



FOURTH SESSION - TWENTY-SIXTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
The Honourable Don Toth  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Speaker — Hon. Don Toth  
 Premier — Hon. Brad Wall  
 Leader of the Opposition — Dwain Lingenfelter

| <b>Name of Member</b>         | <b>Political Affiliation</b> | <b>Constituency</b>       |
|-------------------------------|------------------------------|---------------------------|
| Allchurch, Denis              | SP                           | Rosthern-Shellbrook       |
| Atkinson, Pat                 | NDP                          | Saskatoon Nutana          |
| Belanger, Buckley             | NDP                          | Athabasca                 |
| Bjornerud, Hon. Bob           | SP                           | Melville-Saltcoats        |
| Boyd, Hon. Bill               | SP                           | Kindersley                |
| Bradshaw, Fred                | SP                           | Carrot River Valley       |
| Brkich, Greg                  | SP                           | Arm River-Watrous         |
| Brotten, Cam                  | NDP                          | Saskatoon Massey Place    |
| Chartier, Danielle            | NDP                          | Saskatoon Riversdale      |
| Cheveldayoff, Hon. Ken        | SP                           | Saskatoon Silver Springs  |
| Chisholm, Michael             | SP                           | Cut Knife-Turtleford      |
| D'Autremont, Dan              | SP                           | Cannington                |
| Draude, Hon. June             | SP                           | Kelvington-Wadena         |
| Duncan, Hon. Dustin           | SP                           | Weyburn-Big Muddy         |
| Eagles, Doreen                | SP                           | Estevan                   |
| Elhard, Wayne                 | SP                           | Cypress Hills             |
| Forbes, David                 | NDP                          | Saskatoon Centre          |
| Furber, Darcy                 | NDP                          | Prince Albert Northcote   |
| Gantfoer, Rod                 | SP                           | Melfort                   |
| Harpauer, Hon. Donna          | SP                           | Humboldt                  |
| Harper, Ron                   | NDP                          | Regina Northeast          |
| Harrison, Hon. Jeremy         | SP                           | Meadow Lake               |
| Hart, Glen                    | SP                           | Last Mountain-Touchwood   |
| Heppner, Nancy                | SP                           | Martensville              |
| Hickie, Hon. Darryl           | SP                           | Prince Albert Carlton     |
| Higgins, Deb                  | NDP                          | Moose Jaw Wakamow         |
| Hutchinson, Hon. Bill         | SP                           | Regina South              |
| Huyghebaert, Hon. D.F. (Yogi) | SP                           | Wood River                |
| Iwanchuk, Andy                | NDP                          | Saskatoon Fairview        |
| Junor, Judy                   | NDP                          | Saskatoon Eastview        |
| Kirsch, Delbert               | SP                           | Batoche                   |
| Krawetz, Hon. Ken             | SP                           | Canora-Pelly              |
| Lingenfelter, Dwain           | NDP                          | Regina Douglas Park       |
| McCall, Warren                | NDP                          | Regina Elphinstone-Centre |
| McMillan, Hon. Tim            | SP                           | Lloydminster              |
| McMorris, Hon. Don            | SP                           | Indian Head-Milestone     |
| Michelson, Warren             | SP                           | Moose Jaw North           |
| Morgan, Hon. Don              | SP                           | Saskatoon Southeast       |
| Morin, Sandra                 | NDP                          | Regina Walsh Acres        |
| Nilson, John                  | NDP                          | Regina Lakeview           |
| Norris, Hon. Rob              | SP                           | Saskatoon Greystone       |
| Ottenbreit, Greg              | SP                           | Yorkton                   |
| Quennell, Frank               | NDP                          | Saskatoon Meewasin        |
| Reiter, Hon. Jim              | SP                           | Rosetown-Elrose           |
| Ross, Hon. Laura              | SP                           | Regina Qu'Appelle Valley  |
| Schriemer, Joceline           | SP                           | Saskatoon Sutherland      |
| Stewart, Lyle                 | SP                           | Thunder Creek             |
| Taylor, Len                   | NDP                          | The Battlefords           |
| Tell, Christine               | SP                           | Regina Wascana Plains     |
| Toth, Hon. Don                | SP                           | Moosomin                  |
| Trew, Kim                     | NDP                          | Regina Coronation Park    |
| Vermette, Doyle               | NDP                          | Cumberland                |
| Wall, Hon. Brad               | SP                           | Swift Current             |
| Weekes, Randy                 | SP                           | Biggar                    |
| Wilson, Nadine                | SP                           | Saskatchewan Rivers       |
| Wotherspoon, Trent            | NDP                          | Regina Rosemont           |
| Wyant, Gordon                 | SP                           | Saskatoon Northwest       |
| Yates, Kevin                  | NDP                          | Regina Dewdney            |

[The Assembly met at 13:30.]

[Prayers]

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. With leave to make an extended introduction.

**The Speaker:** — The Minister of Justice has asked for leave for an extended introduction. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Leave has been granted. I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I wish to introduce to you and through you to this House a group of people seated in your gallery. Later today I will be introducing an Act to amend *The Saskatchewan Human Rights Code*. The amendments are intended to modernize the Code, making it easier to use and reducing delays.

Our guests are here today who all have an interest in human rights and in this particular piece of legislation. They are Chief Commissioner of the Saskatchewan Human Rights Commission Judge David Arnot and three of his staff; Chief Guy Lonechild of the FSIN [Federation of Saskatchewan Indian Nations]. As you may recall, the well-respected Elder, Senator Hilliard McNab was one of the commissioners of the Saskatchewan Human Rights Commission. FSIN's long-standing commitment to human rights issues continues today with the support of Chief Lonechild.

From the Métis Nation of Saskatchewan, Karen Lerat; representatives of the Aboriginal Coalition of Saskatchewan, led by President Kim Beaudin; Harry Lafond from the Treaty Commissioner's office; David Katzman, past president of B'nai B'rith; Machdum Bachtiar, president of the Islamic Association of Saskatchewan; Leonard Doell of the Mennonite Central Committee; Rhonda Rosenberg and Mary Chan of the Multicultural Council of Saskatchewan; Ashfaque Ahmed of the International Women of Saskatoon; Reggie Newkirk and Carol Lafayette-Boyd of the Saskatchewan African-Canadian history museum; Margaret Fern and Dave Nelson of the Canadian Mental Health Association; Amy MacNeil and Lynne Demeule of the Saskatchewan Association of Rehabilitative Centres; Shelly Kemp of the Learning Disabilities Association of Saskatchewan; Karen Moore of the Saskatchewan Abilities Council; and Michael Richter and Jill Arkels from the South Saskatchewan Independent Living Centre; Joanne Horsley from the Avenue Community Centre for Gender and Sexual Diversity; Blair Shumlich and Eric Twa from the University of Saskatchewan's Students' Union Pride Centre; Perry Erhardt, president of the Canadian Bar Association; Brian Chalmers, president of the Saskatoon Chamber of Commerce, and John Hopkins, CEO [chief executive officer] of the Regina Chamber

of Commerce; Norm Dray and Cathy Mills from the Saskatchewan Educational Leadership Unit; and from Regina Catholic schools, Joanna Landry, Kathy Trudelle, and the grade 7 and 8 class of St. Francis School.

Mr. Speaker, I would like to ask all members of the Assembly to join me in welcoming our guests to the Legislative Assembly.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Thank you, Mr. Speaker. On behalf of Her Majesty's Loyal Opposition, I want to join with the minister in welcoming these defenders and proponents of human rights in the province of Saskatchewan. When people are not the victims of discrimination and prejudice outright, Mr. Speaker, they're often the victims of complacency on the part of those of us who find ourselves in the majority in an increasingly diverse society.

The people who defend members of minorities and individuals against discrimination and prejudice and against our complacency, those of us who see the world as fair and just on a regular basis need to be, I think, reminded that many do not see the world as fair and just on a daily basis, Mr. Speaker. And the guests that are in the gallery today should be thanked more often than today for their work in this area. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the Minister of Highways, the member from Rosetown-Elrose.

**Hon. Mr. Reiter:** — Thank you, Mr. Speaker. Mr. Speaker, to you and through you to this Assembly, I'd like to introduce a couple of constituents in your gallery. Brad Blackwell and Troy Atkinson are on the board of directors of West Central Road and Rail, doing great things in the west central part of the province. I had the opportunity to meet with them this morning and have lunch, and I'd ask all members to please give them a warm welcome to their Assembly. Give us a wave, guys.

**The Speaker:** — I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — Thank you, Mr. Speaker. In the east gallery I would like to introduce today three doctors from the residency program in Saskatchewan: Dr. Mathew Abraham, Dr. Daniel Kozan, and Dr. Mark Burbridge. They're here today to watch the proceedings, and I'd like everyone to give them a warm welcome to the Saskatchewan legislature.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, seated in the east gallery, an individual with the Canadian Foodgrains Bank, Dr. Addmore Makunura, who has a master's degree from Leeds university in England. He's also with Christian Care Zimbabwe. He is here for a special meeting conference with the United Church. I want to welcome you here, sir, and enjoy your stay in our province.

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you, Mr. Speaker. I join with the Attorney General in welcoming all of the folks that have gathered in your gallery, Mr. Speaker, but in so doing, I specifically want to draw the Assembly's attention and request that they again welcome David Arnot, who is doing great work on behalf of the province at the Human Rights Commission. Mr. Speaker, of course he served Saskatchewan and the country well as the Treaty Commissioner here in the province. And we want to acknowledge his good work and the good work of his team and all those who have gathered today to watch an important development with respect to the Human Rights Commission. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I have one more group of individuals I would like to introduce. These are ministry officials from the Labour Relations and Workplace Safety. I'd like to ask them to stand up so they can be recognized. These individuals met with me earlier at an event to recognize their work on developing the young worker readiness certificate course. This was a program that was developed by my predecessor, the member for Saskatoon Greystone. The work is now a completed program, is operational, and I'm willing to take credit for his work.

The individuals are Marlene Smale, Wayne Tiefenbach, Guy Richards, Vicki Pappas, Carole Sedgwick, Shelley Burwood, Bill Stovin, Zamira Vincenzino Heth, Charles Eisbrenner, Glen Brooman, and Laverne Moskal.

**The Speaker:** — I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. To you and through you to all members of the Assembly, I'd like to welcome Sandra Fowler, sitting in the east gallery.

Sandra pops up at many events. She is active in . . . I would have a hard time counting all the organizations she's active in and has been for many years. But she's a contributing member of, I know, our community in Moose Jaw and beyond that, being that she doesn't live right in Moose Jaw. But I'm glad Sandra's taken the afternoon out of her busy schedule to join us here and would ask all members to welcome her.

**The Speaker:** — I recognize the Minister Responsible for First Nations.

**Hon. Mr. Cheveldayoff:** — Thank you very much, Mr. Speaker. I want to join with the Premier and the Attorney General and the opposition critic. I recognize many First Nations and Métis, the leaders, in the gallery today. And I want to welcome them to their Legislative Assembly and talk about the great relationship that we have with First Nations and Métis people in this province. And I know all members take the opportunity to work with them and to learn. There are some challenges but, Mr. Speaker, we're making great progress. So on behalf of all members, I'd like to welcome them to their Legislative Assembly.

**The Speaker:** — I recognize the member from Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Mr. Speaker. To you and through you I would like to introduce the president of the Greater Saskatoon Chamber of Commerce — I'm having trouble speaking here this morning here — the president of the Saskatoon Chamber of Commerce. That would be President Brian Chalmers, who the opposition had the opportunity to meet this summer and continues to stay connected. And we will continue to work and to have a positive working relationship to make sure that all people in Saskatchewan have what we need to make sure that this province continues to grow. Thank you, Mr. Speaker. I'd like everyone to welcome Brian to his Legislative Assembly.

**The Speaker:** — I recognize the member from Cumberland.

**Mr. Vermette:** — I'd like to join the minister, to you and through you, Mr. Speaker, and join the minister with welcoming some of the First Nation leadership, also the Métis leaders that we have in the Speaker's gallery. I'd just like to welcome you to your legislature. It's important that you're here. You have a strong voice. And with the respect that you deserve, it is an honour to be here with you. And I welcome you, and I hope that today we move forward recognizing the differences that we have, but we can work together. I just want to welcome you, the efforts of all of you, and welcome you to your legislature. Thank you.

**The Speaker:** — I recognize the member from Saskatoon Fairview.

**Mr. Iwanchuk:** — Mr. Speaker, I'd also like to join the Minister of Labour in welcoming the people working on the young worker readiness course. It's an important course, and it's important work that they do. And in recognition of that, safety starts very early, Mr. Speaker. And I'd ask all members to welcome these people to their legislature.

## PRESENTING PETITIONS

**The Speaker:** — I recognize the member from Regina Northeast.

**Mr. Harper:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today on behalf of concerned citizens across Saskatchewan who are concerned about the steady deterioration of the safety of our highways. And this petition, Mr. Speaker, is from the good folks in Fort Qu'Appelle. And I'll read the prayer:

Wherefore your petitioners humbly pray your honourable Legislative Assembly may be pleased to cause the Government of Saskatchewan to construct passing lanes on Highway No. 10 between Fort Qu'Appelle and the junction of Highway 1 in order to improve the safety for Saskatchewan's motoring public.

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

Mr. Speaker, this petition is signed by the good folks from Fort Qu'Appelle, Saskatchewan. I so submit.

**The Speaker:** — I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. I rise to present a petition on behalf of Saskatchewan renters who are facing a combination of rising rents and low vacancy rates in many communities across the province, and that many of these renters have suffered rental increases in the hundreds of dollars each, and that we all know that a majority of provinces now have rent control guidelines, Mr. Speaker, and that the argument that private market will deliver sufficient affordable housing in the absence of rent control has proven to be false. And the prayer reads:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to consider enacting some form of rent control with the view to protecting Saskatchewan renters from unreasonable increases in rent.

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

Mr. Speaker, I present on behalf of concerned citizens.

**The Speaker:** — I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — Thank you, Mr. Speaker. I rise again to present a petition from the residents of the province of Saskatchewan who wish to bring to our attention that many Saskatchewan seniors live on fixed incomes and are victims of physical, emotional, and financial abuse and that Saskatchewan citizens have a right to social and economic security and a right to live free from poverty, that Saskatchewan seniors have a right to protection from abuse, neglect, and exploitation.

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan to enact a Saskatchewan seniors' bill of rights, which would provide Saskatchewan seniors with social and economic security and protection from abuse, neglect, and exploitation.

And the over 50 signatures, Mr. Speaker, today are from the communities of Lashburn, Lloydminster, Battleford, North Battleford, Colonsay, Jansen, and Lanigan. I so present.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Speaker. Today I rise to present a petition in support of eliminating poverty in Saskatchewan. And we know that freedom from poverty is an enshrined human right by the United Nations and that all citizens are entitled to social and economic security. And we know that Saskatchewan's income gap between the rich and the poor continues to grow, and now one in five children in Saskatchewan live in deepening poverty. I'd like to read the prayer:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to act as quickly as possible to develop an effective and sustainable poverty elimination strategy for the benefit of all Saskatchewan citizens.

And, Mr. Speaker, the people signing the petition come from the cities of Regina and Saskatoon. I do so present. Thank you.

**The Speaker:** — I recognize the member from Saskatoon Massey Place.

**Mr. Broten:** — Thank you, Mr. Speaker. I stand today to present a petition that calls for expanded hospice and palliative care in the province of Saskatchewan:

We, the undersigned residents of the province of Saskatchewan, wish to bring to your attention the following: that all Saskatchewan people deserve quality end-of-life and bereavement care; that hospice and palliative care is known to help enhance the quality of life for those facing advancing illness, death, and bereavement; that a publicly funded and administered hospice and palliative care system including residential hospices would increase end-of-life care options for Saskatchewan people.

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan cause the provincial government to enhance and increase publicly funded and administered hospice and palliative care including in-home hospice services and residential hospices in order to ensure that all Saskatchewan people have access to high-quality end-of-life care.

Mr. Speaker, I so present.

[13:45]

**The Speaker:** — I recognize the member from Regina Walsh Acres.

**Ms. Morin:** — Thank you, Mr. Speaker. Mr. Speaker, I rise to present a petition from Furdale residents. A government ministry has directed Sask Water to cut off supplies of water for domestic use to the Furdale customers. This same government ministry has directed that customers may no longer treat non-potable water using methods approved by Sask Health.

The Furdale residents, in dealing in good faith with Sask Water for over 30 years, have paid large amounts for their domestic systems and in-home treatment equipment as well as for livestock irrigation lines, and that the alternative water supply referred to by government ministry is a private operator offering treated, non-pressurized water at great cost with no guarantee of quality, quantity, or availability of water. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to withdraw its order to cut off non-potable water to the residents of the hamlet of Furdale, causing great hardship with no suitable alternatives; to exempt the hamlet of Furdale from further water service cut-offs by granting a grandfather clause under *The Environmental Management and Protection Act, 2002* and *The Water Regulations, 2002*; and that this government fulfills its promises to rural Saskatchewan.

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

Mr. Speaker, these petitions are signed by the good residents of Saskatoon and Furdale. I so present.

**The Speaker:** — I recognize the member from Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. I rise again, once again here today to present petitions on behalf of concerned residents from across Saskatchewan as it relates to the unprecedented mismanagement of our finances by the Sask Party. They reference the two consecutive deficit budgets, the billions of dollars of debt growth, both accruing at this point in time and the \$4.2 billion over the next four years under the unsustainable plan of the Sask Party, Mr. Speaker. We all know this comes at a cost and consequence to Saskatchewan people, all at a time where revenues have been at all-time highs, Mr. Speaker. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly condemn the Sask Party government for its damaging financial mismanagement since taking office, a reckless fiscal record that is denying Saskatchewan people, organizations, municipalities, institutions, taxpayers, and businesses the responsible and trustworthy fiscal management that they so deserve.

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

These petitions today are signed by concerned citizens of Regina Rosemont, of Arcola, and of Carlyle. I so submit. Thank you.

#### STATEMENTS BY MEMBERS

**The Speaker:** — I recognize the member from Carrot River Valley.

#### Thank You, Roughriders

**Mr. Bradshaw:** — Thank you, Mr. Speaker. Last night, all of Saskatchewan watched on as the Saskatchewan Roughriders played in another exciting Grey Cup. While the outcome of this game was not the desired one, this great team delivered a riveting season of football. Yes, Mr. Speaker, this team united Saskatchewan under the banner of green and white. The season had its ups and downs, its wins and its losses. Yet through all that, the Rider season was bookended with two great matches between our Roughriders and the Montreal Alouettes.

One Rider fan admitted quite candidly to the effect that the Riders having by saying it has been a very stressful season for me, I am sure almost every other Rider fan. We feel their pain when they lose, and we're right there with them when they win. Yes, Mr. Speaker, a 21-18 loss was hard to swallow, but thankfully Rider fans are a determined and dedicated bunch. In fact, Mr. Speaker, it is expected that the legions of Rider fans will congregate at Mosaic Stadium this afternoon, as this will be a prime opportunity for fans to welcome their team home from Edmonton.

So to the Saskatchewan Roughriders and their fans, I want to

thank you for another great season. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Regina Walsh Acres.

#### Rider Pride

**Ms. Morin:** — Well, Mr. Speaker, the 2010 CFL [Canadian Football League] season has come to an end, and although the outcome of the Grey Cup in Edmonton yesterday didn't end up quite as we hoped, the Riders did not leave their fans disappointed. Once again, Mr. Speaker, the Riders allowed Rider Nation and its fans all across Canada to be engaged with the CFL football season in cheering for the Riders right through to the final game being the Grey Cup.

Yesterday's game was another nail-biter which had the 13th man on his feet, cheering and supporting the efforts on the field. Mr. Speaker, there were 63,317 spectators on hand at Commonwealth Stadium, and it's estimated that 45,000 were fans supporting the Riders. Coach Ken Miller said that when he finally had the opportunity to look around, "It was mostly a green sea." That speaks to how proud Rider Nation is of its beloved Riders.

Not only did the Riders make us proud on the field, Mr. Speaker, but off the field as well. This team presents itself well in public and contributes greatly to the community, plus the support the players have for each other is evident as well, Mr. Speaker. Our Rider song says it all, "We've got that Rider Pride", and there are many good reasons for it.

Mr. Speaker, on behalf of the members of the legislature, on behalf of Rider fans in Saskatchewan and all across the country, I'd like to extend a collective thank you to the Rider coaches, the Rider administration and volunteers, and especially our Saskatchewan Roughrider football players. Thank you.

**The Speaker:** — I recognize the member from Cannington.

#### 2010 Saskatchewan Book Awards

**Mr. D'Autremont:** — Thank you, Mr. Speaker. This past weekend the winners of the 2010 Sask Book Awards were announced at a wonderful gala attended by hundreds of book lovers. Fourteen awards were presented to authors, publishers, and designers.

David Carpenter won the Book of the Year for his book *A Hunter's Confession*. Alexandra Popoff won both the Saskatoon Book Award and the Non-Fiction Award for her book *Sophia Tolstoy: A Biography*. The Regina Book Award was Dianne Warren's *Cool Water*. The Fiction Award went to Sandra Birdsell for her novel *Waiting for Joe*. First Book Award, Amy Jo Ehman for *Prairie Feast: A Writer's Journey Home for Dinner*. Sounds like my kind of book.

Scholarly Writing Award, Margaret Kovach for her book *Indigenous Methodologies: Characteristics, Conversations, and Contexts*. The First Peoples' Writing Award went to Jo-Ann Episkenew for *Taking Back Our Spirits: Indigenous Literature, Public Policy, and Healing*. The Award for Poetry was won by Dave Margoshes for *Dimensions of an Orchard*. The Young

Adult Literature Award went to Arthur Slade for *The Dark Deeps: The Hunchback Assignments II*. The Prix du livre français was won by Martine Noël-Maw for *Dans le pli des collines*. Purish Publishing won awards for their book written by First Peoples and for education publishing. Hagios Press won for *Fallout* by Sandra Ridley.

Our congratulations to all the award winners and to all who were nominated. Thank you.

**The Speaker:** — I recognize the member from Regina Rosemont.

### Provincial Debt

**Mr. Wotherspoon:** — Mr. Speaker, it's fair to say that Saskatchewan families and businesses know what debt is and they understand its consequences. Whether it's on a credit line or a credit card, debt is debt. With the release of the financial update, the Sask Party is spinning the numbers in all directions. But the fact is debt is up in a big way.

The Minister of Finance said last week that he was not concerned about this massive increase to debt. He tried to spin it as Crown debt, failing to mention that they have raided almost \$1.3 billion from the Crowns over the past two years alone to cover off for their unsustainable budgets. This is offside with Saskatchewan people, businesses, and communities that have worked so hard and sacrificed to save us from insolvency and to set us on a very positive financial path. That positive trend has shamefully been tossed in reverse by the Sask Party government.

Last year, a *Leader-Post* columnist characterized the Sask Party debt increase as, I quote, "The biggest rise in public debt we've seen since the Grant Devine days." That was a year ago, but the debt loading continues with the Sask Party adding an additional \$448 million of debt alone in this year. Further, they plan to increase our debt by \$4.2 billion over the next four years, representing a size of 55 per cent in increase. And this does not count the hundreds of millions of dollars of debt this government is hiding off the balance sheet, debt that taxpayers are ultimately on the hook for. This record of financial mismanagement has consequences from power bills to health care. Saskatchewan people, businesses, and communities simply deserve better, Mr. Speaker.

**The Speaker:** — I recognize the member from Moose Jaw North.

### Santa Claus Parade in Moose Jaw

**Mr. Michelson:** — Thank you. Mr. Speaker, on Saturday evening the main street of Moose Jaw was lit with Christmas lights and festive decor, and the atmosphere was filled with Christmas music while people lined the streets to watch the Santa Claus parade. The Santa Claus parade has become a tradition in Moose Jaw, held in the evening to catch the brilliance of the lights along with the Christmas carols and of course Santa Claus himself.

The parade marched down Main to Stadacona Street where the official lights-on ceremony was held in front of Fifth Avenue

Collection. As the lights were turned on at Fifth Avenue jewellery location, a collective ah went through the crowd when the amazing display of lights lit up the sky. Thousands of lights and a dozen displays illuminated the scene to the applause of the crowd.

To top off the celebration, hot chocolate and cookies were served by the Member of Parliament, the mayor, the member from Moose Jaw Wakamow, and I. However the real highlight was when Santa Claus and Mrs. Claus entered the room to chat with the children who sat on Santa's knee to tell their favourite Christmas wishes.

Mr. Speaker, a special thank you to the Moose Jaw *Times-Herald* and the Moose Jaw Kinsmen Club for organizing the Santa Claus parade which officially marks the start of the Christmas season in Moose Jaw. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Cumberland.

### La Ronge Supports Food Bank

**Mr. Vermette:** — Mr. Speaker, the La Ronge Elks Club members deserve recognition for all the community support work that they do. Just one example of their efforts, Mr. Speaker, is the recent food drive conducted by the club in support for the La Ronge food bank.

Mr. Speaker, the club members visited the communities of Air Ronge, La Ronge, going door to door soliciting food donations for the food bank as well as encouraging all the town businesses to donate either cash or food items. In partnership with La Ronge Ice Wolves hockey team, Cameco, Conexus Credit Union, the club also raised over \$6,000. It goes without saying, Mr. Speaker, that all this good work would not have ever been possible were it not for the generosity and goodwill of community members of Air Ronge, La Ronge and area, and all of those who have contributed to this worthwhile cause.

Mr. Speaker, I want to thank all the members of the Elks Club for the excellent work that they do all year round. Mr. Speaker, I ask all members to join me in congratulating La Ronge Elks Club, all the community volunteers who helped out, and all the businesses that donated to these families in their time of need.

**The Speaker:** — I recognize the member from Kelvington-Wadena.

### Battle of the Blades Contestant Thanked

**Hon. Ms. Draude:** — Thank you, Mr. Speaker. Mr. Speaker, earlier this session I had the opportunity to speak about a constituent of mine. Former NHL [National Hockey League] player Kelly Chase was a tough, physical player known as an enforcer on the ice. Kelly played for both the Saskatoon Blades and the Peoria Rivermen before joining St. Louis Blues in 1988.

In 2008 he received the Jack Buck Award for his enthusiasm and his dedication to sports in St. Louis. He's been a St. Louis alumni for the last 22 years, and a three-time winner of the Mayors Award for his city involvement.

Though he is renowned for his charity work in St. Louis and his

hometown of Porcupine Plain, Kelly has not forgotten about his province. His tremendous work and dedication as a contestant in the *Battle of the Blades* introduced him to a larger audience. And I know that I can speak for the majority of Saskatchewan people when I say we were disappointed he wasn't the overall winner.

But on the night of December 10th, at a special Saskatoon Blades game, Kelly will donate his \$25,000 *Battle of the Blades* prize money to the Children's Hospital Foundation of Saskatchewan. I would like all members of this Assembly to recognize Kelly Chase for his incredible contributions to our province. Thank you, Kelly, for continuing to be a great mentor and a star. Thank you, Mr. Speaker.

**The Speaker:** — Before I call for oral questions, I just want to remind our guests that we're really pleased to have you in the galleries, but we ask the guests not to participate in any form in the debate.

### QUESTION PERIOD

**The Speaker:** — I recognize the Opposition Leader.

#### Contract Negotiations and Supply of Physicians

**Mr. Lingenfelter:** — Mr. Speaker, a question to the Minister of Health or the Premier, and it deals with the doctor shortage in the province of Saskatchewan. By the government's own website, there are 120 vacancies for doctors in the province. That's up by 40 per cent since this government was elected. And at that, we have the case where resident physicians are without contract for now going into the . . . or at least two years.

Given the fact that these are the men and women who will ultimately hopefully fill those positions, can the minister indicate when and how he intends to bring about a resolve to this issue that's been outstanding now for two years?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Thank you very much, Mr. Speaker. Mr. Speaker, first of all we want to make sure that all people in the province know that physician recruitment and retention is priority number one for our government. We've worked very hard in the first three years. Certainly more work to do. We absolutely know that there is more work to do, Mr. Speaker.

But what I would say is that we would not ever go back to the day when the College of Medicine went under probation, almost lost under the NDP [New Democratic Party]. We would never go back to the day when the College of Medicine was only 60 seats, Mr. Speaker. We're increasing that up to 100. We'll never go back to the day when, under the opposition when they were in government, we only had 60 residency positions in this province, 60 residencies. We've increased that up to 120.

[14:00]

Mr. Speaker, I realize that negotiations are going on right now between PAIRS [Professional Association of Internes and Residents of Saskatchewan] and the U of S [University of

Saskatchewan], Mr. Speaker. Those negotiations are working, Mr. Speaker. I hope that an agreement comes to fruition in the very near future, Mr. Speaker, not only with PAIRS but also the SMA [Saskatchewan Medical Association].

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, doctors in the province are now without a contract since April of 2009, and resident physicians for the last two years. Now it may be true that there's an increase in the number of men and women being trained, but the question is and the problem is the increase in doctor vacancies in the province, up by 40 per cent. The taxpayers are losing twice. One, they're paying for more people to be trained in medicine, but fewer and fewer are staying in the province. That's the problem.

And the question to the minister and to the Premier is this: when will these two contracts be solved so that doctor shortages start going in the right direction? That's fewer openings in the province instead of more and more communities without doctors.

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, our physician recruitment strategy has been put in place over the last year and a half. I think it's working very well, Mr. Speaker, as we move forward. First of all, priority number one is, train more of our own Saskatchewan residents. Job done, Mr. Speaker. Number two is make sure that we retain more of those physicians. And that is certainly happening. Contrary to what the Opposition Leader just said, that we're losing most of our physicians, that is not true. We are increasing the retention of our graduating physicians and residents in this province.

Mr. Speaker, I would shone light on the fact that in Saskatchewan we are the only provincial government that is covering the student loan portion of postgraduate residents, Mr. Speaker, in this province — done nowhere else. In fact talking to a few residents that were in Swift Current through the distributive education model, they said that was the very reason why they stayed in this province. Mr. Speaker, a policy of this government.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, the resident physicians obviously don't agree with the minister. Here we have petitions signed by 225 of the individuals he refers to. And in the petition they say, and I quote, "We, the residents and medical students of Saskatchewan, are very alarmed that the employment contract for resident physicians has not been resolved."

The fact of the matter is, Mr. Speaker, that many of these young men and women who want to stay in this province, who are trained and paid by the taxpayers of the province, are being lured away because they're respected and appreciated in other parts of Canada more than they are in their home province. And that is because they don't have a contract.

They work long hours, more than they have to in any other province, many times in unsafe conditions. When will the



minister come to his senses and get this contract signed?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, I need to correct some of the facts from the Opposition Leader, Mr. Speaker. First of all, in rural Saskatchewan since we have taken over government, the number of physicians in rural Saskatchewan have increased 6 per cent. In urban Saskatchewan, Mr. Speaker, they've increased 8 per cent. Mr. Speaker, the number of physicians working today in Saskatchewan are far greater than ever under the NDP.

Mr. Speaker, I understand that negotiations that drag on can be frustrating, and we want to see a conclusion to those negotiations. I would say, absolutely through the SMA and PAIRS we hope that the negotiations conclude as quickly as they possibly can, which is good for both parties and, more importantly, good for patients.

**The Speaker:** — I recognize the member from Saskatoon Eastview.

#### Arrangements for a Long-Term Care Facility

**Ms. Junor:** — Thank you, Mr. Speaker. The lawyer Rod Donlevy, who negotiated the Amicus deal, is the brother of the Premier's chief of staff, Joe Donlevy. Another brother, Urb Donlevy, is now the project manager of Amicus. The \$27 million building contract was awarded without tender to Miners Construction, whose president has donated almost \$19,000 to the Sask Party in recent years. And the Minister of Justice's brother was awarded an electrical contract by Miners Construction.

To the minister: surely even he can see that all of these connections constitute a conflict of interest. What is his government prepared to do about it?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, Mr. Speaker, we see that for many years under the former government all we saw was, really, bed closures. Fifty-two hospitals closed, Mr. Speaker, chasing hundreds of health care workers out of this province. We also saw a number of long-term care beds close in this province under their watch, Mr. Speaker.

Under the Saskatchewan Party, we're seeing 100 new beds on top of the complement of beds we already have. Mr. Speaker, those are the first beds on top of the complement that have been built in this province for . . .

[Interjections]

**The Speaker:** — Order. Order. I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, it's the first time we're seeing new beds put into the system for many, many years. And we saw in an article today, as recently as today, Mr. Speaker, in Saskatoon Health Region the need for new long-term care beds to get people out of our acute care setting. Mr. Speaker, we're

getting it done.

**The Speaker:** — I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — Mr. Speaker, nobody disputes the need for long-term care beds, but the minister should focus on the question. It's about conflict of interest. The minister complains about the opposition making allegations, but Saskatchewan people have a right to ask questions when contracts are awarded to major donors and immediate family members of the Premier's chief of staff. That's particularly the case when the government has gone out of its way to censor virtually all of the information that would allow the public to judge for themselves whether there are any conflicts of interest.

To the minister: if he has nothing to hide, will he agree today to a full, open, transparent, and independent investigation of the Amicus affair with a view to determining whether any member of the government is in a conflict of interest?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, I think they're trying to draw a bow from a electrical contract that was awarded through a tendering process, Mr. Speaker, a fair tendering process, where the lowest bidder was \$140,000 lower than any other bid, Mr. Speaker. It might have . . . He is a brother to the Minister of Justice, Mr. Speaker. But I would say that the opposition seemed to know where that bid was granted to before the Justice minister's brother even knew, Mr. Speaker. No conflict there whatsoever.

Mr. Speaker, this is a good deal for Saskatchewan seniors, especially those living in acute care centres that shouldn't be living in such setting. They'll be able to live in appropriate settings at the end of their lives, the last number of months or years of their life, Mr. Speaker.

**The Speaker:** — I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — [Inaudible] . . . nothing to hide, then lift the blackout; open up the document. And, Mr. Speaker, if the rules allow contracts to be awarded without tender to major Saskatchewan Party donors, Mr. Speaker, then those rules need to be changed. And if freedom of information legislation allows the provincial government to prevent virtually all of the relevant information from being made public, then those rules need to be changed as well.

We need to ensure that where taxpayers' money is on the line, contracts are properly tendered, full public disclosure of the decision-making process is provided, and processes are in place to avoid even the appearance of a conflict of interest.

Mr. Speaker, to the minister: will he agree to changes to the conflict of interest rules and FOI [freedom of information] legislation to prevent future conflicts of interest of this kind and to ensure full public disclosure of all the relevant details of the Amicus deal?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, it's interesting that they would want the policies changed when under their government, when a sound stage was awarded, Mr. Speaker, phase no. 1 was not tendered, phase no. 2 was not tendered, phase no. 3 was not tendered, Mr. Speaker. It was a sole . . .

[Interjections]

**The Speaker:** — Order. Order. Order. Order. I'd ask the opposition members to allow the minister to respond to the question.

**Hon. Mr. McMorris:** — Mr. Speaker . . .

[Interjections]

**The Speaker:** — Order. The member from Regina . . . Member. The member from Regina Walsh Acres. The minister . . . Order. The Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, the sound stage was a sole source awarding through the former government, Mr. Speaker, and now they want to have the rules changed.

Mr. Speaker, this is a situation where the Catholic Health Ministry are building a long-term care facility that we will be leasing from, Mr. Speaker. They are building a long-term care facility. They awarded the contract after interviewing a number of contractors in the Saskatoon area. They interviewed a number of contractors in the Saskatoon area. There is only one contractor that would have a fixed-price contract, Mr. Speaker. That contractor was chosen, not because of any ties with the Saskatchewan Party government.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

#### Contracts With Information Technology Office

**Mr. Quennell:** — Thank you, Mr. Speaker. In 2009-2010, Common Sense Consulting received a contract of over \$216,000 from the Information Technology Office. William McMorris, an executive director with ITO, is the president of Common Sense Consulting.

Mr. Speaker, an executive director's salary is between \$90,000 and \$100,000 a year, but the Sask Party's paying a consulting firm double that to do the same job. To the minister: is that the Sask Party government's definition of efficiency?

**The Speaker:** — I recognize the Minister Responsible for Crown Investments.

**Hon. Mr. McMillan:** — Thank you, Mr. Speaker. We had these same questions last week. I was able to share with the members of the Chamber that William McMorris is a 30-year veteran in the IT [information technology] fields. He comes from a background in Calgary and in Saskatchewan. He was brought on as a contractor in three-month terms, Mr. Speaker. His term is renewed at the end of three months if his skills are still required and he's still adding value to the people of Saskatchewan, Mr. Speaker.

If the member, if the member opposite wants to smear contractors, Mr. Speaker, people of the public service, for political gain, Mr. Speaker, that is their prerogative. But this member, this individual was hired because he's a talented IT professional, for specific tasks, Mr. Speaker, in the ITO.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Well, Mr. Speaker, not a member of the public service. That's the point. If he was a member of the public service, he'd be paying \$90,000 a year. Now according to the minister, his company is paid \$216,000 for three months, Mr. Speaker. If this is the Sask Party's definition of efficiency, it was probably a good idea to get rid of the efficiency secretariat. It was just a waste of money.

Mr. Speaker, the Sask Party is cutting the public service, which the minister seems to want to defend, by 4 per cent each year for the next four years. But now they're giving out contracts that cost double what it costs to pay the same civil servants, or triple, if the minister is correct on his math today.

How does the minister rationalize spending double or triple to get the same work done? How do Saskatchewan people benefit from this kind of Saskatchewan Party math?

**The Speaker:** — I recognize the Minister of Crown Investments.

**Hon. Mr. McMillan:** — Thank you, Mr. Speaker. If the members opposite are worried about, Mr. Speaker, efficiency, I think, I think something, Mr. Speaker, that those members would be very interested in is the use of consultants and contractors in the ITO. When our government took over the ITO, took over government, Mr. Speaker, three short years ago, 80 contractors were in the employ of the ITO, Mr. Speaker. Mr. Speaker, we are currently, Mr. Speaker, at about, about 41 contractors, Mr. Speaker.

Contractors have their place in the IT fields, Mr. Speaker. There's a certain skill set which we bring, brings value to the people of Saskatchewan. This happens to be one of those, Mr. Speaker.

This individual, Mr. Speaker, for the members opposite, I would like to again confirm, this individual is not related to anyone on this side of the House, Mr. Speaker. His last name may be the same, Mr. Speaker, but there is no connection, relation, friend, hockey colleague, Mr. Speaker. That is the facts.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Facts. Well, Mr. Speaker, I'm not sure about the facts and I'm not sure about the math. I have here the list from Public Accounts for the last two years before the government changed in 2007. There are not 80 contracts in total with ITO in either one of those years, and I'm not sure where the minister is getting his numbers from.

The math that's more troubling, Mr. Speaker, is the math on

payment for services because we replaced a \$90,000 executive director with a over 200,000, maybe over \$300,000 a year consulting firm, Mr. Speaker.

Mr. Speaker, the Sask Party is paying double or triple the cost to get the same work done just to artificially reduce the size of the ITO office. The minister said that there are 41 consultants that have been given contracts to do ITO work, Mr. Speaker, under the Saskatchewan Party government. Saskatchewan people are paying more — and by the minister's math, more than twice — to get the same job done.

To the minister: how much have each of these 41 contracts cost to the people of Saskatchewan, and will the minister provide that information today?

[14:15]

**The Speaker:** — I recognize the Minister Responsible for Crown Investments.

**Hon. Mr. McMillan:** — Mr. Speaker, that member will know that Public Accounts reflect any contract over \$50,000, Mr. Speaker. It also might be the case, Mr. Speaker, that multiple contractors are contracted from the same IT firm, either in Saskatchewan or outside of Saskatchewan, Mr. Speaker.

Mr. Speaker, the members opposite are certainly aware that the ITO, it provides great service to the people of Saskatchewan, to the Government of Saskatchewan, Mr. Speaker. When this individual was brought on, Mr. Speaker, different ministries were looking for IT solutions outside of government, outside of the ITO. This individual, Mr. Speaker, his contract, he was brought in to focus the ITO's values, Mr. Speaker, to bring the client ministries online.

He did that very successfully, Mr. Speaker. And he is currently engaged, his current contract, Mr. Speaker, is leading improvements within the ITO on application maintenance, Mr. Speaker, and that is the largest ITO work unit. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Mr. Speaker, it wasn't my argument that the absolute number of contracts made a difference. That was the minister's argument, that 41 contracts are better than 81 contracts. Now, well they were small contracts so they don't matter, Mr. Minister. They don't matter, Mr. Speaker.

The fact is that now we have, the minister says, 41 contracts where we may be paying individuals two or three times what we would be paying somebody from the public service. This makes ITO smaller but more expensive, Mr. Speaker. Will the minister table the details of those 41 contracts?

**The Speaker:** — I recognize the Minister Responsible for Crown Investments.

**Hon. Mr. McMillan:** — Mr. Speaker, we've been through this with the members opposite. This individual is a highly skilled, highly trained . . . a long career, Mr. Speaker, in IT. We've

brought him in, Mr. Speaker, to do some specific tasks for the ITO, Mr. Speaker. He is accomplishing them. His contract is renewed every three months, Mr. Speaker and, as it comes up to, Mr. Speaker, the analysis is made whether it's an appropriate expenditure for the ITO to carry on with, Mr. Speaker.

I would also like the members opposite . . . We mentioned that they, the members opposite, have utilized contractors, Mr. Speaker, in their caucus office recently. They've utilized a former . . . the campaign manager for the Leader of the Opposition, Mr. Speaker, and his company, Points West. And that, Mr. Speaker, is documented recently in one of our local newspapers. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Saskatoon Centre.

### Support for Affordable Housing

**Mr. Forbes:** — Thank you very much, Mr. Speaker. The government claims to be tackling the housing crisis, but a comparison of waiting lists for all types of Sask Housing units shows that the waiting lists have doubled overall since the end of 2007, when this government was elected. Now more than 2,300 families and seniors are waiting for public housing. That's 2,300 families and seniors who are having to go without good food, school supplies, and other essentials because they're spending too much money on rent. And now this government is making them wait longer for a more affordable place to live.

To the minister: if her government is doing such a good job, why have the waiting lists for housing doubled in just three years?

**The Speaker:** — I recognize the Minister of Social Services.

**Hon. Ms. Draude:** — Mr. Speaker, our government has acknowledged that waiting lists can be a challenge when we have a growing economy. Right now wait-lists have remained stable over the last couple of years. In three out of four of Saskatchewan's largest cities, we've actually reduced the wait-list. Regina's low vacancy rate has created challenges but we're working hard to alleviate the pressures by rental markets by building new units.

We've invested \$64 million since November the 7th to open over 700 additional affordable units. We have invested \$110 million for 1,250 more units that are in various stages of development. To put these numbers in context, Mr. Speaker, in the last full year of an NDP government, only 58 complete units were built.

Mr. Speaker, the members opposite are talking about priorities. Well we have priorities, and we are looking at them.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Well, Mr. Speaker, the stats speak for themselves of what this government's been doing for the last three years. And the waiting lists are growing, and they've jacked up the rent in the so-called affordable housing units owned by Sask Housing.

To the minister: why is her government raising rents for people living in affordable housing units owned by Sask Housing? Why is she making a bad situation worse?

**The Speaker:** — I recognize the Minister of Social Services.

**Hon. Ms. Draude:** — Mr. Speaker, the member opposite knows or at least he should know that in 2008 we took the unprecedented step of indexing the rental supplement, automatically adjusting it twice yearly to match any increases in the cost of living. We did the same for social assistance shelter rates. And taken together, the shelter allowance for people on assistance can receive up to 100 per cent of the average market rate, and furthermore people with disabilities can receive up to 110 per cent. And we've increased emergency shelter rates by 80 per cent and expanded emergency shelter spaces.

Really, Mr. Speaker, we've had to do this to rectify some of the neglect . . . [inaudible] . . . people of Saskatchewan because of the members opposite. In fact, Mr. Speaker, former Social Services minister, Mr. Pringle, said of affordable housing under the NDP, he said this issue was not addressed by the previous government.

We are addressing this issue, Mr. Speaker, and we're going to make a difference in it. And it will take some time, but we are doing it.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Mr. Speaker, the minister may think this is a laughing matter when she stands up to speak, but they've been doing a lot to hurt the voices of people who are suffering under this.

For example, earlier this year they made it more expensive for renters of private units who believe that they've been treated unfairly to seek justice from the Office of Residential Tenancies. And so earlier this year the application fees went up from \$25 to \$50 — a 100 per cent increase at a time of rising rents.

Now the minister may not think that's a lot of money, but for somebody on a fixed income who's already maybe using a food bank because the rent is too high, this is a lot of money. So why is this government making it harder for renters who believe they're being treated unfairly to seek justice?

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Mr. Speaker, I thank the member opposite for the question. The fees are like a number of other government fees. They've gone up. They are reflective of the cost of operating the office.

There are as usual, with any type of an operation like this, there are costs incurred with regard to utility, staff rates, and everything else. And the goal is that this, the Residential Tenancies office, should come close to operating at a break-even basis. The fees had not been raised for a great deal of time before that and we felt it was appropriate. It's borne by a landlord or by a tenant. And, Mr. Speaker, what I would like,

what I would like to point out to the member opposite is the Residential Tenancies office can award costs against the unsuccessful party.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Well, Mr. Speaker, we've heard a lot of spin from the other side but, you know, the overall numbers don't tell the full story by the number of people in need who are being left behind by this government. Rents in social housing units are based on a percentage of income and the waiting lists for those units have grown even faster than the overall waiting list.

Since the end of 2007, the number of families who are waiting for social housing units have grown more than 150 per cent. To the minister: what is the minister's plan to fix this problem immediately?

**The Speaker:** — I recognize the Minister Responsible for Social Services.

**Hon. Ms. Draude:** — Mr. Speaker, I have said many times that we know there's more work to be done in this area, but we have done a considerable amount of work. And we know that the members opposite, it didn't even hit their radar screen until we became government. The NDP failed to increase shelter rates for 13 out of 16 years they were in power despite the fact that there was inflation increases of 30 per cent over that time. They also failed to increase the seniors' income plan between 1992 and 2007.

Mr. Speaker, the members opposite are talking about how things are tough. But you know, I just have a quote from the Leader of the Opposition. This weekend he made this statement. He acknowledged that, "Exciting times in Saskatchewan," he told the Associated Press. 'I don't want to make it sound like there's a huge problem there because there just isn't.'"

**The Speaker:** — I'd ask members to come to order.

## INTRODUCTION OF BILLS

### **Bill No. 160 — *The Saskatchewan Human Rights Code Amendment Act, 2010***

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I move that Bill No. 160, *The Saskatchewan Human Rights Code Amendment Act, 2010* be now introduced and read a first time.

**The Speaker:** — The Minister of Justice has moved first reading of Bill 160, *The Saskatchewan Human Rights Code Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Law Clerk and Parliamentary Counsel:** — First reading of this Bill.

**The Speaker:** — When shall the Bill be considered a second time? I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Next sitting of the House, Mr. Speaker.

**The Speaker:** — Next sitting.

## ORDERS OF THE DAY

### WRITTEN QUESTIONS

**The Speaker:** — I recognize the Government Whip.

**Mr. Weekes:** — Thank you, Mr. Speaker. I wish to table the answers to questions 419 through 449.

**The Speaker:** — Answers to questions 419 through 449 are tabled.

## GOVERNMENT ORDERS

### ADJOURNED DEBATES

#### SECOND READINGS

##### Bill No. 157

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Boyd that **Bill No. 157 — *The Oil and Gas Conservation Amendment Act, 2010*** be now read a second time.]

**The Speaker:** — I recognize the member from Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. Mr. Speaker, I'm quite pleased to join the debate and certainly talk about the Bill being proposed, Bill 157 which is *An Act to amend The Oil and Gas Conservation Act*. And of course this Bill will be henceforth known as the oil conservation amendment Act, 2010.

I understand from the minister's presentation and his notes explaining the Bill that this Bill is primarily aimed at modernizing its business and regulatory systems that are targeted to the energy and resource industries.

And certainly one of the points that he raised, the minister did, is the fact that they want to interact with industry, I guess. Industry wants to interact with the government on pretty much a 24-7 basis for their information needs. So industry obviously has become flexible and adaptable in the way it receives and sends information. And this is one of the components that the minister certainly alluded to when he spoke about the value.

Mr. Speaker, he also spoke about some of the manner in which they want to deal with some of the oil and gas companies primarily. And this is also part and parcel of the New West Partnership that he spoke that his leader and his Premier was advocating a couple of months ago. And basically again, Mr. Speaker, they talk a lot about trying to do a bit of consolidation to try and provide a more efficient, transparent, and consistent compliance assurance and enforcement process when it comes to the oil and gas industry.

Now, Mr. Speaker, I read this information with a lot of interest because obviously as a New Democratic Party we are quite pleased to work in partnership with the oil and gas sector. And certainly I think that was something that we were very proud of our record. As you know, Mr. Speaker, when the former NDP government was in power, they worked very well with CAPP, the Canadian Association of Petroleum Producers, and they had a lot of interaction. They certainly had a lot of meetings and had a lot of discussions on how we can improve oil and gas development opportunities to our province.

And, Mr. Speaker, by way and by virtue of what they call the capital strike in Alberta, when Alberta attempted to try and renegotiate some of the royalty structures for the oil and gas companies, a lot of the oil and gas companies decided to not deal in Alberta any more. And they moved a lot of their attention and invested a lot of their capital into Alberta.

[14:30]

And, Mr. Speaker, obviously as the New Democratic government at the time under our former Premier Lorne Calvert and with the guidance of people like Eric Cline, with people like Eldon Lautermilch and Maynard Sonntag and many others, they certainly sat down and spoke at great lengths with a number of your oil and gas companies to try and see how they could actually benefit the people of Saskatchewan at a greater and faster pace, Mr. Speaker.

So as a result of some of the royalty structures that we looked at at the time — and this Bill certainly alludes to that — the NDP party, government at the time certainly sat down and talked at great lengths about how they can keep the oil and gas sector alive and thriving and creating all kinds of opportunity in Saskatchewan as a result of that capital strike that was being forced upon Alberta by the oil and gas sector.

Now, Mr. Speaker, obviously there has been a change in direction in Alberta. People are seeing that there's . . . I think the Alberta government withdrew their argument for a different royalty regime. And obviously every issue and every manner and every process that we can undertake as a province, it's important that we look at that and to try and keep the oil and gas investment here in our province.

And as we see Alberta basically backing down from its royalty hike that they're proposing to the oil and gas industry, I think a lot of the petroleum producers are now relooking at Alberta and saying, well let's go back to Alberta because there seems to be a greater climate, a greater opportunity for us, and less cost and less in challenges and problems for us to operate.

So, Mr. Speaker, I think by virtue of some of the work done under the previous NDP government, we have seen oil and gas sector just boom in our province. And things were really going very well for Saskatchewan.

Now what does this Bill do in relation to that whole notion of the oil and gas companies going back to Alberta? Well, Mr. Speaker, as the minister alluded to, he was speaking of trying to streamline information sharing, working with the oil and gas sector on a 24-7 basis — all those efforts and all the steps that are being taken. There's something that we ought to be fully

aware of, obviously as an opposition, and to see how we can also add some possible ideas and certainly how we can support the minister in trying to keep as many oil and gas companies in the oil and gas sector working and working hard for the people of Saskatchewan.

So that's one of the reasons why we have a lot of interest in this Bill. It is a complex Bill, there's no question about that. And there are implications, as we alluded to with some of our own speakers, in a number of levels for both industry and industry players. Obviously we want to take the time to review the Bill and to make sure that we intend to see as much benefit as possible in any Bill, when it comes to the oil and gas sector, to try and maximize benefits for the oil and gas sector to stay here.

And I remember the words of our former Premier Calvert when he says we want to bring the oil and gas industry home to our working people in Saskatchewan. And some of that work was just amazingly successful. And as a result of that, that's where some of the boom came into effect prior to 2007. Things were really moving along. We've seen a record number of oil wells being drilled. We've seen a lot of interest from the oil and gas companies.

And in a certain way, there's certainly a tribute to our former Premier Calvert in a sense that he wanted to attract industry here, and you complicate that with the fact that the oil and gas sector were also in this bitter fight with the Alberta government over the royalty structure. So it is a good way for us as a province to benefit. And certainly the oil and gas sector's done a lot of work in Saskatchewan. And they've certainly put a lot of resources into the provincial coffers through the royalty scheme that was developed, designed, and implemented by the former NDP government.

So when this government took over, I think the message that they got quite frankly and very bluntly from the petroleum industry is, listen, you know, whatever regime would put the royalty scheme in place, don't mess with it. Just leave it as it is because we think it's a good deal for the oil and gas sector. We're able to invest. We're able to thrive. And thus if the oil and gas sector can invest and thrive in Saskatchewan, then as a province we all win.

So that's one of the reasons why we want to make sure that if the Bill is going to help industry move forward, then we need to take the time to study it and make sure that it does that, and to look at any kind of other aspects of the Bill that maybe the current government is trying to push through and to make sure we watch for that as well.

Mr. Speaker, when I talk about the oil production and the fact that under the former NDP government, oil production was great. There was a lot of wells being drilled. There was a lot of companies doing the exploration. There was a lot of people working, and the oil and gas sector was in fact quite booming. And I remember the Bakken play around the Swift Current area. That was a huge find, and people were very, very excited about that and as there was other finds as well, Mr. Speaker.

And so when we looked at the whole oil and gas sector, and things were moving along very, very well as I mentioned at the outset — between the royalty regime put in place by the former

NDP government, and certainly the resolving capital strike against the Alberta government — the oil and gas sector grew in the province of Saskatchewan. And again it was a cause and effect of both of those efforts, from both of the actions. And what I want to point out is that we saw that if we're able to work closely with that industry, Saskatchewan will be well served.

So now when we look at the current government, and certainly the current minister proposing Bills, we want to make sure it basically does two things. Number one is that they're not messing with the successful regime that was put in place by the former NDP government. And secondly, that they're not doing anything untoward in terms of trying to forsake, as an example, the environmental balance that we have to maintain on many of the economic fronts or maybe the human development aspect of a certain project. We want to make sure that we benefit and maximize the benefit of all people of Saskatchewan.

So any time a Bill comes forward that talks about the oil and gas industry, and as much as there may be minor implications, we want to take a very, very close look at that and make sure things are not being proposed that would harm the industry and certainly hurt Saskatchewan overall.

And one would not expect that from a right wing government, as people would say out there. But people ought to know that (a) it wasn't them that designed the royalty scheme. It was the former NDP government. And industry is telling them now, don't mess with the royalty scheme that was set up with the former government because it's working well. And that's one of the things that we want to pay attention to.

And a second thing is that in your haste to try and impress people with your supposed economic wizardry, don't try and forsake things like job opportunities. Don't try and forsake things like the environmental standards that people of Saskatchewan want. And that's why some of these Bills, Mr. Speaker, we pay very, very close attention to.

The challenge we see, Mr. Speaker, as I mentioned at the outset, when the Sask Party took over there was a lot of oil and gas sector development happening all throughout the province. People were excited about the opportunity and they said, oh my goodness, we hope that this continues. And sadly I'm sorry to say that today now in 2010, we are seeing a reduction in oil production, Mr. Speaker. We see a reduction in gas production. And, Mr. Speaker, we see a reduction in the amount of wells being drilled in our province from 2007. And that is certainly a shame to see that, Mr. Speaker.

We saw a general reduction or contraction of the economy last year in the range of 3.9 per cent after being adjusted after the final numbers came in.

So as you look at the oil and gas sector itself, and you're seeing the reducing investment, you wonder what's going on here. And that's why it's important, when I look at some of these Bills that are being proposed, that we don't let the current government mess up some of the work that was done under the previous NDP government.

Mr. Speaker, the situation where *Sask Trends* said that

Saskatchewan has had no real economic growth since the change of government; the improvements in 2008 were a result of the inflationary cost of items that consumers had to pay. And in fact since then we've seen, as I mentioned at the outset, a contraction of the economy.

And, Mr. Speaker, as always, we look at the certain sectors of the economy that would cause some concern. And the oil and gas sector itself again is certainly having some challenges as we see a reduction in the number of wells being drilled and some of the activity throughout Saskatchewan.

So overall we look at the Bill, and we certainly want to make sure that this so-called New West Partnership doesn't compromise our province as well in any way, shape, or form. And when the minister alluded this amendment in his particular Bill was part and parcel with some of the New West Partnership concept that they've been working on, there's a lot of concern with the New West Partnership.

So this is where I think people out there ought to know that any time you have a connection to a new initiative that people are not certain what the initiative or the New West Partnership's all about, then it's only fair and it's only reasonable that we ask for that information and see how the implications and how it interacts with this particular Bill.

So, Mr. Speaker, I would point out that there's, as I mentioned there's a lot of complex issue with this Bill, the breadth and depth of the changes. It's going to take us some time to do all the required consultation with a lot of the individuals out there, the associations. I understand that we're also kind of being registered under the Alberta oil and gas registry, which is in some cases may be fine, but we want to know what implication that has as well. And these are some of the questions I think we want to make sure that we get before we proceed with moving this Bill through the House from our role as opposition.

So, Mr. Speaker, I move that we adjourn the debate on Bill 157, *The Oil and Gas Conservation Amendment Act, 2010*. I adjourn debate.

**The Speaker:** — The member from Athabasca has moved adjournment of debate on Bill No. 157. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

### Bill No. 158

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Huyghebaert that **Bill No. 158** — *The Correctional Services Amendment Act, 2010* be now read a second time.]

**The Speaker:** — I recognize the member from Saskatoon Massey Place.

**Mr. Broten:** — Well thank you, Mr. Speaker. It's a pleasure this afternoon to stand in the Assembly and have the opportunity to enter into debate on Bill No. 158, *The*

*Correctional Services Amendment Act.*

Mr. Speaker, there are a number of items that are included in this Bill. The primary focus or concern that's being addressed in the Bill is the changes to the telephone systems in the correctional system that would allow for the listening of calls that inmates place from the correctional facility to other individuals. The primary focus, Mr. Speaker, of the Bill is to address this issue that the government sees now as a problem.

Mr. Speaker, the reason stated for the need for this Bill, Mr. Speaker, is the prevalence or the incidence of gang activity in the correctional system and how that can have a spillover effect into general society outside of the correctional system.

There's a number of instances, Mr. Speaker, where individuals in a correctional facility may engage in activity that can cause a problem for the broader society, and it is the minister's position in this Bill, Mr. Speaker, that listening to these phone calls and recording them is an ability, provides an ability for the government to take action on this and to address improper activity that may be occurring by an inmate while they are in custody, inappropriate activity with members on the outside or facilitating improper actions within the correctional facility.

It's good, Mr. Speaker, to see members on the other side admitting that there is a problem with gangs in our correctional facilities. That's a position that the members opposite haven't always had when it comes to addressing the issue of gangs in correctional facilities in Saskatchewan. So it is good to see that they have arrived at that position that things need to be done.

Mr. Speaker, the changes proposed here allows for a contract . . .

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

**Hon. Mr. Harrison:** — To ask for leave to introduce a guest.

**The Speaker:** — The member from Meadow Lake has asked for leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — I recognize the member from Meadow Lake.

### INTRODUCTION OF GUESTS

**Hon. Mr. Harrison:** — Thank you very much, Mr. Speaker, and thank you, members, for granting leave.

It's my pleasure to introduce a guest joining us here in the west gallery, Mr. Ezra Levant, a well-known political commentator, soon-to-be Sun TV personality. Ezra was going to be here for the introduction of Bill 160, the Human Rights Code amendment Act, and we very much appreciate Ezra joining us here today. So welcome, Ezra.

[14:45]

**The Speaker:** — I recognize the member from Saskatoon Massey Place.

## ADJOURNED DEBATES

## SECOND READINGS

**Bill No. 158 — *The Correctional Services  
Amendment Act, 2010***  
(continued)

**Mr. Broten:** — Thank you, Mr. Speaker. So I'll resume my remarks to Bill No. 158, *The Correctional Services Amendment Act*. And what we see in this Act, Mr. Speaker, is the government taking an approach that would allow them to listen to phone calls of inmates in order to ensure that improper activity is not occurring.

As the minister stated in his second reading remarks, that the course of action that currently exists is that individuals will need to receive authority from a judge that actions for monitoring a phone call would in fact be warranted, that it could not be done on the fly on the basis of suspicion.

And what this legislation would allow, Mr. Speaker, is for members opposite . . . Not members opposite. It would allow individuals in the correctional facility to monitor phone calls when there's activity that is not proper going on in a facility. And they would be able, members in the correctional facility, to be able to do this, Mr. Speaker, based on suspicions that they may have about an individual.

So, Mr. Speaker, I do have some questions about what would be the basis for suspicions. Certainly there is improper activity that occurs within correctional facilities. I would hope though, Mr. Speaker, that there would be an analysis or an evaluation that would occur, that it may not necessarily be a hunch but that there would be some sort of system in place that would ensure that suspicions can be well founded and that suspicions would be based on actions and evidence that correctional officers would have that would indicate to them that there could be some concerns going on in a place.

So I would be interested, Mr. Speaker, in hearing more details about the criteria that is used to determine whether or not an individual's actions are suspicious. So that's one comment I have, Mr. Speaker, about this type of surveillance that can occur to individuals who are in a correctional facility.

Another instance that I have some questions around, Mr. Speaker, the minister's remarks indicate that a contract has been entered into with a Texas company for this technology and for this service. Mr. Speaker, I think that when we're looking at the Sask Party's . . .

[Interjections]

**The Speaker:** — Order. Order. I'd ask . . . Order. I'd ask members to allow the member from Saskatoon Massey Place to speak. I recognize the member from Saskatoon Massey Place.

**Mr. Broten:** — Well thank you, Mr. Speaker. As the minister states in his remarks on Bill No. 158, that the proposed plan is to engage with a Texas company that would provide this service, provide the monitoring and the software that allows for the telephone calls from correctional facilities to be monitored

and recorded.

Interesting, Mr. Speaker, that they go to Texas for this technology. We've heard a lot of talk from members opposite about a Sask-first policy, about supporting industry at home, about supporting industries that are based in Saskatchewan, where the proceeds and profits are remaining in the province. So it is curious, Mr. Speaker, that they would go with a Texas company for this technology.

There are some other questions that I have around this piece of legislation, Mr. Speaker, is that there are, I would assume, there are individuals in correctional facilities, Mr. Speaker, who rely on supports outside of the facility to help with their path of rehabilitation. And now, Mr. Speaker, of course I would not suggest that everyone in a correctional facility is in the same place when it comes to their approach to changing their actions and recognizing that they have made mistakes and need to pursue a different path in life. Not everyone is in that case, Mr. Speaker. But certainly there are individuals who would be in that situation who would want to get out of the correctional facility and have a different life and pursue a different path and be a positive contributor to society.

So I recognize that the telephone system and communication with supports on the outside can be, I would imagine, a very helpful support for individuals in that place, for individuals who'd want to change the way that they've been living, and act differently. And I know the types of people, Mr. Speaker, that might be able to provide that kind of support would be individuals like spiritual advisers, for example, or elders or perhaps a grandparent — someone like that who could provide support.

So when we talk about some of the additional costs that will be implemented by this Texas company for those types of individuals who rely on outside supports to help with their path to living a better life, I think, Mr. Speaker, we have to be cognizant about how this legislation could affect individuals in that situation and what kind of burden that might place on, for example, the grandparents of someone who, of an inmate who was in a correctional facility and seeking to live a better life and using the support from a grandparent or an elder or spiritual adviser in that way.

The minister in his remarks talked about certain individuals that would be exempt from surveillance, and I believe he mentioned legal counsel and individuals that would fall under that banner. I would suggest also that spiritual advisers can play a very important role in a confidential . . . and with intimate information about what an individual is thinking about their life and where they have been and what they have done. And I am curious about some of the provisions that would allow for the maintenance of a secure relationship between an inmate and a spiritual adviser as I think that is something that is important.

The minister's remarks about this proposed change also talk about some of the safeguards that are in place with respect to recording of information and access to the information as well as . . . and what numbers would not be recorded based on the fact that they are recorded in the system and are on a safe list, for lack of a better term.



We do know, Mr. Speaker, that while technology is a good thing and a positive thing, and something that should, in my opinion, always be looked at in terms of how we can gain efficiencies and make our lives better and make our institutions more effective, technology also comes with its risks and with its pitfalls.

We see today in the news with all of the WikiLeaks and the release of hundreds or thousands of documents that were intended to be private, were intended to be secured, but were put down on paper or were sent electronically, and a record was made of them, Mr. Speaker.

We know that even with safeguards in place, when we're talking about technology there is an opportunity for individuals who want to abuse what is designed to be a secure system or what is designed to be a system that can improve a situation and make things better for the people of Saskatchewan, we know with technology there also comes opportunity for individuals to abuse that system.

So while the minister talks about safeguards, I would be curious, Mr. Speaker, about how exactly that does work; what checks can be put in place to ensure that individuals who have access to that system would not use information inappropriately. Because I know that would be a concern for every member of this Assembly.

So, Mr. Speaker, with that I will conclude my remarks. There are aspects of this legislation, Mr. Speaker, where I do see merit, but I also see a number of flags along the way with this legislation in a number of areas that I've outlined in my remarks. So I thank members for the opportunity to speak to this Bill. And with that, Mr. Speaker, I would adjourn debate on Bill No. 158. Thank you.

**The Speaker:** — The member from Saskatoon Massey Place has moved adjournment of debate on Bill No. 158. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 144

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 144 — *The Litter Control Amendment Act, 2010*** be now read a second time.]

**The Speaker:** — I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — Thank you, Mr. Speaker. I'm happy today to rise and speak to Bill 144, *An Act to amend The Litter Control Act*. Several of my colleagues have spoken to this Bill, this amendment already, and I just want to add a few comments.

Reading through the previous comments, the Bill itself, and the explanatory notes, I understand the reason for the Bill is to change the definition so that it's clearer in the Bill who actually is the purchaser, and it's also clear in the Bill how the money is collected on containers, recyclable containers.

But the questions I have . . . I don't see anywhere in the minister's second reading speech about any consultation that was done with folks like Sarcan or any recycling operations or the retailers and the hoteliers, about how this may or may not affect them. And given that we as opposition have been quite, we've found many indications or many times when the government has not had any consultation with people that they propose to, that they say they have had consultation or they just simply haven't in Bills that do affect them in their lives and their work, so I do have those questions. I wonder if those people have been contacted.

I also have a question about if this Bill itself is mainly to make sure we aren't sued or there is not a successful suit that is now in progress, that that suit does not succeed. It is a serious matter to change the law retroactively, and this suit has been going on for quite a while. And I know that there might be a legitimate goal here because the province will be liable for a certain amount of money. There is something . . . I mean I don't know this, but I would like to know from someone, what recourse do the claimants have that are currently involved in that case? If we do this and make it retroactive, what recourse do they have against the Government of Saskatchewan for doing this? So that's a question I think would be, we'd really like to see answered.

And like I said, there's many things in the Bill that I think people understand. Defining, always having definitions made clearer in an Act is a good thing, so that we certainly make sure that the Bill is clear, and people that it affects understand the implications of the Bill into their lives or their livelihoods. And I think the Supreme Court of Canada has made it quite clear that service fees collected for specific purposes not to exceed the cost to the government, which is the basis of the lawsuit, as I understand it. So that is going to be cleared up or cleaned up.

I think it's the retroactivity that's worrisome. I'm not sure . . . When you make an Act that is retroactive, it does send a bit of a chill through people's lives when they have what they think is a justifiable issue and have brought that issue to court and have incurred the expense of doing that. Then what happens to them when you put the retroactivity into an Act and basically cut off their avenue of what they perceive to be justice, getting justice?

So there are certain, there are certain things. Like I said, the definitions will be good, will . . . I think people will be quite happy about that. Making sure that the fees are collected in the proper way and are defined in the proper way will be good, so that we avoid any future problems with Revenue Canada or any other thing that falls out of the Supreme Court's ruling.

But I think people do have questions about how — at least we have questions — about how this Act pertains to recycling, Sarcan and any other recycling operations, and have they been consulted and do they have any concerns. I don't see that in any of the minister's comments. The minister was quite clear that a lot of his remarks actually were made around the lawsuit, which leads me to believe that this shouldn't be the only reason that we bring in legislation is to stop a lawsuit.

So I have some concerns on that and I'm wondering . . . Those questions will be best answered at committee. But we do have some work as opposition to make sure that people that this may

affect have been consulted and have been at least aware that the Act is coming.

And I know that many of my colleagues have spoken to this, and there's still others who wish to do that. So there is the opportunity to look at the speeches that we've had up to this point and see the points being made and the validity of those points.

But I think there are still some fairly valid questions to be asked, and certainly around the consultation process and definitely around what recourse does a claimant have to actions like this, by the government that actually put in retroactive legislation, that makes their lawsuit null and void or actually just, can just . . . actually stops it.

So with those questions and those comments, Mr. Speaker, I will be adjourning debate on this Bill.

**The Speaker:** — The member from Saskatoon Eastview has moved adjournment of debate on Bill No. 144. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

[15:00]

#### Bill No. 147

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Draude that **Bill No. 147 — *The Public Interest Disclosure Act*** be now read a second time.]

**The Speaker:** — I recognize the member from Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to rise to speak about the Bill 147, *An Act respecting the Protection of Public Servants who make Disclosures*.

Now, Mr. Speaker, it appears that this Bill has been introduced in response to a private member's Bill which was introduced — Bill No. 607, I think it was introduced last year — that basically tried to set out a way whereby public servants could be protected when they made disclosures about wrongdoing within government.

And, Mr. Speaker, this Bill has quite a few pages, has quite a few procedures about how public servants should be protected. But, Mr. Speaker, I think it has some fundamental problems that will not address the issue. And basically it appears to be kind of like a bell jar or a closed-in container where a person might make this complaint, but it's with . . . inside the structure of government in a way that will make it very difficult for that person who makes the complaint to actually know if their complaint has been dealt with or if . . . and it also may have further consequences for their career.

And so, Mr. Speaker, when you start looking at the Bill — and let's go through the sections — it's got quite a number of parts to it and it has a number of definitions. Now when we go to part

I, it's where the short title is and the interpretation of various positions that are here.

The first one is commissioner and it talks about creating a Public Interest Disclosure Commissioner. Now our understanding is that this would probably be located in the Ombudsman's office which is an existing part of the legislature. We're not certain if that's the plan or not. But clearly this is something that will require some dollars, some budget to actually provide the information.

Now then when you go through some of these other definitions, it seems to be quite broad. It covers Crown corporations, boards, commissions, all the Executive Council areas, and you know that's probably the right breadth. Does it go broader to include regional health authorities which were almost fully funded by the Department of Health? Does it include all of the education departments or divisions across the province which are now basically funded from the Department of Education? How broad does this go? And I mean clearly the broader the better.

Now one of the areas that was interesting to me was what kinds of wrongdoings are going to be covered. And so if you look at part II, it then sets out the kinds of wrongdoings that are to be covered. And it basically says, a contravention of an Act, a regulation to an Act, an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada.

That definition doesn't include government policies. And as we know, many of the activities within government are pursuant to Acts and regulations, but there are also quite a number of . . . or most of the work that probably is done under policy manuals or policies within a particular department and it doesn't appear that this legislation is set up in a way to deal with concerns around breaches of policies.

Now it does go, in part (b) of section 3, into acts or omissions which create danger to life, health, or safety, or a substantial and specific danger to the environment; (c), includes the gross mismanagement of public funds or a public asset; and then (d) basically says, if you direct or counsel a person to commit a wrongdoing, then you're caught by this particular legislation.

Now I'm not sure if that part (d) is set up there to cover ministerial directions or not, but maybe. It'll be an interesting one for a court to take a look at if there was a complaint about a ministerial direction around policy which wasn't in an Act or which wasn't in regulation, and whether or not that would end up being covered in this particular legislation.

Now when a problem arises, what happens? You've got a complaint about somebody who's in your department or in your Crown corporation and often the complaints would be about somebody who was a little higher up in the chain of command than you are. And where does the complaint go? Well when you read the part III, it looks like the complaints all go either to the deputy minister or somebody designated by the deputy minister. Or if it's a corporation, I guess it would be the CEO or somebody designated by the CEO. And so you effectively have eliminated probably a whole area of complaints about wrongdoings about the senior management in a department or

in a Crown corporation from having any sort of effect of this legislation.

Now there is the commissioner operation that I guess is designed to try to get around some of that. But practically, I think there's going to be some problems in sorting out what the exact procedures are in this, and it goes back to my original point that it's a closed system. It's a system which is intended to protect people only if they make these complaints in a non-public way. And that may be in the interests of certain ministers or CEOs of Crown corporations, but it's certainly not in the interest of the public which is the whole description of the legislation.

So the question is, how do you create legislation which accomplishes the purpose of protecting people who make disclosures of information which are in the public interest — and that's everybody — but also end up having a process which allows for the functioning of departments or of Crown corporations? And I think that's what the attempt that has been made here is to somehow deal with that particular concern.

But practically at some point in the drafting of the legislation, there's been a direction or a position put forward to say, well make sure that all of these complaints are within the system and that we don't end up with very public disclosure of what's going to happen. We want to deal with them internally, and we want to deal with them on a discipline basis or some other basis. So it ends up I think . . . It's going to end up probably being a very frustrating process and probably of not very much use.

Now my understanding is that the number of these kinds of cases in any given year within the province of Saskatchewan are actually quite low. And it's obviously setting up a fairly expansive administrative system to deal with complaints that would come forward. And it may be that it's, in that context, a bit of an overkill. And I maybe ask the minister who's brought this forward to take another look at that, because the last thing you need in the time when you're pressing civil servants with way more work than they can actually accomplish is to add another layer of effort and work that may not be all that productive in the long run.

Now when you go forward into this legislation, this division 3 of part III starts talking about, well, what information may be disclosed? And it says, well, disclosure may be made notwithstanding what any other Act has to say, but subject to section 13 and to the regulations.

Now when you go to section 13 here, its limits on disclosure, it says:

Nothing in this Act authorizes a public servant to disclose:

information described in subsection 16(1) of *The Freedom of Information and Protection of Privacy Act*, except in circumstances mentioned in subsection 16(2) of that Act; or

information that is protected by solicitor-client privilege.

Well we've had some examples recently where the Minister of

Health has provided information that is almost useless to anybody because it's been so heavily censored. It appears that this is maybe going to be providing another option for that which says that if there is an area like this that's protected, you can't release it or you're then subject to other disciplinary action.

And so the question becomes, is, what's the interplay of this legislation with *The Freedom of Information and Protection of Privacy Act*? How does it apply to some actual cases that we're dealing with right now where it's in the public interest to know what kinds of contracts are being let out without tendering in the province of Saskatchewan? Because it's public money, and it's in the interests of everybody to have those who might know about these things disclose that to the public, to the journalists, to everybody, so that we can find out what's actually happening behind these closed books, these closed stories.

And so if in fact this section of this particular legislation will allow for further activity like we've seen over the last number of months, well then this is not legislation that's of any great value to the public. And so it strikes me, when you read this, that there's a very clear attempt to try to once again close everything within a system and not let information out. And that's quite contrary to the interest.

Now it's also interesting here to say that information protected by a solicitor-client privilege would also be protected. Now I'm obviously a lawyer, so I know quite a bit about solicitor-client privilege.

But a number of years ago, I worked with a lawyer who was a lawyer for the state of Florida. So he was the deputy attorney general of the state of Florida. Well in the state of Florida, they have rules of full disclosure in public interest of all litigation paid for by taxpayers. And what that meant is that this lawyer — who was a litigator and he was actually working on the tobacco tax file; that's how I got to know him — he knew that every piece of information that he prepared for trial, all the correspondence that he had working on his case, because he was paid as a lawyer for the state of Florida, all of that information was available to the public, which included the tobacco companies on the other side.

And he said, you know, he didn't quite understand other states or other provinces, like from Canada, where we didn't have rules like that whereby the information that was prepared for taxpayers wasn't available for everybody. And you know, there's a lot of things that you end up wondering about, but especially when you get 900 pages that are blacked out on something which is of great, great interest to the public, to the press, to everybody else.

[15:15]

And so if in fact this legislation is going to add a further gloss on that kind of nondisclosure, then I don't think this is the kind of legislation that we need. What we need is to be able to protect people in their work when they point out things that are wrong, things that smell — if we can use that term — things that don't sound right. They're off tune. We need to be able to protect people when they raise those things so that the matters can be corrected.

Now in the Department of Health, Saskatchewan Health, a number of years ago when I was the minister, one of the issues that arose was how one should report incidents, errors, those kinds of things within the health system. And there was quite a big debate on that because you would end up having very closed systems that would review what happened, and that's important because you learn from your mistakes. But there was also a strong interest in making sure that that information was available to help other places and do other things. And so a process was put into place in Saskatchewan, which is still in effect, where there's a reporting mechanism so all that information is available to assist all people right across the board. It was based on some of the things that they were starting to do in Minnesota. And we were pleased to be able to do it right across the province.

Now I know that kind of thing is continuing. It is based on the full disclosure of problems that we see in the airline industry. And we know that one of the strengths of the airline industry is the fact that when there is a problem, it becomes public exactly what went wrong. And therefore the issue is corrected not just in the particular incident but right across the board.

This kind of legislation that we have here today appears to go in the other direction where it kind of closes in and further restricts and doesn't provide the kind of protection that individuals need to be able to set forward things that they think are wrong. And so, Mr. Deputy Speaker, I think that the people involved looking at this, the minister and others, should go back and examine how this particular legislation works related to specific cases.

And a good case to start with might be this Amicus case in Saskatoon as to what would happen if there's public disclosure of the information that the minister seems to think is to be blacked out and eliminated from public view, what would happen to a person who brought that information forward. Because it is an issue, as set out in this legislation, an issue that is gross mismanagement of public funds or a public asset.

And so we know that non-tendering of government contracts is the exception. The rule is that there's public tendering. So when you don't tender public contracts, then it probably fits under this Act as gross mismanagement.

Now does this particular Bill apply to a minister? Does it apply to a deputy minister? You know, what is it? Has anybody looked at this kind of legislation in light of some actual cases here in Saskatchewan right now? Because one of the concerns that we have with new legislation is that the government appears to be once again trying to retreat into this bell jar, into this little world of their own, and they don't want to tell anybody what's going on as it relates to what they're doing.

Now in this particular information here, it sets out how investigations are to take place. It sets out who's supposed to do that. And it sets out referral to the Provincial Auditor when there's financial mismanagement or concern. Now these are references from the commissioner who may be located in the Ombudsman's office, and the question then becomes is there a way, is there a way to work with this particular legislation and get at some real problems as opposed to some problems that . . . We don't know quite what this is intended to cover.

Now one of the things that is set out in this particular legislation does relate to what happens if it's a deputy minister or I guess a CEO of the corporation. And it says that then the report is to go to the deputy minister, to the Premier . . .

[Interjections]

**The Deputy Speaker:** — Order. Order. There's a couple of conversations going on. I'm starting to have trouble to hear the member on his feet. I would ask the members to take the conversations behind the bar. I recognize the member from Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. Well I think that there are some concerns registered both on the government side and on the opposition side around the effect of this legislation.

Now if we could be assured by the minister and others on that side that this legislation was actually intended to deal with issues like Amicus and get the information for the public, well then we might be in a better position to support what's here. But the way it's worded, the way I see it's being laid out, it's got all kinds of ways to cut off the information and isolate the person who's made the disclosure and possibly discipline them. And so when you have legislation like that, that ends up being not of assistance to the public, not fair, and it clearly is one more way that you can basically cause fear in the civil service around how one deals with things that just don't feel right, don't smell right, don't look right. And those are all issues that arise when a government starts losing control of the amount of resources they've got to actually do things.

And frankly, Mr. Deputy Speaker, as I've looked at the legislation introduced into the House this spring, a lot of it has to do with changing how things are done so they can be done on the cheap, whether it's outsourcing justice from the Provincial Court or whether it's moving things out of the environment into private agencies through the Fish and Wildlife Development Fund. And I'm not certain whether this one doesn't have some aspect of that as well. So we'd want to be examining that kind of an issue as well.

Now it says in here that there'll be a report that'll come from the commissioner each year which will set out for the previous year:

the number of disclosures received and the number acted on or not acted on;

the number of investigations . . .

in the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and recommendations or corrective actions taken in relation to the wrongdoing or the reasons why no corrective action was taken;

And then the recommendations taken from the commissioner.

So this is basically following some of the legislation that's set out for the Ombudsman dealing with complaints that the Ombudsman deals with.

But I think what the public would be interested in is knowing how that information that's being identified gets to the public as quickly as possible. And this kind of a process effectively closes it into a system, sort of wraps it up in a parcel, and then sets it aside and allows it to show up a year or two later. Now I don't know if there's some issues that the government's worried about this year before an election, but this would be a nice way to just sort of package it up and send it into the year 2012.

We know that we would sure like to get the information that they seem to be hiding about these Amicus contracts, but there's probably other things that we would like to see. And if this in any way assists the government, the Lieutenant Governor in Council, and the ministers to basically defer release of information that is maybe going to cause the government trouble, then I think they should be really careful and this legislature should be really careful about how we proceed with this particular legislation.

Now when the legislation is brought forward, it's pretty clear that this part 5, which is the Public Interest Disclosure Commissioner part has a substantial budgetary requirement. And I'm not certain whether this would be implemented very quickly or not. I think the legislation states quite clearly in section 46 that it comes into force on proclamation. And my assumption would be that all of that part 5 would not be proclaimed right away because as I said before the government appears to have run out of money.

So it may be that somebody else who's got a job that's similar to this, whether it's the Ombudsman or the auditor or somebody else, will sort of have this added to their load to be dealt with. And so I'm not, I don't know . . . As you can tell, Mr. Deputy Speaker, I have a lot of questions about this one. And I have a lot of concerns that it's a system designed to sort of smother issues when they arise, send them over to be packaged and then delivered quite a few months or years down the road. And that's not what we need when we have things that are causing difficulty for the public and that should be, in the interests of the public, disclosed.

So like many pieces of legislation that seem to come from this government, it has a fancy name, but it actually obfuscates the real intention, and it doesn't do what the name says. And so and I mean, you just see it right in the documents. It says it's *An Act respecting the Protection of Public Servants who make Disclosures*. But every page, the top of the page says, "Public Interest Disclosure."

Now I don't know where those words come from out of the true title of the Act. It's not accurate. Now are the titles created by staff in the legislature? I don't think so. I think they come from the minister and the people within her department working with the Ministry of Justice. And so at a minimum, before this Bill passes, we might want to actually have an accurate description of what it is and not allow the government to use this term "public interest disclosure" when that's not what it is at all. And so they even decide they're going to call their commissioner that when it's about protecting public servants who make disclosures.

And that may be too fine a point for some, but I don't think so. I think this is an attempt, this legislation, to do something with a

grand name, but only do it in a very, very small way. And one way they might get some more support on this side about this kind of a Bill would be to be more open with the kind of information that we ask about, whether it's about Amicus or about some of these other things, because the public is interested in knowing how their money is being spent. And so I guess I would say that I still have a lot of questions about this, but at this point I would adjourn debate.

[15:30]

**The Deputy Speaker:** — The member from Regina Lakeview has moved to adjourn debate on Bill No. 147, *The Public Interest Disclosure Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 149

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Krawetz that **Bill No. 149 — *The Income Tax Amendment Act, 2010*** be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Deputy Speaker. It's a pleasure to rise and offer comments on Bill 149, *The Income Tax Amendment Act, 2010*. Mr. Speaker, I've been going through the legislation, having a look at it, along with the explanatory notes that accompanied the Bill when it was tabled in the legislature, and I think in most areas it's pretty straightforward.

There's an addition of a new section to the legislation, section 64.1, that puts in place a mineral processing tax refund. And basically that's what the section does, Mr. Deputy Speaker. It speaks to an eligible asset, what requirements are there. Eligible corporation "means a qualifying corporation that provides evidence satisfactory to the minister to establish" certain criteria that must be met.

Eligible mineral processing, what exactly that means, and it "means processing at a mineral processing facility located in Saskatchewan of any of the following." And it lays out exactly what qualifies, what doesn't. Well not exactly, but it narrows it down a fair bit. For example, Mr. Deputy Speaker, that:

- (i) ore, other than iron ore, from an eligible mineral resource to any stage that is not beyond the prime metal state or its equivalent;
- (ii) iron ore from an eligible mineral resource to any stage that is not beyond the pellet stage or its equivalent.

So it is fairly specific, Mr. Deputy Speaker. Also speaks to, under the same section, eligible mineral resource, and that:

means a mineral resource as defined in paragraph (a) or

(d) of the definition of “mineral resource” in subsection 248(1) of the federal Act, if the deposit is located in Canada but not located in Saskatchewan.

It goes on. The changes . . . Or section 64.1 also goes on to explain qualifying corporation, that a corporation has to provide the evidence satisfactory to the minister to establish:

. . . principal business activity is engaging in eligible mineral processing of ore from an eligible mineral resource that it has acquired at fair market value;

that the corporation acquired eligible assets for use in Saskatchewan having an initial capital cost equal to at least \$125 million; and

any additional conditions that may be prescribed by regulation.

It goes on, Mr. Deputy Speaker, to speak to the refund “means a mineral processing refund granted by the minister pursuant to this section.”

And we go into a fair bit more detail, Mr. Speaker. A corporation that intends to apply for the refund must submit satisfactory evidence and information to the minister, and all tax has to be . . . all tax payable by the corporation has been paid. There has to be evidence that is put forward to the minister along with “other information and records that the minister may require in order to determine the corporation’s eligibility.”

So, Mr. Deputy Speaker, when we look at the information that is required by the minister, the guidelines and the requirements that are put in place that the corporations have to meet, the types of minerals that are eligible for the refund, Mr. Deputy Speaker, we can see or we would assume . . . And it may not be always the best to make assumptions. But we would assume that there is a corporation that is looking at establishing in the province of Saskatchewan and that these adjustments are being made specifically for a certain corporation because of the detail that’s required, because of the narrow kind of qualifying . . . Gosh, I’m at a loss for words. But to qualify within the scope of the criteria and the requirements that are being put forward by the minister is fairly narrow. So there must be a specific corporation in industry that the minister is targeting in this instance and in the changes that are being made.

So, Mr. Deputy Speaker, it goes on to talk about applying for a refund. You must do your normal process of taxes that are applicable to any operation. And then once that is all paid, said, and done within three years after the first taxation year the eligible corporation intends to claim a refund, your application must be filed with the minister within that three years.

So, Mr. Speaker, we know that this legislation comes into effect on January 1st of 2011 and that there is a number of other requirements when it comes to the taxable assessments and how that’s all dealt with. But starting this year, we see that five-year tax holiday for mining corporations. And there is some good requirements, Mr. Deputy Speaker. Those corporations have to make investments of at least 125 million and maintain at least 75 full-time employees within the province in their operation.

And on the face of it, Mr. Deputy Speaker, I think the opposition is supportive of this measure and of any measure that would bring new corporate head offices into Saskatchewan. But I mean, as we’ve learned, Mr. Deputy Speaker, over the whole debate about the future of potash in the province of Saskatchewan and the Potash Corporation of Saskatchewan, the devil always is in the details.

So when we look at pledges of full-time jobs or requirements of full-time jobs and new investments, we do know that that can mean different things to different people, can be interpreted differently by some. And people really do have different definitions of the word “commitment”, Mr. Deputy Speaker. And I think we all know that and understand the differences and the different interpretations that can happen. So when we look at some of this legislation and wonder why the detail and what certain passages may mean, we always need to be clear that the legislation needs to be quite prescriptive at times to make sure that everyone understands what it means and what the requirements and commitments are.

So, Mr. Deputy Speaker, it will be interesting to see what commitments mining companies make in exchange for this tax holiday — and it is a five-year tax holiday, Mr. Deputy Speaker — and how successful this government is at making sure that those commitments are met by anyone that has made this type of a pledge to the province of Saskatchewan. So Mr. Deputy Speaker, it’s hard to be real optimistic because we know that in this global marketplace and when many of these international corporations are being dealt with, it’s easier said than done. So we’ll see what the detail of the legislation is.

Mr. Speaker, we also, I guess we also have to wonder where the legislation and the request for this really originated. Because when we look at the initial changes that are made for the five-year tax holiday and the criteria that has to be met and the process that’s followed to apply for that five-year tax holiday, 64.1 I believe is the new section that’s added.

But also we have changes that are being made to other sections. Section 68 is amended, and my understanding of this is that it permits the province to enter into a tax collection agreement with the federal government whereby the entire Act will be administered by the federal government. But then there’s also other changes, 68(3), which is an amendment to subsection 68(3), is required to allow the province to self-administer the new section 64.1.

So, Mr. Speaker, I’d like to know, why? I’m not sure why we are looking at an Act that will be administered by the federal government, but we need changes to allow the province to self-administer the new section 64.1. Mr. Deputy Speaker, I need to understand that better and will endeavour to ask questions and look at why it’s worded the way it is and why it needs to be done.

Mr. Deputy Speaker, the other changes are 124(1) about making regulations. And also in 124:

Section 124 [that] establishes the regulation-making powers under the Act. The amendments will permit new regulations to be made to prescribe additional eligibility criteria . . .

So there may be more detail, or whether it's something drastically different, I would doubt, but we'll just have to wait and see, I guess, when regulations are drafted. But it will:

... prescribe additional eligibility criteria for the new tax holiday provided for in section 64.1 [which is the five years] and allow these regulations to be made retroactive to January 1, 2011.

Now, Mr. Deputy Speaker, we've seen a number of pieces of legislation that have been brought in this session that are retroactive to January 1st, 2011. One piece, I believe, is public safety and the phone system that has been put into the provincial corrections facilities and the ability to listen to the calls of inmates or listen to suspicious calls of inmates. So that's retroactive also.

But I believe this piece of legislation, Mr. Speaker, was a commitment that was made by this government in 2009. So I'm wondering why it was so slow to be brought into the House if it was a commitment and there was a requirement to have it in place by January of 2011 and the initial commitment was made over a year ago. Now we are finally seeing the legislation brought forward, and it will be retroactive to January 1st, 2011, whether it's passed or not.

Mr. Deputy Speaker, I guess the tradition with our new system of committees has been that legislation will be tabled in a fall session to be looked at, reviewed, further consultations done over the holidays and into the spring so that in March when we come back to sit in the spring session of the legislature, then we will be able to have further debate, further discussion in committee, look at if everything that's being proposed is appropriate or if there's changes that need to be made.

And we all know that everything that comes forward into this House isn't always perfect. There may be disagreements with constituents. There may be sectors in our province that aren't pleased with the changes. And sometimes it's some fairly large disagreements; other times it can be just some things that need to be tweaked and realigned to make sure they better fit with actual practice.

So, Mr. Speaker, I know that the government, or I haven't heard anything else, that this is being pushed forward more quickly, that we are looking at its passage in the spring with, I would assume, regulations to come next fall — almost a year from now. So, Mr. Speaker, it was made as a commitment and announced in a news release by the Minister Responsible for Enterprise in December of 2009. So I don't know why it's been so slow to come to the legislature.

But, Mr. Speaker, obviously there is an industry that the minister is looking at bringing to the province of Saskatchewan, or I guess enhancing the opportunities to come to the province of Saskatchewan, by providing a tax holiday but with the definite criteria. Obviously he has something in mind, or I would think not only in mind but has been in discussions.

[15:45]

So, Mr. Speaker, who is this for? Who does it affect? And I think one question that we also need to address is, how does it

affect the provincial treasury and the ability of this government to provide services to the people of this province, public services that people demand, expect, and require of this government? So many questions that have to be asked but, Mr. Speaker, at this point in time I know there are colleagues that are looking forward to making some comments on this legislation. So at this time I would adjourn debate on Bill 149.

**The Deputy Speaker:** — The member from Moose Jaw Wakamow has moved to adjourn debate on Bill No. 149, *The Income Tax Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 150

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Krawetz that **Bill No. 150 — *The Superannuation (Supplementary Provisions) Amendment Act, 2010*** be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Regina Elphinstone-Centre.

**Mr. McCall:** — Thank you very much, Mr. Deputy Speaker. It's interesting to join the debate on Bill No. 150, the Act to amend *The Superannuation (Supplementary Provisions) Act* at this stage of the proceedings.

I say that of course because it fits into a pattern of behaviour on the part of this government, Mr. Deputy Speaker, in terms of on the one hand, measures that come forward that look to be like housekeeping, and on the other hand, measures that come forward that are fairly dubious on the face and in the practice of them.

And by that, Mr. Deputy Speaker, I am referring to the two main sort of measures contained in this legislation, or in this proposed legislation. First of all, there is changes to an existing provision under the new spouse, 28.3(6) where:

An annuity pursuant to this section:

... must be equivalent in value to the allowance otherwise payable to the superannuate, if the superannuate had no spouse.

And again this put forward in efforts of clarifying the payment of survivor benefits, survivor spousal benefits, Mr. Deputy Speaker. And again, you know, it's a fairly straightforward provision. Later in the amendments it goes into measures that would bring it in line with the *Income Tax Act* of Canada, making that compliant. And so on the face of that, the one item in the proposed legislation, Mr. Deputy Speaker, would seem to be fairly straightforward and largely of a housekeeping nature.

The measure in this piece of legislation that we find to be ... So the first measure, on the face of it ... We want to hear more as this debate proceeds on this legislation, how this will aid the clarification of the current regime. But on the face of it, it

would seem to be fairly straightforward and fairly worthy of support.

Where we part ways with the government, Mr. Deputy Speaker, where we come to a path in the woods — to use, you know, imagery that has been fairly popular of late, Mr. Deputy Speaker — where we diverge company with the provincial government concerns the matter of removing the reporting requirements for those who are receiving pensions as superannuates. And again, Mr. Speaker, there was a Bill brought to this House not too long ago, Bill No. 9, which would have allowed for double-dipping.

And for those that aren't familiar with the concept as it relates to pensions, Mr. Deputy Speaker, we're not talking about anything related to the snack tray or what you might be serving up at your Grey Cup party or your Grey Cup wake, as the case may be, Mr. Deputy Speaker. We're referring to the practice of retiring, collecting a pension, and then coming back as a contract employee and being paid by the taxpayer, in effect, twice — double dipping into the pool of taxpayer dollars to get paid.

So as it stands right now, Mr. Deputy Speaker, there is a means by which, if there are amounts being paid of \$50,000 and over to any individuals or organizations, we have the ability through the public accounts to keep track of those amounts and to whom those sums are being forwarded.

And it's interesting that, you know, in a number of pursuits, Mr. Deputy Speaker . . . I think of the extension of the franchise. When you extend the franchise, that is a march that moves ever forward. The franchise grows larger and the history of something like that is moved from, you know, a very limited class of people being able to vote and participate in our democratic process to an ever larger group of people. The move to include women, the move to include treaty status Indians, the move to lower the voting age to 18 — these are all means by which the franchise has been extended over the years. And it's very rare that you'll see a government move to curtail or step back from that expansion of the franchise.

And again, Mr. Speaker, they haven't done it outright, but in this session we've seen this government opposite bring forward legislation that will attempt to erect barriers to people's participation in the democratic process by bringing in photo identification requirements for the voting process. And again, Mr. Speaker, there is a fairly long and well-established process which has been very much based on fair play and very much a bipartisan approach in terms of the different parties coming together after the election, discussing with the electoral officer what are the changes that need to be made in the election process, and then providing a report of those activities and making subsequent changes to the necessary electoral legislation.

We've seen this government come forward with a piece of legislation or a proposed amendment flowing from their Throne Speech — and we'll see how the legislation flows from that, Mr. Deputy Speaker — around photo identification where again they're trying to curtail people's involvement in the electoral process.

And this didn't come out of the report, this all-party report that comes after the elections. This didn't come out of any major incidents being reported by the Elections Saskatchewan people. This is something that was cooked up in the backrooms of the Saskatchewan Party in, I would think, conjunction and consultation with their brothers and sisters in the federal Conservative Party who have taken a similar tack to try to limit the participation of people that don't have photo identification.

And oddly enough, Mr. Deputy Speaker, those groups tend to be heavily skewed towards seniors. They tend to be skewed heavily towards First Nations. And oddly enough, Mr. Deputy Speaker, those are two groups in particular, another group being poor people, groups that generally don't have the same kind of photo identification that perhaps you or I have sitting in our wallets . . . But those are three groups that in past have not had a real strong affinity in voting patterns for the government opposite.

So you see them bringing forward a measure designed to complicate and to confuse and to make it more difficult for those people to get to the polling station to register their voting intention and to cast their vote. And again, Mr. Deputy Speaker, it's small wonder that that's a group that is historically not aligned with the voting, the electoral fortunes of the members opposite.

It's more than just a little strange . . . [inaudible interjection] . . . Oh, pardon me. Well I hear the member from Cannington who in past was party to different efforts around, plus or minus efforts, in terms of redistribution. And we hear different things about the opinion of the member from Cannington as it relates, as it relates to the franchise and what constitutes a reasonable constituency. And of course we saw efforts from the conservative forebears of people like the member from Cannington that was so excited about the way that they tried to gerrymander the system in the late '80s, Mr. Deputy Speaker . . .

[Interjections]

**The Deputy Speaker:** — Order. I would ask the member to direct his remarks to the Chair, and also to return to the Bill that's on the order paper, Bill 150, *The Superannuation (Supplementary Provisions) Amendment Act*.

**Mr. McCall:** — Thank you, Mr. Deputy Speaker. Where this relates to the Bill, of course, is that this is a government that's trying to curtail accountability, that is trying to rein in accountability. And it's analogous to the behaviour you see in terms of the way that they're approaching the electoral practice in this province. And it's analogous to what those members opposite and their forebears tried to get up to in the late '80s in this province. It's analogous to what they did in the late '60s, Mr. Deputy Speaker, in terms of . . .

**The Deputy Speaker:** — I recognize the . . . Why is the member on his feet?

**Hon. Mr. Harrison:** — Point of order, Mr. Speaker.

**The Deputy Speaker:** — I recognize the Deputy Government House Leader.



**Hon. Mr. Harrison:** — Mr. Speaker, I believe Bill No. 150, *The Superannuation (Supplementary Provisions) Amendment Act, 2010* is the Bill to be debated. The member opposite has been in the House for some time. He chose to rise on Bill 150, so I wish he would and I think all members of the House would hope that he would speak to Bill 150.

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

**Mr. Yates:** — Thank you very much, Mr. Speaker. I'd like to respond to the point of order.

**The Deputy Speaker:** — The Opposition House Leader.

**Mr. Yates:** — Thank you very much, Mr. Speaker. We're in a debate on a piece of legislation, Mr. Speaker, and there's been a long-standing tradition in this legislature, as legislatures across the province, to have a significant degree of latitude to talk about legislation and about issues, Mr. Speaker. So when individuals talking about issues that have impact on the government's credibility or the government's ability to implement something because of their behaviours or patterns of behaviour, Mr. Speaker, that can be brought around and often is a part of every debate of legislation, Mr. Speaker.

So, Mr. Speaker, the members opposite were talking among themselves and not paying attention, Mr. Speaker, to the member on his feet. If they paid more attention, Mr. Speaker, they'd be able to hear the, in fact, the relativity and the relationship to this piece of legislation, Mr. Speaker.

**The Deputy Speaker:** — In second reading debate we've allowed a bit of a circle to be drawn around the Bill, and some latitude. But I would remind the member I have been listening to his speech, and I know he has been straying quite a ways from it. So I would ask the member to discuss the Bill that is on the order paper, Bill 150, the superannuation . . .

**Mr. McCall:** — Well again, Mr. Deputy Speaker, I'm interested in your ruling and I'm interested in the way that you've sided with the members . . .

**The Deputy Speaker:** — I would ask the member not to talk about the Speaker's ruling, just to carry on with the debate that's on the floor. I recognize the member from Regina Elphinstone-Centre.

**Mr. McCall:** — Well again, Mr. Speaker, in terms of the way that this government is trying to curtail or to undercut or to erode accountability with this legislation in terms of trying to . . . There is information that has been provided to the public previously. There is an analogy. There's a parallel behaviour here in the way that they're approaching the democratic process in this province. And if they can't, if they can't see that the path is ever moving forwards to more accountability, moving ever forward to more transparency, and with this kind of legislation trying to carve it up, to bring it back in, to hide information from the public, well I can see how they wouldn't want that, the parallel with the approach that they're taking to the elections Act in Saskatchewan and the measures that they're bringing forward in terms of voter identification and the sham that that is, Mr. Deputy Speaker, in terms of trying to erect barriers for people getting to the ballot box.

I can see how they wouldn't like that. And I can see how the member from Meadow Lake wouldn't like that because of course I'd bet dollars to doughnuts that he's the conduit for that bright idea from the federal Conservatives right into that caucus, Mr. Deputy Speaker. It didn't come out of the all-party commission. I'll bet you it came right out of the conservative playbook. And I can see how the member from Cannington wouldn't like that because of course those members had to go to court in the late '80s to fight for a fair and open democratic process, and they got stopped in the court of law, Mr. Deputy Speaker.

So again, for people that want to have less democracy, it makes all kinds of sense that they'd want to have less accountability to go alongside that, Mr. Deputy Speaker. So again we've had a practice where somebody has paid \$50,000, or an organization has paid \$50,000, that information has been public previously.

They tried to curtail that in Bill No. 9 in terms of regularizing the practice of double-dipping. And in terms of . . . [inaudible interjection] . . . Well perhaps the member from Cannington can clarify these things for us in terms of what the precise measure is. But you'll forgive me, Mr. Deputy Speaker, but they certainly did bring forward something that tried to institutionalize double-dipping and had to withdraw with their tail between their legs, Mr. Deputy Speaker.

[16:00]

Now again with this, our hope is that the people of Saskatchewan want more accountability. And you would hope that a government that came in for claiming that hope trumps fear and all these nice little things, Mr. Deputy Speaker, you'd think they'd figure it out in terms of trying to cut back the accountability that's there for people trying to keep track of their taxpayers' dollars and who gets it.

But of course in terms of the behaviours of this government, Mr. Deputy Speaker, you'd see how they'd want to hide some of these things. You'd see how they'd want to do some of these things on the sly. Because that has been the practice to date in terms of the innovative, so-called approaches that they're taking to the awarding of contracts.

We've seen it in terms of the way that they've cut out featherbeds for their special friends, Mr. Deputy Speaker. But we see it in particular in this Bill where there has been a measure of accountability granted to the expenditure of taxpayer dollars, and those members are trying to roll it back, Mr. Deputy Speaker. They're trying to lessen the accountability for the expenditure of public money in this legislation.

And you know what, Mr. Deputy Speaker? That's not what the people want. That's not even what those members opposite campaigned on in the last election. They campaigned on trying to be the most open and accountable government in the history of the province. Well again, Mr. Speaker, in a broad way we've seen how that has not been the case at all with those members opposite. But in a very particular way here, Mr. Deputy Speaker, we see in spades how those members are moving for less accountability, less accountability.

So why would they do that, Mr. Deputy Speaker? Is it so that

they can reward their special friends? Is it so that they can put money into different organizations and not have to report to the people? You know, why is it that they're bringing forward this measure, especially when the double-dipping provision in particular was shot down in an earlier legislative initiative on the part of that government?

So, Mr. Deputy Speaker, in terms of the pattern of behaviour on behalf of the members opposite, in terms of putting forward measures that would result in less democracy in a curtailing of democratic practice in this province, that is very much in keeping with the kind of initiatives that we see in this Bill in terms of providing less accountability to the people of Saskatchewan who very much want to know how that government is spending their taxpayer dollars. And you'd think that wouldn't be such a hard concept for the members opposite to wrap their heads around, Mr. Deputy Speaker.

But again when it comes to the, you know, the member from Meadow Lake over there, not exactly the champion of democracy in this Chamber, Mr. Deputy Speaker, very much the conduit from the federal Conservatives in terms of bright ideas on how to approach the electorate in ways that massages your advantage, very much in ways that are opposite to their whole rhetoric around hope beats fear, Mr. Speaker. I'm afraid this is very much a fear-based sort of initiative.

Then we've got the member from Cannington who of course, you know, goes back to the 1991 election when those members opposite got dragged to account by the people of Saskatchewan, but not before they tried to curtail democracy in terms of gerrymandering the boundaries of the electoral divisions in this province. So that is very much parallel to a government that seems to be bringing forward initiatives that would result in less accountability in Bill 150.

So, Mr. Deputy Speaker, there's one item in this Bill that we think bears some interest and some support in terms of regularizing or clarifying the situation around survivor benefits. But there's something that we cannot abide and that we find to be completely at odds with the rhetorical flights of fancy that the members opposite like to get on in terms of striving to be the most open and accountable government in the history of this province. I mean on the one hand it's almost hilarious, Mr. Deputy Speaker. It would be hilarious if it wasn't so directly at odds with the measures that these people are trying to foist upon the people of Saskatchewan.

So in that regard, Mr. Deputy Speaker, we definitely do not support the lessening of accountability, the erosion of accountability, the ability to hide the expenditure of taxpayer dollars. And for that, on this side we cannot stand, Mr. Deputy Speaker. So on that regard, I'd just move to adjourn debate on Bill No. 150.

**The Deputy Speaker:** — The member from Regina Elphinstone-Centre has moved to adjourn debate on Bill 150, *The Superannuation (Supplementary Provisions) Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 153

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 153** — *The Provincial Court Amendment Act, 2010* be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Deputy Speaker. It is a pleasure to rise today to make a few comments on *The Provincial Court Amendment Act*. It's an important Act that we've had some comments already from the minister, and I appreciated his words, and the member from Regina Lakeview, former minister of Justice. And clearly I value the kind of things he was saying, and a couple of other members from our side who clearly think that this is an important Bill, that we take some time and consider it wisely.

I appreciated my colleagues' earlier comments about accountability and how important that is because as we think about . . . When we bring Bills forward, we have to be vigilant and look at it from every angle. And I appreciate the comments made about how, when we are talking about Bills, that we make the circle, and we tighten it around that piece of legislation to make our points.

But sometimes you have to think about our own personal experience and some of our experiences when it comes to court and the law because what we do in here affects people every day, 24-7. And it's so important that we get it right and there are no unintended consequences. It's critical that that happens. Because if it doesn't, then we have failed the people who've elected us. So we take our time, and we think about what does this mean.

And so when we have a Bill that comes before us, provincial court amendment Act, it doesn't sound very . . . doesn't have a huge fancy name, but you know really means some new directions in how we do things here in Saskatchewan. And of course we always want to make sure that's the right direction and it makes sense for people. And many of these amendments do. But some I do have some questions about, and I'll talk a little bit about them as we go forward.

I know other people want to get on about their comments as well, but I want to review. Essentially from what I understand reading this, it sounds like there are eight key points, eight key core parts to this Bill that the government wants to establish. The first is it wants to repeal the civil division of the Provincial Court. And it seems that it wants to appear to transfer significant responsibilities handled by current Provincial Court judges to justices of the peace.

I find that one interesting because we know that judges have some training in law. Many I think, they are required to be lawyers. Now I'm not sure the same can be said about justices of the peace. I know when you're a JP [Justice of the Peace], you have an awful lot of skills and sense of fairness and respect within the community and standing that people say, well we can

live with what that person says. He's a or she is a fair-minded person and has something to say that we think we all should consider. But I'm not sure if that brings you up to the standard of being a judge. And so we have to really think about that.

So I want to talk more about that in terms of the quality of service that people will come . . . but when they come and finally appear in a court and they go, they wanted to have someone of a little bit more stature. And their right to a fair hearing may be compromised. And while we in here may not think that's a big deal, but when people are very — and we know this — emotionally tied into what's happening to them, they want to make sure they get the very best service because it may be their only kick at the can, and they want to make sure they get a fair hearing.

And the other issues really talk about what functions are being transferred out of the Provincial Court and what types of cases are going to be handled by the justices of peace. And what's the impact on the services that the people receive when they go to court; will their rights be impacted?

We know that's becoming more and more a bigger issue as our society evolves and becomes more mature. We all have become much more aware of our own personal rights versus the common good or the public right. And people are not accepting that the public good should outweigh their own individual rights. And we've come to appreciate that, and more and more we've come to understand that there is something that we have to listen to there. And the question is, who stands to benefit from these changes? And how did these changes come? Who was asking for them?

Also it talks a bit about greater public disclosure of the results of the investigations into conduct of judges by the Judicial Council. And of course on the face it sounds like a very good thing. We always want more public accountability and transparency. And I know this government here has struggled, struggled long and hard over this issue because in many ways they have not lived up to their own public commitments, especially after the last election when they made this one of the cornerstones of their campaign. And often — daily — we see examples of when they are not accountable or transparent. And we have big questions about that. We only have to look at the Amicus and all the pages have been redacted from those pages where we have some real, real questions about that.

And this is a government that goes out of its way to be less accountable to the public. And we know, for example, in other pieces of legislation that have been brought before us, the public . . . this interest disclosure Act, and I've talked a little bit about that. And we have some serious concerns. And that same sort of Bill, that same sort of way of approaching legislation we see in this legislation, and we're concerned about that. We are very concerned about that, you know.

And my colleague just before me was talking about the superannuation Act where you can spend up to \$350,000 without public disclosure. And yet in this Bill, and in this Bill they're talking about another group that they're demanding more accountability, more transparency. But for them they raise the bar to \$350,000. And then we see what's happened in the Amicus case where they . . . hundreds of pages redacted. So

why is this government holding itself to a lesser standard than it would judges? After all, we are the ones who are making the laws, but somehow we seem to get a free pass. And this government is very intent on getting that free pass.

Another key point, Mr. Deputy Speaker, talks about allowing this government to appoint temporary judges currently serving on the bench in other provinces. And this the minister has talked about, the Minister of Justice has talked about it, particularly around instances where there may be a conflict of interest with one or more of the parties involved in a particular legal matter. And this would seem sensible enough. But we want to make sure we take a look at it.

Another one that seems to make some common sense is around the eligibility provisions for disability benefits to the same standards — some three months — as provided to other provincial government employees. We think that seems fair enough, and we would support that.

And we also support the changes to the nature of the Law Society representation on the Judicial Council. This seems to make some sense, particularly when the president of the law council is named as the person who will be the representative. And because there's a frequent turnover in that position, here we have in the council a frequent turnover. And that doesn't seem to make much sense because we are looking for people who are on the Judicial Council who do have some experience. And you do get that, but one of the best ways of getting that of course is serving a longer period of time. And if the Judicial Council or if the Law Society is fine with that, then I think that we need to hear them out on this. But we have to make sure that they are. And this is an important piece.

I want to, Mr. Speaker, just reflect a moment on what the minister has said because it's very important. When we look back at the Bills that come before us, we take a look and we think about, what did the government have . . . What is the intent of the Bill? Now we can try to read between the lines of the legislation, try to get a sense of what the government is going, but unless we hear what the minister says, we may be missing some key elements.

So I want to take a moment and just review what the Minister of Justice said on November 15th in the House here. Of course he talks about, he goes through those same key points, same key areas that I talked about. The idea of appointing temporary judges in Saskatchewan; again that's a pretty key thing. And about the disability benefits, and we're supportive of that. And about how to replace the Law Society representative on the Provincial Court Judicial Council if the president is unable to attend; that makes some sense.

But he only goes into not a very long part about what happens with small claims court. And I think many people will be interested in this. And this is not to say this is bad or good, but have some concerns about it. I know I've had some experience with small claims where I've had to actually take a contractor to small claims court many years ago. We had some issues about a roof project in our home, and we used the small claims court. And I have to say that I was very impressed by the court. It was effective, efficient, and I had a lot of respect for the judge who made the decision. I had a sense that I was being heard, that it

was allowing individuals who may not have a lawyer the access to a venue, an avenue of raising their concerns when all else has failed.

[16:15]

And so having said that, having said that, Mr. Speaker, I have some concerns about this, and I would need to know more about this. Because when you bring in justices of peace, the JPs as they're often referred to, will they be using the same facilities? Will they have the same access to the support staff? Will they give the same air of knowledge of the law, of knowledge of fairness — all of those things that the judges do?

As I said earlier, justices of peace are quite often people of good standing in our communities that we've come to respect. And because of their work, because of their community involvement, people have got to know them and say they're pretty reasonable people and they probably could come down, make a fair decision and a level-headed decision.

But when people are quite emotionally involved in some of these decisions that they're bringing forward . . . I know for me in my own case was because of a leaky roof. And I have to tell you that it was pretty stressful that summer in Saskatoon. We had a wet summer this summer, but I think that summer may have been second or third. And I have to tell you that my roof did not leak before the roofers fixed it and now it leaked. And what was I going to do? What was I going to do? Here is a family that's repairing an older home. And who do we turn to? Who do we turn to? And we felt that we could not get redress from the contractor, that there were issues there that we weren't seeing eye to eye on.

Now I don't know if they're thinking that everything should be done through mediation and I think mediation is a fine, a fine source. But sometimes, Mr. Speaker, we have to have some finality of a decision. We're all used to that here. Every four years, we have votes and we have an election. We come up with a finality of a decision. And sometimes in courts that's the same way. You have to have a finality of a decision. And so that's why when you have that, especially in courts, you have to make sure that everybody respects the people, the persons who are giving those decisions.

And so if we're replacing a judge with a Justice of the Peace, then we have to make sure that we do have that respect, that people are feeling like they're getting their day in court, that they are being heard. And sometimes decisions don't go the way people want them to go, but if they feel like they've had their chance to make their case, and a judge can make a decision that everybody can agree makes sense because, based on the facts that are presented, this is the way it appears.

Now I would have to ask, for a Justice of the Peace, will they have the same training? Will they be brought up to the same speed as a judge who works in that area? I would have some concerns. And I think that we see challenges in our communities where people are expecting more from different services, especially I think of housing — as I've just said and I've become very familiar with — where people are doing things, renovations. And you know, of course we see the renovation shows on TV. And what happens when things go

wrong? Are they going to take it to a Justice of the Peace and say, listen, we think you can make a decision on this? I'm not sure if that will fly very well.

As well, you know, Mr. Speaker, I had a chance to just sit one afternoon in the family court, and it was very interesting to see how professionals carry themselves in those kind of settings. Because it's important, as I said, that ordinary people who live their lives, if they ever unfortunately find themselves in a circumstance where they're brought to a court, just want to make sure that they feel that they're getting the best services possible.

And if this is a cost-saving measure, then I have a worry. Is this a way of . . . We know judges are being paid fair wages, and some might point that their wages are costing the ministry a fair bit. If that's the case, I guess that is the case. But they do important work. They do important work. And where justices of the peace . . . I'm not sure how they are paid. If this is a cost-saving measure, we have some concerns.

And of course . . . So I do, and I may come back to that because it's a very important point that I feel strongly about because in my neighbourhood, the people I represent, they can't really, as many people often say, lawyer up. They have to represent themselves. They don't have the resources to go out and hire the high-priced help, the high-priced lawyers to make sure their cases are heard or taken to the next level or whatever. Quite often they only get one kick at the can. And sometimes it's about small claims because it's their reality. And so I do have some concerns about this.

And I know that this minister, the Minister of Justice, in his opening comments did talk about — and he refers to it actually twice in his speech — he talks about this Bill and the consequential amendments to *The Small Claims Act, 1997*. And I quote, “. . . focus on providing the court with additional tools to reduce the time to trial in criminal matters.” And he goes on again and talks about, and I quote:

That amendment allows justices of the peace to become more involved in resolving small claims matters. Again, this will help free up Provincial Court judges to focus on criminal matters when backlogs occur.

So here we see another relationship being brought in here in terms of the whole criminal backlog or time-to-trial issues. I guess they are related because essentially the backlog is time-to-trial issues.

And so if that is an issue, then why not address it head-on and say, we need more judges, we need more judges to do that. This robbing Peter to pay Paul I'm not sure makes a lot of sense. I mean if the small claims courts were working, fine, then leave them. I think that's an important thing. We don't know if they were working badly. We haven't heard that, and we need to know that if we're to support this Bill.

But this issue around the criminal matters, we think this is one of concern because we know that there is, especially at the federal level, a real push, a real push when it comes to the tough-on-crime agenda. And while we believe criminals should not get a free ride, obviously no one in Canada believes that, we

feel that there are better ways of dealing with those issues than trying to rearrange the court system so that these folks, when they've made a political decision at the federal level that they're going to put more people in jail for a longer period of time — and they're going to get it there, they're not going to lose cases, and they are doing that on a roundabout way through legislation like this where they're taking from the small claims courts — I'm not sure if this has been communicated well. If I'm misunderstanding it, I need to hear it. I need to understand that. We'll have questions about that.

But if there's two agendas here working, where there's something else more afoot, I'm not sure the minister has really communicated this well, if this is this government's agenda or this is the federal government's agenda. And this government better be ready to deal with the provincial fallout. And if that's the case, we have some real concerns about that. We have some definite concerns about that.

Well as I said, and the minister did talk about this, the Bill provides authority and procedures for the appointment of judges from other provinces to work as temporary judges in Saskatchewan. And he talks about conflict of interest, and that's fair enough. Sometimes you have to deal with those matters, and this may be one way to do this. But we're not sure where this came from and whether this will be the best way to go.

But again a very interesting, innovative approach. And if this is . . . We'll hear more about this in committee. And we want to make sure that it's communicated well so we fully understand the ramifications of doing such a thing. We're not sure if this often happens, but we understand that Manitoba and British Columbia allows a Provincial Court judge from other provinces to be temporarily appointed as a judge in their province. So this gives them some flexibility, and perhaps we should be looking at that.

I have to, and I did talk about this earlier, talk about the whole issue of integrity and transparency. And I will quote the minister here. And he goes on, and I quote, Mr. Speaker, "Integrity and transparency are fundamental to public confidence in the court and the administration of justice in the province." He talks about how the Provincial Court is held in high regard. And I would agree with that, very much so. So we have to make sure that we maintain that high regard.

And he talks about how, in some of the issues around disciplinary procedures, we have to make sure that the public feels that when things go awry, when things go wrong with judges, that the hearings are fair, transparent, and accountable.

We do have to, as I said earlier, draw the connection to this government and its record for being transparent and accountable. And when we think of, I believe it's Bill 9, the superannuation Bill, that's a problem when they're raising the amounts from 50,000 to 350,000. We have an issue there. So on one hand in this Bill here, Bill 153, you see this where they're asking judges or demanding judges be more accountable and transparent; but Bill 9, not so much. Not so much. We have a real, real concern with that.

So, Mr. Speaker, I think that it's sometimes you've got to walk. When you do the talk the talk, you've got to walk the walk, and

it should be ride it through. And when we look at the Bills that come before us, there should be some sort of screening process to say, how's the accountability? How's the transparency? Is it working both ways? It's not just a one-way street.

Often we see this and we go, you know, we have some issues here because you're asking one group to be more transparent, more accountable. But for the government . . . And we raise this consistently and quite often. And the reason it's quite often is because we have some problems quite often with the Bills that are brought forward because they're allowing less transparency and less accountability when the government is involved. But when another group, a third party is involved — in this case the judges — they're being held to a much higher regard. And we don't think that's fair.

We think the people of Saskatchewan deserve better, much better. And especially when this government over here campaigned on this, when they campaigned on transparency and accountability and then they aren't. That's a real problem for the people of Saskatchewan. It's a real problem. And while they make others . . . It's a real, a real issue. So we have some concerns about that. And while some of these things are seeming to be relatively straightforward, we want to make sure that all these questions are answered in committee. It's important that they're answered in committee and that the minister understands that not only must justice be seen to be applied . . . It must be seen to be applied. And with that, I think it's important that when we get to committee that we have some of these questions here.

I want to just review my colleague's comments from Regina Lakeview, because as a former minister of Justice he would understand this quite well. And I always appreciate hearing what he has to say about these things because he has an awful lot of insight. In fact many of us have joined into this debate and I know whether it's from Saskatoon Riversdale or Cumberland, they've all made comments on this piece of legislation and I think it's been very interesting and insightful what they've had to say. And I think that the more people hear some of the comments, as we start to dissect the issues before us, that we appreciate these things. Because you know, Mr. Speaker, we won't be back to visit this Act for some time, for some time, and we've got to get it right the first time, the first time.

[16:30]

And you know, in fact, actually what I would do, Mr. Speaker, is I will read and I will quote the member from Regina Lakeview and he says and I quote, "we have to be especially vigilant in what we're doing to make sure there aren't unintended consequences or that the intentions . . . make sure that the intentions are entirely clear as we proceed."

So not only does he talk about the consequences, but he talk about the intentions. And I think one of the key points that the member from Regina Lakeview, when he's talking about Bill 153, *The Provincial Court Amendment Act*, really talks about where did the impetus come from for this Bill. Who drove the changes here? Now there's about eight changes or core groups of changes, but the issue really becomes who drove this, and was there an opportunity for public input? We know that . . .

Obviously we sure hope the Law Society was involved, but this especially when it comes to talking about their Judicial Council and how they're going to be involved with this, I think this is really critical.

But I'm hoping that the judges were involved in some of their discussions. And I'm wondering if the justices of peace . . . I don't know if they have a group, an association. I'm not sure about that. How do they feel about their new work? This is quite a change for them. Some of them may be thinking that, especially in rural Saskatchewan . . . I mean I don't think it's even a rural issue. I think it's an urban issue. They may be thinking this is a job that I can do without a lot of demands. It's not a heavily onerous job in terms of time commitment. I could be totally wrong on this, because we need to hear from these justices, the JPs on this issue. But I think that we need to hear from those folks about what their thoughts are on this.

And I think that that's critical because they're going to be put into a new light, and the work may be a little different than what they were originally planning for. And the worst-case scenario is if we were to lose a lot of JPs over the next little while because they said, that's not the job I signed up for. So has the minister done his consultations or are we looking at a new type of JP? Maybe we are. Maybe that's the concern and maybe that's the direction this government wants to go — some sort of a different type of Justice of the Peace who does a little bit more work.

Will they have more training? I don't know. We haven't heard that. That wasn't part of the speech. What kind of background will they be bringing? Will they be transferring all over the province? You know, justices of the peace tended to be working in their own community because that's what brought them standing, as a Justice of the Peace, their standing within that community — people who knew them. Will this now become almost like a full-time job and they'll be looking around? Will there be a hierarchy?

Now I'm only speculating here, Mr. Speaker, but I do think there's a lot of unanswered questions here about the new role of Justice of the Peace when it comes to the small claims court. I think that this may be a bit of — as I'm thinking out loud here — a bit of a Pandora's box. What are we asking for here? Because as we had judges before, we all kind of knew the limitations and the expectations and how do you move a court system forward. But we're adding a brand new wrinkle into this system and we've got to make sure that we're moving forward with the right intentions. Because when we get into the consequences, we've got to make sure we're good with that.

So with that, Mr. Speaker, I think this is a very interesting, important Act that we have before us. It's one that I hope that we get a good amount of time to talk about it more. More people I know, on this side, will want to talk about the issues before us, and clearly they have some things that they want to say. And then after that, when we get to a committee, that we'll have some very good discussion there when we can actually ask the minister his intentions. So with that, Mr. Speaker, I now move adjournment on Bill No. 153, *The Provincial Court Amendment Act, 2010*.

**The Speaker:** — The member from Saskatoon Centre has

moved adjournment of debate on Bill No. 153. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

### Bill No. 155

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 155 — *The Natural Resources Amendment Act, 2010*** be now read a second time.]

**The Speaker:** — I recognize the member from Athabasca.

**Mr. Belanger:** — Thank you, Mr. Speaker. I'm very pleased to join in the debate. And of course the issue that we're making reference to — if the member in Meadow Lake agrees — Bill 155 and *The Natural Resources Amendment Act*. And if I have his concurrence and blessing, I'll proceed with my discussion on Bill 155, Mr. Speaker.

I want to point out, Mr. Speaker, *The Natural Resources Amendment Act*, as people have indicated prior to me joining the debate, really spoke about the importance of the Fish and Wildlife Development Fund Advisory Council. And for those that are listening and may want to know what the Bill's all about, the Minister of the Environment for the Sask Party government is proposing that there be a few changes to the manner in which the Fish and Wildlife Development Fund operates. And I understand there's a new role being played by an advisory council and . . .

**The Speaker:** — Order. Order. I had a couple questions too. I'm informed that Bill 154 should have been called ahead of 155. So we'll move forward on that. Call the Clerks.

### Bill No. 154

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 154 — *The Provincial Court Consequential Amendment Act, 2010/Loi de 2010 portant modification corrélative à la loi intitulée The Provincial Court Amendment Act, 2010*** be now read a second time.]

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I appreciate the opportunity to briefly enter into the debate around the Provincial Court amendment . . . the consequential amendments. This is a relatively straightforward Bill, you know, and it's always interesting when you see these Bills come forward. Really we're only reflecting on the word judge, but of course my previous comments around judges and justices of the peace, I could repeat them. I could go through that again but I think that I've made my points well and I would refer people to that.

And so with that we do have some concerns about what the impacts of that will be. But of course one follows the other and

they're all both interconnected with that. So, Mr. Speaker, I move adjournment of Bill 154. Thank you.

**The Speaker:** — The member from Saskatoon Centre has moved adjournment of Bill No. 154. 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:** — Agreed. Carried.

### Bill No. 155

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 155 — *The Natural Resources Amendment Act, 2010*** be now read a second time.]

**The Speaker:** — I recognize the member from Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. As I was saying, Mr. Speaker, the Fish and Wildlife Development Fund is a fund that is typically used as they collect fees that the fishers and the hunters and the trappers submit on an annual basis. They buy their licences and a portion of that, of the licences that they pay for, form the basis of the Fish and Wildlife Development Fund.

Mr. Speaker, from the minister's opening comments he mentioned the fact that \$3.5 million of what the fund generates each year . . . And that's about one-third of what they generally collect on an annual basis. And, Mr. Speaker, I think it's important that people know that if you collect roughly ten and a half million dollars each year from every hunter, fisher, and trapper out there, this ten and a half million dollars that they actually collect each year, one-third of that, roughly 30 per cent, goes into a Fish and Wildlife Development Fund.

And this fund typically in the past was managed by a number of different groups in an advisory role. And I understand from the Bill itself that there's going to be a little change on it, Mr. Speaker. And it appears that the Bill may be innocuous in terms of what is being proposed, but we do have some questions and do have some concerns that as it relates to the potential implication in that the advisory council and the rules and regulations under which they operate are being changed somewhat, Mr. Speaker.

And as we mentioned in the past, the opposition, the NDP opposition certainly supports the work attached to the Fish and Wildlife Development Fund. Because as I mentioned in the past and certainly mentioned briefly here as I began, the Fish and Wildlife Development Fund is a very sound way of helping people out there that do pay these fees to know that some of the money is being spent on habitat, on education programs. I think they do some firearm safety courses out of that as well, if I'm not wrong. But it's all about making sure that at least a portion of all the money that people pay for their permits and their fees and their licences, that it goes back into helping the hunting and fishing, fisher and trapper themselves.

So in theory, the Wildlife Development Fund is a good fund. It

works to help habitat. It works to educate people. It comes from the hunters and fishers and trappers themselves. And people out there should know that, as I mentioned at the outset, ten and a half million dollars is being collected each year. A third of that is set aside to this fund. And then people of course give the government advice on how to distribute that money.

And there's a couple of areas that we have to be concerned about, Mr. Speaker, and of course one of them is to make sure that money is properly used. There hasn't been any problems in the past. There is an accountability and transparency guideline attached to the use of that fund. And certainly I think, in the past, the different folks in government had the opportunity to see where the money is going. And they're part and parcel of providing that transparency and accountability.

And, Mr. Speaker, the groups that they actually consulted with, I think groups like the Wildlife Federation, I think were quite actively involved with advising the government how to use that.

Some of the proposals . . . The proposal that they have in this particular Bill is kind of removing the government's involvement with that whole notion of being accountable and transparent, that they're saying, okay the Fish and Wildlife Development Fund, as we understand it, three and a half million dollars is sitting in this pot. We're now going to take that money, we're going to give it to the advisory council. And the government is not going to have anybody on there to see how the money is being spent, and so on and so forth.

And in theory that practice may work, Mr. Speaker, because the vast, vast majority of people that have given the government advice in the past, when the government controlled that fund, they were excellent people. They'd done their work, and they worked well as a team. And there was no problems whatsoever, and some of the advice that the Fish and Wildlife Development Fund actually gave to the government itself was valuable — very, very valuable. And now what they're doing here today is they're giving the advisory council more and more control over that fund, and more and more control and say how the money is being allocated.

And I'm certain, and we're hoping that this is the case, that the whole notion of an annual report and where the money's been spent and how the progress is being submitted back to the government so the people could see, and every hunter and every fisherman and every trapper out there can actually see what's happening with their money — in essence, you know, that they're able to see exactly where the money's going and how it's being spent.

So the transparency I think is twofold in the sense that the province could (a) do it themselves or turn this over to the committee itself — the advisory council — and they could start doing some of the work on their own. But we want to make sure, as everybody wants to make sure throughout Saskatchewan, that the money's properly accounted for and that there's good transparency. So I'm hoping that is the case, and I'm assuming that the government's not so foolish as to say no, and there's not going to be no reporting back, that in fact there would be that aspect attached to this Bill.

The problem, Mr. Speaker, is what I worry about whenever you

have the notion of increasing responsibility, and in this case for the transparency of the fund and the decisions of the fund, taking it away from government and giving it to the advisory council. In theory that should work fine because you have some excellent people there.

But what I hope that doesn't happen is that you also transfer responsibility to that group to do some of the things that the province has typically done before. As an example, they always give extra support to the advice given by the Fish and Wildlife Development Fund board. They give the government advice, and a lot of times they do some of our own staffing and some of our own monies to do some of the things that the Wildlife Federation wants us to do or the ducks people want us to do. Like all these different things that we used to do, there's a lot of co-operation. There's a lot of collaboration on what they envisioned would be helpful in terms of the use of this money, but the government and the province always done more.

[16:45]

Now the worry I have here is under this Bill, as they transfer responsibility for the actual decisions of the fund, are they also quietly transferring other responsibilities as well? And that's always the worry that we have on this side of the Assembly. Because if you're transferring further responsibility and not really . . . and not giving them more resources, then what you're doing is a great disservice to that organization.

And that's some of the worry that we have a lot of the times, Mr. Speaker, is because if it's as simple as transferring dollars and decision making, in theory that'll work okay. However if we need to make sure that there's accountability and transparency back, and I'm sure that would be part and parcel of this proposal . . . But equally there isn't other responsibility shifted onto this board, and over time they gradually take more and more responsibility over, thereby eating up that 3.5 million that may be used for habitat. All of a sudden they're paying officers now. All of a sudden they're paying other costs attached to what we would assume would be the natural provincial government's responsibility anyway.

So I think it's important that people out there know that, as an opposition member, we want to make sure that this is not the case.

If the intent of this legislation is very clear, of this Bill, it's primarily to allow this group to have a bit more control in decisions around the \$3.5 million, and there's assurances of accountability and transparency. And as I mentioned at the outset, there's some very, very good people there. I don't think that there is any major, major challenge with this Bill if those conditions are met.

I would certainly want to make sure that people out there knew that over time there isn't increased responsibility attached to this process. Then again we should be okay there as well, but there's always that concern, Mr. Speaker.

And finally I would also point out that it is becoming an alarming trend — and that's why I think people out there are really watching this particular Bill — it's becoming an alarming trend of this government to kind of outsource some of these

avenues of finances. And while there is that opportunity to outsource some decision making of different departments, we've done some of this work in the past, and the only two things we'd always remind people is that there has to be accountability and transparency and that you don't download some of your responsibilities typically and traditionally assumed by the provincial government onto these groups that you're setting up. Because if you're doing that, then obviously there are some major problems for that group.

And as much as and as often as people are willing to take the extra responsibility, they're excited about the opportunity, what happens sometimes is all of a sudden they realize that what they've asked for, they've got. And sometimes it's not always a pleasant situation.

So, Mr. Speaker, in relation to Bill 155, *The Natural Resources Amendment Act*, I just want to point out to folks out there listening that in theory we have good partnerships with all these groups that are out there. We have \$3.5 million to work with. This Bill is talking about transferring responsibility and decision making to them alone. We want to make sure on this side of the Assembly — and it's obviously with these quality people we have involved with this advisory council — that we have good transparency and accountability and a reporting mechanism so we can let everybody know that's paying into these funds where the money's going.

The two points we'd to worry about is (a) as long as it's not transferring responsibility to them, and (b) is that somewhere along the line that the government is planning on giving them less money to work with or increasing their responsibility, as I mentioned, to a point where they can't afford to do anything. Three point five million dollars is not a lot of money in terms of the environmental challenges out there. Three point five million dollars is not a big opportunity for this board to do a lot of wonderful things for the province of Saskatchewan.

So again that lends credence to my argument that if it's all about transferring responsibility in a small fund to a large group of volunteers and expecting them to do all these miracles with that small amount of money then, Mr. Speaker, I think once again we're showing that this government has no vision, no support whatsoever.

So that being said, Mr. Speaker, I'd like to make a motion that we adjourn the debate on Bill 155, *The Natural Resources Amendment Act*. Thank you.

**The Speaker:** — The member from Athabasca has moved adjournment of debate on Bill No. 155. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried. I recognize the Deputy House Leader.

**Hon. Mr. Harrison:** — Thank you, Mr. Speaker. To facilitate the work of committees, I move that this House do now adjourn.

**The Speaker:** — The Deputy House Leader has moved that in



order to facilitate the work of committees, this Assembly stand adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — This Assembly stands adjourned until tomorrow at 1:30 p.m.

[The Assembly adjourned at 16:51.]

## TABLE OF CONTENTS

### ROUTINE PROCEEDINGS

#### INTRODUCTION OF GUESTS

|                    |      |
|--------------------|------|
| Morgan .....       | 6245 |
| Quennell .....     | 6245 |
| Reiter .....       | 6245 |
| Junor .....        | 6245 |
| Lingenfelter ..... | 6245 |
| Wall .....         | 6246 |
| Higgins .....      | 6246 |
| Cheveldayoff ..... | 6246 |
| Chartier .....     | 6246 |
| Vermette .....     | 6246 |
| Iwanchuk .....     | 6246 |
| Harrison .....     | 6257 |

#### PRESENTING PETITIONS

|                   |      |
|-------------------|------|
| Harper .....      | 6246 |
| Higgins .....     | 6247 |
| Junor .....       | 6247 |
| Forbes .....      | 6247 |
| Brotten .....     | 6247 |
| Morin .....       | 6247 |
| Wotherspoon ..... | 6248 |

#### STATEMENTS BY MEMBERS

|  |      |
|--|------|
| <b>Thank You, Roughriders</b>                  |      |
| Bradshaw .....                                 | 6248 |
| <b>Rider Pride</b>                             |      |
| Morin .....                                    | 6248 |
| <b>2010 Saskatchewan Book Awards</b>           |      |
| D'Autremont .....                              | 6248 |
| <b>Provincial Debt</b>                         |      |
| Wotherspoon .....                              | 6249 |
| <b>Santa Claus Parade in Moose Jaw</b>         |      |
| Michelson .....                                | 6249 |
| <b>La Ronge Supports Food Bank</b>             |      |
| Vermette .....                                 | 6249 |
| <b>Battle of the Blades Contestant Thanked</b> |      |
| Draude .....                                   | 6249 |

#### QUESTION PERIOD

|   |      |
|---|------|
| <b>Contract Negotiations and Supply of Physicians</b> |      |
| Lingenfelter .....                                    | 6250 |
| McMorris .....  | 6250 |
| <b>Arrangements for a Long-Term Care Facility</b>     |      |
| Junor .....   | 6251 |
| McMorris .....  | 6251 |
| <b>Contracts With Information Technology Office</b>   |      |
| Quennell .....  | 6252 |
| McMillan .....  | 6252 |
| <b>Support for Affordable Housing</b>                 |      |
| Forbes .....  | 6253 |
| Draude .....  | 6253 |
| Morgan .....  | 6254 |

#### INTRODUCTION OF BILLS

|   |      |
|---|------|
| <b>Bill No. 160 — <i>The Saskatchewan Human Rights Code Amendment Act, 2010</i></b> |      |
| Morgan .....  | 6254 |

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

|              |      |
|--------------|------|
| Weekes ..... | 6255 |
|--------------|------|

#### GOVERNMENT ORDERS

#### ADJOURNED DEBATES

#### SECOND READINGS

|   |      |
|---|------|
| <b>Bill No. 157 — <i>The Oil and Gas Conservation Amendment Act, 2010</i></b> |      |
| Belanger .....  | 6255 |

|  |            |
|--|------------|
| <b>Bill No. 158 — <i>The Correctional Services Amendment Act, 2010</i></b>   |            |
| Brotten .....  | 6257       |
| <b>Bill No. 144 — <i>The Litter Control Amendment Act, 2010</i></b>  |            |
| Junor .....  | 6259       |
| <b>Bill No. 147 — <i>The Public Interest Disclosure Act</i></b>  |            |
| Nilson .....   | 6260       |
| <b>Bill No. 149 — <i>The Income Tax Amendment Act, 2010</i></b>  |            |
| Higgins .....  | 6263       |
| <b>Bill No. 150 — <i>The Superannuation (Supplementary Provisions) Amendment Act, 2010</i></b>                         |            |
| McCall .....   | 6265       |
| Harrison (point of order) .....  | 6267       |
| Yates (point of order) .....   | 6267       |
| Deputy Speaker (point of order).....   | 6267       |
| <b>Bill No. 153 — <i>The Provincial Court Amendment Act, 2010</i></b>  |            |
| Forbes .....   | 6268       |
| <b>Bill No. 154 — <i>The Provincial Court Consequential Amendment Act, 2010</i></b>                                    |            |
| <b><i>Loi de 2010 portant modification corrélative à la loi intitulée The Provincial Court Amendment Act, 2010</i></b> |            |
| Forbes .....   | 6272       |
| <b>Bill No. 155 — <i>The Natural Resources Amendment Act, 2010</i></b>   |            |
| Belanger .....   | 6272, 6273 |

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