly no later than Wednesday, April 20, 2005," to "the Standing Committee on Privileges."

Mr. Speaker, in the federal House of Commons, the Speaker returned the ruling of the committee on privilege within five days. This is an important issue, and if we are to vote on this amendment, I would move, seconded by the member from Carrot River Valley, that we be returned, as outlined here, to this Assembly promptly.

I believe, Mr. Speaker, that this is very reasonable. And in the time allotted between the return of the committee, I would hope that the government would provide briefings of a technical nature as they did yesterday morning to the members of this Assembly and the official opposition — this morning rather, Mr. Speaker — in the SGI [Saskatchewan Government Insurance].

[14:30]

But there are a number of other technical briefings which are going to occur. The member from The Battlefords commented yesterday that they've done this in the past. We would hope that in the spirit of what's going to, I believe, be resolved on the floor this afternoon, that this would be made available until we have a ruling from that committee.

And so without further ado, Mr. Speaker, I make this motion, seconded by the member from Carrot River Valley. And it states . . . I move:

That the amendment be amended by adding the words "and the committee table its report in this Assembly no later than Wednesday, April 20, 2005" after "to the Standing Committee on Privileges."

I so present. Thank you, Mr. Speaker.

The Speaker: — It has been moved by the member for Kindersley, and seconded by the member for Carrot River Valley:

That the amendment be amended by adding the words "and the committee table its report in this Assembly no later than Wednesday, April 20, 2005" after "to the Standing Committee on Privileges."

Is the Assembly ready for the question?

The Chair recognizes the member for Carrot River Valley.

Mr. Kerpan: — Thank you, Mr. Speaker. I'm very glad to rise and second the motion made by my colleague from Kindersley that talks about the timely resolution of this point of privilege that was raised in this Chamber yesterday by members of our party.

Mr. Speaker, if you look at — and my colleague from Kindersley alluded to this in his remarks — of the timeliness of the Speaker's decision from the House of Commons, and it was really within a five-day time span that the issue was brought to the Speaker's attention, that the committee met and reported, and that the Speaker ruled on that particular point of privilege. And, Mr. Speaker, I think it's been well documented in this House yesterday by members from our side that this is a very, very similar, in fact almost identical type of point of privilege as the one that was raised in the House of Commons in 2001.

Mr. Speaker, the whole issue here, this whole point of privilege really strikes at the root of what the rights and responsibilities of any MLA [Member of the Legislative Assembly] or any Member of Parliament or any member that sits in a government seat has. What are his or her duties, what are his or her responsibilities to those that he or she represents in their constituencies. That's why this point of privilege is so, so important, Mr. Speaker.

And that's why I truly believe that it ought to be looked at and dealt with in a very, very timely fashion so that just over a week from now, as my colleague's amendment states, you would have the opportunity to receive a report and report back to the House with your decision. And I think that was a very, very understandable and acceptable situation.

Mr. Speaker, just before I sit down I just want to mention also that I think what we're looking at here today is something that . . . It's a symptom. It's a symptom of a government that's been too long without thoughts and ideas and plans for the future.

I was watching, Mr. Speaker, the House of Commons question period just before I came to the Chamber today and, Mr. Speaker, that government of that day is going through the very same thing. They're going through a situation where they're out of ideas. They're old. They're tired. They're corrupt. Mr. Speaker, they're on the verge of being replaced because of ideas, because of things such as this point of privilege.

Mr. Speaker, I just want to say in closing that this reign of error that we see on the other side of the House is very close to that very same position. So I am proud, Mr. Speaker, to stand and support this amendment to this motion.

Some Hon. Members: — Hear, hear!

The Speaker: — The Chair recognizes the member for Saskatoon Nutana.

Hon. Ms. Atkinson: — Thank you, Mr. Speaker. Mr. Speaker, I am pleased to rise on this motion as amended, along with the subamendment that's before the House this afternoon.

For viewers that are just tuning in, we have a motion that's before the House that is dealing with the whole issue of privilege as it pertains to individual members of the Legislative Assembly.

Mr. Speaker, I've had an opportunity to be a member of the Assembly both in opposition and in government and I do recall, with some interest, the time spent in opposition when public accounts weren't tabled for years. Crown corporation annual reports weren't tabled for years, Mr. Speaker. And I think we can say with certainty that there are a number of accountability measures and responsibility measures that have been taken on the advice of Crown Corporations Committee or Public Accounts Committee or the Provincial Auditor that have led to further transparency, accountability, and responsibility for all members of this Legislative Assembly.

Mr. Speaker, I think that what's interesting is that we have a motion before the House that calls for this matter of technical briefings for individual members of the Legislative Assembly to be referred to the Standing Committee on Privileges, with a subamendment that the opposition is proposing. The Privileges Committee would report back to this Assembly by April 20. I think it's fair to say that members on this side of the House have no difficulty with the Privileges Committee reporting back to this Assembly by that date, outlining how we can assure that individual members of this Legislative Assembly have access to detailed technical briefings when it comes to the tabling of annual reports, if there is going to be technical briefings for the media and so on and so forth.

Mr. Speaker, I would however like to say to the member from Carrot River Valley that I do not think that I am corrupt; I do not think I'm corrupt. And I think I heard that at the end of your statements. I think as an individual member of this Legislative Assembly, you have brought . . .

The Speaker: — Order, please. I would ask the member to direct all her remarks to the Chair.

Hon. Ms. Atkinson: — Mr. Speaker, I say to you that as an individual member of this Assembly, and all of my colleagues that that member was referring to, take great umbrage to a comment from the member opposite that we somehow are corrupt.

I have just said that the matter of privilege is an important principle for individual members of this Assembly. This motion is going to be referred to the Privileges Committee and that committee is going to report back. But I would just ask, I would ask the members opposite to be careful in the language that they use when they are talking about individual members of this Assembly. And I would also like to remind the members opposite that privilege takes place not only inside the

Assembly, but outside of the walls of this Assembly as well, Mr. Speaker. And when you have . . .

The Speaker: — Order please, members. Order, please. I'd ask members on both sides to come to order. I recognize the member for Saskatoon Nutana.

Hon. Ms. Atkinson: — And when an individual member of this Assembly stands in the House on a point of privilege and accuses members over here of being corrupt, Mr. Speaker, I think that speaks volumes to what that member has to say on the matter of privilege, Mr. Speaker.

So, Mr. Speaker, I believe that this is a motion that this side of the legislature can accept as amended, and I look forward to the Privileges Committee reporting back to this Assembly by April 20.

The Speaker: — Order, please. We will now put the question to the subamendment.

Subamendment as moved by the member for Kindersley, seconded by the member for Carrot River Valley:

That the amendment be amended by adding the words "and the committee table its report in this Assembly no later than Wednesday, April 20, 2005" after "to the Standing Committee on Privileges."

Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

The question before the Assembly is the amendment as amended. That is, the amendment moved by the member for Regina Douglas Park, seconded by the member for Yorkton, which would read:

That the words before "that this Assembly urge government" be deleted and the following words be added:

and that this matter be referred to the Standing Committee on Privileges, and the committee table its report in this Assembly no later than Wednesday, April 20, 2005.

Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Now we will proceed to vote on the motion as amended, the motion that is moved by the member for Melfort, seconded by the member for Saskatoon Southeast. Is the Assembly ready for the question, or would the members like it read?

Some Hon. Members: — Question.

The Speaker: — Question has been called. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 99 — The Canadian Information Processing Society of Saskatchewan Act

The Speaker: — The Chair recognizes the Minister of Learning.

Hon. Mr. Thomson: — Thank you very much, Mr. Speaker. It is my pleasure to rise today in the Assembly, as the Minister Responsible for Information Technology, to move second reading of The Canadian Information Processing Society of Saskatchewan Act.

This Bill would establish a self-regulation of the society known as CIPS [Canadian Information Processing Society], C-I-P-S, and would give title protection of information service professional, or ISP, to members of the society.

To date, five of the seven provincial CIPS bodies have self-regulating powers and title protection of the ISP designation. British Columbia, Alberta, Ontario, New Brunswick, and Nova Scotia have enacted legislation that provides for this organization in those provinces.

Saskatchewan's association has requested legislation that is similar to the other provinces and to professional statutes such as The Assessment Appraisers Act.

Mr. Speaker, CIPS was established in 1958 and is the national professional association for information technology practitioners in Canada. Its present membership across this country is comprised of about 6,000 program and software developers, system analysts, web-based application developers, computer support and network administrators, and database administrators. CIPS Saskatchewan was incorporated in the year 2000. Currently there are over 250 members in this province. The provincial organization has identified, however, approximately 1,200 jobs in the province that meet the CIPS criteria to be registered as ISP designated.

Part of the mandate of the Information Technology Office, Mr. Speaker, is to promote IT [information technology] sector growth here in Saskatchewan. To that end, the ITO [Information Technology Office] is undertaking several key actions to work with the industry to build capacity, to increase commercialization, better access to private venture capital, and

to provide better services to Saskatchewan citizens.

Last November the ITO hosted a very successful IT symposium in Saskatoon. We saw over 70 representatives of the province's private sector and academic areas attend to take part in a dialogue on building a collaborative and successful relationship. As well, we have in place the Minister's Advisory Council on Information Technology, which I set up last year to deal with specific issues around research, education, and commercialization of technology, as well as how we build better private sector capacity.

Mr. Speaker, part of the growth of the IT sector in this province is recognizing its professional nature. The legislation we have before us today will provide title protection and self-regulation to the information processing profession, and it ensures that CIPS Saskatchewan will serve to protect the public against misconduct by those who may be involved in the business. This society has strict requirements for education and experience, stringent certification processes, a code of professional conduct, and penalties for non-compliance.

CIPS has consulted with other professional organizations, Mr. Speaker, that might have an interest in or be affected by this legislation, and it has received verbal and written support. As well, I'm pleased to advise the Assembly that they have consulted with the advisory council on IT and have received support from that panel as well.

All the costs that are associated with self-regulation will be borne by CIPS Saskatchewan.

Finally, Mr. Speaker, I want to advise members of this Assembly that the CIPS national conference, Informatics 2005, will be held here in Regina in May. The timing of this legislation and its early passage, I believe, would demonstrate this province's support of professional self-regulation and public protection, and would nicely coincide with the national convention which is being held here in our centennial year.

Mr. Speaker, I would urge all members to support this Act. And as such, I move second reading of The Canadian Information Processing Society of Saskatchewan Act.

Some Hon. Members: — Hear, hear!

[14:45]

The Speaker: — It has been moved by the Minister of Learning that Bill No. 99, The Canadian Information Processing Society of Saskatchewan Act, be now read a second time. Is the Assembly ready for the question? The Chair recognizes the member for Melfort.

Mr. Gantfoer: — Thank you very much, Mr. Speaker. It's with pleasure that I rise to speak briefly on the Act . . . [inaudible] . . . representing, The Canadian Information Processing Society of Saskatchewan Act. It particularly is humbling for me to stand in this House as a member of the generation who had to firstly get my children, and now grandchildren, to help me program something as simple as a VCR [videocassette recorder]. And I feel a little bit humble to stand in the presence of information system professionals in this

province and in this country.

Mr. Speaker, I think it is very important that professionals working in areas of particular importance have not only the right, they have the real obligation, to establish themselves as self-regulating professional bodies to ensure both that their own procedures are followed and standards are met, but it also serves as a safeguard for our society to make sure that these codes of ethics and conducts are established and followed.

Mr. Speaker, I think all of us do recognize that information technology and all of the surrounding challenges of programming and software development and the Internet are all having huge impacts on ourselves and our society — and it's going to increase at an accelerating rate. And so, Mr. Speaker, I think it is absolutely a very positive day when we have this Bill introduced, and I am very pleased to hear the minister say that the national convention is going to be in our province. And I think that's very fitting as well that at this time this legislation is brought forward.

Mr. Speaker, we have had some preliminary discussions with the Canadian Information Processing Society and have had their encouragement for us in general to support this Bill. We look forward to some follow-up discussion with them to make sure that there's been nothing omitted or any shortcomings to this legislation. However we are quite confident that all is in order, but in order to make sure that that final communication occurs, I would like to move to adjourn debate.

The Speaker: — It has been moved by the member for Melfort that the debate on second reading of Bill No. 99 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Bill No. 101 — The Enforcement of Foreign Judgments Act/Loi sur l'exécution des jugements étrangers

The Speaker: — The Chair recognizes the Minister of Justice.

Hon. Mr. Quennell: — Mr. Speaker, I rise today to move second reading of The Enforcement of Foreign Judgments Act. Mr. Speaker, this Bill seeks to establish a balance that would permit the enforcement of procedurally fair and financially reasonable foreign judgments, while ensuring that Saskatchewan residents are protected from the enforcement of inappropriate judgments reached in other countries.

The Bill does this by establishing the applicable legal rules for recognition and enforcement of such judgments, rather than by simply relying on reciprocity of enforcement between states. Mr. Speaker, under this Bill, foreign judgments are only recognized in Saskatchewan where they meet specific criteria, and will only be enforced to the extent a similar Saskatchewan judgment would be enforced.

As the Saskatchewan and Canadian economies have become ever more internationally integrated, a uniform Canadian standard for enforcement of foreign judgments is desirable to

increase predictability in the international marketplace and to avoid a multiplicity of legal actions for Saskatchewan residents. Mr. Speaker, this Bill will assist Saskatchewan individuals and businesses by avoiding the expense and time delay requiring legitimate foreign judgments to be retried in Saskatchewan before they are enforced.

This is a uniform Act from the Uniform Law Conference of Canada, which had been recommended for implementation in all provinces and territories. It establishes that where a foreign court had a real and substantial connection to the subject matter for which the judgment issued, that judgment may be registered and enforced in Saskatchewan, but only to the extent that a similar Saskatchewan judgment could be enforced.

For example, if an exorbitantly high American jury award were sought to be enforced in Saskatchewan under this Act, that money judgment would be reduced and enforced only to the dollar level that a Saskatchewan judgment on those facts would have provided for.

Mr. Speaker, as you are aware, The Enforcement of Canadian Judgments Act, 2002, already provides for full faith and credit in the recognition and enforcement of judgments between Canadian provinces and territories. The existing foreign judgment Act takes the opposite approach for foreign judgments and provides instead for one of the most restrictive standards of enforcement in North America.

This Bill is intended to strike a balance between the restrictive approach of the existing Act and the very open approach recently taken by the Supreme Court of Canada in considering the enforcement of foreign judgments in the absence of a statutory standard.

It is our view that in international context, the procedural and substantive fairness of a foreign judgment cannot always be presumed. That being said, if those foreign judgments do meet specific criteria for fairness and jurisdiction, they deserve to be enforced without requiring the parties to go through the lengthy and expensive process of retrying the same matter in Saskatchewan.

Mr. Speaker, Saskatchewan continues to prosper in the international community. We feel it is appropriate to provide for clear rules, which that participation can be expected to flourish.

Mr. Speaker, I move second reading of An Act respecting the Enforcement of Foreign Judgments.

The Speaker: — It has been moved by the Minister of Justice that Bill 101, The Enforcement of Foreign Judgments Act, be now read a second time. Is the Assembly ready for the question?

The Chair recognizes the member for Melfort.

Mr. Gantfoer: — Thank you, Mr. Speaker. It's with pleasure that I stand to speak briefly on An Act respecting the Enforcement of Foreign Judgments that's before the House.

Mr. Speaker, I think this is consistent with a number of Bills

that are being brought forward by the Justice department in this spring session that are moving the rules and the legal frameworks in Saskatchewan to be in compliance with national and international standards for the way the court system works. And I think, Mr. Speaker, that that is a worthwhile, is a worthwhile endeavour.

Mr. Speaker, I note that there are some exceptions to what foreign judgments will be allowed in the province, and specifically they seem to be the recovery of taxes and matters arising out of bankruptcy, of insolvency hearings for maintenance or support, and for the recovery of monetary fines.

There probably are very good reasons why these exemptions occur and why the exemptions, in terms of monetary awards, are limited to those that would take precedence in Saskatchewan, would be applicable under this Act. Mr. Speaker, I think it's important that if we can streamline our system so that we don't have to go through costly, repetitive court cases in this province, that that will be a betterment and a protection to all of our citizens. However, to make sure that we get some legal counsel on the nuances of this legislation, at this time, Mr. Speaker, I'd like to move adjournment.

The Speaker: — It has been moved by the member for Melfort that debate on second reading of Bill 101 be now adjourned.

Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion's carried.

Bill No. 103 — The Real Estate Amendment Act, 2005

The Speaker: — The Chair recognizes the Minister of Justice.

Hon. Mr. Quennell: — Mr. Speaker, I rise today to move second reading of The Real Estate Amendment Act, 2005. Mr. Speaker, the main purpose of this Bill is to enhance the ability of the Saskatchewan Real Estate Commission to administer and enforce The Real Estate Act.

The Saskatchewan Real Estate Commission is responsible for regulation of the real estate industry. The Superintendent of Real Estate oversees the activities of the commission. The commission is mandated to protect consumers and to provide services that enhance and improve the industry and the business of industry members. The amendments in this Bill will improve the regulatory environment for the benefit of the public and registrants within the real estate industry.

Mr. Speaker, the real estate sector is a vital part of the Saskatchewan economy. The amendments I'm introducing today are required to ensure that The Real Estate Act remains up-to-date and effective in a fast-paced and changing marketplace.

Currently the Saskatchewan Real Estate Commission consists of four members appointed by the Lieutenant Governor in Council, and five members elected by registrants.

The amendments included in this Bill increase the number of

members elected by the registrants from five to six members, and provide for the appointment of a member from the industrial commercial investment or property management areas of real estate practice by other members of the commission. Essentially, the amendments allow for broader participation on the commission and will able the commission to function more effectively in fulfilling its mandate.

The amendments also provide that a vacancy in the membership of the commission does not impair the power of the remaining members of the commission to act. This amendment is important to ensure that the commission is able to continue to carry out its responsibilities to administer the legislation.

Mr. Speaker, this Bill also allows the commission to take disciplinary action against former industry members for up to two years after the member leaves the industry. This is consistent with the approach taken in some other professions' legislation. It is also consistent with the real estate legislation of other jurisdictions.

A further amendment allows the commission to apply to the court for interim suspension of a registrant. Under the existing legislation, the commission may apply to the Superintendent of Real Estate for an interim suspension of a registrant of no longer than 90 days. In complicated matters, 90 days is not always long enough to complete an investigation and hearing. The amendments allow the commissioner to apply to the court for an interim suspension of a longer duration.

Mr. Speaker, today's Bill also clarifies the requirements for the deposit of trust funds. In particular, the amendments require a brokerage to deposit all money received by the brokerage in trust for other persons within two business days after the later of the day on which the offer to purchase is accepted and the day on which the money is received by the brokerage. The maintenance of trust funds is a significant responsibility for brokerages. Clarification of this provision is required to ensure that trust funds are properly administered.

The amendments proposed today also create a new category of registration for associate brokers under the Act. Essentially, an associate broker is an individual who has the same educational qualifications as a broker, but does not have the same responsibility for managing a brokerage's office or supervising branch managers.

This amendment will harmonize Saskatchewan's real estate legislation with the legislation of other Canadian jurisdictions. Mr. Speaker, the changes reflected in this Bill have been developed jointly by Saskatchewan Justice and the Saskatchewan Real Estate Commission, in consultation with industry and consumer organizations. I appreciate the time, effort, and co-operation these groups have contributed to the development of this Bill.

Mr. Speaker, I am pleased to move second reading of An Act to amend The Real Estate Act.

The Deputy Speaker: — It has been moved by the Minister of Justice that Bill No. 103, The Real Estate Amendment Act, 2005 be now read a second time. Is the Assembly ready for the question? I recognize the member for Melfort.

Mr. Gantfoer: — Thank you, Mr. Deputy Speaker. It's again a pleasure to speak briefly to An Act to amend The Real Estate Act.

Mr. Speaker, I think that we all have come to appreciate at one time or another in our lives the support and the information and the counsel of a real estate agent in this province. Many of us have bought and sold homes, residences, properties, etc., and we realize what an important function a real estate agent serves in negotiating those kinds of contractual changes.

And, Mr. Speaker, I think as in any professional association, I think it's important that they have strong and appropriate legislation governing how their association works and the standards and criteria that are required in order for members to practise in that field, because there's a great deal of public trust and confidence that has been built up and has been maintained by real estate agents through their association over the years.

So, Mr. Speaker, I certainly very much believe that the official opposition would be very much in favour of any kind of legislation that will strengthen and improve legislation affecting the real estate industry and particularly when that legislation has the support and the influence of realtors and people practising in the profession.

Mr. Deputy Speaker, the official opposition has had the opportunity to briefly discuss some of these issues with members of the real estate profession and we look forward to doing that further in the near future. And in order to facilitate that, I would move to adjourn debate.

The Deputy Speaker: — The member for Melfort has moved that debate be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried.

Bill No. 104 — The Planning and Development Amendment Act, 2005

The Deputy Speaker: — I recognize the Minister of Government Relations.

Hon. Mr. Taylor: — Thank you very much, Mr. Deputy Speaker. I am on my feet today to discuss the second reading of amendments to The Planning and Development Act, 1983, Bill 104, which I will move at the conclusion of my remarks.

The Planning and Development Act, 1983, establishes the planning system in this province. The legislation provides municipalities with the authority to undertake community planning. It provides municipalities with the legal basis for the various tools and planning processes necessary for managing development. Although amendments have been made to the Act since it was introduced in 1983, a more detailed review is now necessary to ensure that the legislation meets current and future needs of the municipalities of this province. Municipal officials have indicated that there is a need to improve the Act in several key areas.

The government is responding to this request and has undertaken such a review. The review of the Act is being done in two phases. The amendments before us today represent phase 1. Phase 2 is expected to take place in the near future and will include further stakeholder consultations.

[15:00]

The Bill is focused on fostering local autonomy and reducing provincial control over community planning. Proposed amendments also streamline planning and development review processes, provide clarity and flexibility, and improve enforcement for all municipalities with land use planning bylaws.

Municipalities have said that there is a need to clearly identify provincial interests to assist them in community planning. Phase 1 amendments will authorize the minister to develop statements of provincial interest. Actual development of the provincial interest statements is planned for phase 2.

Other provinces have developed either provincial land use policies or statements of provincial interest to guide community and land use planning. For example, provincial interest statements may address such issues as drinking water source protection; development in flood risk areas; transportation and infrastructure; resource development, such as oil and gas; and environmental considerations.

Amendments will require that municipal planning bylaws be consistent with provincial interests, and that variances granted to zoning bylaws also be consistent with provincial interests. The minister may then intervene in local planning and direct the zoning amendment only where there is a provincial interest. This replaces some of the more detailed provincial review processes now in place in legislation.

Mr. Speaker, some sections of the Bill will not be proclaimed until statements of provincial interest have been developed. This approach ensures that public interests continue to be protected while statements of provincial interests are under development. It signals to all municipalities that the province is committed to adopting statements of provincial interest and providing greater autonomy to councils that have been declared approving authorities.

All municipalities will benefit from proposed amendments that will increase efficiency in the planning process. Planning processes will be streamlined for public notification of bylaws and development appeals. The apportioning of costs of preparing a replanning scheme will be clarified to include public highways and dedicated lands.

Municipalities can presently adopt interim development control when developing or amending planning bylaws. Proposed amendments will broaden the municipalities' ability to utilize interim development control more fully when undertaking a study of a land use planning matter. This is important for municipalities when they are undertaking planning work. However, proposed amendments will set a two-year maximum limit on the validity of interim development control bylaws to ensure that the new planning bylaws are completed in a timely manner and that new development is not unduly delayed.

Amendments will also broaden the application of architectural control to include the site on which a building is located. From a planning perspective, it is reasonable to provide for municipal control on both the building and site to achieve proper aesthetics.

Proposed amendments will increase the allowable extent of damage from 50 per cent to 75 per cent in determining if a nonconforming building can be repaired or rebuilt which will reduce hardship, for example, where a nonconforming building is damaged by fire.

Proposed amendments will also strengthen bylaw enforcement by permitting municipalities to order completion of all work necessary to gain compliance with a zoning bylaw.

Mr. Deputy Speaker, to assist municipalities, the Development Appeal Board will be required to specify a time limit on its decision equal to the period for which the development permit is valid and to clarify that the decision is specific to the plans submitted to the board. Municipalities have found that there is a need to prevent development from occurring years after an appeal decision was made and to clarify that a board's decision applies only to the specific development proposal.

The legislation is being made less prescriptive for all municipalities on matters respecting capital work plans and adopting new zoning bylaws. A municipality that is preparing a development plan will no longer be required to adopt the capital works plan. However, the municipality may do so if it wishes. This will eliminate time and expense. When a municipality is adopting a development plan or a basic planning statement, proposed amendments will eliminate the need to adopt a new zoning bylaw where one exists provided it is consistent with the plan or statement.

Proposed amendments will also remove the time limits on the adoption of planning bylaws which, depending on the type of bylaw, previously ranged from six months to two years. These changes minimize costs to municipalities and respond to municipal requests for flexibility.

Proposed amendments will clarify that land being subdivided is exempt from dedication of municipal reserve where records indicate that municipal reserve was dedicated or that cash in lieu dedication was paid when the land was previously subdivided.

Proposed amendments also broaden the scope to which land may be required to be dedicated as environmental reserve at the time of subdivision, which will provide a greater degree of protection for natural areas.

Mr. Deputy Speaker, the amendments will provide councils that have been declared approving authorities pursuant to the Act with greater flexibility, autonomy, and accountability consistent with the principles of The Cities Act. Ten of the 13 cities in Saskatchewan are presently delegated subdivision approving authority. These approving authorities have the administrative capacity and are in the best position to make local planning decisions.

In these amendments the government is increasing local

autonomy by eliminating ministerial approval of planning bylaws. These bylaws are basic to providing effective community planning and management of development by our municipalities. However, an approving authority will be required to refer a copy of new planning bylaws or amendments to the minister for review for provincial interest. This approach is similar to that of other provinces.

For approving authority, ministerial approval will be eliminated for interim development control bylaws and for bylaws where the council is proposing to sell a buffer strip or walkway, or to sell or exchange a municipal reserve. The province does not need to oversee these municipalities on matters that are of a local nature.

Mr. Deputy Speaker, these 10 approving authorities are being provided greater local autonomy in a number of other areas respecting the adoption and administration of planning bylaws. Proposed amendments will allow the council to establish public notice policies based on minimum requirements in place of current notice provisions. This will provide cities with greater flexibility and a process similar to the public notice policies that may be developed under The Cities Act. Transparency and public participation in community planning processes will be maintained.

Proposed amendments will also permit an approving authority instead of the minister to determine where an alteration to a bylaw is minor and the bylaw does not need to be readvertised. In these cases the responsibility should lie with the council as an approving authority. Removing this extra step will expedite local decision making and is especially important when new development hinges on obtaining approvals in an expeditious manner.

Proposed amendments will now permit the local development appeals board to hear appeals respecting direct control districts, development levies, and the holding provision as a first step in the appeal process. A subsequent appeal can still be made to the Saskatchewan Municipal Board. This change provides greater authority at the local level and can expedite development review. Fair and transparent appeal processes will be maintained.

Approving authorities have been asking to increase the development appeal fee for a number of years. The government believes that development appeals must be affordable. However the government agrees that the current maximum appeal fee needs to be examined. Proposed amendments will permit the government to develop regulations in this regard that will apply to all municipalities. We will consult with stakeholders on any changes.

Mr. Speaker, the legislation will be made less prescriptive for approving authorities. The 10 approving authorities will also be able to set time limits for decisions on demolition and architectural controls and the holding provision that are more suited to their development review processes. The councils will be able to establish the scope and extent of minor variances to their zoning bylaws.

These changes will shorten timelines for development review and will reduce the need for appeal. Councils will also be given

the freedom to independently determine the membership, powers, and duties for their local municipal planning commissions and development appeals board.

The dedication of municipal reserves is an aspect of the subdivision review process and is an important element in overall community development. The amendments respond to city requests for more flexibility regarding municipal reserve lands. Approving authorities will be able to determine the way municipal reserve must be calculated when development is phased in over a period of time. They may also provide for the broader use of municipal reserve lands in their development plans. These changes will support the development of multi-use community facilities and will permit greater partnerships within the community.

As I have noted, the proposed amendments significantly expand the powers of our 10 approving authorities. Proposed amendments will require approving authorities to retain professional community planners. This requirement will ensure that approving authorities have the appropriate level of expertise to address the complex and technical aspects of community planning. Approving authorities were originally delegated authority for subdivision on the basis that they had professional community planners to take on the responsibilities for subdivision review on behalf of the province. We wish to ensure that the intent is transparent.

In closing, Mr. Speaker, the amendments will allow municipalities to more effectively undertake community planning. Mr. Speaker, amendments reduce provincial interference in local planning matters. It demonstrates our confidence in local government having greater responsibilities for local planning. The government is ensuring that the planning legislation meets the needs of municipalities in this province.

I would urge each and every member of the House to review and support the Bill. Therefore, Mr. Speaker, I move second reading of Bill No. 104.

The Speaker: — It has been moved by the Minister of Government Relations that Bill 104, The Planning and Development Amendment Act, 2005 be now read a second time. Is the Assembly ready for the question? The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. It's a pleasure to get up and address this Bill under second reading. I was listening to the minister on it and it sounds like it's making quite a few changes on it, and going through the Bill you can see it makes quite a few changes.

And I know the biggest need out there with towns and cities and villages is development. And they would always like things to move faster through government and approval, but there's some concerns that I think will have to be raised. This Bill has to go to quite a few stakeholders because a Bill of this size affects basically every citizen in Saskatchewan on it.

Some of the questions on provincial interest, I'm not quite sure how that's going to speed things up. Does the minister determine that or is he going to let this . . . When a town makes

a zoning bylaw, is it going to have to go through every department — Environment, Agriculture — to see if they also have a provincial interest in that, Mr. Speaker? So that's a question to be asked.

And also listening, he talked about changing the appeal fee, but I don't see the cost in it of what they're doing with it. So it always makes me a little nervous when this government says they're going to adjust fees because you never know; they have in the past raised them quite substantially. And he's right on both ends; it has to be substantial but it also has to be affordable for the people that are putting in the appeal process. It has to be fair.

So I know that . . . I'm hoping that they . . . He talked about consulting with stakeholders, with the municipal governments. And I know on this side we definitely will be at that end to, checking to see if this Bill follows through. Because I can remember, I think there was a municipal Act that was introduced in the fall and they've pulled that because they had to make some changes in it. Some of the stakeholders felt there should be changes in that particular Bill.

So following that with this particular Bill, Mr. Speaker, I know that it should, it will take a little bit of time to go out to the stakeholders and to see how much consulting and to see if they approve of everything in here, because the main thing is out there you want to make sure that the towns have access to be able to change their bylaws and to work with them because just about every town right now is looking to expand businesses. And that involves zoning bylaws and changing the way that some of the towns do business. Over the past . . . and I know in my constituency there's towns looking at packing plants, there's towns looking at value-added businesses they would like to bring in and doing some development on that. So with that, Mr. Speaker, I will adjourn debate on this particular Bill.

[15:15]

The Speaker: — It has been moved by the member for Arm River-Watrous that debate on second reading of Bill No. 104 be adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Bill No. 105 — The Local Government Election Amendment Act, 2005

The Speaker: — The Chair recognizes the Minister of Government Relations.

Hon. Mr. Taylor: — Thank you very much, Mr. Speaker. I rise today to move second reading of Bill No. 105, The Local Government Election Amendment Act, 2005.

Mr. Speaker, The Local Government Election Act governs how urban municipalities and school boards conduct elections which are of course an integral part of the local democratic process. This Bill is to amend school election processes in order to accommodate changes to the boundaries of school divisions in

the past several years.

Mr. Speaker, these amendments were developed in consultation with the Saskatchewan Association of City Clerks — which I add includes the city clerk in the city of North Battleford, Ms. Elaine Kostiuk, who has been talking about this issue for some time — consultation with the city clerks as well as with officials from Saskatchewan Learning, and from other municipal school board election stakeholders as required.

Other amendments within the Bill are necessary, Mr. Speaker, to accommodate the consolidation of legislation for rural and urban municipalities into the single statute, the municipalities Act, Mr. Speaker. And I will speak to these in my remarks today.

But first, Mr. Speaker, let me elaborate on the amendments pertaining to the school divisions. The Local Government Election Act contains provisions that enable municipal and school board officials to coordinate elections. The legislation defines two categories of school division — those that are wholly or substantially within a municipality and those that are not.

In the past, Mr. Speaker, the distinction between these two categories of school division was clearer. Those school divisions based in a city or a larger town were in the former category. The larger rural and northern school divisions were in the latter. Restructuring of school divisions in recent years has changed this by bringing together urban school divisions in which municipal officials had previously been responsible for school board elections with surrounding rural school divisions where school board officials have had that responsibility.

If the current definition of wholly or substantially within a municipality is retained, Mr. Speaker, city officials will be required to undertake the school division elections in rural areas. The cities themselves say this is not practical.

The amendments will redefine the phrase, wholly or substantially within a municipality, using either a geographic approach or based on where the majority of the schools operated by the school division are located. This will ensure, Mr. Speaker, that municipal officials will continue to conduct school board elections where it is appropriate, but that school division officials will have that responsibility where local circumstances make them more preferable approach . . . make that the more preferable approach.

An amendment has also been proposed that would allow the Minister of Learning by minister's order to assign the responsibility of conducting election in the school division to the secretary-treasurer of that school division.

Further amendments in this Bill link the responsibility for conducting elections to the new method of determining whether a school division is wholly or substantially within a municipality. Essentially the election will be conducted by either municipal or school division officials, depending entirely on where the school division is located.

To ensure that all elections run smoothly, the Bill includes consultation requirements between school board and municipal

officials for determining polling places.

Mr. Speaker, this Bill will also change the number of signatures required on nomination forms for school division elections by requiring 10 signatures for the nomination of a school board candidate, whether or not the municipality is divided into wards. This will ensure that all school division nomination processes in the province are conducted consistently since currently the number of electors required to sign nomination forms varies according to the size of the community and whether wards are used or not.

The last part of this Bill incorporates the provisions respecting rural municipality elections into The Local Government Election Act. The municipalities Act, Mr. Speaker, that is to be considered during this session will consolidate legislation for rural and urban municipalities into a single statute.

The working committee that developed the draft Bill identified the election provisions and procedures for rural municipalities that are currently contained in the rural municipalities Act as an area unique to rural municipal governments and therefore an area of difference between urban and rural municipal government that should be retained.

The working group proposed that the rural election provisions be added as a new division of The Local Government Election Act. All stakeholders and the Department of Justice were consulted and concur with this approach. The new division of The Local Government Election Act will come into force on the same date as the municipalities Act.

It should be noted, Mr. Speaker, that as much as possible, the provisions related to rural election procedures have been retained in their entirety. There are, however, two exceptions to this that are worth noting.

First, rural election provisions which now reference the term voter . . . will now reference the term, voter. With the introduction of the municipalities Act, the distinction between what is known as burgess, i.e., landowners and others with an interest in land regardless of residency, and electors, for election and public vote purposes, is no longer required.

The municipalities Act will now only refer to voters, for which the RMs will be defined in The Local Government Election Act to include the current qualifications for both electors and burgesses.

The second exception relates to inaccessible polling places for voters with disabilities, and the authority to allow rural election officials to conduct what is known as curbside voting in this situation. This addition will allow persons who are unable to enter the polling area to cast a vote in the election by providing the authority for election officials to remove election materials, including ballots and the ballot box, from the polling area and transport them to the person directly outside the polling area.

Provisions have also been added to clarify how a person may request curbside voting, and in the case where curbside voting is requested, that normal election procedures exist as they would if the person was to cast a vote in the polling station. Similar provisions currently exist under The Local Government

Election Act for urban and school board elections. This change responds to a resolution adopted at the March 2005 SARM [Saskatchewan Association of Rural Municipalities] convention in Saskatoon.

Mr. Speaker, accordingly I am proud to move second reading of Bill 105, The Local Government Election Amendment Act. Thank you very much, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — It has been moved by the Minister of Government Relations that Bill 105, The Local Government Election Amendment Act, 2005, be now read a second time.

Is the Assembly ready for the question? The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. It's a pleasure to get up to discuss Bill 105, which I kind of . . . is tied a bit with 104. This seems similar to when the government was bringing forth, I think, the municipal Act last fall there. And I don't think it quite did its homework like it did with the First Nations on the smoking end of it. And it had to pull that Bill and making some changes on it.

So this particular Bill, same thing. We're going to be sending it out to the stakeholders and discussing it because it does affect all the citizens of Saskatchewan when it comes to polling and voters and the rules on it because basically the same thing. You want everything. You want less interference from government.

Naturally they have to set the rules, but you don't want things too onerous that it makes it so complicated that a lot of the municipalities and trustees when they come to voting for town councillors and that makes it very difficult at that end of it.

I see it's going to also addressing The Election Act, dealing with voting with trustees at that end which is going to be a kind of a, I'd say, contentious still out there in rural Saskatchewan with a lot of school divisions, a lot of ratepayers that are, still feel that the divisions are too big, trustees are representing too big of an area, that they're going to be losing their voice in that.

Like I mentioned before in a previous speech, comes to voting with trustees, I still in my constituency don't have any trustees that have stepped forward that I know of that have told me that they're going to run for the school division yet. And with the elections possibly coming up in June, there could be a lot of the divisions are scrambling for trustees out there on the voting end of it.

And I don't know how much of the rule changes are going to be, but like I say, this particular Bill I think has to go to department and school divisions, Department of Education, also to RMs and towns and villages, resort villages. How is that going to affect their voting and their ability to . . . when it comes with councillors?

So with that, Mr. Speaker, I know that I have other colleagues that wish to discuss this Bill. And I think this Bill has to go out and make sure that this government did its homework because in the past it's been shown that is hasn't on that. So with that,

Mr. Speaker, I will move that we adjourn debate on this particular Bill.

The Speaker: — It has been moved by the member for Arm River-Watrous that debate on second reading of Bill 105, The Local Government Election Amendment Act, 2005, be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 90

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 90 — The Adult Guardianship and Co-decision-making Amendment Act, 2005** be now read a second time.]

The Speaker: — The Chair recognizes the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. It's a pleasure to be able to speak to Bill No. 90, the Act to amend The Adult Guardianship and Co-decision-making Act. A measure of societies is really how a society and a country, or a state or a province, treats its most disadvantaged people — the sick, the infirmed, in our society. And I think that we as legislators need to keep that in mind always when we're passing Bills and making decisions on items that will affect the people in our province, in Saskatchewan.

Mr. Speaker, it seems that in most societies these are attitudes and thoughts that resonate in democratic societies that look out for the most impoverished people in our society — and I believe this Bill speaks to that as well. We always hear informally about situations where people that have lost their mental faculties and are taken advantage of. And I don't believe it happens on a regular basis, but we do hear that it does take place and it certainly is something that we as legislators need to address.

And I believe the Bill, as stated, places an onus of proof on the party to show that when they're entering into a contract with an adult who has been appointed a guardian, that they have reasonable grounds to believe that the adult lacked capacity at the time of the contract. And not only it speaks to the protection of people that may be infirmed, or not totally within their faculties to understand contracts that they may or may not have entered into, or realized that they've entered in . . . I mean there's different types of contracts — verbal, written contracts. And these contracts do stand up in court whether they've been prepared by a lawyer, or just a verbal contract between two people.

So it's important that we look after that particular area that has a potential to injure or hurt an individual's situation. As we know, contracts in our society are very, very important, and are really the basis to a lot of commerce that is done — or all

commerce, quite frankly — that is done in the western democracies. And it's important that we strengthen the ability to have contracts. And, but not only strengthen the contracts but to have the protection around the contracts when it comes to people that are maybe in a position to be taken advantage of.

[15:30]

Mr. Speaker, as we know, this Bill needs to — and I believe it does — really put forward the whole issue of property guardianship and needs to be clearly defined, and you'll find the relationship between the parties that is making the contract. And we certainly have considerable interest in making sure that this process is strengthened and people are protected.

And it's interesting to say that, also to note that this review or this appointment would apply if a guardian was appointed within a 12-month period. And so there's those added protections there.

So, Mr. Speaker, we in the opposition — the Saskatchewan Party — have looked at this Bill, our critic has looked at it, we've spoken to the stakeholders, and we believe that this is a Bill that should move forward to Committee of the Whole, where we can ask more questions concerning the Bill and implications of the Bill. But we believe it should be moved ahead so that this Bill could come into force in a more timely matter. So at this time, Mr. Speaker, I would like to let this Bill proceed ahead.

The Speaker: — The question before the Assembly is the one moved by the Minister of Justice that Bill No. 90, The Adult Guardianship and Co-decision-making Amendment Act, 2005, be now read a second time. Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Clerk Assistant: — Second reading of this Bill.

The Speaker: — To which committee shall this Bill be referred? The Chair recognizes the Government Deputy House Leader.

Hon. Ms. Atkinson: — Thank you. I move that Bill 90, The Adult Guardianship and Co-decision-making Amendment Act, 2005, be referred to the Standing Committee on Human Services.

The Speaker: — It has been moved by the Government Deputy House Leader that Bill No. 90 be referred to the Standing Committee on Human Services. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried. This Bill stands referred to the Standing Committee on Human Services.

Bill No. 92

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 92 — The International Protection of Adults (Hague Convention Implementation) Act/Loi de mise en oeuvre de la Convention de la Haye sur la protection internationale des adultes** be now read a second time.]

The Speaker: — The Chair recognizes the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. It's a pleasure again to stand and speak to Bill No. 92. As the Bill has stated, that the Bill applies to international conventions on protection of adults, to Saskatchewan. And we understand that the intention is to create a common international framework for dealing with judicial questions related to adults who are unable to protect their interests because of impairment or insufficient personal faculties.

Our critic has looked into this and basically doesn't find any fault within the Bill, but there's things that we need to look at in a general way, Mr. Speaker. I believe international law generally has progressed and is an improvement over the way things have been done in the past.

But we know there are some exceptions to international law that certain nations take exception to. The most glaring example of course is the United States and the war tribunal, war crimes tribunal that is set up and the United States hasn't signed on to that protocol. But I believe this Bill is something that all law-abiding nations in the world would not have a problem with because it's . . . And again, it helps people that travel from country to country to fall under the same rules, regulations, jurisdictions that is common to the protection of adults who have impairments. And I believe that's very important.

Mr. Speaker, the states involved signed on to the present convention and recognize the need to provide protection for persons who are not in a position to protect their own interests. And it's a way to avoid conflict between legal systems respecting jurisdiction and it also enhances the international co-operation that is important for the protection of adults in the various countries around the world.

And, Mr. Speaker, the Bill also, or the convention also determines which state has jurisdiction to apply to the convention and determines which law is to be applied by the authorities. And this also includes measures such as determination of incapacity and placing of an adult under the protection of a judicial authority.

Mr. Speaker, in terms of jurisdiction, this Bill, we believe the convention recognizes that the authority of the states where the person in question habitually resides has jurisdiction to take measures directed to the protection of adults, person, or property.

So generally, Mr. Speaker, this seems to be a Bill that certainly makes a lot of sense. It brings many countries together under a

common law and where laws and measures are standard, so that people will know from one country to the other what the rules and conditions are.

It's just interesting to note that the convention does not apply to maintenance obligations, and trusts, social security, and measures directed solely to public safety.

So, Mr. Speaker, again I'd like to say that we in the opposition have taken a close look at this Bill, and we look forward to bringing up questions in Committee of the Whole. And so at this time, Mr. Speaker, I'd like this Bill to proceed.

The Speaker: — The question before the Assembly is the motion moved by the Minister of Justice that Bill No. 92, The International Protection of Adults (Hague Convention Implementation) Act, be now read a second time. Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Clerk Assistant: — Second reading of this Bill.

The Speaker: — To which committee shall this Bill be referred? The Chair recognizes the Government Deputy House Leader.

Hon. Ms. Atkinson: — I move that Bill 92, The International Protection of Adults (Hague Convention Implementation) Act, be referred to the Standing Committee on Human Services.

The Speaker: — The Government Deputy House Leader has moved that Bill No. 92 be referred to the Standing Committee on Human Services. Is it the pleasure of the Assembly to adopt the motion? Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried. This Bill stands referred to the Standing Committee on Human Services.

Bill No. 94

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wartman that **Bill No. 94 — The Apiaries Act, 2005** be now read a second time.]

The Speaker: — The Chair recognizes the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. It's a pleasure to enter the debate on the apiaries Bill dealing with bees. My old constituency, I don't think I had any beekeepers. But when I first started going in my northeast and my new constituency, where the boundaries were changed quite radically, I seen these

... they almost looked like tents. I thought it was a Boy Scout jamboree at first, was out there, when I drove by. And I was informed no, those were bee colonies.

And in my area, that particular constituency between Nokomis and getting close, up towards Wynyard, there is quite a few. There is I'd say 3, 4 quarter sections that have them dotted out with the hay. They do two purposes. I mean, they get the bee production, the honey production, and also pollinate the grass around there for the people that cut hay. It does very good at that end for pollinating, and the grass at that end for selling hay, at that end of it, Mr. Speaker.

So with that I've been learning a little bit about the bee production and the problems that also arise with it, and also the growing industry out there with it, Mr. Speaker, now that it's in my constituency.

One of the things that I just, you know, have found out over the past few months or the last year I guess, that right now that we are producing some of the — per capita — the best, some of the best production of honey per hive, I understand of anywhere, with that the bees do very well in Saskatchewan here. In fact I understand now that they can keep the bees over the winter. One time they only had I guess the life span of the summer, and they would have to import bees. And also then you get into the cross border, which this Bill a little bit deals with I believe, in disease with that ... of that industry. And we all know what has happened in the cattle industry with that.

And right now I think that I understand a bit, because I'm only learning about it, and with this particular Bill ... and also about the bee keepers in my area of the constituency of it that there is a concern. I mean nobody wants an industry that is growing — and it's an industry that there is a lot of growth potential in it — that disease can destroy it. I mean it's just like an animal or an insect like that, disease can spread through it very, very fast at that and wipe out whole colonies. So it is a particular concern at that end, Mr. Speaker, of this, and I think this legislation deals with that.

But I also think there is two views out there from what I understand a bit, just reading some of the second reading on it and talking to a few people in the industry, that some people want a little more control. And some are scared that if you bring too many controls in that you won't have the flow of bees across the border or even in certain areas I understand this Bill deals with, if there's an infected area with bee mites that they can transported to another one. And also deals with enforcing that particular legislation at that end of it.

And also dealing with ... I understand that there will be some fines associated with it which I'm not sure, same thing, of how much that is or how enforceable it's going to be, or how much ... who's going to be setting it out because we hope that should come from the direction of the beekeepers out there, the ones that are raising it, that will understand the disease and how it moves and what the areas are in that particular ... or the problems are for that particular industry at that end of it.

So this particular piece of legislation I going to be you know ... I'm know it's gone out to bee association. I'm going to talk some of my beekeepers in my northeast part of my constituency

and have them look at this particular piece of legislation and see what they think of it . . . with that.

So, Mr. Speaker, I will move that we adjourn debate on this particular piece of legislation.

Some Hon. Members: — Hear, hear!

The Speaker: — It has been moved by the member for Arm River-Watrous that debate on second reading of Bill No. 94 be adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Bill No. 95

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Forbes that **Bill No. 95 — The Ecological Reserves Amendment Act, 2005** be now read a second time.]

The Speaker: — The Chair recognizes the member for Cypress Hills.

Mr. Elhard: — Thank you, Mr. Speaker. It's a pleasure to be able to join the debate on this particular piece of legislation today. Although I have to say, Mr. Speaker, that as short as this particular Bill is, it evokes a lot of controversy and reams and reams of material in terms of local concern. No single file in my constituency has generated as much media coverage or as much local interest and discussion and sometimes rather heated debate as has the issue of development in the Great Sand Hills.

And the fact of the matter is, Mr. Speaker, that the topic is well worth the consideration because the Great Sand Hills is a tremendously unique area of the province. Not only is it unique from a flora and fauna perspective, it is one of the few areas of the province that has actual moving sand dunes. And if you were to visit the area — if you can find it, I guess, first off — but if you were to visit the area, you would be amazed at the quality of the sand dunes and the size of the sand dunes and the fact that they are moving with some daily increments as the wind blows from one direction or the other.

But having said that, the Great Sand Hills is also home to what is estimated to be 20 per cent of the natural gas reserves for the province of Saskatchewan. And as such, it contains great wealth. So we have these competing issues. We have the local land users, the individuals who ranch in the area. There is considerable amount of Crown grazing lease in the region that is held by local ranchers and used very carefully. As a matter of fact the husbandry, the stewardship provided by the local ranchers who run these Crown grazing leases is very precise. They are very dedicated to the control and proper use of the fragile grazing that's in that area.

But it's also highly contested for its mineral wealth by a number of oil and development companies. There's some need, as has expressed by the industry, to put some pipeline components into that area if they're going to collect the existing natural gas. And

there's also the environmental issues which are very pertinent to the discussion. And having had conversations with people on all sides of the equation, I can understand the difficulty in coming to a satisfactory solution that would meet the interests of all parties. And this particular piece of legislation is, in my view, an attempt by the government to try and reach that compromise.

[15:45]

The question is, Mr. Speaker, whether or not this particular piece of legislation accomplishes the government's purpose. Now if I had been given more time I would have liked to have recited some of the history that attends this particular piece of legislation. And as I indicated it's quite precise, but I want the House to know, the Assembly to know, that this particular piece of legislation directs itself exclusively to the Great Sand Hills. And I'd like to read part of this Act into the record today. It says that:

No designation of land as an ecological reserve, nor any restriction of activity that may be conducted on an ecological reserve located in the Great Sand Hills, may be revoked except by the Assembly.

And, Mr. Speaker, that last set of words, that last phrase as part of this particular Bill is what causes me pause, frankly, to ask why would this particular piece of legislation require an act of the Assembly to change. And it would seem to me that going forward with the changing technology that is becoming part of the developmental capability of the oil and gas industry, with the kinds of changes that we're going to see in the future in terms of energy needs for this province, the question I want to ask right now is, will this Legislative Assembly, the members of this House, have the technical capability and understanding to make decisions related to some of the changes that might eventually be necessitated by different demands in the days ahead?

That's one of the questions. The other question that is not addressed in this particular piece of legislation as I see it is that current leaseholders, oil and gas companies that purchased land in auctions in good faith, auctions that were conducted by this government, by the Department of Industry and Resources . . . that land, those leases were purchased by the oil and gas industry in good faith. Now those rules are being changed. Is there going to be some compensation to those industry players for the fact that this particular piece of legislation will not allow development of those leases that were purchased?

I think that that type of issue needs to be addressed because if we want the oil and gas industry to be an important, ongoing player in our economy, they have to know that when they make purchases of leases in good faith that those lease opportunities will be recognized and allowed to proceed by the government from which those leases were bought.

So those are a couple of the issues that I think this particular piece of legislation does not address. It does a substantially better job on recognizing the ecological and environmental concerns that are at play in this particular issue, and I have certainly no reason to object to a lot of that concern by this government or players in the environmental movement. But the point of the matter is that there is considerable delicate

balancing required on this issue, and I'm not sure that this Bill accomplishes that.

I would like to continue to address this Bill at a future date, but for now, Mr. Speaker, I move to adjourn.

The Speaker: — It has been moved by the member for Cypress Hills that debate on second reading of Bill 95 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried. I do now leave the Chair for the Assembly to go into the Committee of Finance.

COMMITTEE OF FINANCE

General Revenue Fund Health Vote 32

Subvote (HE01)

The Chair: — Order. I call the Committee of Finance to order. The first item before the committee are the consideration of estimates for the Department of Health, vote 32, starting on page 75 of the Estimates book. And I recognize the Minister of Finance to introduce his officials and make a brief statement.

Hon. Mr. Nilson: — Sometimes I feel like the Minister of Finance, but I'm the Minister of Health, and I'm very pleased to have with me today a team of people. To my left is John Wright, the deputy minister. And to my right is Lawrence Krahn, the assistant deputy minister. Directly behind me is Duncan Fisher, also assistant deputy minister. And to his left is Mike Shaw, associate deputy minister. And then to Mr. Fisher's right is Max Hendricks, the executive director of finance in the administration branch.

I also have with me today at the back of the room, Bonnie Blakley, who's the executive director of health human resource planning; Roger Carriere, who's the executive director of community care branch; Carol Chernick-Smith, who's the director of the capital asset planning and the regional policy branch; Lauren Donnelly, who's the executive director of acute and emergency services; Bert Linklater, who's the executive director of the regional accountability branch; June Schultz, who's the director of the budget and financial planning from the finance administration branch; and Tracey Smith, who's the assistant to the deputy minister. Thank you.

The Chair: — Thank you, Minister of Health. And I think I've offended both the Minister of Health and the Minister of Finance at the same time. I recognize the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Chair. It's a privilege to stand and start on the, I guess, well hopefully a long process of estimates. We don't have a lot of time today, but over the next couple, three weeks or a couple months, whatever it takes to go through the estimates of the Department of Health.

This is my first enter into this area as the newly named critic of the Department of Health. Of course the member from Melfort had been looking after this file for six years and had been doing a very good job. And he'd been doing such a good job that quite frankly I didn't pay a whole lot of attention to it and now I'm kind of kicking myself. Over the last number of years I should have been paying perhaps a little more attention. And maybe that lack of attention may be evident in some of the questions I ask as we go through the day or through the time that we have.

But certainly, when you're dealing with a budget of \$2.9 billion or close to \$2.9 billion, I think the first question for me, when I looked at that, is where does a person start? That's certainly a huge department and a huge allotment of money for health care. But I think and I mean I can speak from my own perspective and any polling that's been done, I think from any group, that we would see that health care is probably the number one — not probably — is the number one issue facing people in Saskatchewan and also across Canada, because it's something that hopefully we don't deal with a lot, but we know people that have been through the system. And it becomes probably the most important issue to many, many people.

I'd like to welcome the officials here as well, and Mr. Wright on his new position as deputy minister. We had the opportunity of asking questions in different committees, mainly Crown committees, when he was in charge of SaskPower and found that always very, very informative. So I think we'll certainly probably have the same response as we go through the estimates here today.

I was interested that the minister didn't have any opening remarks and maybe you do have some opening remarks. Generally that's a bit of a kind of a start into when we start estimates each year, after the budget, is the minister will have opening remarks and then I would follow on from that. And I think if the minister did have opening remarks, I'm quite sure I know what he would say; that the system is big, but it's working very, very well.

And I don't know if I would disagree completely with the fact that it's working quite well. But you know, I will say from my perspective as critic or as just MLA for the constituency of Indian Head-Milestone, unfortunately what we see all the time or often are the situations that haven't worked so well.

And I know I've heard the minister stand up in the House many times and cite the number of procedures, the number of visits into the health care system. And you know, the vast majority of those go through and go along quite well. But the ones that don't are the ones that come to our office, whether it's to my constituency office or to the other 28 constituency offices that we have in this province, or right to our caucus staff. And so then we deal with those issues as best we can.

I will say also that it's not always the concerns that come to a constituency office or the caucus office. I think we all know of people that work in the health care system. I certainly do. My wife works in the operating room at the Regina General so I, on a regular basis, hear some of the concerns that the nurses are feeling in that setting. We have a social life that often comes into contact with doctors and other nurses and health care professionals. And when you sit and talk to those people you

find that, you know, it isn't just a perfect system. You know, people do have troubles within the system, whether it's in the patient care, whether it's in the professional side of the health care system.

And so what I would like to do over the next . . . well not the amount of time that we have today but over the next number of hours of estimates as we go forward through this legislative session, before the estimates are passed, talk about a number of those different areas, whether it's recruitment and retention of health care professionals — nurses, lab techs, those type of people — to some of the issues around physicians, to some of the issues around long-term care, to some of the issues that, you know . . . I mean, there are so many different areas that we hear of concerns. And this is, I think, a great opportunity to have the dialogue and I guess some of the concerns answered by the department.

The first area that I did want to talk about though is the . . . and it's looking back a number of years to the health care districts that then went to regional authorities. We're sitting at 12 regional authorities now and we came from 32 health care districts. And prior to that, one Health department that looked after all of that, and local boards that kind of were in charge of their own area, whether it's a hospital in Redvers or whatever it might be.

I would be very interested to hear from the minister, and I know this is looking back and so there may be some folders, if that information is here, leafing back to some of the administration costs or savings that we have seen over the last 10 or 12 years of health care reform that this province has been going through. I guess it'll probably be about 14 years of health care reform that this province has been going through from the one Health department that oversaw everything to the 32 districts to then the 12 regional authorities.

And I guess the question that I get often is, what are the . . . have there been savings? Is it more expensive dealing with just administration? Because when we think of health care, I think most of us think of health care as, you know, front-line care. It's the patient-doctor relationship; it's the nurse-patient relationship in the acute care facilities; it's those type of issues that we look at when we first talk about health care. But certainly, there's more than that.

There's, you know, the whole issue of administration. And so my question is a broad one, first of all. But could you answer how much money was saved on administration costs? Does he feel when we went from, first of all, one department to 32 authorities, or was there an increase in costs for administration? And maybe before that answer, the minister may want to do some opening remarks as far as his vision of where he sees health care going into the future.

[16:00]

One last thing . . . Maybe I'm going to take this whole time myself if I don't sit down and be quiet here and let the minister answer. But, I mean, it's amazing when we look at the health care budget over the last 10 years increasing \$1 billion — from roughly 1.9 to 2.9. And so, in a broad-brush question, is it 3.9 in the next 10 years? You know, where is health care going into

the future?

Hon. Mr. Nilson: — I was appreciating the opportunity to give an overview of the direction of where I wanted to go, and I know that the member from Rosthern . . . he's not here but I think he's the one that asked me that question when I was first appointed as Minister of Justice. And I talked for 45 minutes, and so I didn't think anybody would ever ask me that question again so . . .

But what I think, what I want to say is that the public can learn quite a bit from the questions that I received from the member opposite. So I think that what I will say is we have a budget of \$2.9 billion in Health, which is an increase of 192 million over last year or 7.1 per cent. And we often end up in budget times talking about that increase — that 192 — and don't necessarily talk as much about the \$2.7 billion otherwise.

And so what I have tried to explain to people, and this is what the member was referring to, is that as it relates to how many days of hospital care . . . 800,000 days that we did last year; 94,000 surgeries, or about 258 a day; 4.6 million visits to family doctors; and almost a million visits to specialists. And so you can talk about all of the advice given on the provincial telephone advice line; or the road ambulance trips, 88,000 road ambulance trips; 1,200 air ambulance trips; and covering the 77 per cent of the overall costs of 8,700 residents in long-term care; and keep going on with the numbers of CT [computerized tomography] scans — 83,000 CT scans; 12,750 MRIs [magnetic resonance imaging].

So you start with that kind of a base and then we build on some of the things that are here. Now I think the specific initiatives that we have, have been spelled out. And I think we'll get to some of those that . . . And I'll wait for some of your questions on that.

But you asked a very specific question about admin costs, administration costs. And one of the interesting bits of information that we have is that in '02-03 budget — which is just three back — the admin costs were 105.1 million; '03-04, 102.2; '04-05, 93.6. And so as we move forward in this next budget, it'll probably be somewhere in that range.

But if you can recall, the budgets have gone up about \$200 million a year approximately each year, and the admin costs have gone down. And what we have seen is that the administrative savings around how we organize things have made a difference, and the actual admin costs have gone down.

Mr. McMorris: — So, I mean, I appreciate that. Is there any sort of a break then? Do we notice a big break when we went from 32 health districts to 12 regional health authorities? Was there a jump at that time? You're showing a, you know, a progression down of 3 million, the first numbers you gave, to another 9 million in the second set of numbers you . . . we dropped down as far as administration costs. Was there a significant jump when we moved from 32 health districts to 12 health authorities?

Hon. Mr. Nilson: — I don't think we have it broken down like that. But, I guess, to give an example is that most of the administrative costs do relate to the actual management of the

system which are the CEOs [chief executive officer] and senior people. The board costs are a component, but it's not a large component and so that we continue to provide the services across the board.

But we're also continuing to ask questions. And if you notice in this year's budget, we have actually set forward the fact that we are going to be doing some reviews and that includes an overall, sort of, admin review of the cancer agency. We're looking at some of the things in Saskatoon Health Authority and the Kelsey Trail Health Authority. And what our plan is, is to budget in basically reviews of how the operations are going in a way that we can get through each of the health authorities over the next four years.

Mr. McMorris: — I would be interested if the minister could then answer . . . [inaudible] . . . we should see the reduction of administration costs. And I just I guess, for the public record, I want to make sure that we're comparing everything that we — you know, in 2004 — that we compared in 2002 or 2001. I mean it's pretty easy to show administration costs dropping in one area if, for example, some of the administration was moved over into a different department and itemized in a different way.

And so if he could give me a kind of a brief outline of what he is considering as administration costs and if that's comparative year after year after year.

Hon. Mr. Nilson: — The administration costs that are included in this discussion include general administration, so that's the executive offices, the board costs, planning and development and related items, the finance costs, human resources, information technology and communications. And the numbers that I did give you are apple-to-apple comparisons, if I can put it that way.

Because what we have done is, through the accountability structure that we have, made sure that people are coding the expenses the same way and we keep working at that. But over the last three years, we've become much better at making sure that we're comparing the same costs, because it's helpful for one region to look and see how much they're spending versus the other regions. And we're finding that sharing of information has been quite valuable.

Mr. McMorris: — I'd be interested then too to look at when we look across the country — because I know every province is grappling with the same issues around health care, and I'm sure it is the number one issue in every province across this country — how do we compare then on a percentage of our provincial budget? We look at 93.6 billion or million, I guess, so that would be roughly 30 per cent of our provincial budget. Is that correct? And how does that compare, how does that compare with other provinces and their administration costs?

And again, once again, I don't know if we're comparing . . . You know, when they compare their administration costs, are they the same as what we're comparing? But you know, as a percentage of our provincial budget in health care, do we compare . . . how do we compare with other provinces?

Hon. Mr. Nilson: — Well I'm very pleased to answer that because, as you know, the Canadian Institute for Health

Information or CIHI provides comparative descriptions of various aspects of the Canadian health care system. And for the '03-04 health year, CIHI had Saskatchewan listed with the lowest administration costs in Canada.

Mr. McMorris: — I look on the first page of the budget item, and we see full-time equivalent staff, and we see that going up roughly 30, 28 positions. Can he — the minister — explain where those positions are, not by person or by job description, but where are the full-time equivalents that the department is bringing on stream? Where are they fitting into the organization?

Hon. Mr. Nilson: — I'll provide some detail here for you. There are one-time requirement jobs for the health card renewal project, which is going ahead; there are six positions that'll be an increase. As well, the primary health care awareness strategy, which are also one-time costs. On behalf of the country, we are providing service and there are three jobs there. So that's a total of nine.

There are transfers from contract to salary employees. So this is moving positions. In the health information solutions centre staffing, there's 2.5 positions like that, and also in the corporate information and technology branch, there's one position. So that adds another 3.5 positions.

In the cost-savings area, we've added some particular jobs. There are four in the drug plan under the maximum allowable cost program, and that allows us to add that increased supervision. And in the medical services branch staffing, there's one more person there. That's to monitor the billing in both those areas.

For operational pressures, there's two staff added at the provincial laboratory, and there are two added in the policy and planning branch.

For primary health care reform — that's the overall initiative — we've added 2.7 staff in that area. And then for new initiatives and requirements, public health area, there are three positions. And in the genealogical area, there's a 1.5 position.

And when you add all those together, you would end up with an increase of 28.7.

Mr. McMorris: — The minister talked about nine one-time positions — money that is obviously for this budget year — nine positions that are going to fill the role. Could he explain to me what those roles are? You used a couple of examples or a couple of . . . said a couple of areas that you'd be moving towards. Can you explain those areas and what those full-time positions are going to be doing? And then, I guess the following year, are we expected to see the full-time equivalent leave drop down by nine then again?

Hon. Mr. Nilson: — Yes, those nine positions will be gone after this year; they are people that are hired on a temporary basis. Six of them relate to the renewal of the health card. This year we'll be sending out a new health card, and that involves lots of cards going out and then keeping track of the ones that are returned and making sure people get those cards. And that will be — it's starting now — but the real intense time will be

in the fall.

The other three positions relate to the primary health care awareness strategy. Under the federal money that we received as provinces, different parts were allocated out to different provinces, and Saskatchewan was given the job of preparing the national communications around primary health care. And so we're hiring three people in that area to help with that particular job, which we anticipate will be finished by the end of the year.

Mr. McMorris: — I don't know if the minister would have this information, but we were talking about full-time positions. Over the last year, as far as health districts, do we know how many more administrative . . . have they added to the administrative positions? I know what you're saying here is that the total cost has gone down, and so you . . . one would anticipate the full-time equivalents in the different health districts for administration would have dropped as well. Can the minister confirm that — if the management or administration at the different health districts has dropped as far as full-time equivalents? I'll just leave it at that for now.

Hon. Mr. Nilson: — This year's budget will allow us to increase the number of positions between 100 and 150 in the regional health authorities. But we don't have a breakdown of exactly where they are, but they would predominately be in the health provider positions — nurses and other staff.

Mr. McMorris: — So increasing the staffing in all 12 total, by 100 to 150, but we don't know if those are going to be front-line workers or, you know, some more administrative staff. You don't have that breakdown; you're just saying you have the total number?

[16:15]

Hon. Mr. Nilson: — Perhaps I can explain a little bit about budgeting. We give the budget amounts to the regional health authorities when the budget is released. And then they are right now working together to put together their plans. Now we have a pretty good idea of what they're going to do, but we don't have the finalized budget plans which especially relate to hiring. And so if you ask me this question in about two months or a little more, we'd have a much better idea and be able to give you a total breakdown. But primarily I think they do relate to the front-line service positions.

Mr. McMorris: — I guess one last question then in this area. And again this is looking back, but when you look at the 12 different health care regions and they have their CEOs and the administration staff that flow in behind that, and you take that number of people that are, I guess, in administration in the health care regions, through the 12 regions that we have, would you say there is less number of people in administrative positions now than there were before we went through health care reform — let's say in the, you know, in the early '90s — and then again from the districts to the authorities? Would you say there are less full-time equivalencies in the administration positions?

Hon. Mr. Nilson: — I think the simple answer to that is yes.

Mr. McMorris: — Well maybe I'll ask for something a little

more complex than. Could you tell me the numbers? I mean the simple answer is yes. How many? Are we looking at a major reduction or, you know, are we . . . I would like to know and be assured myself when I talk to people.

And I hear this all the time. I hear it from a lot of people, not only just people that are accessing the system, but as I said in my opening remarks, people that are in the system that say, man, there seems to be more management and more administration now than there was 15 years ago. You talk to a lot of people that are in the system, they'll say that's where a lot of the money is going.

So we hear from you that, no, there's not as many people, but we're hearing it anecdotally. So I guess what I'm asking the minister, is to give something more than a yes or no answer and let me know and assure me — reassure me — that I can go out and say to people in my health district that right now we have less people in the administration positions in health care than we did 12 years ago.

Hon. Mr. Nilson: — Well the information that we collect across the system is, as I set out for you, the administrative costs, and those are the related kinds of positions. And what we do know, that the out-of-scope portion is substantially less as a percentage of the total group within that, and if you define administrative people as the out-of-scope portion, then it is, you know, that smaller group. So I think the specific information as we move forward will have more data about this.

But practically, what we know across the system is that we've reduced the administrative costs. We know that the comparative data that's used by CIHI [Canadian Institute of Health Information] on a national basis shows that we're at some of the lowest administrative costs. One year we were the lowest in the whole country. And I know what they try to do is to make sure they get common descriptions across the country.

So our goal is to make sure that you have the appropriate support. You don't want to get too thin on administration because then that causes problems for the front-line workers as well. But we're continuing to work to get that right balance.

Mr. McMorris: — Well that sheds a little more light on it, I think, because certainly that's what we have heard, is that what you're comparing now for administration costs are people that are out of scope. And what we're hearing often is that that is one way of determining it, but what we're hearing again from people that are in the field, is they're saying, well yes, I mean this person is doing administrative work but they're in scope and so it's not looked at as administrative work, you know, in the way that you're determining the cost of administration. And that's what we're hearing, is that people are . . . or their salaries are being paid, you know, through acute care when they have very little to do with acute care, but that's the way their salaries are being paid.

Hon. Mr. Nilson: — I think if you listened to my description of what administrative costs were earlier — general administration, executive offices — clearly some of those people would be out of scope. Board costs — well, they're not part of that — but planning and development, many of those people are within scope. Finance officials — there's a whole

array of people that work there. Human resources, information technology, communications — all of these ones.

So I don't think that using that definition is how the information I've provided here is calculated. But what we continue to do is watch very carefully across the whole system, and we also look and compare ourselves to other provinces and other places where work is being done. And we have to make sure that we have enough administrative staff to provide the support for the front-line workers, and we're continuing to work at that balance.

Mr. McMorris: — I guess maybe switching gears a little bit and talking about some of the changes that have come about since 1997 after the Dorsey report and the change in the union structure, I think there was what, 538 different bargaining units down to 45? Can the minister explain to me if they've realized savings in that area, bargaining with 45 as opposed to 538, and how that has worked since 1987?

Hon. Mr. Nilson: — Well I think that what we now have in some sectors of health bargaining is province-wide bargaining, and as it relates to some of the service side we have regional bargaining, but clearly discussions go across the whole province as it relates to those particular units.

I think that practically, we've achieved many, many similarities in making sure people are paid fair wages. It's been part of the introduction of pay equity across the province. All of these things have made it simpler in one sense to negotiate contracts, but it's been a long, difficult process to do all of those comparisons. And so I think practically, the discussions still become challenging because they're dealing with some challenging work issues, but on a broader basis we're not having to deal with as many units.

Mr. McMorris: — One question regarding . . . and I don't have much time. I'm going to be turning it over to a couple of my colleagues to ask questions here in about five minutes. But I do want to just kind of get a broad brush of what the department's — and I will get into this much more in depth in the future — but regarding recruitment and retaining of, we'll say RNs [registered nurse] or any health care, any of the health care professions. But it seems like we continually hear that there is a shortage of registered nurses and RPNs [registered psychiatric nurse]. We continually hear that.

And I've asked questions of the minister in the House here, how we can have a shortage. We can be graduating . . . and so many of those people that are graduating cannot find full-time work. So I mean for anybody that looks at it from the surface, say we've got a shortage but there's no full-time work, and that just doesn't make sense to many, many people, especially when you look at so many of the health care districts — authorities I should say — and you look at the amount of overtime being paid.

So I guess I'll ask the minister first of all what their plans are to recruit, but more importantly, retain the nurses that we are training right now? We are training you know roughly . . . I think 260 are graduating this next year. It would be nice to hear the minister say that every one of those graduating nurses will have full-time work in our province. Unfortunately I know the

answer will be no to that, and so we'll see an awful lot of those people leaving the province, that we have trained.

So can the minister give me their idea of what is going to be happening into the future to retain most of our graduates?

Hon. Mr. Nilson: — In the action plan that the Premier and I brought forward on behalf of the government in December 2001, the retention and then recruitment of health professionals was a very key part. And it continues to be a key part and we've done some very aggressive things.

You've asked some specific questions around nursing positions and so I will focus all my comments on the nursing. And I'll take information from once again the CIHI nursing report for 2004, which reflects back on 2003. But in that year, 54.3 per cent of employed RNs and 74.1 of employed RPNs had full-time positions, and this is higher than the Canadian average of 51.4, as well as higher than all of the other Western provinces; 34.6 of employed RNs had part-time positions and 25.8 of employed RPNs had part-time positions. Both these are lower than Manitoba and Alberta, but slightly higher than BC and the Canadian averages of 32.2 and 24.6.

Of the employed RNs with casual positions, there were 11.2 per cent which was lower than Alberta at 15.5 and BC at 17.4, but higher than Manitoba at 6.1. That's 2003 in the CIHI nursing report.

It also showed in that report that the numbers of registered nurses had increased by 3.7 per cent from 8,198 to 8,503. That was from 2001 to 2003. The psych nurses' numbers increased by 1 per cent: 930 to 939. And the licensed practical nurses' positions increased by 2.2 per cent: 2,011 to 2,056. In that same period between . . . the numbers of overtime hours for SUN [Saskatchewan Union of Nurses] members declined by about 11.4 per cent.

Now in our system right now we have the new graduates that are coming out of the system from some of our new initiatives. One of the challenges is to make sure that these people get positions. Now there are positions available across the province, but there aren't as many of them available as there were a couple of years ago. Overall in the health care system we think there's a vacancy rate of about 1 per cent, and that which . . . and the jobs that are there, are available, if you go to the Sask Health website and then go to the regional health authorities, you can find those particular jobs.

And so basically we are continuing our expansion of the nursing program, the Nursing Education Program of Saskatchewan, and so that there will be 400 new entrants in 2005. And these will continue to provide a supply of registered nurses and registered psychiatric nurses.

Mr. McMorris: — Well thank you for that response. I will certainly be asking more questions regarding that area. And kind of going back on some of the numbers that you have given me, I think there's a couple more questions that come to mind automatically from those numbers that you had stated.

But unfortunately I have to be at a meeting here right now so I'm going to turn it over to the member from Rosetown-Elrose.

[16:30]

The Acting Chair (Mr. Yates): — Thank you. I recognize the member from Rosetown-Elrose.

Mr. Hermanson: — Thank you, Mr. Chairman. And I'd like to also extend my thanks to the minister and his officials for attending to these estimates. I want to focus, at least the primary part of my questions, to the capital budget portion of the estimates.

And first of all just to get a perspective, I'm wondering how the funds allocated for capital projects in this upcoming fiscal year, 2005-2006, compare to previous years allotments for capital funding. I don't know how far back to go, but perhaps we should go back to, say, maybe 2002-2003 just to get some idea of what trends we are seeing in the capital budget allowance in the budget.

Hon. Mr. Nilson: — Okay. The information . . . I think you want to see the trend. Two years ago the number was 34 million on the capital budget. This just relates to facilities. Last year it was 22.085 million and in this year's budget we have 36.5 million.

Mr. Hermanson: — Okay. Thank you very much. Could you indicate . . . And I know that this is complicated because there's a process to go through and we've discussed this in Public Accounts. Projects are in different stages and some of those stages are initiated at the local health authority level. And at some point — and I've forgotten now exactly which stage, but approximately stage 3 or 4 — your department kicks in and becomes far more involved in moving these projects along.

So I would want to know which new facility projects were approved for the first time in this current fiscal year and how that compares to capital projects that were approved for the first time by your department in the last fiscal year.

Hon. Mr. Nilson: — Well I think your question is, what are the ongoing projects versus the ones that are new? In some sense, all of them have been . . . are ongoing. But sort of the green light to go ahead this year is Maidstone and Preeceville, and also Oliver Lodge is one that we're working at as well as the Saskatoon mental health Hantleman institute. So those are ones that we have moving ahead this year.

But from the ones that are continuing are clearly Herbert, the Outlook operation. Well there's a whole number of them. We're almost done with Tatagwa View in Weyburn. I'm not sure if you want me to go through all of these different ones but I'm happy to answer questions that you might have.

Mr. Hermanson: — Well thank you. Yes, I think we're on the same wavelength here. You've mentioned four projects that were approved for the first time for this fiscal year. I was wondering which projects were approved for the first time by your department in the last fiscal year. So I'm not talking about projects, say, that go on, you know, that were approved but not completed yet from two or three years ago. But from last year to this year, what is the comparison?

Hon. Mr. Nilson: — I think you can tell by the way the trend

went that last year we basically were just getting the money to keep the projects going that we had announced from the previous years. And so we didn't have any new ones. So this year we had that opportunity to move forward because I know that the Outlook project was announced the previous year and it's still on track. A number of the others are in that mode. And we're just making sure that the funding's there as they go through all of their appropriate steps.

Mr. Hermanson: — Thank you. I think that just the way you answered that, that you understand that there is some confusion and that's why I'm asking these questions, to try to clarify the process to determine whether these projects will go ahead.

You and I are both familiar with the Outlook project so let's use the Outlook project as an example. The Outlook project was announced in the last fiscal year that it was going forward by the provincial government. So were there dollars in the last budget, the budget of 2004-2005 that were used for the Outlook hospital project, or is the year 2005-2006 the first actual year when dollars are flowing from your department towards that project?

Hon. Mr. Nilson: — Well basically what we try to do is set out the plans. And we fund things as they happen. And for the Outlook project, the money's all there for this project to proceed, and as they go along with the various steps, then the money is available for them to continue. And I think, you know practically, it's usually that planning stage where there's lots of hard work going on. It's kind of like the duck on the water with the feet going like crazy but it doesn't look like a lot of action is there.

But what we know is once you get to the plan and get the architects and engineers having everything ready to go, and you actually can start the construction, the projects move very quickly. And I know for a fact that that Outlook project is just very close to being in a place where they can move very quickly.

Mr. Hermanson: — Thank you. It's becoming somewhat more clearer now.

So you say the money is all in place. I think I understand what you're saying. In fact then, the money was all in place in the last fiscal year, it's just that as the money is required it will be allocated to the project. So in effect when last year's budget was passed, the project was certainly going to go forward, and it's just a matter of the allocation going out in subsequent years. Is that correct?

Hon. Mr. Nilson: — Well it might help you — it'll take just a couple of minutes — but I think you might find this interesting and the public may find this interesting.

We have a capital policy with 18 developmental steps that we go through. And basically there's a requirement to have all of the sort of letters crossed, i's dotted, t's crossed, these kind of things, as you move through the step.

So the first part is the consultation phase, so you have to complete and submit a current facility management plan. Second one is complete and submit a needs assessment and

expression of interest for the capital project, so that's getting the community support. Third, there has to be review of the Saskatchewan Health internal project team — in other words the people who have a lot of experience in developing projects. Then there has to be the submission of the project brief. And then there's a ranking of the projects, which is the budgetary process. So that's the first of the consultation phase.

Then you go into an approval phase. And so you go through and basically look at the status of the project submission. So that's basically approving that this thing goes ahead. Then there's a discussion of assigning the roles and responsibilities between the regional health authority and Sask Health as to who's going to be doing which parts.

Then the complete functional program process. So you have to get the . . . you often hear this term about getting a functional program, what is it you're going to actually going to provide in this community. And then also, that's prepared by the regional health authority and the regional health authority also submits the complete concept plan. It's at this stage then where you get into the approval of the scope and the cost — in other words, what kinds of things are going to happen. And then when that's done, we'll sign the capital project funding agreement. So it's setting out what's going to happen.

Once that's completed, then you end up going into the project or delivery phase, in other words. And so you complete the schematics and the design development. So that's where the consultants are there — architects and engineers — and you complete the contract documents, which sets out very clearly what it is that you want to build. And then the next step is you get approval to call for tenders.

So in other words, everything is in place and we're okay to see what kind of bids will come in. So then you do the call for tenders, review those, and request approval to enter the construction contract. You get that one agreed to.

Then you go ahead with completing the construction. And then you implement the commissioning of the program and any decommissioning. So you have to get out of another facility or whatever to do that.

And finally there's a . . . the last step is a post-occupancy evaluation. In other words, you go in with the consultants and others to make sure that everything has gone according to the plan that you have.

And so that's the kind of steps that are there. And I think you could hear at various points where communities are in this process. And we end up having massive amounts of money that go with the construction stage. And at the earlier stage there are points where there's quite a bit of money that goes ahead, but it's not as much as in the construction stage.

Mr. Hermanson: — Thank you very much. So, Mr. Minister, could you then just tell me at what stages, say, both the Moosomin facility and the Outlook facility are at, at the current time.

Hon. Mr. Nilson: — Well I'm pleased to report that they're both in the same position, which is at the design development

stage. So they're working with the consultants to get all of the drawings ready so they can do the tender.

Mr. Hermanson: — Okay, thank you. So of the 18 steps or 18 stages, what particular number are they at, just so that I would know?

Hon. Mr. Nilson: — In that long list that I read you, it's step 12.

Mr. Hermanson: — Thank you very much. The reason that I did quiz you — and I have discussed this issue before — is there was, one of your colleagues suggested somehow that if, you know, that if a project . . . even though a project was approved some time ago, that, you know, if members of the opposition voted against the budget, somehow it would kill the project, which isn't necessarily true because there is a commitment to go forward. And I think you've confirmed that, and I appreciate that.

I want to move on to something that occurred in the Fyke report, and that was Mr. Fyke had recommended that Saskatchewan put in place primary health care teams. I just wonder if you might indicate through this process to the people of Saskatchewan what funding is in place to put in place primary health care teams, how many primary health care teams are currently in place, or perhaps your department is now going a different direction.

Hon. Mr. Nilson: — I thank the member for that question. Right now we have 34 primary health care sites in the province and they provide access to primary health care services for about 23 per cent of the population of Saskatchewan. The budget this year — which the member should vote for because it does make a difference whether we pass the budget on all of these things — will add an additional 23 teams, so that at the end of this year we anticipate we'll have 57. In the budget this year the amount allocated for the primary health care initiative is \$14.6 million.

Mr. Hermanson: — Thank you. Could the minister indicate how many personnel there are in each health care team? And then I guess we could multiply that by 57 to know how many that there will be at the end of this fiscal period.

Hon. Mr. Nilson: — I can't give you a precise example that you can just then multiply by the total number because sometimes there might be three doctors and a nurse practitioner and other people; other times there's five or six. But practically what I've given you the numbers of is specific sites where things are happening, and these are both in rural areas and in the cities. And we're quite excited about the fact that we can move this along. Because clearly in the riding that you represent, you've provided leadership in this over many years. And so a lot of the things that we've learned there we've been able to translate across the province.

Mr. Hermanson: — Thank you. And I understand that the size of the teams would vary depending on the location and the services provided. So perhaps then the minister would indicate, of the members that serve on these primary health care teams, would it be fair to say that they were all practising health care professionals prior to the formation of these teams, it's just that

they've been coordinated in this new structure? Or would it be rather, would it be a more correct assessment to say that a number of these people have been recruited, you know, from either their training institution or from other parts of Canada or beyond to serve in these health care teams?

[16:45]

I guess what I'm driving at is are these just existing health care professionals in a different structure, or are we looking at an increase in health care professionals that have been recruited from training institutions or from other areas?

Hon. Mr. Nilson: — The way it works most of the time is that you gather together the physicians in a local area and help them set up a centre. The additional staff is usually the nursing staff, the primary care nursing staff that's added in there.

I think they also though are recruiting new doctors sometimes into these situations because it does provide some stability and broader coverage within a team concept, and there are a number, especially of the new graduates, who are quite interested in that.

Mr. Hermanson: — Thank you. Has your department set objectives and standards that these health-care teams are required to meet?

Hon. Mr. Nilson: — The answer is yes, we have. And we're quite firm to make sure that we end up getting the array of services that we require. So one of the common points for all of them is to have a primary care nurse and that's . . . but some other ones may include some pharmacy assistants in various ways, physios, and others. And so it's development of that team.

And as we move forward we keep learning more things, and so it allows us to develop. But it's the core of providing the medical and nursing skills that provides for the primary health care centre.

Mr. Hermanson: — Thank you. I wonder if you could provide me with a copy of what those objectives and standards are.

Hon. Mr. Nilson: — I'd be happy to provide that to you. I don't have it with me today.

Mr. Hermanson: — No, that's fair enough. Again just on the primary health care teams, I'm sure it must be, you know, given the shortage of health care professionals and the demand for their services, not only in Saskatchewan but on a much broader basis, it must be difficult to attract certain members to that team. Could you just outline for us where the greatest challenges and frustrations are in putting together the primary health care teams?

Hon. Mr. Nilson: — One of the reasons that we do this — and we strongly believe in it — is that it does provide stability to the medical services. Often in a region, especially in some of the rural areas . . . and I think the Kyle-Beechy area is an example of that. And so what we're seeing is that some of the initial recruitment may be tough to get positions in primary care is there. But once we get the teams together, they seem to be very

solid, and they provide stable coverage and allow for replacement of doctors on a more orderly basis.

When you just have single practitioner operations, if that person goes, then you have to start all over again. And one of the things about the primary health care centres is the fact that they continue and if they require more staff, well, they can recruit them.

Mr. Hermanson: — Well, Mr. Chair, I'm not sure there was an answer there. I just saw some information recently that indicated that the number of doctors in Saskatchewan — I think it was per 10,000 population — has actually slightly increased, but the number of nurses per 10,000 population has decreased, if I saw the information correctly. I'm sure there must be some challenges.

Well I'm wondering are the challenges in putting these teams together. And I'm thinking, I guess, primarily of the rural and northern areas because that's where, you know, it's essential that these teams be in place to provide adequate health service. You know, is the challenge to find, you know, more than one doctor? Is the challenge to find the adequate nursing staff? Is the challenges in the emergency response aspect, or is it in preventive medicine? Is it in, you know, I guess, you know, I guess that's what I was driving at. Where is the greatest challenge in getting the health care professionals into the primary health care teams in the province of Saskatchewan?

Hon. Mr. Nilson: — Well I'll try to answer your questions. I know you're asking across a broad area, but it relates to the supply of physicians in Saskatchewan. And if you ask what's the toughest area, well clearly the toughest area is to physicians in rural Saskatchewan. And that's why we have taken some very innovative ways of trying to provide support, and we continue to work with the SMA [Saskatchewan Medical Association] and the college to see if there aren't some new ways we can do that.

But let me give you the information as to what's happened, and I'll give you the numbers, sort of at year-end for the last four years, except I only have up until December '04. I don't have the March '05 numbers yet. But as it relates to rural family practitioners, in March 2000 there were 210. March '01 there were 211. March '02 there were 236; March '03, 230; March '04, 240. And then at the end of the year last year there was 239. But it's an increase of a small amount in the rural areas.

As far as it relates to the total number of family practitioners in the province over that same time period, I mean I won't go through each year, but we had 924 in March 2000, and as of the end of December '04 we had 935. So it hasn't gone up in the family practitioner side that great.

On the specialist side over the same period, March 2000 right to December '04, it's gone from 702 up to 774. So there's been an increase in the numbers of physicians in the province, but it hasn't gone up dramatically. And as we know that's some new ones coming and some leaving plus a number of the graduates who come from our medical school here setting up practice.

Mr. Hermanson: — Thank you for that answer. Just one last area that I want to touch on. I'm hoping my colleague will be

able to get a couple of questions in as well. As far as emergency response times are concerned, does your department have again objectives and standards . . . I'm thinking again of outside of the urban centres. What is an acceptable response time for an ambulance to get to the scene of an accident or, you know, a heart attack victim or whatever?

Do you have maximums that you will not allow the system to exceed?

Hon. Mr. Nilson: — Well it's a very good question, and as you know, a few years ago we ended up with a Cross-Keller study across the whole province which, there were some positive things in there. But there were many communities that didn't like the solution.

And so in our action plan in 2001, we took the community responses and other consultation through the Fyke consultations, as well as that Cross-Keller, to develop our plan. Now we have an emergency response team across the province that's looking at and gathering information as to where you would go.

And the types of things that you measure are well . . . how long does it take you to get out to the patients and how long does it take to get back. There's quite a bit of work being done about how to set some of these kinds of standards. And so I'd be happy — maybe at a time when we have more time — to actually go through and give you more detail about that.

The Deputy Chair: — I recognize the member from Wilkie, or Biggar.

Mr. Weekes: — Thank you. Mr. Minister, I just have a couple of questions. In the Heartland Health Region . . . short four doctors according to the . . . [inaudible] . . . In the town of Biggar, we're short one doctor.

There's an effort going on to recruit doctors. I just want to know what is your department and what is your government doing to help individual communities to recruit doctors, whether they be Canadian doctors or foreign doctors.

Hon. Mr. Nilson: — I know we have some pressure here, but we have a whole number of recruitment programs that we operate together with regional health authorities and with the Saskatchewan Medical Association and also with assistance from the college. And I could go through and give you all that description, or I can actually give you a written description of that for you because I think we're pushing up at the time here where I need to maybe thank all of the officials who have provided the advice and thank the members opposite for the question and move that we report progress and ask to sit again.

The Deputy Chair: — Do you mean to rise and report progress? It has been moved by the Minister of Health that the committee rise, report progress, and ask for leave to sit again. Is it agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — Carried.

The Speaker: — The Deputy Chair of Committees is recognized.

Mr. Iwanchuk: — Mr. Speaker, I'm instructed by the committee to report progress and ask for leave to sit again.

The Speaker: — When shall the committee sit again? I recognize the Government Whip.

Mr. Yates: — Next sitting of the House, Mr. Speaker.

The Speaker: — Next sitting. The Chair recognizes the Government Whip.

Mr. Yates: — Thank you, Mr. Speaker. I move this House do now adjourn.

The Speaker: — It has been moved by the Government Whip that this House be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried. This House stands adjourned until tomorrow at 1:30 p.m.

[The Assembly adjourned at 17:00.]

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