



FOURTH SESSION - TWENTY-SIXTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

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The Honourable Don Toth
Speaker



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| Nilson, John | NDP | Regina Lakeview |
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| Wotherspoon, Trent | NDP | Regina Rosemont |
| Wyant, Gordon | SP | Saskatoon Northwest |
| Yates, Kevin | NDP | Regina Dewdney |

[The Assembly resumed at 19:00.]

EVENING SITTING

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: — Order. It now being 7 p.m. the Assembly will come to order. I recognize the member from Regina Lakeview.

Mr. Nilson: — Thank you, Mr. Speaker. I will continue my discussion of Bill No. 157, *An Act to amend The Oil and Gas Conservation Act*. Mr. Speaker, a number of my colleagues have spoken about this piece of legislation already and dealt with some of the specific aspects of it, but I have one area that I want to raise because I think it has some potential for being problematic in the years to come.

In the speech of the minister on November 22nd, he stated that this Bill was a major component of the modernization process which he called a complete redevelopment of oil and gas business processes and computer systems. And then he went on further to say that it was, PRIME was the acronym for this, process renewal and infrastructure management enhancement projects. So the whole discussion was around this term PRIME. And then he goes on further to state that the first PRIME project announced in November of last year — so that would be in 2009 — was Saskatchewan becoming a full partner in the petroleum registry of Alberta. Then he later goes on to state, “Becoming a registry partner was one of the government’s early deliverables out of the New West Partnership.”

Now, Mr. Speaker, this New West Partnership has some positive aspects, but it also has some negative aspects. And I was curious to ask the Deputy Premier after he came back from his meeting with the Manitoba Premier whether our Premier had been requested not to attend a joint meeting with the Manitoba cabinet. Because it was quite clear that after our Premier signed the New West Partnership with the Premier of British Columbia and then the Premier of Alberta, both of those premiers got into substantial trouble. And within not that many months later the premier of BC [British Columbia] has resigned and we now have a new Premier of BC, and the Premier of Alberta has announced that he will be leaving as well. And so, Mr. Speaker, it may be that entering into some kind of an agreement with our Premier is not necessarily a wise political thing to do.

Now, Mr. Speaker, the reason that I raise this tonight is that in the most recent issue of the *Saskatchewan Law Review*, cited as volume 73(2) of 2010, a couple of professors who, at the University of Saskatchewan law school, Professor Robin

Hansen and Professor Heather Heavin have written an article called, “What’s ‘New’ in the New West Partnership Trade Agreement? The New West Partnership Trade Agreement and the Agreement on Internal Trade Compared.” But, Mr. Speaker, I raise this particular topic because I’m starting new this evening, and this will actually give me some chance to talk at length about the problems between the Agreement on Internal Trade and the New West Partnership Trade Agreement.

But, Mr. Speaker, my specific concern arises out of this legislation tonight which is indicated to be as part of an initiative that comes under the New West Partnership Trade Agreement.

Now in the legislation that is in the New West Partnership Trade Agreement, it comes out and it’s quite clearly stated in this article that it does not have the legislative basis that it should have. And this is especially true if you look at page 234 and following in this particular text. And one of the facets or one of the parts of the agreement is that it creates substantial penalties for people who are in Saskatchewan. And so persons whether they’re corporate or individuals can be awarded, in addition to dispute settlement costs, up to \$5 million per matter, a term which isn’t defined in the trade agreement but it presumably corresponds to a maximum of \$5 million per government measure examined.

And then there’s a dispute panel which settles some of these damage issues and basically follows through on the agreement. So it’s got some parallels there with the Agreement on Internal Trade. And basically the reason for these damages is to make sure that the partners or the parties to the agreement follow through and follow what are the various aspects of that. And I will save all of us a substantial amount of time by not going through all of those aspects, although I could if anybody has any questions.

But one of the challenges with this particular legislation is that this executive agreement — so the agreement between premiers — doesn’t appear to be implemented into law in the provinces’ legislatures. So that in Saskatchewan this agreement is the subject of an order of council on April 20, 2010 which orders as follows, and I’ll quote:

. . . that the President of the Executive Council is approved to enter into an agreement, on behalf of the Government of Saskatchewan, with the Government of Alberta and the Government of British Columbia, to be known as the New West Partnership . . . for the purpose of forming an economic partnership to collaborate on innovative ways to strengthen the economy of Western Canada.

And then, in that particular order in council, the legislation which is cited to support this particular order in council is *The Government Organization Act*, which is an Act of this legislature.

And in that Act it says this:

. . . a minister may enter into agreements on behalf of the Government of Saskatchewan for any purpose related to the exercise of any powers or the carrying out of any of

the responsibilities or functions assigned or transferred to the minister by or pursuant to this Act or any other Act or law.

End of that quotation. Now the issue here, Mr. Speaker, is that there is no other Act, there is no other law which authorizes the Premier to sign that particular agreement on our behalf and effectively commit those people, I mean the people of our province. And I'll read the quotation from Professors Heavin and Hansen on page 235:

It remains to be determined whether an agreement such as the New West Partnership Trade Agreement fits the legislative description above. Is the imposition of potential damages for the acts of all provincial government entities, including the legislature, within the scope of the executive's powers? In other words, the inclusion of New West Partnership Trade Agreement damages constitutes the executive branch of government's binding of all provincial government entities, including the legislature, to tort-like liability for all actions which contravene the terms of an executive agreement. Legislative actions are not normally subject to tort liability, but rather to review for constitutionality, suggesting that the New West Partnership Trade Agreement imposition of damages for legislative measures is a novel addition to Canadian legal process.

And basically it then goes on to talk about how the Agreement on Internal Trade is characterized as not a law itself. And so effectively what this says is that the northwest partnership trade agreement is something which may be beyond the terms of the law of Saskatchewan.

And, Mr. Speaker, to further supplement this concern that I have, which I think needs to be remedied before it becomes tested at some point and maybe also will have an effect on this particular legislation that we're dealing with this evening, is a decision by Mr. Justice Barclay who is presently an officer of this legislature as the Conflict Commissioner. And on August 28th, 1991, he made a decision in a case called *Sentes and Huber et al.* which is reported at 95 *Saskatchewan Reports* at page 141. And in that particular case, which was dealing with *The Mortgage Interest Reduction Act* of 1982-83, he declared that a regulation changing the subsidized interest rates was ultra vires of the Lieutenant Governor in Council, in other words the same thing as what we have authorizing the northwest partnership trade agreement. And this was ultra vires, as the regulation was not authorized by the legislation and attempted to override a provision in *The Mortgage Protection Act*. The court in that particular situation postponed the effective date of the judgement for four months to give the legislature an opportunity to reintroduce legislation if it wanted to try to fix this.

Now, Mr. Speaker, I raise this tonight because I think there are problems with the whole northwest partnership trade agreement as it relates to how it's been implemented by the Premier and by the cabinet, and that any other kinds of activities which seem to be buttressing or assisting that, like this particular prime or this oil and gas industry process regulation needs to be carefully looked at to make sure that it's not beyond the power of the cabinet to do this. And, Mr. Speaker, the last thing that we need

in this province is a situation where the government, the executive branch, is being sued because they've done something inappropriately, in a way that costs the people of Saskatchewan extra money.

So, Mr. Speaker, I think there are some fundamental problems with the northwest partnership trade agreement as identified by these professors of law in Saskatoon, but it also raises some bigger questions about this particular Bill and some of the things which are being done here. And with that, Mr. Speaker, I will adjourn debate on this motion.

The Speaker: — The member from Regina Lakeview has moved adjournment of debate on Bill No. 157, *The Oil and Gas Conservation Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

Ms. Junor: — Thank you, Mr. Speaker. I just have a few comments to make on the amendment, the Bill 149 which is *An Act to amend The Income Tax Act, 2000*. The new section that's being created — and I'm going to be clear about what this is because I want to come back to one of the points I'm going to make at the end of my remarks — the new section is being created to provide for a five-year corporate income tax holiday for companies. And then there are criteria listed that it must be in the business of mineral processing, make a minimum capital investment of 125 million in Saskatchewan, employ a minimum of 75 people, and allocate 90 per cent of its taxable income to Saskatchewan for income tax purposes.

Now I know my colleagues have spoken, quite a few of them have spoken on this Act, and many of the comments, the observations, and the questions already have been raised. But there are three that stand out for me that I would like to see in my remarks, I'd like to have recorded.

The significant issue that I see is first of all, the question of loss of revenue. I don't see anywhere in the minister's remarks in the second reading speech that he addresses what impact this will have on Saskatchewan's treasury. So what loss of revenue do we anticipate by giving this five-year holiday to companies that meet this criteria?

The second point I want to make, in several of the places I see, including the minister's remarks, it talks about an agreement with the federal government and putting this Act . . . giving the federal government the power to collect the taxes and then have a process where the company applies for a rebate and it comes directly to the person.

[19:15]

So my second question is, how much would be the cost of administration to the province? How much will the province have to pay the federal government for the federal government to collect this money and then rebate it to the qualifying companies?

And the third one I want to talk about is the increase in power that section 124 gives in regulation-making powers under the Act. It's pretty open as it says the amendments will permit new regulations to be made to prescribe additional eligibility criteria for the new tax holiday. So then I'm assuming that by regulation, criteria can be changed so that other companies, not listed here or not contemplated here, could then also be eligible for this tax holiday. I'd be interested to know what the government and the minister, in particular, anticipate changing in this by regulation to open up the criteria and then, I would assume, open up the ability for other companies to have this holiday.

So then of course it is important to know what impact this new Act, new amendment, new tax holiday, will have on the provincial treasury. And I'm quite interested in finding out what it will cost to administer because the new section 68 permits the province to enter into a tax collection agreement with the federal government. The entire Act will be administered by the federal government.

Well they don't usually do anything for free, Mr. Speaker, so I'm assuming that we will be paying some cost to the federal government to do this. And then the rest of the amendment allows the province to self-administer a different section, so I'm wondering again what will this cost the province in administration. So what is the lost revenue to the provincial treasury? What is the cost to administer the new Act and the new criteria?

And then the third one, what has the government anticipated or contemplated as new criteria to allow other companies or new companies to come in and access this holiday, this tax holiday?

So with those comments, Mr. Speaker, I think those three things pretty much clearly state my concerns and the questions I would like to see answered. And I know, like I said, I went through the comments with my colleagues, so I think that we've covered a lot of the questions that are being raised with this. And I look forward to having those questions answered, and hopefully in committee. And I know there's still more of my colleagues who will want to address some of their concerns with the Bill. So with those remarks I would like to adjourn debate.

The Speaker: — The member from Saskatoon Eastview has moved adjournment of debate on Bill No. 149, *The Income Tax Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion? Is it the pleasure of . . . Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — All those in favour that the motion be carried forward . . . [inaudible interjection] . . . I need a clarification

here. Did you understand the question? I was waiting for someone to move that the motion for the adjournment be carried, but I didn't hear that and I called for question . . . [inaudible interjection] . . . Okay then. I would ask members then to, when we get to this point, to actually pay attention and call out and let us, let me know if you are agreed that we move forward with the adjournment. Is it the pleasure of the Assembly to adjourn the debate?

Some Hon. Members: — Agreed.

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

Mr. Forbes: — Thank you very much, Mr. Speaker. It is a pleasure as always to enter into the debate. These are important issues that we raise. While this Act is relatively short, it's just one page, Bill No. 150, *An Act to amend The Superannuation (Supplementary Provisions) Act*, it carries some pretty major changes in it. And so I'm glad to go on record and it won't take long to do this.

But I understand that essentially the Act has two main provisions, and the first is to clarify how spousal survivor benefits are to be calculated in the case of a person who may have been married more than once and who may have both current and former spouses who could claim to be qualified to receive some type of survivor benefit. And we think this clarification is appropriate and timely and quite often it's the kind of thing that happens when you are putting forward legislation, is unforeseen circumstance. And it's good to clean it up, and it's important to do that.

But the second one, and I want to be clear, is it's something I cannot support, is continuing the pattern of hiding important information from the public view. And it's the new section 50, and I'd like to read that. It's section 5 of the new Bill but it replaces section 50. It's repealed and the following is substituted. And the title, I'll read it because the folks at home may not be clear what Bill 150 is, but this is the part that we have problems with, and I'll quote:

“Annual report not to disclose personal information

50 The report transmitted by a board to the president of the Executive Council must not show the names of individuals who retired or died during the period to which the report applies, the amounts of superannuation or other allowances or benefits granted in individual cases or any other personal information respecting any of those individuals”.

So, Mr. Speaker, this is breaking a tradition that we have had in this province that any amount over \$50,000 annually must be disclosed when it is paid to individuals or organizations. It has

to be publicly disclosed and it doesn't matter if you are working for a minister of the Crown or Executive Council, \$50,000 is the benchmark. And we have had that. And I find it passing strange that this government that has come to power on a position of being transparent and accountable and wanting to improve that has actually gone backwards here by taking this, by breaking this tradition.

And so why is this? We have some serious questions. We just don't like the way this looks, and we can foresee kind of circumstances potentially with this government pension for having a contracting out. And maybe somebody might superannuate and then you get the contracting out, and you have issues. And we know for example that this could be a real, real problem because people want to know. They want to have a sense of accountability and transparency in their government.

It's right across the board, you know, and we can see that at the federal level, whether it's being straightforward about how much these new F-35s are costing and being out by, gee, I understand it's by billions of dollars. People are just not accepting that, and we are seeing circumstances where people are just not accepting anything less than a government that holds true to a sense of transparency and accountability.

You know, today I received an answer to a written question, and it was a very interesting one. It was about how much money is being spent or was spent on the Pringle report on the children at risk, the report. And it was a very important report, and we are looking forward to big things being done with it. But this report cost 650,000 — 652,000 almost — an awful lot of money. And some of the money was pretty well straightforward but when I got the answer, 430,000 was listed under other. Other: 430,000 of the 650,000 was other. What does that mean? What does it mean when you can say somebody's wage, Mr. Pringle's cost was about 120,000. And that was fair and reasonable. That was about a year's work and I think that's in the ballpark, and different expenses.

But having a category called other and 430,000 — two-thirds of the amount of money — is something under other? How transparent and accountable is that? So I have to say that, without any hesitancy, that this is not right. This is absolutely wrong. And so this is something I will be very interested to hear some of the answers and how they can justify this, but I clearly cannot stand for this. This is something that I think is wrong. It's going backwards in the whole sense of transparency and accountability.

Maybe they have a different meaning for what transparency means over there. Maybe that's what it is, because over the last three and a half years this idea of transparency is looking pretty cloudy, looking pretty cloudy. It's not a clear view of what is actually happening in the government's world, and we're seeing it blocked. And we've talked a lot, my colleagues have talked a lot about different circumstances where we've had real, real issues with how accountable this government is.

And so, Mr. Speaker, I don't have much to say because it's relatively straightforward. It's a short Bill. I can see one part, I think the part dealing with survivors is fair enough, good enough, and that's good to clean up. But the part about not reporting some of the information around how much people are

getting in a year, the dollar things, I cannot stand for.

So with that, I know many members on this side will want to get on the record of having said that, so I do move adjournment on Bill No. 150. Thank you.

The Speaker: — The member from Saskatoon Centre has moved adjournment of debate on Bill No. 150, *The Superannuation (Supplementary Provisions) Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Thank you. Carried.

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 Rosemont.

Mr. Wotherspoon: — Thank you, Mr. Speaker. It's my pleasure to weigh in on debate as it relates to Bill 147, *The Public Interest Disclosure Act* here tonight, Mr. Speaker, specifically as it relates to concerns around the disconnect between the stated purpose and the actual effect of this Bill, Mr. Speaker.

Now we support the stated purpose of this Bill, Mr. Speaker. The problem lies in that the actual effect, actual impact, actual consequence disconnects from that. The reality of that doesn't provide for what the stated purpose is, Mr. Speaker, as it relates to protection and transparency — protection of civil servants, of government workers, of workers, Mr. Speaker — we support that entirely. We support the principle of transparency and the resolution of a matter raised, a concern that's raised.

This Bill does the exact opposite, Mr. Speaker. It keeps it internal, prevents it from becoming public. And that's our concern with this Bill, Mr. Speaker. It fails to deliver what it promised to Saskatchewan people.

We understand that we're seeing this Bill for a simple reason. It's shrewd politics, Mr. Speaker. This was a stated promise of the Sask Party, but they failed to deliver on this promise, Mr. Speaker, even though they can put a phony check mark by their promise, Mr. Speaker. If their goal is to provide protection to whistle-blowers, if their goal is to provide transparency and a process of disclosure, then they have failed, Mr. Speaker. So while this government may feel that they can go and put a check mark by that promise, Mr. Speaker, they have failed on that front. They have failed to protect Saskatchewan workers on this front, Mr. Speaker. And the fact that this has been driven underground or is being dealt with internally and not going to be raised externally and available for the public to engage with, Mr. Speaker, concerns us.

And certainly, Mr. Speaker, it's consistent with other aspects that we've seen with this government, something that we're going to be weighing in, in hot debate, for many more weeks,

Mr. Speaker. And that's specifically Bill 160, Mr. Speaker, an Act that is egregious as it relates to human rights, Mr. Speaker, something that was put forward first in Saskatchewan with a bill of rights, Mr. Speaker. Now, we see the elimination of those tribunals, the elimination, Mr. Speaker, of the voice of those individuals that may have been harassed and hurt, Mr. Speaker. And by way of this legislation, those voices will never come into the public domain, or very rarely, Mr. Speaker.

And this government continues to try to drive those sorts of voices, Mr. Speaker, by individuals who may have been harassed, by individuals — in this case as it relates to Bill 147 — individuals who are trying to act in the best interest of public safety, Mr. Speaker, who are whistle-blowing. That's information that should have full disclosure and transparency.

This government's desire to drive these processes and these voices internally, Mr. Speaker, not to be heard, is of huge concern to Saskatchewan people. And it's a step backwards. It's very similar, Mr. Speaker, to the handling of the Welfare Rights Centre here in Regina, Mr. Speaker, where you have a service that was vital to so many, Mr. Speaker, so many that are marginalized, Mr. Speaker . . . [inaudible interjection] . . . And the minister, the minister can heckle from her seat if she wants, the minister of Social Services. But what she needs to understand is it's entirely inadequate to take a voice that is required to be independent and external of government to be there as an accountability and a voice for those individuals that are often so marginalized, Mr. Speaker, that we wouldn't hear those voices otherwise, and to sweep those back into the internal processes of government.

[19:30]

Mr. Speaker, that's not the kind of Saskatchewan we stand for. It's important in our province to be able to raise and have full disclosure of whether it's concerns as it relates to individuals who are marginalized and who are suffering from challenges of making ends meet. And the minister of Social Services can heckle some more from her seat, Mr. Speaker. What I would urge her to do, what I urge her to do is to get a service in place that's independent and external of government to make sure that individuals can have their voices heard, Mr. Speaker.

Because what this government is effectively doing is shutting down the voice of many. Whether it's Bill 160 that's eliminating human rights tribunals and taking away the voice of individuals who have had their human rights compromised, who may have been victims of harassment, Mr. Speaker, or in the circumstances of a welfare rights centre and the purpose of that service that's now being driven internal to government, not to be raised, Mr. Speaker. We have key voices that need to be heard.

So as it relates to Bill 147, that's the crux of our concern as well, Mr. Speaker. We support the stated purpose as put forward by this government, Mr. Speaker. What we don't support is the impact that will occur, the effect of this Bill, Mr. Speaker, that in the end does not provide transparency, does not provide disclosure, and does not provide the opportunity for the public to be aware of circumstances that have occurred as they relate to public safety.

And, Mr. Speaker, when we're talking about whistle-blowing legislation, when we're talking about protection of civil servants, we're talking protection of the public. We're talking about those individuals that work in health care, Mr. Speaker, across this province that provide vital services to each and every one of us and our families and certainly our communities, Mr. Speaker, through every stage of our lives, Mr. Speaker, and the lives of our families. We speak of those individuals that keep those roads clean, Mr. Speaker. We speak of those individuals who keep our correctional facilities well-ordered and in good shape, Mr. Speaker. We speak of educators, Mr. Speaker, across this province who strive to move this province forward economically and socially. And these are the kinds of individuals that legislators are required to draw upon for advice at times, Mr. Speaker, and certainly they're the kind of individuals that should be allowed to put forward their concern as it relates to a policy not being followed, Mr. Speaker, or a law being broken. And they deserve protection in doing so, Mr. Speaker. They deserve protection. And the Minister of Health, Mr. Speaker, should recognize this.

And I'm sure that in part this legislation is because of the many civil servants, Mr. Speaker, that have been disrespected by this government whether in the Ministry of Health, Mr. Speaker, or the Ministry of Education or the Ministry of Corrections, Mr. Speaker, who have brought forward concerns, Mr. Speaker, and voices that this government would rather stay quiet.

This is a government that spent \$10 million, Mr. Speaker, of taxpayers' money, \$10 million, Mr. Speaker, of taxpayers' money to sever, to fire, Mr. Speaker, and sever non-partisan civil servants, Mr. Speaker — individuals who won their jobs fairly through competitions, Mr. Speaker, and served the people of this province.

And, Mr. Speaker, what the failure in this Bill is, is that without the protection that these workers require and that they deserve, Mr. Speaker, is that they fear reprisal and retribution. And with this government, Mr. Speaker, and its attack on workers, civil servants and otherwise, Mr. Speaker, that fear of reprisal and retribution is fair, Mr. Speaker. And we understand those concerns.

Mr. Speaker, the concerns go further. We look specifically that this only protects whistle-blowers who say the law has been broken, Mr. Speaker, and it does nothing for those who allege that a policy has been broken, Mr. Speaker. And we've seen of course the charade opposite, Mr. Speaker, when we've had important, sensitive public safety information shared in this Assembly, Mr. Speaker, information such as a dangerous inmate that was on the loose within our communities, Mr. Speaker. And we had a government that wanted to sit on their hands and not share with the public these circumstances, Mr. Speaker.

And of course we had that information come from a civil servant, Mr. Speaker, and instead of bringing community safety to my constituents and to each of our constituents, Mr. Speaker, something that Saskatchewan people deserve, we saw a minister go on a fickle witch hunt, Mr. Speaker, and in the end sever somebody or fire somebody who he incorrectly believed was responsible, Mr. Speaker.

So that's just one example of why this legislation is important. It's about the protection of the public across Saskatchewan. It's about the protection of workers, Mr. Speaker, who care, care deeply about the importance of their job, the role of their job, and how that impacts communities, Mr. Speaker.

And in this Bill we see a continuation of something we see under the Sask Party, Mr. Speaker, and that's a consistent drive to take voices that need to be heard and to drive those internal to government to never be heard, Mr. Speaker. And we see that with Bill 160, with the elimination of human rights tribunals, the elimination of the voice of individuals whose human rights have been compromised, the elimination of individuals who have been harassed, Mr. Speaker, and all sorts of ugly circumstances, Mr. Speaker, information that should be in the public domain, Mr. Speaker.

And when we look at something in our own home community, Mr. Speaker, at a time where there's more pressure on individuals to make ends meet than ever before, Mr. Speaker, individuals who are being displaced from their homes and not able to in many cases provide for their family and feeling strained on so many fronts, Mr. Speaker, we see the elimination of the Welfare Rights Centre and the service that that centre was providing, Mr. Speaker, and driving that internal to government again, removing those voices, Mr. Speaker, from the public debate.

And I understand it's a shrewd, dirty, and unfair political move by this Premier and the Sask Party government, Mr. Speaker, on each of these fronts. It doesn't assist our province to understand the matters of the day. It's a matter of them simply hoping that the public is sort of of the belief that, no problem here, just keep on moving along, Mr. Speaker. But in certain circumstances, Mr. Speaker, it's important that voices are heard by Saskatchewan people, that problems are raised, and that solutions are found for Saskatchewan people. It's about community safety. It's about protection of workers, and it's about the well-being of Saskatchewan people and communities now and well into the future, Mr. Speaker.

We have many more questions on this piece of legislation, Mr. Speaker, just as we do on Bill 160 as well, which is going to be in hot debate in this legislature in the coming weeks, Mr. Speaker. At this point in time, with no further comments at this point in time and recognizing that many other speakers want to speak to Bill 147 and that are looking forward to questions with stakeholders and time at committee, Mr. Speaker, I will adjourn this debate at this point in time, Mr. Speaker.

The Speaker: — The member from Regina Rosemont has moved adjournment of 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 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 Speaker: — I recognize the member from Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. I'm pleased to enter into the debate on Bill 153 which primarily deals with *The Provincial Court Amendment Act*.

And, Mr. Speaker, I wanted to point out to some of the folks that may be watching, the purpose of this committee process is to look through a couple of Bills that are being proposed by the government. And in this particular Bill 153, we're dealing with the Minister of Justice and some of the amendments that he wants to make to *The Provincial Court Act*.

Mr. Speaker, there are a number of changes being proposed with this Bill, and while some appear to be worthy of support, this Bill repeals the civil division of the Provincial Court and appears to transfer significant responsibilities currently handled by the Provincial Court judges to justices of the peace.

And, Mr. Speaker, at the outset people would say, well that seems kind of awkward because one would assume that a Provincial Court judge certainly has a much more authority, much more stature, and I think much more legal background than a Justice of the Peace. Now, Mr. Speaker, that's not to devalue the justice of the peace folks because they certainly do a lot of great work. But any time you have a significant shift, Mr. Speaker, in a sense of transferring responsibilities and legal matters from a Provincial Court judge to a Justice of the Peace, there's a lot of questions being asked. Why this is being done?

Now, Mr. Speaker, there are some very serious implications. And as you look at some of the other actions being undertaken by this particular minister and that particular government, one begins to wonder what exactly is their hidden agenda. What is being planned here, Mr. Speaker? Obviously if you look at everything from the Human Rights Commission — that's one example that I spoke on yesterday — at the outset people seem to think that there is needed change there and that there was some positive things and positive developments. And we always want to make sure that we have opinions expressed by different groups be heard by the opposition and hopefully be heard by the government. Now, Mr. Speaker, we're hearing a number of concerns coming forth as a result of the Human Rights Commission. A lot of people do not like what is being proposed in the Human Rights Code by that particular minister.

And now we're seeing another example in Bill 153, of which I'm speaking about, is that again it repeals the civil division of the Provincial Court and appears to transfer significant responsibilities from the Provincial Court judges to a Justice of the Peace. Now, Mr. Speaker, who is this going to impact in terms of the service? What is going to be the legal impact in terms of the authority when you transfer from a judge to a Justice of the Peace? And what hearings will the Justice of the Peace actually have in relation to this Bill? What powers will they have? What powers will he or she as a Justice of the Peace have in relation to some of the services being transferred from the Provincial Court system certainly to a Justice of the Peace hearing process?

So, Mr. Speaker, these are some of the things that we obviously really want you to pay a lot of attention to. From this particular minister we're seeing some meddling in the Human Rights Commission, which a lot of people do not want to see. We see some transfers under *The Provincial Court Amendment Act* as it directed under Bill 153. That takes a lot of responsibility from the Provincial Court system down to the Justice of the Peace system. And you begin to wonder, what's going on over there? What plan have they got to devalue our justice system? What plan have they got to devalue the people that are currently using some of the systems under the old systems that were in place versus some of the new changes that they have proposed here?

Now, Mr. Speaker, I am not a lawyer and I don't have any legal background, but when I see meddling in certain processes by that party, it always begins to raise concern by a number of groups and certainly by the official opposition. And I go back to everything from the Human Rights Commission, the change they made there.

I go back to the whole notion of photo ID [identification] for voting, which I think is a wrong thing to do. And I do not know where that particular minister got that idea or who pushed him to put that idea into place because it is wrong. It devalues the participation of many groups in our province from participating in the voting of this province. And yet they stand there and say, oh it's good for the province.

Mr. Speaker, every time this minister brings a Bill forward, there is a lot of concern raised by a lot of groups saying, what are they doing? What is their hidden agenda? Why are they trying to devalue some of the processes that are out there by meddling in some of the smaller points? And I think, as I made out earlier, that there is a hidden agenda out there. And there's always room as an opposition for us to expose that government and certainly challenge that minister on many of these fronts.

Now, Mr. Speaker, the question that I asked the minister on numerous occasions and I ask him again is, who are asking, which group of people are specifically asking for this change? Who is asking for this change, Mr. Speaker? Is it some particular interest group that's come to the minister and saying, the whole world is falling apart, we need to do this to make it better? Or is it just something that they want to do on their own to devalue our system that we have in place that values people's participation, the fair hearing process, the true justice that is required? Is that their effort, to devalue that system that we want to protect and certainly want to see enhanced in modern day Saskatchewan, Mr. Speaker?

And these are some of the things that I often tell people to worry about. Any time you see the Saskatchewan Party meddling in the Human Rights Commission, it is not good news. Anytime you see the Saskatchewan Party talk about Provincial Court amendments and devaluing some of the processes, it's not good news.

Mr. Speaker, there is something over there. There is something rotten in the state of Denmark. And I would suggest, Mr. Speaker, that Bill 153 adds to that argument that something is going on over there that is meant to break the backs of those people that use the Human Rights Commission to hear some of their concerns. I think this whole notion of having the civil

division of the Provincial Court being repealed and hearings now being heard by a Justice of the Peace when they used to be heard by sitting Provincial Court judges, Mr. Speaker, I think that there's something devious going on and there is a hidden agenda. This is not good, I think, overall for the people of Saskatchewan.

[19:45]

Now, Mr. Speaker, I continue going on looking at whose rights will be impacted. Which groups are going to be impacted by this move? And secondly is, who requested the changes, Mr. Speaker? Who requested the changes? And often what we see from that minister and from that government is they'll get somebody with good stature in a certain field. They will ask him or her to do a certain amount of work, and they'll put . . . [inaudible] . . . in front of them. But behind that individual they'll put a bunch of their hidden agenda items and hide behind the value of that individual, the goodness of that individual and say, okay, we like you for what you're going to do here, but we've got these 10 or 12 different items that we want to throw in and throw behind there so people don't even see this coming. They'll be so busy looking at the stature and the status of that individual that they won't see the implications behind some of their other plans when it comes to things like the Human Rights Commission, things like *The Provincial Court Amendment Act* that these guys are proposing.

There is something fundamentally wrong, Mr. Speaker, when you look at Bill 153, and people are saying and the government is proposing to do a transfer of significant responsibilities that are currently handled by the Provincial Court judges to justices of the peace.

Now, Mr. Speaker, I don't know what authority and powers that justices of the peace have. And these are the questions we need to ask. What rights are you transferring over to the Justice of the Peace to do some of these hearings? Again, who will be impacted? Who will be impacted? Which groups asked for this? Which groups oppose this particular move? And none of that information has been forthcoming, Mr. Speaker. And I think it's a shame when you see governments begin to debase a court system that I think has some fundamental beliefs entrenched in it. And those fundamental beliefs talk about fair hearings and having the proper resources and not having political interference determine the outcome in many cases, Mr. Speaker.

Again I look at the notion of the Bill itself. And there's a few other items that I think certainly deserve some merit, there's no question about that. And being transparent, looking at the benefits that some of the judges get in terms of disability, these are some of the things that are proper and probably in due time they can be addressed.

But I go back to my earlier point, Mr. Speaker. If you have somebody of status, somebody that's going to be moving some of these things forward, helping this government move things forward, and they certainly have a good solid public record and people have a lot of good impressions of this individual, but in the meantime, in the back of that individual and behind those individuals' back, they have a hidden agenda to devalue some of our systems that we have had in Saskatchewan for many,

many years that promotes fairness, that promotes the integrity of the law and certainly promotes, above all else, no political interference.

So, Mr. Speaker, there's a lot of information that we need to find out from this government as it relates to any Bill. And Bill 153 again raises the alarm that this minister somehow and somewhere has a plan in place as per their political beliefs to devalue every system out there that talks about fairness, that talks about the integrity of the law, and again making sure there's no political interference.

And we've seen evidence time and time again, and I go back to my earlier comments on the photo ID, which has got to be the most ludicrous idea I've ever heard, ever presented in this Assembly. It goes to the commission, the Human Rights Commission, the devalue of that commission that lends credence to the point I have today.

And Bill 153 again transferring responsibilities from a provincial court judge system to a Justice of the Peace, there's something seriously wrong with how that government's looking at the justice system and how they've interfered with it for their own political beliefs. And, Mr. Speaker, they will pay a price for that. And based on that notion, Mr. Speaker, I move that we adjourn debate on Bill 153.

The Speaker: — The member from Athabasca has moved adjournment of debate on Bill 153, *The Provincial Court Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Thank you. Agreed. Carried.

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 Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. Again I'm pleased to rise and speak on Bill 154, which is *The Provincial Court Consequential Amendment Act*, which again goes earlier to the Bill I spoke about a few seconds ago, and that's Bill 153.

Again I reiterate to the people of Saskatchewan, there is something wrong with this government when they have done everything that they can, whether it's photo ID or whether it's the Human Rights Commission. And now Bill 154 attached to Bill 153, which devalues the process in terms of a fair hearing, an impartial hearing, by making the small claims court or *Small Claims Act* ... it repeals the civil division and therefore transferring effective, significant responsibilities from provincial court judges to justices of the peace.

And again, Mr. Speaker, we have a lot of questions on this. We have a lot of people we're going seek advice from. And we're going to continue hammering this government to find out answers as to who this impacts, what the powers of the Justice of the Peace are, and who asked for these particular measures, Mr. Speaker.

So again, I move that we adjourn debate on Bill 154.

The Speaker: — The member from Athabasca has moved adjournment of debate on Bill 154, *The Provincial Court Consequential Amendment Act, 2010*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

Hon. Mr. Harrison: — Thank you, Mr. Speaker. I move that this House do now adjourn.

The Speaker: — The Deputy Government House Leader has moved that this House do now adjourn. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

[The Assembly adjourned at 19:52.]

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