



FIRST SESSION - TWENTY-EIGHTH LEGISLATURE

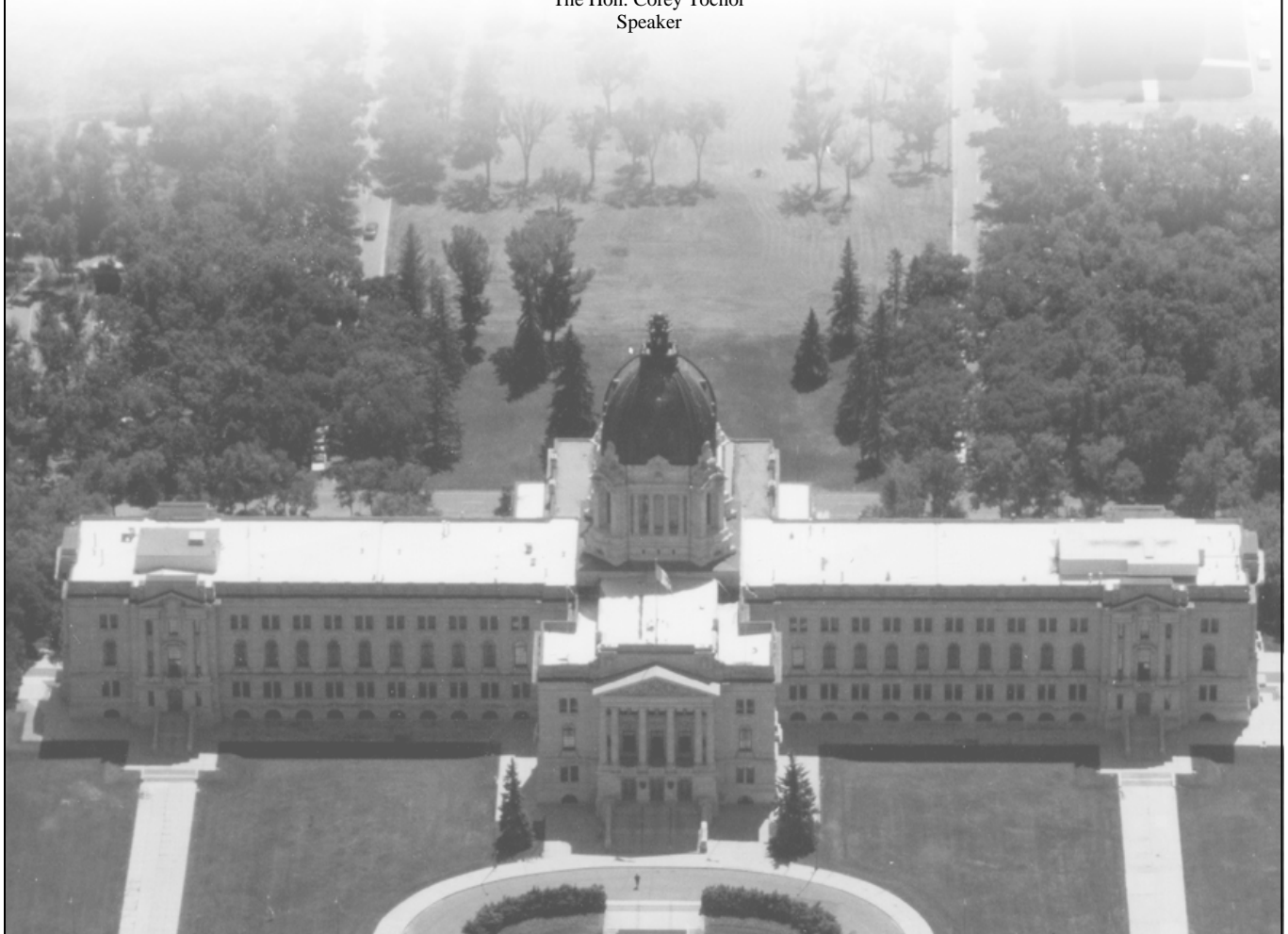
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of
The Hon. Corey Tochor
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
1st Session — 28th Legislature

Speaker — Hon. Corey Tochor

Premier — Hon. Brad Wall

Leader of the Opposition — Trent Wotherspoon

Beaudry-Mellor, Hon. Tina — Regina University (SP)

Beck, Carla — Regina Lakeview (NDP)

Belanger, Buckley — Athabasca (NDP)

Bonk, Steven — Moosomin (SP)

Boyd, Bill — Kindersley (SP)

Bradshaw, Fred — Carrot River Valley (SP)

Brkich, Greg — Arm River (SP)

Buckingham, David — Saskatoon Westview (SP)

Campeau, Jennifer — Saskatoon Fairview (SP)

Carr, Lori — Estevan (SP)

Chartier, Danielle — Saskatoon Riversdale (NDP)

Cheveldayoff, Hon. Ken — Saskatoon Willowgrove (SP)

Cox, Herb — The Battlefords (SP)

D'Autremont, Dan — Cannington (SP)

Dennis, Terry — Canora-Pelly (SP)

Docherty, Mark — Regina Coronation Park (SP)

Doherty, Hon. Kevin — Regina Northeast (SP)

Doke, Larry — Cut Knife-Turtleford (SP)

Duncan, Hon. Dustin — Weyburn-Big Muddy (SP)

Eyre, Hon. Bronwyn — Saskatoon Stonebridge-Dakota (SP)

Fiaz, Muhammad — Regina Pasqua (SP)

Forbes, David — Saskatoon Centre (NDP)

Hargrave, Hon. Joe — Prince Albert Carlton (SP)

Harpauer, Hon. Donna — Humboldt-Watrous (SP)

Harrison, Hon. Jeremy — Meadow Lake (SP)

Hart, Glen — Last Mountain-Touchwood (SP)

Heppner, Nancy — Martensville-Warman (SP)

Kaeding, Warren — Melville-Saltcoats (SP)

Kirsch, Delbert — Batoche (SP)

Lambert, Lisa — Saskatoon Churchill-Wildwood (SP)

Lawrence, Greg — Moose Jaw Wakamow (SP)

Makowsky, Gene — Regina Gardiner Park (SP)

Marit, Hon. David — Wood River (SP)

McCall, Warren — Regina Elphinstone-Centre (NDP)

McMorris, Don — Indian Head-Milestone (SP)

Meili, Ryan — Saskatoon Meewasin (NDP)

Merriman, Hon. Paul — Saskatoon Silverspring-Sutherland (SP)

Michelson, Warren — Moose Jaw North (SP)

Moe, Hon. Scott — Rosthern-Shellbrook (SP)

Morgan, Hon. Don — Saskatoon Southeast (SP)

Nerlien, Hugh — Kelvington-Wadena (SP)

Olauson, Eric — Saskatoon University (SP)

Ottenbreit, Hon. Greg — Yorkton (SP)

Phillips, Kevin — Melfort (SP)

Rancourt, Nicole — Prince Albert Northcote (NDP)

Reiter, Hon. Jim — Rosetown-Elrose (SP)

Ross, Laura — Regina Rochdale (SP)

Sarauer, Nicole — Regina Douglas Park (NDP)

Sproule, Cathy — Saskatoon Nutana (NDP)

Steele, Doug — Cypress Hills (SP)

Steinley, Warren — Regina Walsh Acres (SP)

Stewart, Hon. Lyle — Lumsden-Morse (SP)

Tell, Hon. Christine — Regina Wascana Plains (SP)

Tochor, Hon. Corey — Saskatoon Eastview (SP)

Vermette, Doyle — Cumberland (NDP)

Wall, Hon. Brad — Swift Current (SP)

Weekes, Randy — Biggar-Sask Valley (SP)

Wilson, Hon. Nadine — Saskatchewan Rivers (SP)

Wotherspoon, Trent — Regina Rosemont (NDP)

Wyant, Hon. Gordon — Saskatoon Northwest (SP)

Young, Colleen — Lloydminster (SP)

Party Standings: Saskatchewan Party (SP) — 50; New Democratic Party (NDP) — 11

Clerks-at-the-Table

Clerk — Gregory A. Putz

Law Clerk & Parliamentary Counsel — Kenneth S. Ring, Q.C.

Principal Clerk — Iris Lang

Clerk Assistant — Kathy Burianyak

Sergeant-at-Arms — Terry Quinn

Hansard on the Internet

Hansard and other documents of the
Legislative Assembly are available
within hours after each sitting.

<http://www.legassembly.sk.ca/legislative-business/legislative-calendar>

[The Assembly resumed at 19:00.]

EVENING SITTING

The Speaker: — It now being 7 o'clock, I call this Assembly to order.

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 40

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 40** — *The Interpretation Amendment Act, 2016/Loi modificative de 2016 sur l'interprétation* be now read a second time.]

The Speaker: — I recognize the member from Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker, and once again I take my place to continue on with the debate around Bill 40 as it relates to privatization. And it should be noted, Mr. Speaker, that there are many, many giants that have graced the halls of this particular democratic institution that we now call the Legislative Assembly. And one of the gentlemen that did grace these halls, Mr. Speaker, and served a long time was the former premier, Allan Blakeney.

Now Mr. Blakeney had a lot of achievements in his life, but being premier of Saskatchewan I'm certain was one of his greatest achievements. And Mr. Blakeney was well respected. He was really highly educated, and he really defended what I believe were essential points as it pertains to the value of the Crowns. And some of his comments and some of his writings around the value of the Crowns still resonate to this day.

Now I remember as a young child meeting Mr. Blakeney, and the fact that you sat in the same room with him and you realized how intelligent this man was. And over time Saskatchewan became known as a mecca for really highly respected and highly qualified and highly certified civil servants. As people would know, when you have a man of Mr. Blakeney's stature asking you to come and work for his government, for the people of Saskatchewan, when he served as premier of this province, Mr. Speaker, his name attracted many, many great bureaucrats and many great civil servants that served Saskatchewan for years and years.

And, Mr. Speaker, even as a young child I can tell you, or a young man, that even sitting in the same room with Mr. Blakeney, you can obviously see this man was very intelligent. And I believe that he was a Rhodes Scholar, which is of course an achievement unto itself.

That being said, Mr. Blakeney, as I said, attracted a lot of highly skilled bureaucrats, a lot of highly skilled civil servants here to Saskatchewan to serve the people of Saskatchewan. And I can tell you to this day that some of his work in developing the professional civil servants in the province of Saskatchewan

has benefited many people in the government for years and years and years. And some of those civil servants, Mr. Speaker, that continue to serve in their capacity, I know that they have quietly and professionally admired Mr. Blakeney for his ability, certainly admired him for his service to Saskatchewan, but also respected him for his intelligence and his policy development ability. And Mr. Speaker, I can say with certainty that there was a lot of intellectual admiration for Mr. Blakeney from a number of his peers that served in our civil service.

That being said, I wanted to quote a page, a couple pages here of what Mr. Blakeney wrote as it refers to the Crowns. And, Mr. Speaker, even though the book is dated somewhat, it really applies to today's debate around Bill 40. And it's amazing, almost as if he foresaw that sooner or later the conservatives would try and sell off the Crowns and that some of the points that he raised is that the same old argument that the conservatives have that they'd certainly bring back.

So I want to read just a page and a half of what he basically has to say, Mr. Speaker, and I quote:

In the past it has been a real challenge to take electric power, natural gas, quality telephone service, and bus service to the corners of this far-flung and thinly populated province. And governments of all stripes have cross-subsidized — have used the profits from big customers of power and gas, from long-distance telephone users, from profitable intercity bus routes — to take service to remote areas.

In the utility field probably no major service covered a smaller proportion of its costs than natural gas to . . . [farmers] introduced by the Devine government. So it is not a left-right argument. All governments did it, although I like to think that some may have been more prudent than others.

Now, because large customers of gas and power are or may be developing other options — and long-distance telephone users already have them — this practice will have to be reassessed. Alternatively, the subsidies that used to come from other utility customers will have to come from the general taxpayers.

People generally feel that if, say, a natural-gas subsidy is to be offered for some gas customers, then the subsidy should come from other gas customers. If this "sense of the fitness of things" continues, then we'll have to find ways to keep the utilities whole.

Now, Mr. Speaker, he also spoke about the whole debate around Bill 40, and I quote:

If the corporations were privatized this would be achieved. The short question is: Can it be achieved under public ownership? Can we make the distributional decisions necessary for the financial health of the utilities?

Mr. Speaker, he was making a reference to the cross-subsidization of larger companies helping a number of smaller companies and smaller users of these different services

to make sure that they continue being supportive of all those that subscribe from these various services.

And then he mentions the word “privatization.” And I quote:

A word on privatization. I state the obvious: we do not need ideologically driven privatization. I have referred to the Margaret Thatcher initiatives which spread billions among the fortunate. Even SaskTel got \$114 million.

Now, Mr. Speaker, I want to add another part of the letter which I find is really important, or the writings of Mr. Blakeney. And here’s what he said about what the Sask Party wants to do under Bill 40. They propose to pay down the debt with the proceeds of the sale of SaskTel — 49 per cent, 51 per cent; it’s a sale is a sale. And here’s what Mr. Blakeney says about that:

The argument is sometimes made: Crowns should be sold in order to pay down debt. Now that is a nonsensical argument if the Crown corporation is covering all the service charges of the capital it is using and making a further contribution to provincial coffers. As all the current Crowns (except STC) are or could easily be doing.

The argument must be [made] that some Crown corporations would sell at much more than their book value. Now why would a buyer pay a premium? Answer: because the buyer expects to get more money either by raising rates, by slashing costs, or by some combination of these.

Now raising rates does absolutely nothing for the Saskatchewan people. If they wished to use this method to pay down the debt, Saskatchewan people could do so . . . by, say, raising national gas rates. It’s a question of whether, and to what extent, utility users should pay more in rates in order to pay down debt to the benefit of the taxpayers. It is a burden-sharing question which can, and should, be addressed regardless of who owns a utility.

Now, Mr. Speaker, in his conclusion, the former premier of the province — a Rhodes Scholar, a man that was credited for strengthening our civil servants while he worked in this particular building, and a man that many people still admire to this day — his conclusions on the Crowns, and I quote:

I address the question of the future of the current Crowns. My thesis is simple. They have served. They have served well. They should be kept unless the contrary arguments are made — made convincingly and with facts and figures. If the arguments for divestiture are convincing and documented, then by all means we should divest.

But not before determining whose interest their continuation would serve and whose interest privatization of existing corporations would serve. I would urge that Saskatchewan people assess the situation case by case.

Now, Mr. Speaker, Mr. Blakeney obviously had the foresight to know that the conservatives would never go away, that they would continue haunting Saskatchewan’s political landscape until they are able to sell off the Crown corporations. That is their calling, Mr. Speaker. That is what they’re here to do, and

we must never ever lose sight of that particular challenge.

So as we look at the Crowns, at what the people of Saskatchewan have steadfastly always maintained, Crowns are something that the people of Saskatchewan wish to maintain. And here as example, Mr. Speaker — I’m going to forward some of the examples — if you look online, Mr. Speaker, they are available at any library that speaks about the Crowns in general and how we can look at the evaluation and analysis of the various Crowns that serve the people of Saskatchewan.

Now if you summarize what has been happening to date, Mr. Speaker, and some of the discussions we’ve had, we have had a number of arguments placed before the courts and placed before the Assembly as well, in a sense of saying, here’s what the whole argument around the privatization agenda is all about. And in the court of public opinion, Mr. Speaker, a lot of people in Saskatchewan steadfastly know deep within their own being that keeping these Crowns Saskatchewan-owned, Saskatchewan-owned by the people in this province, they are all the shareholders, Mr. Speaker. They really value the sense of ownership. There’s no question about that in my mind, and I think many people throughout the province would agree.

They understand, as I’ve articulated, the fact that there’s investments that the Crowns have made back into the people of Saskatchewan by way of dividends, Mr. Speaker. I have identified that in the last 10 years \$3 billion, Mr. Speaker, \$3 billion has been returned from the Crown sector right into the Sask Party coffers, which they have squandered, Mr. Speaker, which they have wasted and of course, Mr. Speaker, which they have not spent very wisely and maintained very wisely.

So the Crowns put \$3 billion back into the provincial coffers in the last 10 years. They have created a number of jobs, a number of high-quality jobs. They have attracted professional people from all throughout the world, Mr. Speaker, and more importantly they’ve done an admirable job of really providing services throughout the world, Mr. Speaker. I make reference again to the Chunnel, in which SaskTel technology is being used there. And if you can see, Mr. Speaker, we do have a lot of our professional people that work for the Crowns all throughout the world. They have many ideas and many options and certainly many, many skills that the rest of the world needs that SaskTel has been really, quite frankly, proud and very capable of showcasing as a Crown corporation that operates within Saskatchewan.

So we also spoke, Mr. Speaker, about the fact that the debt that the province is currently in, Mr. Speaker, is a direct result of mismanagement, scandal, and waste, Mr. Speaker, of the Saskatchewan Party. So the question is, we are already paying for their mismanagement through our power bills. We’re already seeing the waste through the bypass is now at \$2 billion, and I mentioned the carbon capture project, the smart meter.

We’ve already seen the history of how they’re trying to sell off everything, every Crown that’s not nailed down, Mr. Speaker. They have sold as many Crowns as they can and everything from the liquor stores to the land titles branch — anything that’s not been sold or bolted down, Mr. Speaker. That party and the

previous ministers have sold everything that they possibly can. And yet after selling all those Crowns, after selling all those Crowns, Mr. Speaker, we're still in this massive deficit.

So the question people have got to ask is, why are we selling everything and we're still in debt? How does that work? Well that's the message we have around Bill 40. It's quite frankly that the Sask Party can't manage. They cannot figure out that if you have more expenses than revenues and then you get up and the Minister of Finance says, oh we have a revenue problem. Well no doubt you've got a revenue problem. You know, obviously, Mr. Speaker, like they just haven't figured that out.

So I think at the end of the day, at the end of the day, Saskatchewan people have a choice. They have a party within the NDP [New Democratic Party] that believe that you've got to prudently manage the finances of the people of Saskatchewan. I think that's fair and first and foremost what people think about.

And secondly, is that we also want to make sure that we keep the Crowns. We understand the Crowns are a vital part of our economy. They're an important mainstay of jobs and technology and investment, and kind of the list goes on and on as to what value that the Crowns have.

We obviously understand as well, as you look across the way, Mr. Speaker, the debt that the Sask Party has loaded on to the people of Saskatchewan is a huge debt. We have a lot of work ahead of us. And I'm sorry to say, Mr. Speaker, but quite frankly the debt being left behind by the outgoing Premier and the outgoing Sask Party, Mr. Speaker, is going to take years and years and years to clean up.

[19:15]

And history has a funny way of repeating itself, Mr. Speaker. They have a funny way of actually . . . In the 1980s when Grant Devine was the premier, it took us about 14 of the 16 years we were in office just to clean up the last Tory mess, Mr. Speaker. And now the Sask Party's creating another mess under a different name and, Mr. Speaker, the job is given to the NDP government to clean up that mess as well. Well, Mr. Speaker, we certainly will, but there's going to be some parameters that will be set. One of them is going to be that there will be no sale of any Crowns, Mr. Speaker. I think that's pretty straightforward because Crowns do generate a lot of revenues. They generate a lot of revenues.

And, Mr. Speaker, I can hear chirping from the background. And I would encourage the backbenchers that are sitting there, and their job is to follow their leader, remember it's nice to have faith, but it can't be blind faith. So open your eyes and start studying some of the documentation in front of you. Don't just clap when you're told to clap and don't just nod your head when you're told to nod your head. Figure it out because these Crowns are highly valuable to the people of Saskatchewan, and any effort to devalue them, any effort to displace their importance, any effort to try and sell these Crown corporations, Mr. Speaker, is really a discouraging indication for the future of our Crowns.

And for a party, a governing party, to do some of the things

they did to our Crown, Mr. Speaker, it's a crying shame that people aren't getting the message as much as they should, that the Sask Party do indeed have every intention of selling off these Crowns as best and as quickly as they possibly can.

Now, Mr. Speaker, I would say this as it pertains to the court cases and what the issues are. What I suggested earlier before the supper break was the fact that I think the Saskatchewan Party and the handlers of the privatization agenda, number one, is that they don't really care about the future of Saskatchewan, because they don't. If they're selling valuable entities, money-generating entities, to their friends, then they don't care about the people of Saskatchewan. They care about their own friends, Mr. Speaker. And these are some of the people that have been in charge of our Crowns before. And we see this happening steadily on a regular basis, where their friends get a special deal from them and the rest of the people of Saskatchewan will just have to suffer the consequences. That's the first point that I'll certainly make, Mr. Speaker.

And the second point is that as soon as their work is done in terms of trying to sell off the Crowns or putting the Crowns in this huge cesspool of debt, Mr. Speaker, then what's going to happen is they're going to head out of Dodge. They're going to head out of Dodge pretty fast, Mr. Speaker. And then all of a sudden the people of Saskatchewan will be left with a huge debt, no Crowns, and P3s [public-private partnership] that we have to pay for for many, many years. That's what I predict is going to happen to Saskatchewan, compliments of the Saskatchewan Party government, Mr. Speaker. And I say, shame on them.

But the people of Saskatchewan are beginning to show . . . are starting to pay attention to what they're doing, Mr. Speaker. And as I predicted, there's going to be a lot of folks that are going to be leaving from those ranks, Mr. Speaker. They have no intention of hanging around. They're going to be gone soon, Mr. Speaker, and we have to clean up the mess.

So I would say this. I would say this, is that at the very least I think the Saskatchewan Party owe the people of Saskatchewan an opportunity to have an election on the future of the Crowns. Not half-hearted bills of this sort, Bill 40, that talks about interpretations, Mr. Speaker. They ought to have the right, the Saskatchewan people, to have an election on these issues, something that the Saskatchewan Party have not afforded them in any way, shape, or form.

So if they had courage and conviction — which we've seen evidence that they don't on many fronts, Mr. Speaker, at least for the future of our Crown corporations — then we should have an election on this matter. We're ready to go on that, Mr. Speaker. And the Saskatchewan Party will hum and they'll haw and then the backbench will follow blindly. When they're told to clap, they'll clap, Mr. Speaker, and when they're told to yell for the highest bidder, they'll be yelling for the highest bidder, Mr. Speaker.

So I would point out that there is a lot of concern from the people throughout the province on this particular bill. We have a lot of our colleagues that want to get up and speak to the bill. And the people that are listening to this at home, I would say this: that your Crowns, your Crowns are under attack by the

Saskatchewan Party government. They are so deep in debt that they want to justify to you that if we sold these Crowns, we'd be able to pay off that debt. Not so.

The Crowns have given us \$3 billion in the last 10 years. The SaskTel, the SGI [Saskatchewan Government Insurance], the SaskPower, they have generated jobs. They have generated service. They have generated profit. And they are a credit to the Saskatchewan people, unlike the Saskatchewan Party who hid their last deficit and who hid their agenda around the Crowns, Mr. Speaker. And all we see from the Sask Party is mismanagement, scandal, and waste, Mr. Speaker.

And that's why when it comes to the Crowns they should have the courage, including the Premier, should have the courage to call an election over this because they didn't have the courage last time to call an election on the finances of the province. Now we see evidence that they knew and they hid the true state of our finances, and we say, shame on them. Shame on them because the people of Saskatchewan ought to have known the full state of our finances before going the polls. And cleverly, Mr. Speaker, the Saskatchewan Party hid that. They covered it up. They didn't share it. And we know that every single member of Cabinet and their caucus knew how bad the finances were and they refused to release that, Mr. Speaker, because it would have been a different dynamic in the Assembly today and the seat makeup would have been radically different as well.

So there's no question in my mind that as we embark on this journey, as we move forward, the NDP are quite frankly straightforward when it comes to the issue about their Crowns. We want to get rid of the Sask Party government once and for all, and we don't trust them with the Crowns. The quicker we get rid of them, the more protection we can afford the Crown corporations of this land. So it's important for the people back home to get the message.

Look at your power bill. You will see the power bill is creeping up every month. Why? Because those members across the way put a carbon capture tax on your bill. And yet they turn around and have the audacity to argue about the federal Liberals putting in this carbon fee to everybody's bill. Well they're doing the exact same thing, Mr. Speaker.

But they're not done yet. The Saskatchewan Party's not done. They now want to privatize some of the Crowns so you can send more of your taxpayers' dollars to Ottawa, because all of sudden there's 49 per cent of our Crowns sold, and all of a sudden the federal tax kicks in and more money gets to leave Saskatchewan.

So it's beyond belief, and it is certainly beyond me, why the people of Saskatchewan would even think of trusting the Sask Party with our Crowns. It is beyond me and beyond belief when you sit here and day after day they get up and present this petition on the carbon pricing scheme being implemented by Ottawa, and yet they turn around and they tax you on your power bill, and that's called a carbon capture tax, Mr. Speaker. And they stand in the Assembly every day when they stand up and present their petition.

So to each one of them that do that every day, we wait for that.

One of them gets up every day and presents his petition. On this side of the House we laugh our heads off because we know how foolish that is and we know how full of hot air that is, in the sense of their agenda, Mr. Speaker.

And as I said earlier this day, that when it comes to the carbon credits, the cash they're getting back from Ottawa, guess who'll be collecting that money, Mr. Speaker? The Premier and the Finance minister will be there with their hands out taking that carbon credit money from Ottawa. And yet they stand up here each day saying, well we're opposed to that tax, we're opposed to that. Well they won't send it back, Mr. Speaker. If you're philosophically opposed to that tax, then stop standing up and presenting petitions at the start of each day because you fundamentally are going to take the money anyway.

So there's no principle there. There's no principle whatsoever, Mr. Speaker, and that's why we should not trust them. So they hid the finances and they'll take the cash. They'll take the cash. Mark my words. They'll take the cash when it comes to the carbon pricing option being presented by the federal government. They will take the cash. And there's nobody saying a bloody word over there, Mr. Speaker, because it's true. When Mr. Trudeau comes around the corner with a cheque in his hand, they'll all be hugging him and they'll take the cash.

Yet they stand here and they pretend to be fighting against the carbon tax, as they call it. They'll take the cash . . . [inaudible interjection] . . . The member from Cannington is chirping from his seat, Mr. Speaker. Is he saying he's not going to take the cash? Sir, you will take the cash. You know it and I know it. You will not turn that down . . . [inaudible interjection] . . . You won't take it. You'll take the cash. You'll take the cash. You watch, you'll take the cash.

So, Mr. Speaker, when it comes to the Crowns, as quick as they are to take the cash from Trudeau, they'll take the cash from the private sector on the sale of the Crowns because they need the cash, Mr. Speaker. So whatever people out there may think, the Saskatchewan Party plans on privatizing our Crowns.

We are asking the people of Saskatchewan to do one thing: contact their backbench and tell their backbench to get a backbone and start speaking up for the Crowns and speaking up for their constituents and saying no to the sale of our Crowns because we need the Crowns for years and years to come. I would ask the people of Saskatchewan to do that. And if the backbench don't have a backbone, Mr. Speaker, then let's have an election and let's have the people of Saskatchewan decide whether these Crowns should be sold or not. And none of this half-hearted measure of trying to do an interpretation of privatization. Let's have an election.

Do you support the Crowns staying in Saskatchewan, ownership in Saskatchewan's hands and the Saskatchewan people owning these Crowns, or do you believe that the Sask Party's plan to sell them off to their corporate buddies is a better plan for the future of our province? You ask that question on the doorstep, Mr. Speaker, you will get a resounding yes, we want to keep the Crowns for the future of our children, grandchildren, for our economy, and for the many, many reasons that the Crowns have been so successful over the years. And they've articulated that time and time again.

So it's important for the people of Saskatchewan to know this. And that's one of the reasons why me and my colleagues will continue fighting Bill 40 because as long as these bills come forward, as long as the bills come forward, then we will never, ever accept the Sask Party's position that they have no intentions of selling these Crowns because why is this bill still before the Assembly? Because they do have a plan.

They do have a plan, and they're hoping to hoodwink Saskatchewan people again. And I'll encourage them to stand up, stand with us, and let's fight back because we're tired of seeing our Crowns sold off to their corporate buddies while the rest of us, all we get is wage reductions and the cost of living getting higher and higher in the province. And people simply cannot continue affording four more years of the Sask Party government. So on this front, you've got the courage, let's have an election on it. Thank you very much, Mr. Speaker.

The Speaker: — I recognize the member from Regina Douglas Park.

Ms. Sarauer: — Thank you, Mr. Speaker. It's my honour to rise and participate in the debate around Bill 40 once again. I am going to talk a bit about the definition of privatization and how that pertains in this legislation. But I do want to first talk a little bit about a later part of the bill, the one that is speaking to the designation around Queen's Counsel and King's Counsel and the references to "king" and "queen," or in particular "queen," Mr. Speaker, as it pertains in the legislation.

And what Bill 40 seeks to do, Mr. Speaker, is to account for the fact that our Queen, frankly, is getting quite old, and I hate to say that about anybody. But because of her age, we need to account for the reality of the situation and because her heirs are male, most likely the individual that proceeds our Queen will be a king, Mr. Speaker, which actually creates a situation that we haven't had to deal with for a very, very, very long time. I'm not too up on the history of exactly how long ago it was, but I'll just say it's been quite a while, Mr. Speaker.

So we have in our legislation and because we are a Commonwealth jurisdiction, Mr. Speaker, we have a lot of references to the Queen both, like I said, in our legislation and in our standard practice. So Bill 40, *The Interpretation Amendment Act*, will seek to amend section 30 of *The Interpretation Act* to account for the fact that likely the Queen's successor will be a king.

So it says, and I'll read it:

“(6) If the reigning sovereign is a Queen, a reference in any enactment to ‘the King’, ‘the King’s’, ‘His Majesty’, ‘His Majesty’s’, ‘the Court of King’s Bench’ or ‘*The King’s Bench Act*’, unless the context otherwise requires, is to be interpreted to mean respectively ‘the Queen’, ‘the Queen’s’, ‘Her Majesty’, ‘Her Majesty’s’, ‘the Court of Queen’s Bench’ or ‘*The Queen’s Bench Act*’.”

[19:30]

And then subsection 7, of course, allows for the converse to be so, and I'll read that as well:

“If the reigning sovereign is a king, a reference in any enactment to ‘the Queen’, ‘the Queen’s’, ‘Her Majesty’, ‘Her Majesty’s’, ‘the Court of Queen’s Bench’ or ‘*The Queen’s Bench Act*’, unless the context otherwise requires, is to be interpreted to mean respectively ‘the King’, ‘the King’s’, ‘His Majesty’, ‘His Majesty’s’, ‘the Court of King’s Bench’ or ‘*The King’s Bench Act*’.”

So of course right now we have a Queen's Bench; we have Queen's Counsel. But upon the demise of the Queen, we need to make sure that we have a smooth transition legislatively to her successor. I'm assuming that because the Sask Party chose to open up *The Interpretation Act* which, as I had said and colleagues have said before me, is actually a rare move, Mr. Speaker. It's a piece of legislation that is considered hallowed ground, Mr. Speaker, legally because of its importance in terms of interpreting legislation that they thought this would be ample time or appropriate time to add these references.

Further, *The Interpretation Amendment Act* will repeal what exists as section 37 now in *The Interpretation Act* and enact new section 37. And I'll read that because it also contains similar language and is serving the same purpose, Mr. Speaker.

So section 37(1) states:

37(1) In the English version of an Act, the enacting clause may be in the following form to indicate the authority by virtue of which the Act is passed:

(a) if the reigning sovereign is a Queen:

‘Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:’; and

(b) If the reigning sovereign is a King:

‘His Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:’.

(2) In the French version of an Act, the enacting clause may be in the following form to indicate the authority by virtue of which the Act is passed:

And then there is some French language in here which I don't think anybody wants me to try to pronounce. And then I'll just skip to (3):

(3) The enacting clause of an Act follows any preamble.

So like I said, it's seeking to ensure that legislatively we have our ducks in a row, Mr. Speaker, upon the demise of the Queen.

And it got me to thinking a little bit, Mr. Speaker, because I know in the legal world we have designations called Queen's Counsel, so I'm assuming that this change will allow for the automatic designation to switch to ... the designation to automatically switch from Queen's Counsel to King's Counsel. And I'm assuming that anyone, any individual who has a Queen's Counsel designation will switch automatically to a King's Counsel designation.

And it's an important discussion to have, Mr. Speaker, because it is an important designation in the legal world, Mr. Speaker. Individuals who are granted what is now currently considered a Queen's Counsel designation are accorded a bit of a higher status, I suppose would be the best way to describe it. In the legal world you wear a different colour of robe . . . or not a different colour, you wear a different fabric of robe; it's a silk robe. And typically you are accorded deference in line, frankly, Mr. Speaker. When you're arguing in chambers and there's a long chambers list and there are several lawyers who are waiting their turn to speak, usually those with QC [Queen's Counsel] designations get to go first.

And the designation is interesting. Its actual, the definition I suppose it would be called, is, it's considered that you're an eminent lawyer who is appointed by the Queen to be one of Her Majesty's counsel, learned in the law. It's recognized as an honorific, as I said, Mr. Speaker. Individuals who are bestowed with this designation are usually done so in a merit-based . . . And based on what I've read, there's been a bit of controversy throughout the years about the designation and whether or not it's seen as one that's a bit politically charged or one where you have to have some political connections to be able to get it. But for the most part, most jurisdictions have — who are still appointing these designations — have done what they can to keep essentially the politics out of it, Mr. Speaker. And I know in Saskatchewan in the legal world, we've done what we can to do the same.

Membership exists in various Commonwealth jurisdictions around the world. Well in some jurisdictions the name's been replaced to get rid of what is considered an archaic, in some jurisdictions, term using . . . in reference to the monarchy, Mr. Speaker. And they've replaced it with designations such as senior counsel or senior advocate, Mr. Speaker. It's a status that's recognized by the courts and, like I said, members have the privilege of sitting within the bar of court, although that varies from jurisdiction to jurisdiction, Mr. Speaker. It completely depends on what is the standard practice in that particular jurisdiction.

And it's important to talk about with respect to this legislation because Saskatchewan is still a jurisdiction that appoints a Queen's Counsel designation. So I'm sure some members of the profession might be interested to know what will happen to their designations should the Queen pass away, Mr. Speaker, which is what this legislation is contemplating, this portion of the legislation is contemplating, Mr. Speaker. It's doing what it can to make sure that that designation or that title of Queen will flow into King. should there be a king, Mr. Speaker, who replaces the Queen instead of another queen, which seems like it's most likely right now, Mr. Speaker.

The Queen's Counsel designation has an interesting history. The first Queen's Counsel was actually given to Sir Francis Bacon in 1597, and then was formerly styled King's Counsel in 1603, which I thought was a little bit interesting, Mr. Speaker. At the time there was a senior sergeant-at-law designation that was given out but with formalization of the King's Counsel designation and the use of the King's Counsel designation becoming more common, it superseded the sergeant-at-law designation and essentially rendered that designation moot or obsolete as it became considered to be a designation in higher

esteem, Mr. Speaker. The Attorney General and Solicitor General had also succeeded King's sergeants as leaders of the bar back in the Tudor times but that again was rendered obsolete by the King's Counsel designation, Mr. Speaker.

Although this was done back in 1597 it actually wasn't an eminent designation until the early 1830s. There was very few in number. I know there's quite a few more in existence today so there'd be more individuals, more members of the bar who would be interested in how this designation would flow from the Queen's Counsel designation into the King's Counsel designation as this legislation is, I think, seeking to do.

Back in the early 1830s it became of greater professional importance to become a QC and individuals sought to advocate against each other to get this designation once it seemed to be in higher esteem. It accorded itself a higher level of prominence or eminence amongst the individuals who were granted the designation, Mr. Speaker.

As I said and as you can tell, back in 1597 . . . or back in 1830 the designation was a King's Counsel designation because there was a king at the time. And now because there's a queen, there's a Queen's Counsel designation. So as you can tell the title traditionally depends on the sex of the sovereign at the time.

So again it's very important for us to realize that although Queen Elizabeth II has had a very long reign, it's likely that in my lifetime, I think it's fair to say that without, you know . . . all respect to Queen Elizabeth II, that it's likely we may see some King's Counsel designations in my time, which is quite interesting because there is . . . I doubt that there are any. If there are, there are very few people who are appointed as King's Counsel who survive today. So it's just interesting seeing that historical play and that interchange between the two names based on the sovereign who's ruling of the day.

So it's assuming that again, like I said, that the Queen has male heirs, that more likely than not it will be a male heir who will take the Crown after her, which is why the legislation is contemplating that change.

There's been some modern reforms like I had mentioned, Mr. Speaker, to account for some of the concerns that have been raised about the Queen's Counsel designation, about how it can be seen as political in nature.

One of those, like I said, from Saskatchewan, has created basically a committee to make the decision as to who is given the Queen's Counsel. And it consists of the Saskatchewan Justice minister and Attorney General, the Chief Justice of the Court of Appeal for Saskatchewan, or the Chief Justice of the Court of Queen's Bench. I believe that they alternate. One year it's the Chief Justice of the Court of Appeal and the next year it's the Chief Justice of Queen's Bench and the past presidents of the Saskatchewan Branch of the Canadian Bar Association and the Law Society of Saskatchewan.

Which is a bit funny, Mr. Speaker — not funny strange, but a bit humorous because those presidents, the president of the Saskatchewan branch of the Canadian Bar Association and the president of the Law Society of Saskatchewan, those are very

onerous volunteer positions that take up a lawyer's time. When a lawyer serves in those positions, it can account for a large portion of their time, Mr. Speaker. And like I said, it's without pay, and then when they move on after their year is done, they move on to past president. You sort of think that your volunteer duties are done, but you get added to plenty of additional committees, and I guess the Queen's Counsel designation committee is one of those.

I believe in 2016 the government appointed 15 lawyers as Queen's Counsel and it's the provincial cabinet who appoints those lawyers. There's certain eligibility requirements, Mr. Speaker, for appointment. First a lawyer must reside in Saskatchewan and must have been called to the bar of any province of Canada, the Northwest Territories, or the United Kingdom.

And I can't quite remember off of the top of my head, but I had a friend of mine who's a lawyer complain to me the other day about the requirements for the Q.C. designation. I believe you also have to be 10 years called too, at least, to get that designation, Mr. Speaker. But a friend of mine who's a lawyer was complaining the other day about the designation. I think it had something to do with the wording being a little bit archaic in terms of the locations of where you have to be called to the bar. I think the United Kingdom — and I can't quite remember the details of it, but something about the United Kingdom reference being a little bit, a little bit archaic — but that's a bit beyond the scope of what this legislation is attempting to do. But maybe that would be something that the Minister of Justice would look into, since he seems to be enjoying opening up legislation and making quite large changes. He might as well make some changes as well that are common sense.

There are some jurisdictions, like I've said, that have abolished the Queen's Counsel designation, typically because they are moving away from their history as having a connection to the monarchy, Mr. Speaker. Some of the individuals, some of the countries who have done that are, for example, South Africa, Kenya, Trinidad and Tobago and Guyana. Instead of having the Queen's Counsel designation, they have replaced it so they still do have a designation that seeks to provide a certain secondary level of standing for lawyers or a certain recognition of lawyers who are more eminent in the profession. And they call their equivalent senior counsel, Mr. Speaker. And similarly Nigeria, India, and Bangladesh have changed their Queen's Counsel designation to senior advocate and Sri Lanka actually has changed it to president's counsel.

[19:45]

Now what I thought was interesting as well, Mr. Speaker, is that not every province still grants Queen's Counsel designations. In fact there are a few, I believe, who have stopped doing it; however there are still quite a few who do. The provinces who are still appointing Queen's Counsel designations are Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, Quebec, like I said, Saskatchewan, as we well know now. But there are a few who don't, Mr. Speaker, and there is a bit of a constitutional battle that has gone on in the past between the federal government and some provinces over who actually has the authority to grant a Queen's Counsel designation, whether

or not it's the federal government or the provincial government, Mr. Speaker.

And I did read somewhere this evening that although the federal government still feels like they have the right to make that designation, they obviously allow provinces to do it. That's why we have a committee in Saskatchewan to make that designation that consists of only individuals who are in Saskatchewan, and it's not necessarily, it doesn't have to go through the federal government to gain any type of approval.

As I said earlier, Mr. Speaker, one of the other changes that occurs once an individual gets a Queen's Counsel designation is their dress, their ceremonial dress. So if they're arguing something in the Court of Appeal or they have a trial matter for example, Mr. Speaker, typically lawyers will — it's called gowning up — they'll wear robes. Thankfully we don't have to wear wigs anymore in Canada, but we do still wear our robes. And the actual material of the robes change, although that's something that probably nobody, literally nobody else notices or cares about. I can tell you that lawyers do for some reason. Sometimes it's a bit of a funny profession. We're a little bit, we're a little bit traditional, to say the least. Sometimes I think we're very traditional in this aspect. The legal profession is one that's incredibly traditional as well. So it's really interesting, Mr. Speaker.

We've been talking a lot about the beginning part of this bill and rightfully so. It's a very important, pretty massive change that's going to happen in our province, and it's a pretty serious change that's going happen in our province. But I did want to take a little bit of time this evening to talk about the other portions of the bill because I know we haven't had a whole lot of time to speak about them, and they are important. Not nearly as important as completely changing the definition of privatize and completely changing the structures of all of Saskatchewan's Crowns, Mr. Speaker, but I thought it was important to speak a little bit about the other two sections of the bill, Mr. Speaker.

But there's a reason why we haven't been talking about that portion of the bill, Mr. Speaker, and that's because this definition of privatize, what'll effectively change the definition to one that nobody else in the province would consider to be an appropriate definition of privatize, is more important for us to be discussing.

And it's frustrating, Mr. Speaker. We've had many speakers talking about this bill. We've explained to the Sask Party all of the concerns that we have about this bill. We've heard nothing back from the Sask Party about any of our concerns. There's been no assurances that we're out to lunch, frankly. If anything, the more we learn about it, the more we realize that our concerns are valid, with respect, for example, the Canada Revenue Agency definition of privatize.

And why, and we've asked time and time again, why on earth would you pick a definition that's so starkly different from the CRA's [Canada Revenue Agency] definition of privatize, where the Sask Party's going to create a situation where, once 10 per cent of our Crowns are sold or privatized, we will lose all of the tax dollars that right now we're exempted from paying. It will all go to the federal government, which is pretty rich considering we have a Premier who likes to stand up on Twitter

and talk about how he's the protector of the Saskatchewan people and making sure that we don't have to pay extra money to Ottawa, while at the same time creating legislation that's going to do just that very thing, Mr. Speaker.

So it's frustrating that that's what's happening. It's frustrating that the Premier and the Minister of Justice refuses to listen to our concerns. And they're not just the concerns of the opposition, Mr. Speaker. They're the concerns of thousands of people that we've heard from time and time again. We have thousands of signatures on a petition. We had hundreds of people out in front of the legislature a couple of weeks ago, Mr. Speaker, speaking out against this bill. And we've been speaking to people, door knocking throughout this province, and have heard nothing but concern over this legislation. And I can tell you that my colleagues can attest to that.

And I know we were all out in Meewasin making sure that we had an extra individual come to our side of the legislature for this sitting, and we're very happy that that's how that by-election unfolded. But while we were all out door knocking, that was one of the biggest concerns we heard was not just concerns about GTH [Global Transportation Hub] and the bypass — but we heard about those quite often, Mr. Speaker — but also concerns about what this government was doing with respect to Bill 40 and why the government, why the Sask Party thought it was appropriate to completely overhaul the definition of privatize, completely change the structure of our Crowns, and completely circumvent the Crown corporations ownership protection Act, Mr. Speaker, which is completely against anything or has been omitted from everything that they've said during the election, Mr. Speaker. They seem to have forgotten that, this plank point, when they were running in their campaign in 2016, Mr. Speaker.

So much to the surprise of the people of Saskatchewan, this legislation was tabled. And when the Minister of Justice tabled this legislation, he told us there's nothing to worry about. It's just changing a definition. It's not a big deal, but that it's this. He's just doing what the World Bank organization's definition is. He's just matching that.

However when we've asked him time and time again, well could you provide us maybe that definition that you keep talking about? Nothing. We haven't gotten a single thing, Mr. Speaker, and we've looked. Boy, you know this definition if it's so common, boy, it must be easy to find. And we've looked and looked and looked, but it's very bizarre. We still haven't found it, Mr. Speaker. We can't seem to find it. So we're still waiting with bated breath for this supposed definition that is apparently so common that Saskatchewan needed it, but we can't seem to find it nor has it been provided to us, Mr. Speaker, nor could anyone find it in any other Commonwealth jurisdiction.

Mr. Speaker, so you know, I'm all for Saskatchewan being a leader in many different things. We have been leaders in the past, and that's one of the things that's so great about this province is because of, I think, because of our history and because of our past, we have created situations that have made us leaders, medicare being one of them, Mr. Speaker. But I don't think changing the definition of privatize was ever one that the people of Saskatchewan really wanted to be seen as a, I don't know if leader is the right word, Mr. Speaker, but it's

funny that the Minister of Justice keeps saying time and time again that there's nothing to see here because all that we're doing is matching the World Bank definition of privatize, yet we can't seem to find it nor do they seem too inclined to provide it to us.

That's one of the many frustrating things with respect to this bill, Mr. Speaker. Like I've said, like my colleagues have said, the Sask Party, when they ran in the election, they made no indication that this was in their game plan. In fact they were quite adamant about talking about going back to the people before we did any privatizing or, you know, not doing anything without a referendum. But what they failed to mention was that they were just going to change the requirement so they didn't have to have a referendum, Mr. Speaker, which is what this legislation is doing, which is completely not straight with the people of Saskatchewan. And that's the frustrating thing about this.

They were too afraid to take this to the people in 2016 and actually run a campaign on it. They're too afraid to do it again. They're too afraid to run any type of, any type of consultation on this even though we've been trying to present the concerns that we've been hearing, Mr. Speaker. It's frustrating the Sask Party does not have a mandate for this whatsoever.

And so with that, I want to table a motion today, this evening, Mr. Speaker.

An Hon. Member: — Move a motion.

Ms. Sarauer: — Move a motion, Mr. Speaker. And the motion states:

That all the words after "That" be deleted and the following substituted:

this House declines to give second reading to Bill No. 40, *The Interpretation Amendment Act*, 2016 because:

the bill creates a new definition for privatization that allows the government to wind down, dissolve, or sell up to 49 per cent of the shares of a Crown corporation without holding a referendum; and further

that the bill risks sending millions dollars of Crown dividends to Ottawa rather than to the people of Saskatchewan, because under section 149 of *The Income Tax Act* of Canada, Crown corporations are exempt from corporate income tax, provided not less than 90 per cent of the shares are held by a government or a province.

So, Mr. Speaker, I'd like to move that motion this evening.

The Speaker: — The member from Regina Douglas Park has moved a motion, amendment motion, and I'll take the motion as read. Is the Assembly ready for the question? I recognize the member from Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. I'm very pleased that my colleague has passed this motion because I think it's very necessary and important to be able to have a couple of opportunities to comment further on this bill. But also

I think the notion of the motion — I kind of like the sound of that — the notion of the motion is to highlight two of the more serious problems with this particular piece of legislation, Mr. Speaker.

As my colleague has moved, we know that the intent behind this bill is to avoid the referendum process, which is really unfortunate and I think questionable at best in terms of what the motives of this government are. But the second piece, of course, and the most important piece I think in terms of what has happened with the bill itself, is that this government did not do its homework when it relates to the *Income Tax Act* of Canada, particularly section 149 of the *Income Tax Act* of Canada, where we know that Crown corporations are exempt from corporate income tax unless 90 per cent of the shares are held by a government or province.

So we have a real problem here with this particular bill. But I think these two items that we're moving under the motion now are really important aspects of debate, and I think it's important for my colleagues to have an opportunity to rise and speak to that, Mr. Speaker.

[20:00]

One of the things I think that's most upsetting about this particular bill is the end run that it does on this type of legislation. And I want to share a few comments that I've pulled out, out of some articles that relate to interpretation laws and their role in statute interpretation and their role with the judiciary. And I think if you follow me on that, Mr. Speaker, you will see immediately that this bill is actually clearly — I don't want to use a bad word here, Mr. Speaker — but it's clearly a misinterpretation of what . . .

An Hon. Member: — Not being straight.

Ms. Sproule: — Not being straight. Maybe that's it. I was going to use a different kind of word but thanks to my colleagues for saving me on that. Because it's twisting what the purpose of interpretation Acts are, and I think that's the real shame that we see in this bill.

So the first piece I want to start with is from Ireland, actually, in December of 2000. They did some amendments to and a revision of their interpretation Act in Ireland. And the Law Reform Commission of Ireland published a paper called *Report on Statutory Drafting and Interpretation: Plain Language and the Law*. So this is an article that I located online, Mr. Speaker, but it's from the Law Reform Commission of Ireland. In terms of that article, they give a good explanation of what the role of an interpretation Act is and what the role of interpretation is when it comes to statute law. So I'm going to share with you, Mr. Speaker, some of the wisdom of the Law Reform Commission of Ireland.

So the first . . . This is in chapter 1, "Statutory Interpretation." And they talk about the common law rules of interpretation and where did interpretation laws come from. So I'll quote from the article:

Undoubtedly, legislative drafting and statutory interpretation are activities which have been deeply

marked by their historical origins. The history of statute law-making and the manner in which it was received by the courts demonstrate that statute law, a rarity until the mid-nineteenth century, was seen as an incursion, if not an assault, upon 'our lady the common law'. One illustration of this attitude was the so-called 'mischief' rule (which developed in the 16th Century) which assumed that statute law would only be called into play to rectify some error which had occurred in the development of the common law. Another was the 'golden' rule, which applied in situations in which a literal approach would lead to an absurd meaning. In other words, the normal approach was to give words in a statute their ordinary meaning, except where that would produce an inconsistency or an absurdity.

The labels 'golden rule' and 'mischief rule' were used to describe approaches to interpretation which focused on the aim of a statute. However, these two rules are limited in their scope; and in the courtroom, as opposed to the lecture room, they have been mentioned increasingly fitfully. By now, it would seem better to subsume them into the more comprehensive and more accurate concept of a 'purpose rule' of interpretation. This was acknowledged by Denham J in *DPP (Ivers) v. Murphy*, where she spoke of the mischief rule, in particular, having been subsumed into a more modern purposive rule.

In the remainder of this Report we shall frequently use the terms 'literal' and 'purposive' rules of interpretation. In using this jargon, we are referring to two ends of a spectrum, one concerned with the meaning of particular words and phrases and the other with the overall result which the legislature may wish to achieve.

Other relevant rules in this context are the common law maxims, such as the *noscitur a sociis* ('a word or phrase is known by its associates') and *ejusdem generis* ('of the same kind') rules.

I'll just stop there for a second, Mr. Speaker. Those are very popular common law rules that are used frequently when we're interpreting the common law. So the first phrase, *noscitur a sociis*, is "a word or phrase known by its associates." So this is a word that can be interpreted or understood in terms of what it is associated with. And then *ejusdem generis* is "of the same kind." So this is the case where there are similar words and so it helps for the interpretation of that particular phrase.

Now I'll go on to quote from the article:

These maxims are applications of the principle that words in a statute should be interpreted according to their context. The first of these rules provides that words should be construed in the light of other words that surround them. The second means that where general words follow a list of persons or things which are all of the same type, for example where all are domestic animals, or food stuffs, the general words which follow are to be construed as implying only persons or things of the same general kind as the other items listed.

These maxims are fairly narrow in scope and we should like to emphasise that any proposals made here are not

intended to affect these rules, which may be regarded as particular instances of a broad purposive approach. In fact, we believe that these rules demonstrate that the common law has always recognised that words do not always have a fixed meaning irrespective of their context, and that sometimes it is necessary to interpret words by reference to their context. In short, there have always been exceptions to the literal rule, where common sense requires it.

Another family of rules, commonly described as ‘rules of interpretation’, have as their objective the injection of a particular policy into statute law. Examples include the presumptions against retrospective or extraterritorial effect and the presumptions in favour of compatibility with European and International law.

A final set of rules may be regarded as simple deductions from formal logic. One example is the notion that where there is a contradiction between two provisions, a general statutory provision must give way to a more specific one (*generalia specialibus non derogant*). The other rule of this type is that, where a provision expressly covers one situation and does not mention another cognate case, it is to be taken not to catch the cognate case (*expressio unius est exclusio alterius*). Our recommendations do not effect either of these rules of interpretation.

And I’m happy that the Minister of Justice is agreeing with me, Mr. Speaker. It’s beyond . . . I’ll carry on here now. This is where we get into the use of the interpretations and interpretation Acts. So they go on to say:

It is beyond dispute that rules of statutory interpretation are rather special. This is true not only because of their central importance in ascertaining the content of the law, but also because they are of a different character from the substantive rules of law on a particular subject. Professor Hart had a name for rules of interpretation; he called them ‘rules of recognition’, distinguishing them from substantive legal rules such as, for example, the rule banning speeding. ‘Rules of recognition’ were rules that guided a court in identifying the correct substantive rule on a particular point and interpreting it. However, it does not seem to us that it follows, either from their special character or from the history just summarised, that the rules of statutory interpretation must be sourced exclusively in the common law. When all is said and done, we are focusing here on statutory law — the handiwork of the legislature . . . It is quite reasonable to suppose, therefore, that if the legislature should wish to inject a change of policy into the manner in which its laws are interpreted and applied, it should be free to do so.

And, Mr. Speaker, in this case it was the revamping of the interpretation law of Ireland. They go on to say:

Two points of central importance appear to stand out from the Report which follows:

(a) different judges have adopted divergent attitudes to interpretation, and

(b) the difference, broadly speaking, has been that some

judges have taken a more literal, and others are a more purposive, approach.

As regards (a) above, this point is not unique to statutory interpretation; judges differ in their approaches to other areas of law. However, it is probably fair to say that the present area has been richer than any other, in what maybe called ‘judicial a-la-cartism’. There are various reasons for this, including the large variety of rules which have developed in this area because of its long history. An element of result-oriented reasoning has probably also been present. In an case, we consider it undesirable that different judges should follow different rules. Clearly, the ideal to be pursued in law should be that a particular legal question will always be resolved in the same way, irrespective of which judge hears the case. Of course, this deal is not always achievable in practice. However, the law should be designed in such a way as to make it more, rather than less, likely to happen.

Our first conclusion, then, is that it would be well to set down in legislation a standard approach to a number of basic points in relation to statutory interpretation, in order to encourage uniformity.

So I’m just going to stop there for a second, Mr. Deputy Speaker. So what we’re talking about when we’re talking about interpretation Acts, as I said earlier, is using statute to aid the judiciary in interpreting various types of statutes. That’s the purpose of an interpretation Act. And I think that’s what I’m most offended by by this bill, is that this bill does something that no interpretation Act was ever intended to do or nor should it be doing, which is to insert a government policy of privatization through the back door when the government should have had the courage to bring this forward under the Crown protection Act that . . . I’m going to talk about that in a little bit. But I want to make sure I get the name right — Crown protection Act. Anyway, I know I’m missing a word, Mr. Speaker, but I will find it eventually.

So it’s just disturbing to see a type of statute . . . Interpretation laws are, interpretation Acts are very particular types of legislation that have a very particular purpose. And that is to aid the judiciary in interpreting that word when it shows up in other statutes — that’s basically the reason for it — or where it shows up in the common law. But I don’t think the minister can show me a list of judicially considered cases where this word was judicially considered, for one. That’s one of the reasons why we put this in *The Interpretation Act*.

Secondly, I don’t think the minister can demonstrate a long list of other statutes that refer to the word “privatization” which would require some sort of judicial interpretation. So this insertion . . . And as I pointed out at an earlier date, this type of insertion of the definition of privatization into an interpretation Act doesn’t exist anywhere else in the Commonwealth, Mr. Speaker.

We don’t know why the government has chosen this kind of vehicle to advance its own agenda for privatization, but it’s really concerning because I think this is going to present some problems in the future when we look at judicial interpretation and the consideration of the term “privatization” for other

common law applications. And I'm going to get into that a little bit more, Mr. Deputy Speaker, in relation to the particular pieces of legislation that we currently have for the various Crowns like SaskTel and SaskPower.

But I'm going to carry on, Mr. Speaker, with the points being made by the Law Reform Commission of Ireland. So I'll continue at paragraph 1.12: "We would like to emphasise that, under Ireland's constitutional arrangements, it is the function of the legislature to make the law, and of an independent judiciary to interpret it."

And when you have . . . I'm going to stop there. When you have an interpretation Act, the purpose of the interpretation Act is for the judiciary to make those interpretations. This is not the purpose of this bill, Mr. Speaker. It's not so that the judiciary will be able to interpret the definition of privatization; that's clearly not the purpose of this bill at all.

I think we have to really question, then, what is the actual purpose of this bill. And certainly the privatization of Crown corporations up to 49 per cent without having a referendum would suggest itself as the clear reason why this government is avoiding the existing law, which would require a referendum to privatize to . . . I want to use that B-word again. But to manipulate the meaning of privatization in such a strange contortion through *The Interpretation Act* that it defies all laws of logic, Mr. Deputy Speaker.

And I think the Law Reform Commission of Saskatchewan will have some concerns about this at some point, and I think there will be, there will be articles, scholarly articles for sure and academic articles that see this as a huge deviation from the norm when it comes to the role of *The Interpretation Act*.

I'm going to carry on with the article, Mr. Speaker. They go on to say that "None of the proposals which we [can] make . . . or should, undermine this vital demarcation line." And again, that's the line between the function of the legislature to make the law and an independent judiciary to interpret it. And of course this is an interpretation Act.

Our recommendations, which we suggest should be brought about by way of an Interpretation Act, are not especially radical. They consist, in the main, of a gathering together of the best practices which have been evolved by the courts, or are in the process of evolving.

So the Law Reform Commission in 2000 in Ireland said, we need to look at what's happened in the past, gather together best practices, and then revisit legislation and modernize it with a view to best practices. Now again, I fail to see how the ministry thinks that this reflects anything like best practices because he's pulling it out of nowhere, Mr. Speaker, out of some notional definition from the World Bank, which we certainly can't locate anywhere on the Internet — and I know we know how fond the ministry is of telling us to go to the Internet to find things, Mr. Speaker.

[20:15]

So in this case we can't find it, and we have asked him to provide that definition, but he hasn't been able to send it our

way yet. Maybe he will when we get into committee, and I'll look forward to the receipt, look forward to the receipt of that definition, Mr. Speaker.

But I don't think the minister could ever make a case that this reflects best practices of interpretation Acts, best practices of the judiciary, best practices of statute law in other jurisdictions. So again it's really disturbing to see the twisting of the purpose of an interpretation Act to suit a government's political agenda. I think that's dangerous. I think it's something that the Law Reform Commission of Saskatchewan is going to want to take a very close look at and provide commentary as we move along this path, Mr. Speaker.

I'll just carry on with the article:

This process of evolution has occurred because judicial practice in the interpretation of statutes has changed over time. Both here and in other common law jurisdictions, there has been an increasing judicial emphasis on giving expression to the obvious intention of statute law, rather than favouring literal and overly legalistic constructions of the wording of those statutes.

I'm going to stop there, Mr. Speaker. Again we have a definition that can't be construed any other way as overly legalistic. When we're putting the word "privatization" through this contortion that suggests that there's this marriage between public interests and private interests, that minority shareholders will be able to trump public policy, those kinds of concerns, I think, Mr. Speaker, sort of defy the purpose of an interpretation Act and what it is meant to do, which is to bring consistency and common application to certain words as we go through the common law, Mr. Speaker.

The minister never mentioned any particular judicial interpretations of the word that are concerning, so I don't think this is an issue with the judiciary. I don't think it's an issue with the common law in Saskatchewan. I don't know how many cases there are that provide confusion around the definition of privatization when it comes to Crown corporations. And yet the minister is using this as a vehicle to change the purpose of *The Interpretation Act*, which is really difficult to understand, Mr. Speaker.

I'll carry on with the article:

One can identify very readily significant currents which — from disparate sources — seem to add up to a zeitgeist running in favour of moderate reform. We have already mentioned the *Interpretation Bill, 2000*. We mention briefly four other examples.

So at this point . . . This is the chapter 1 of a very long report by the Law Reform Commission of Ireland, and I just wanted to make sure I got the word "zeitgeist" into my speech, Mr. Speaker. So I'm going to move on at this point to some other points I do want to share with the Assembly tonight.

One of the things that, as Finance critic, I'm keeping track of — because I guess I like spreadsheets more than anything — is my spreadsheet on CIC [Crown Investments Corporation of Saskatchewan] dividends, Mr. Speaker. And I've got a list of

the dividends that I'm keeping track of over the years. I've gone back as far as 2006 just to see what the general patterns we have here and the importance of the Crowns to, well, the revenue side of the equation. And we know that there is a little problem with revenues these days when we look at the current government's deficit and the debt that they're accumulating at a very rapid rate, Mr. Deputy Speaker.

So let's take a look then at the dividends that we've received from some of the main Crowns. So SaskPower, for example: over the last ten years we've received \$323.2 million into public coffers to build schools, hospitals, highways — all those important things that the people of Saskatchewan expect from our government and look forward to having.

How about SaskTel, Mr. Speaker? SaskTel has been probably in terms of this list the most lucrative Crown that we have in terms of owning public Crowns and public utilities, Mr. Speaker. Overall since 2006 to 2016, SaskTel has provided \$796.6 million to our public coffers. So \$796.6 million, Mr. Speaker — that is remarkable when we think of what that's provided for our kids, for our parents, for our communities, all those important programs that are the backbone of what a government in Saskatchewan is and should be doing. So there you go, Mr. Speaker. We've got SaskTel with \$796 million. And when you see a deficit of somewhere around \$1.2 billion in one year, you can see where these dividends are incredibly important to the programs that are important to Saskatchewan people.

Let's look at SaskEnergy. Over the last 10 years SaskEnergy has provided \$409.3 million to the provincial coffers, to the people of Saskatchewan, Mr. Speaker. It's ranged anywhere as low as . . . well in 2014 it was as low as 17.5, but the very next year or in 2016 it actually provided \$64.7 million. So that's a fairly high number for SaskEnergy and we know that they had some good revenues that we were able to benefit from as taxpayers and ratepayers and as citizens of Saskatchewan.

SaskWater, we are even receiving dividends now from SaskWater. In 2016 we received \$1.9 million from SaskWater. That's the first time that we've received a dividend from SaskWater.

Here's a sad story, Mr. Deputy Speaker: ISC [Information Services Corporation of Saskatchewan]. We were receiving considerable dividends from ISC but because this corporation was never included in the Act that required referendum, it was sold, basically, and sold off to individual shareholders, Mr. Speaker. It's doing very well by the way. I've checked it out on the stock exchange for Saskatchewan companies, and other than AGT Food which is the highest traded company . . . That's the lentil company that owns the processing plant out on Tower Road, Mr. Speaker. They were able to secure some land there and were part of the crew that convinced the location of the road, so it works really well for them and they're doing very, very well as a result. And I think they're the highest trading company, but ISC is a very profitable company.

I was around in 2000 when the bill was first introduced and did a lot of work through my legal work because I was involved in land transactions for First Nations and reserve creation and was part of the process of converting the paper titles to the

electronic titles. And it was a tough job, Mr. Speaker. It was a monumental task. I think the people that worked at ISC are real heroes actually when I think of the sheer volume of the work that had to be done to convert this paper-based title system to an electronic title system. But you can see the results, Mr. Speaker.

ISC in 2007 returned \$8 million in dividends. In 2008 it returned \$21.1 million in dividends, and that was its best year. And that's when, as you will recall, housing prices exploded. And so that was in 2008; 2009, we got \$13.6 million from ISC. In 2010, 14 million; 2011, 15.5 million; 2012, \$19.1 million, second-highest year ever; 2013, 12.3; 2014, zero. That was the year that this government sold off this important Crown corporation.

So in its lifetime, it did provide \$103 million to the coffers of Saskatchewan. And you think about all the people that are suffering from cuts right now. I think that kind of money would go a long way for a strategy to help people in the North who are suffering, losing their children to suicide, Mr. Speaker.

And that always reminds me of why we're here. It's the people's side of the equation and the role of government, you know, to use those resources to help those most in need. And we see the tragedy occurring in the North regularly. I hate that, Mr. Speaker. I hate to even say that but it's a fact. We know that people are suffering greatly in the North and we need a response from our common good to help those people who are suffering greatly. Our colleagues from the North come to us with heartbreaking stories regularly and it's disturbing; it's upsetting. And I think these are the kinds of things that these Crown corporations provide for the people of Saskatchewan, is that kind of revenue source that allows us to deal with those kinds of problems.

When a 12-year-old child decides to take his life, Mr. Speaker, that's something that is wrong. It's just wrong with the state of the world. There's something wrong about that. And when we cannot use government resources because the coffers are empty, there's no natural resource . . . the natural resource revenue has dropped, why wouldn't we be able to use Crown corporations to bolster our ability to help people who are suffering? It's heartbreaking. And every time our colleagues come to us with a story in our caucus meetings of another suicide, we all grieve in our own way, and I'm sure members opposite do as well. But the question is, how do we fix it? And that's where our Crowns are so incredibly important to the people of Saskatchewan. And we're rightfully proud of them, Mr. Speaker.

Another very, very lucrative Crown that we have is SGI. And I think there's a lot of concern out there that this is one particular company that may be actually on the selling block, at least 49 per cent of it without a referendum if this bill goes forward. SGI in 2006 provided \$33.9 million to the coffers; 2007, 22.8 million; 2008, 26.2; 2009, 34; 2010, 43 million; 2011, there were no dividends from SGI. But then the very next year there was a record \$52 million from SGI alone, Mr. Speaker, that goes to help the people who need it. And that's something I think every Saskatchewan person can be very proud of. 2013, 25.6 million; 2014, 31.6; in 2016, 47.3 for a total of 316.9. And now I haven't got the 2015 figures in here yet, Mr. Speaker, so there's actually more money that has come in. And again that's so critically important to help people who need our help.

Mr. Speaker, the Gaming Corporation, we see a number of returns coming in and starting in 2008, 15 million. It peaked last year: 2016 we got \$26.2 million for the Saskatchewan people from SGC [Saskatchewan Gaming Corporation]. And SOCO [Saskatchewan Opportunities Corporation] is in its own way also contributing — last year, one and a half million; 2014, 2 million. So this is an incredible resource for us, and I think something that we can be really, really proud of.

Overall the total I have, and as I say I'm missing some numbers for 2015: \$3.118 billion. So over \$3 billion in the last 10 years just from our Crowns. And can you imagine what state we'd be in if we didn't have these Crowns, Mr. Speaker? And sadly we don't have ISC anymore, so we can't count on that.

So I think that's the Saskatchewan success story. I think that's something that we should be proud of and shout to the world that these things work, that utilities, public utilities that are held by a Crown are very, very successful. We know SaskTel is regarded highly throughout Canada. We know it is the only regional telco that remains in Canada and yet it still remains competitive, and if you look at our rates we're the wonder across Canada. A lot of people really want to have a SaskTel number because they know that the rates are low and reasonable and that there is good packages. I think people from other provinces would really like to be able to access our SaskTel rates because they are enviable, and I think that's something that we really need to focus on, Mr. Speaker.

One of the things I was doing when I was looking into the role of *The Interpretation Act* is I found another article, that I won't read the whole article, Mr. Speaker, but it's written by Mr. Henry Molot who's senior general counsel for the constitutional administrative law section, Department of Justice Canada. I have had the pleasure of meeting Henry Molot a few years ago in my former life as a lawyer for the Department of Justice, a highly regarded senior general counsel who is an expert on constitutional administrative law.

A few years ago there was an amendment made to the federal *Interpretation Act* and, in particular, clause 8 of the *Interpretation Act*. And Mr. Molot had the opportunity to write an article about that, and it's found online. It's easily found online, but I'm just going to share with you, Mr. Speaker, some of the things he said in the fourth part of this article called "*Interpretation Act: Scope and Purposes*." So the article itself, for the Hansard folks it's called "Clause 8 of Bill S-4: Amending the *Interpretation Act*." And again it's by Henry L. Molot, senior general counsel.

[20:30]

So what does he have to say about the "*Interpretation Act: Scope and Purposes*" in chapter 4? He says:

The provisions of cl. 8 raise a number of issues relating to the role of a general statute like the *Interpretation Act* in integrating into federal legislation the terminology and concepts of Quebec civil law, on the one hand, and of the common law of the other provinces, on the other. Before considering cl. 8 in detail, however, it may be useful to examine some of the purposes which a general enactment like the federal *Interpretation Act* is intended to serve.

So I'll just stop there for a second, Mr. Deputy Speaker. You see here that the *Interpretation Act* is considered to be a general enactment. It's not a specific law. It's meant to be a very generally applied law. And again when we see this kind of legislative creature that the government has created here by inserting their political aspirations, I guess, into a general enactment like the *Interpretation Act*, it just doesn't add up.

I'll go on:

The last general revision of the federal *Interpretation Act* in 1967 was initiated by Bill S-9. When the bill was before the Standing Committee on Justice and Legal Affairs, it was introduced by D.S. Thorson, Associate Deputy Minister of Justice, as follows:

This is the quote within the article.

"... The fact that an *Interpretation Act* was the very first act passed by the new Parliament of Canada after Confederation is perhaps some indication of the importance that the first Parliament attached to this kind of statute. The importance of the act over the years has not diminished and, if anything, the extent and scope of today's statute law makes a measure of this kind significantly more important today than in 1867.

The purpose of an interpretation act is to facilitate the drafting and understanding of statutes and other legal instruments. By establishing uniform definitions and expressions, and thereby eliminating the need for their constant repetition in the law, the drafting of statutes is simplified and their interpretation is facilitated. An interpretation act also serves the purpose of consolidating in one place rules of construction and interpretation that have been developed over the years both by the courts and by Parliament itself.

Finally, I should like to point out that this legislation is intended to be of benefit not only to parliamentarians but also to the courts and, indeed, to all persons who must be concerned with the understanding and interpreting of statutes and regulations made by or under the authority of Parliament..."

So I'm stopping there for just a second, Mr. Speaker. Again we see the role of *The Interpretation Act* as, again, to aid the courts in interpreting and also to have a uniform application of certain words.

We do not have any... I mean certainly in door knocking nobody was saying, boy, we don't know what privatization means, Mr. Speaker, or I don't think I've had anybody call my office and say, Mr. Speaker, I have to figure out what privatization means. I mean, this is a really important thing and we have to have a word definition from the World Bank. No, I haven't had that call. I'm not sure the Minister of Justice had that call. I'm sure the member from Shellbrook has not had those calls, Mr. Deputy Speaker, nor any of these folks that are sitting across the way.

This is not a burning issue. This is not a judicial issue. This is not an interpretation issue. This is a political issue that this

government is manipulating, a very important piece of legislation with a very specific role, and they're manipulating it to meet their political ends because they didn't have the courage to go to the people of Saskatchewan for a referendum to privatize our Crowns, Mr. Speaker.

We see that clearly from the words of even our Premier. I was at SUMA [Saskatchewan Urban Municipalities Association]. In the bear-pit session at SUMA there was a very specific question asked of the Premier about Bill 40, about this 49 per cent definition of privatization. And the Premier completely ignored that question and went on to talk about a referendum, making it clear that he even is hearing the message that people do not want a referendum on SaskTel. They're not interested. So he didn't answer the question, why do it through Bill 40? He completely avoided the question, as we often see in this Assembly as well, Mr. Speaker. And that's really frustrating, when we have that sort of backdoor approach to making these changes rather than going to the people with the referendum process and finding out what's really wanted by the people of Saskatchewan.

Feeling hungry for some reason, Mr. Speaker. I'm just not sure why.

I'm going to go on and quote from Mr. Molot's article again. "The purposes of an *Interpretation Act* . . ." I'm going to say this again:

The purposes of an *Interpretation Act*, according to Mr. Thorson, may be summed up as follows:

establish uniform definitions and expressions in legislation;

eliminate the need for constant repetition in the law;

simplify the drafting of legislation;

facilitate interpretation of legislation;

consolidate in one place rules of legislative construction and interpretation;

benefit parliamentarians, the courts and all persons concerned with understanding and interpreting legislation.

This bill has nothing to do with understanding and interpreting legislation, Mr. Speaker. It doesn't. And I will be interested to hear the conversation in committee when we have an opportunity to ask the minister how on earth he can justify this as an appropriate use of an interpretation Act. It's beyond the pale, Mr. Speaker, and I'm looking forward to those explanations.

I'll go on to quote from Mr. Molot:

These purposes or rationales are not, however, as limited as they seem. The Act is more than just an extended definition or "short form" provision. Provisions dealing with such matters as the territorial operation of legislation, the form of the enacting clause of an Act, the general form

of an Act, Royal assent and an Act's commencement date, quorums and the admissibility of certain documentary evidence are not strictly limited to the interpretation of legislative language. Moreover, some provisions of the Act, whether or not couched in language of interpretation, appear to have a constitutional flavour: for example, enactments that apply "to the whole of Canada"; "no enactment is binding on Her Majesty . . ."; authorization to issue a proclamation, whether conferred at large or on the Governor General, means a proclamation issued by the Governor in Council; and effect of demise of the Crown.

And we all know that when the Queen or King dies, we have a real problem about the rule of perpetuities, and so we have to make sure that we have standard, uniform definitions within our interpretation Act. And we see some of those changes being made here that are appropriate in this bill, and I'll speak to that a little bit in a while. I'll carry on:

The *Interpretation Act* also contains power-granting provisions. Some of these may be thought analogous to what in Canadian constitutional law is labelled as the "double aspect doctrine." For example, in the case of subs. 24(1), it is provided that "**words** authorizing the appointment of a public officer to hold office during pleasure **include** . . . the power to (a) terminate the appointment or remove or suspend the public officer . . ." This provision is framed in definitional language: language that authorizes an at pleasure appointment is extended in meaning to include the power to remove or suspend. Therefore, the first aspect of the provision is that it simply defines the authority to appoint to include the power to remove or suspend. The second way of characterizing the provision is that it is the source of additional powers which, but for par. 24(1)(a), would not have been available to the appointing authority.

A more interesting illustration of this phenomenon is to be found in par. 24(2)(d) of the Act which provides:

Words directing or empowering a minister of the Crown to do an act or thing . . . include . . .

(d) . . . a person appointed to serve, in the department or ministry of state over which the minister presides, in a capacity appropriate to the doing of the act or thing, or to the words so applying.

Par. (d) is intended to overcome some judicial limitations imposed on the application in Canada of the so-called *Carltona* doctrine. Inasmuch as this doctrine is no more than a special exception to the application of the *delegatus non potest delegare* principle where administrative powers are conferred on a Minister of the Crown, a provision like par. (d), that expands the range of persons who are authorized to exercise a Minister's discretionary authority, confers power on persons who would not otherwise have it.

And again, I'll stop there for a second, Mr. Deputy Speaker. The *Carltona* doctrine is one of the reasons people go to the *Interpretation Act*, is because that administrative law provision allowed for the minister to delegate his authority to the deputy minister. And then we get into the department pieces of

legislation, statutes where the deputy minister then can pass on that authority. And without that ability, the minister would be doing everything himself. He needs to be able to delegate, and that kind of application under the *Interpretation Act* provides that uniform application across all ministries. Makes sense; this is the kind of thing when a general law like this is passed. But it certainly doesn't make sense to add a definition of privatization that means 49 per cent can be sold. That just doesn't fit into what these . . . the legal interpretation and the legal writing about interpretation Acts. I'll go on with Mr. Molot's article:

These two examples may be considered rather exceptional. They are, however, far from unique. Some provisions, as has already been noted, employ definitional language to confer powers, whereas others do not even attempt to camouflage that they are conferring authority that would not otherwise exist.

So there are examples in . . . And I think the Carltona doctrine clause paragraph (d) of subsection 24(2) is a good example of saying this apple is now an orange, and that's what the *Interpretation Act* can do. And again everyone understands that then now this apple is now an orange. And that is what happens when, as Mr. Molot says, ". . . they are conferring authority that would not otherwise exist." And it's a special tool that's been used in interpretation Acts to provide clarity and also to allow governments to do their work in a more efficient way.

To go on, Mr. Speaker:

The *Interpretation Act* generally eschews enunciating the more general principles of statutory interpretation, preferring instead to prescribe relatively narrow rules to govern specific situations. One exception is to be found in s. 12 under which:

Every enactment is deemed remedial, and shall be given such fair, large and liberal construction and interpretation as best assures the attainment of its objects.

That legislation should be given a "liberal . . . interpretation as best ensures the attainment of its objects" reflects the more current purposive approach to statutory interpretation. This approach is neither new nor novel. As Canadian texts explain, the "purposive" approach is associated with the so-called "mischief rule" and the judgment of Lord Coke in *Heydon's Case*. The present analytical framework for interpreting legislation was very recently described as follows in *Re Rizzo & Rizzo Shoes Ltd.*

And they go on, this is a quote:

"Although much has been written about the interpretation of legislation . . . Elmer Driedger in *Construction of Statutes*, (2nd ed. 1983) best encapsulates the approach upon which I prefer to rely. He recognizes that statutory interpretation cannot be founded on the wording of the legislation alone. At p. 87 he states:

Today there is only one principle or approach, namely, the words of an Act are to be read in their entire

context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament.

The current resurrection of a purposive approach to statutory interpretation may itself qualify as an example of the benefits derived by Canada from its mixed system of common and civil law. Both Driedger and Côté point to

"the influence of civil law training in Quebec. The civilian approach to interpretation tends to be functional and purposive, emphasizing the spirit over the letter. This approach has been used in interpreting Quebec's Codes. General speaking, the civilian judges on the Supreme Court of Canada have played an important role in developing the court's current approach to interpretation".

That Driedger can also refer to the "influence of American case law, in which purposive analysis is [already] a well established practice" indicates that this approach is not unique to civil law systems.

If the provisions of an Act are to be "read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament", it is particularly important to uncover and locate the "object of the Act" and "the intention of Parliament". While ordinarily that object and intention will be disclosed by the words of the enactment, further assistance in resolving and clarifying uncertainty about the meaning of statutory language and its application to a particular set of circumstances may be forthcoming if those construing the legislation are made aware of its purposes and why it was enacted.

Again I'll stop there, Mr. Speaker. This is the essence of *The Interpretation Act* where we have . . . The object and intention are then disclosed by the words of the enactments, but this, *The Interpretation Act*, is to clarify and resolve uncertainty. I haven't seen a lot of legislative or judicial debate on the meaning of the word privatization.

Once again this is not the proper application of this type of statute, and I clearly, I mean, I cannot understand why the government would use this particular tool to do something that it clearly was not meant to be used for.

[20:45]

I'll go on:

The primary source of legislative intention is usually to be found in the enactment itself. It is no longer uncommon for federal legislation to be introduced by a preamble or a "purpose clause" which may identify the "mischief" or problem which the Act seeks to remedy or set out the object and purpose of the legislation. A perhaps extreme example of this is the recently enacted *Canadian Environmental Protection Act*, which contains a "declaration" of "primary purpose", a preamble setting forth a long list of general goals and duties, and a provision that details the general "administrative duties" of the

Government of Canada in the administration of the Act. More modest examples, but having the same overall general objective of identifying the rationales and goals of the legislation, are to be found in the recently enacted *Canadian Institutes of Health Research Act*; and *Nisga'a Final Agreement Act*.

I can remember, Mr. Speaker, I'm not sure which professor it was, but really, a professor in law school who was really upset about the use of preambles, and I think actually went after Premier Romanow when I was in law school saying, you know, that's an improper use of preambles. They're not meant to be a political statement and that's not a good use of legislation. So I'm not too sure what that prof would have to say about this bill, but I expect that it would be quite a bit, Mr. Speaker.

I'm going to carry on:

However, the purpose or object expressed in an Act may not be limited in scope to that particular statute but may be intended to apply to other legislation. For example, the purpose clause contained in s.2 of the *Canadian Human Rights Act*, is not limited to the operation of that Act but "is to extend the laws in Canada to give effect" to the principles of the Act. Moreover, in the case of the *Canadian Bill of Rights*, the opening provisions of s.2 require as a general matter that "every law of Canada . . . be so construed and applied as to not abrogate, abridge or infringe or to authorize the abrogation, abridgement or infringement of any of the rights . . . herein recognized and declared . . ."

Consequently, on the basis of statutory provisions that, in one way or another, require all or a specified class of enactments to be construed in accordance with those provisions or to be subject to the principles or purposes of those provisions, the principles, norms and requirements of one statute may be imported into and be made to apply to another enactment. This technique, as has already been noted, is a common one in the *Interpretation Act*. Moreover, as will be discussed below, that technique is available to facilitate the integration of civil and common law concepts and terminology into federal law.

So there you have it, Mr. Speaker, in terms of Henry Molot's explanation of the purpose of an interpretation Act. And I will repeat again that that's clearly not what's happening with this bill, Bill 40.

I have another quote from the 6th of June, 1901, and this is from Australia this time. This is Australia's first attorney general, Alfred Deakin, and he had this to say about an interpretation Act:

[It's] a measure providing the simplification of the language of Acts of Parliament and the shortening of their terminology. It constitutes in a sense a legal dictionary, particular meanings being assigned by it to particular phrases, which must be used over and over again in almost every Act of Parliament.

So again I'm not sure that privatization shows up in a whole lot of Acts of this particular Assembly, Mr. Speaker. So that

attorney general, I don't think, would agree with this Attorney General. And I think that I'll be again interested to see the legal analysis of this bill as we go through it, unless of course the minister pulls it, which then we wouldn't have that legal analysis. But it will be interesting to see how it all unfolds.

I'm just looking right now, Mr. Speaker, at the table of contents for the SaskTel legislation, Sask telecommunications Act, and I think it would be helpful to look through these tables of contents to see where it would serve Saskatchewan people well to have 49 per cent of this company, this corporation, being held by private interests. Because these bills are full of public interest, public policy principles that would never work with minority shareholders because it would be against the minority shareholders' interests to want these public interest principles, because we know that, as a minority shareholder in the private world, there's only one principle and that is the making of money, Mr. Speaker.

So let's just take a look at some of the things that we find in, for example, the SaskTel Act. There are expropriation rights from SaskTel. SaskTel has very significant expropriation rights. Now it's not always the fact that private companies don't have expropriation rights, but if we have the right to expropriate, which is taking land, it's the most heavy hammer that any government can have. And we've seen it used, for example, in the bypass where we're now in court, in several cases, where expropriation happened and people weren't paid very much at all for their land. And yet we see the other extreme in the GTH east parcels where we actually paid \$103,000 an acre for land.

So expropriation, how is that going to work if 49 per cent of the company is owned by private individuals and they might have a problem with paying \$103,000 an acre for land? So I think as a private citizen, those kinds of deals that are being made as well would be really questionable when I think about that, Mr. Speaker.

Power to acquire lands for telephone and telegraph lines. Notice of requirements of an easement. Price or compensation to be fixed by a valuator. If you're fixing the price of compensation to be paid by a valuator, that may not reflect what is happening in the private sector when it comes to determining compensation rates.

Payment into the Court of Queen's Bench. Very few private companies would have that provision in their contracts and their business dealings.

Non-application of *The Homesteads Act*. Unregistered easements, there's a whole section on unregistered easements. That's a statutory creation, Mr. Speaker, that again if you have a company that's owned 49 per cent by private individuals, that would not really reflect what happens in the private world.

Borrowing powers of the Minister of Finance. It's right there in the legislation, Mr. Speaker. Again we have a company that's owned 49 per cent by individuals, private individuals, and yet they get to benefit from borrowing powers of the Minister of Finance. I don't think that creates an equal playing field with other private companies, Mr. Speaker.

Power to borrow by sale of bonds. Again is that fair when we

look at what other companies in the private sector will be dealing with? And then this will give those 49 per cent owners, whoever, if it's one company or many individuals, they're going to have advantages that they wouldn't have without this kind of statute, Mr. Speaker.

There's all kinds of other things in here. There's investments, financial years, bonding of officials, and this is just the marginal notes. I didn't bring the whole Act. I could certainly go on and read all those sections as well, but I didn't bring them into the Assembly tonight, Mr. Speaker, but certainly could if was given another opportunity to speak to the bill.

General provisions, power to break and open up highways and streets. We have given our Crown corporation the power to break open streets and highways. Many of our utility lines run along the ditches of our roads here in Saskatchewan. Entry on lands adjoining telecommunications, removal of trees and obstructions, these are all statutory creations designed to work for a publicly owned corporation, Mr. Speaker. And if 49 per cent of that is now handed over to the private sector, what happens to the competitiveness of other private companies for example?

I brought out also the table of contents for *The Saskatchewan Government Insurance Act*, for SGI. We have a statutory board of directors and most of these bills have this, Mr. Speaker. So we have directors that are being appointed through a statute, and yet 49 per cent of the company is owned privately. So again it just sort of raises a lot of really weird questions about how is this ever going to work.

Here's another one. The corporation is an agent of Her Majesty. So how can an agent of Her Majesty be 49 per cent privately owned, Mr. Speaker? Capacity to contract, sue, and be sued. Well that's clearly a public company clause, Mr. Speaker, so are we going to have to amend the legislation as well? I'm assuming we will because so many of the constructs of our publicly owned utilities and our publicly owned Crowns are driven by statute, by laws that were created to reflect the notion that it's a publicly owned company.

SGI also — separate accounts of life insurance business, power of corporation to organize insurance and pension plans, power to borrow. Again that would be something that most private shareholders wouldn't have legislation around that allows their company to borrow. That's more driven through corporation law, Mr. Speaker. So that's SGI.

Let's look at SaskEnergy whose table of contents is quite a bit longer than SGI's. It's a longer bill. There's all kinds of things in terms of the corporation itself. The law determines who are members of the corporation. The statute determines again that it's an agent of the Crown. In the statute, the corporation is responsible to the minister, and that's found in other Acts as well. So here we have this Crown that's 49 per cent privately owned and yet it's responsible to a minister of the Crown. I think that's opening a door to a host of questions as well, Mr. Speaker.

Perpetual succession, Mr. Speaker. That's clearly a public law concept. And when we have 49 per cent of our Crowns being owned by private individuals, how on earth would perpetual

succession work? A common seal, liability and tort . . . Bless you to my colleague from Riversdale. The exclusive right to distribute gas, and it's a monopoly right, Mr. Deputy Speaker.

So when we hand over half of a company like SaskEnergy to private shareholders from who knows where . . . I mean this could be from outside of Saskatchewan. It could even be outside of Canada for all we know. And we've certainly seen SaskPower, or SaskTel, portions of it being sold to companies from China in 2012. That was something that the Premier was over in China visiting and facilitating. So how on earth would this work when 49 per cent of the company is owned by private individuals?

Exclusive right to distribute gas, consent to distribute gas, the power to place and remove pipelines under certain public places — these are all public law concepts, Mr. Deputy Speaker. It relates to the fact that these companies are public companies, and when you split that up and put 49 per cent of them in private hands, it doesn't make sense. Again there's a power of expropriation rights here, power to break open highways, appropriation rights again, borrowing power of the Minister of Finance, borrowing power of the corporation, temporary borrowing, charge and revenues — this is all driven by statute because it's a public company.

Insurance, the extent of the corporation's powers, load balancing. I don't even know what that is but it sounds interesting. And I'm not sure . . . I'm sure it is, and perhaps the Minister of Justice will be able to explain that when we get into committee as well. Records of buried pipelines, exclusive right to transport gas — exclusive right to transport gas. Again that's a monopoly right. We have given these public Crowns certain monopoly rights, that once you move that into the private sphere, there's no competition. I think we could have trouble along those lines as well, Mr. Deputy Speaker.

So these are things that are very concerning. SaskPower Act, again there'll be the similar kinds of things — chairperson vacancies, appointing people on the board. How are you going to feel if you're a minority shareholder and the government is still appointing the board members? So all of these Acts are going to have to be taken apart and reconstituted. I'm not sure how, and I think it's a real challenge to even begin to understand how you could create a hybrid company with private and public rights, private and public responsibilities, private and public policy aspects to those Crowns.

Costs of arbitration are in the SaskPower Act. Power to acquire lands for power lines and pipelines. There's programs respecting wiring of buildings, Mr. Speaker, advances for insulation, load building. Load building is also in the SaskPower Act, so there it is, Mr. Speaker. Relocation easement. All of these statutory clauses are here to help us manage and operate what is a public Crown. It's very deliberate; it's very systematic, and it wouldn't work if 49 per cent of that company were not owned by the people of Saskatchewan.

Here's the Act. It's *The Crown Corporations Public Ownership Act*. This was brought in in 2004. Only one person from the Sask Party spoke to it when it was in the House and it was the former member from Cypress Hills who spoke to that bill. And

my colleague remembers it; he was here, my colleague from Elphinstone, and he obviously paid attention to what was going on when this bill was enacted.

[21:00]

But there's some interesting pieces in *The Crown Corporations Public Ownership Act*, and I'm still curious as to why the minister wouldn't use that to introduce this definition of privatization. But I think we have clause 3 for example in *The Crown Corporations Public Ownership Act* which says, "No Crown corporation shall be privatized unless that privatization is authorized by an Act enacted after the coming into force of this Act."

So if he had changed the definition of privatization in this bill, what impact would that have had on section 3? I think we want to ask him that question, why he didn't do it that way.

Section 4 under *The Crown Corporations Public Ownership Act* says: "Every Bill to authorize the privatization of a Crown corporation must be referred to a Policy Field Committee established by the Legislative Assembly." So we're avoiding that for some reason by changing this definition of privatization through *The Interpretation Act*.

Those are questions again that we're going to have to ask the minister and say, why would you circumvent the requirements for a policy field committee to allow the public to have a say in what's going on with our cherished Crowns? I mean, we see . . . I read earlier the amount of money that we're taking in. But again, the public policy that these Crowns represent in terms of electrification in Saskatchewan, broadband access, Internet access for people in remote areas. That's important to us as a people, Mr. Speaker, and those policy field committees would provide an opportunity for the government to hear what people have to say about this.

In section 4(2), it says:

Before a Bill to authorize the privatization of a Crown corporation is considered by the Policy Field Committee to which the Bill has been referred . . . the Lieutenant Governor in Council shall:

(a) appoint any persons that the Lieutenant Governor in Council considers qualified to:

(i) examine the terms of the proposed privatization of the Crown corporation . . .

(ii) undertake a valuation of the true consideration that the Crown will receive when the privatization is completed . . .

(iii) prepare a written report on the matters set out in this clause and on any other matters the Lieutenant Governor in Council or the appointed persons consider necessary respecting the proposed privatization; and

(b) table . . . [it here in the Assembly, Mr. Speaker.]

So there's all kinds of provisions built into this Act that we now see the government able to circumvent simply by introducing a strange definition of privatization and tuck it away in *The Interpretation Act*. And it is a strange definition indeed, Mr. Speaker.

And in section 5(2) of *The Crown Corporations Public Ownership Act*, it also provides the following:

The Policy Field Committee mentioned in subsection (1):

(a) must provide the opportunity for representations by members of the public . . .

This is a statutory requirement for privatization, Mr. Speaker. As I said, ISC didn't find its way into this Act so they didn't have to do that with ISC. They don't want to do it with SaskTel, because the Premier heard the message loud and clear through the Meewasin election. And anybody that was door knocking in Meewasin would have known. As I was out there a few times, Mr. Speaker, nobody asked me about privatizing SaskTel and said that they thought it was a good idea. It was quite the opposite, Mr. Speaker.

And so these kinds of provisions are in this Act to protect our Crowns. And we know how important they are to the people of Saskatchewan. We saw that in the 2003 election, Mr. Speaker. We saw promises time and time again from this Premier that he's not going to privatize, but he is, Mr. Speaker.

This clause will allow privatization of 49 per cent of our Crowns. And it is going through the back door, when the Premier clearly understands that the mood of the people of Saskatchewan is not to see privatization of our Crowns that have done so much for our economy. They've done so much for the people who work there, the jobs that . . . good mortgage-paying jobs, Mr. Speaker.

So I know lots has been said by my colleagues, and we still have a lot more to say, but at this point I want to thank my colleague from Regina Douglas Park for bringing forward the motion to fix this bill. And first of all, that we would just decline to give second reading to Bill 40, because we know that this new definition allows them to go ahead with privatization without a referendum. And we also know, and I haven't even talked about this, Mr. Speaker, is the millions of dollars that will go to Ottawa for the *Income Tax Act* of Canada collection under section 149. We won't be exempt from corporate income tax anymore either. I don't think that's something that the people of Saskatchewan are looking forward to, Mr. Speaker.

And so unless he's willing to limit the sale to 10 per cent, and I'm told that people were . . . that issue was raised. I'm not okay with that, Mr. Speaker . . . [inaudible interjection] . . . The minister wants to know. He knows where I stand. Not okay with this at all, because we know it's a backwards way and backhanded way of treating *The Interpretation Act*, and it's a backhanded way of going around the provisions of the Crown protection Act.

It's not an honourable bill, Mr. Speaker, and I think this motion is one that members should consider, and certainly I'm pleased to be able to enter the debate in relation to this motion. I do

support the motion. I support that we change the bill as my colleague suggested. And basically that would be the extent of my comments at this point, and I would like to cede the floor to my colleague from Cumberland I believe, or Riversdale . . . Cumberland. There we go.

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Thank you, Mr. Speaker, to join in on Bill 40. Thinking a little bit about . . . [inaudible interjection] . . . Thank you. There we go.

Joining in on Bill 40, when you listen to, I guess, the words from my colleagues, and I say that they articulate well. Lawyers, as I give them credit. They take the bill; they can take parts of it and they articulate it very well and they draw a good picture of what's going on. And I think some of the comments that have been made is why the way this bill has been introduced, and if it's the backdoor way of bringing it in to privatize to get what government wants.

Yet on one hand, we have a government who says they don't want to privatize. And I'm hoping that the Premier and members opposite understand what the good people of the this province are saying about our Crown corporations, about the minute you talk about privatizing their Crowns. And they're very proud of those Crowns. And you know, when you think about an area, in 2004 when the bill was introduced to protect the Crowns . . . We've seen an election in 2003. It didn't go well for a party or an action that said they were going to get rid of the Crowns. The Crowns were up. That was very clear.

The people sent a very strong message, and they had an opportunity and they said that. But having said that, members, you know, along with that party, with the Sask Party decided, you know, they would support. And I think they supported in 2004. I don't know if all of them did. I checked the record, but I think so.

As my colleague from Saskatoon Nutana said, well one of the members talked about it, got on his feet and shared. I don't have the details of what he shared, but at the end of the day that legislation was passed and it came into effect.

Now I'll go back to talking about the good thing that the assets and, as you turn those dollars back to the good people of this province and, you know, you turn back to the government. When you think about 2004 and you talk about the legislation, lo and behold, as my colleague articulated very well, and gave some dollars of ISC, it was a Crown corporation that, you know, paid some good dividends back. It took a little time, but it started paying some good dividends back to the people of the province. Very slowly, but in the end you've seen some good returns to the people of this province.

It was a Crown corporation. It did a great service and it paid some good dividends back to help us pay for, as we talked about, schools, roads. And you know, when you think about every time some dividends come from back to the province of our Crown corporation, every time that happens, the good people of this province, you know what? They get an opportunity to say, look, if we're taking these profits, you own this Crown corporation. It belongs to the good people of this

province. When we have good dividends, we'll pay that into the government coffers for everyone on behalf of the province. So maybe it's less income tax. Maybe we don't have to raise certain things. There's benefits that you don't have to generate that revenue because that revenue's being paid for by all of us and then shared.

So when we talk about that, and I've listened to my colleagues share that and the good work that's been done. But having said that, before we go into a little more of some of the benefits that our Crowns have done, and I mean there's many things we could say. And there's passion.

You know, you think about whether it's our cell service, you know, the Internet, there's so many different opportunities — SaskEnergy, SaskPower — that where there's rural areas, the North, the far north, there is opportunity. And I don't know that if it was a private company, would they get the same service? Would they be able to afford? Would they be willing to do that partnership that this good province has partnered with many, you know, when you look at the municipalities, you look at homeowners, you look at the business in communities? And we have certain benefits that those Crown corporations have made and the good working people have brought, whether it's, you know, cell service, telephone service, whether it's, you know, SaskEnergy, SaskPower. It's done many great things to bring those services to our rural, remote communities. Some of the most isolated communities were fortunate to get that.

And if you look at balancing that out where we, you know, do you charge one area because you've had the cost to provide that service, or to get it in the initial area cost so much? I think about some of the areas and I think about even, you know, you look at SaskEnergy. It came up to La Ronge. Some of the other communities were very fortunate to have natural gas and I know that people appreciate it. You know, that Crown corporation had the ability and with, you know, the assets, the staff it had. And because we own it we're willing to, you know, commit to that partnership and provide that community, Air Ronge, La Ronge, you know, and I think about, you know, Weyakwin. There's many other communities along the way that benefited from that, having natural gas. So our Crown corporations are very important because they provide an affordable service to residents, to business. There is an opportunity. So it has.

But having said that, you know, and I've talked a little bit about this — I know my colleagues have — about there's 10,000, I believe roughly 10,000, maybe a little more than 10,000 workers who work for our Crowns, who do a great job, who are paid a salary, who again go back home after they, you know, they do their work. They get their paycheque.

They pay and they buy goods and services in their local community. They help out. Whether they have families, you know, they get involved in recreation. And I kind of talked about this and, when you think about the good work and think about the hours of and how good that looks when you see our Crown corporations that people are proud of. They're in the community, and they're doing the good work helping out wherever, whether it's coaching, you know, there are fundraisers. It's amazing the things that you hear from different people who work for our Crowns, the good work they're doing.

They get involved and they help out. Not only do they provide us with a great service . . .

And sometimes it is about safety. They provide us . . . You know sometimes we ask them to go out in some pretty rough conditions. When I think about this winter, some of the storms and some of the challenges there, they go out and they do their job. So you know, you want to thank them and you want to say, we're proud of our workers and the great job they do.

But having said that, at the end of the day, Mr. Speaker, we have a bill that's being introduced, and my colleagues have talked about why. Why do we need a bill?. You know, we think about in 2004 when, you know, the Crown protection bill came into play and it was passed and it became legislation, and there was some Crown protection.

Now we talk about one that was sold off, bits and pieces, and they started that at ISC. They said, well there was no protection, oh, sorry. And I remember hearing some of the members saying, well you should have put it in there, in the protection. Well if you want to amend it, you could have made some amendments, and you could have suggested some changes when you were in opposition, members on the other side that were there. They could have said, you know what, you missed. You missed. And I'm not saying they didn't, and maybe they did. Maybe we have to check *Hansard* and maybe they did make those good changes and, for whatever reason, it didn't happen. I don't know.

[21:15]

But I'm just . . . I sometimes wonder, why didn't that happen? If you have members saying that, well why didn't you do this? Why didn't the government of the day do that? Well why didn't members opposite say, you know what, we claim that we work together, and sometimes I've seen legislation where both sides have worked together to pass legislation that has done some good. And there's nothing wrong with that. I think it's supposed to work like that. We're supposed to work together sometimes.

But sometimes there are bills introduced and legislation and amendments that come in that we cannot support. Bill 40 is one of them. We look at how many workers and, you know, the good Crown corporation workers that are, are so against this. And there's a reason why they're so against it. I think they're starting to realize. They're starting to realize.

And when I . . . You know, you think about the benefits, the benefits that our province have benefited. And when you think, you know, in 2015-16, and I kind of . . . You looked at the amount of money that the good people of this province, they paid for the service to have in their whatever it is; whether it's SGI, whether it's SaskTel, SaskEnergy, SGI. I talked about. It's all our Crown corporations where we pay for the service, a good service that we're happy. And you know, there might be complaints out there that individuals are not always happy.

But you know, at the end of the day, for myself, I can say I've had an opportunity, you know, to use our Crowns. And you know, the Crowns that I use and my family use, we're very happy with the service. There's no reason why we would want to change the service we get when they come to our house.

They're professional. They're courteous. They do a great job when you're phoning in and you have complaints. Is it all perfect? It's nice to see that our Crown corporations, they know they're owned by the people, and I think they treat the people pretty good. Is it perfect? No, I know that there's complaints. People have concerns and you can raise them, and I don't think they're against raising them and they try to do better. So having talking about the services that they provide and I've talked about that and the good dollars that come back, the good dollars that come back.

But to see a government on one hand say, no our Crowns aren't for sale, where are they getting that? Where is that opposition getting that? It's legislation like this. And again I talked to the member and my colleague from Saskatoon Nutana who has articulated very well, who has showed why would you come this way when you have . . . You could have come through another process and made an amendment. Or you could have, you know, worked with the members opposite and worked with the good people of the province to say, you know what. And I don't know who was consulted. Who were they talking with that . . . And who wants our Crowns, who wants 49 per cent of our Crowns sold? Like why this number of 49? At 51 we still will have control; we still own the Crowns. Is that the interpretation?

Well if that's the interpretation that they're trying to sell, let's be very clear. The good people of Saskatchewan are sending the minister, the Premier, and the Sask Party government a clear message: we do not want any of our Crowns sold, not any part of it. We want it left alone, intact, and we want the benefits that it helps Saskatchewan people and it helps all of us pay. Whether it's roads, education, it helps; it definitely helps. So that's what the good people are saying.

And you know, you think about the by-election. We talked about that, you know, going out door knocking and talking with residents in Meewasin. They made it very clear they did not want the Crowns touched, in no way, in no way. So I don't know if the government's listening, but here's a good point you may want to listen to this. You know, the member's here from Meewasin who was declared the candidate. And you know at the end of the day, it was clear from the people. They made a very clear choice when you talked to them about how concerned they are about the Crowns.

And we're hearing that everywhere you go. There are so many, so many of our community members are talking about that. And they talk about, well hold it now. You know, when you think about the mismanagement that people are saying, the scandals. People are looking at, at what this government's track record is and they're saying, well under the best years with record revenue and everything, we had — and we're proud of our Crowns — the best years you had, you put nothing away. But now you want to sell off to help you because you've got a mess. You've made this mess as a government. This wasn't the good people of this province that have made the mess. They were there doing their part. They've paid their bills. They have done the hard work.

And I think about, you know, our seniors, and I think about the young people. And we see a government that's going to come out and there's going to be a budget soon and that's going to be

interesting to see how they're hit. So is the government looking for some quick cash, saying oh, no, no, we're not? I don't know what the motive behind this bill is. And you know I'm hoping that at the end of the day, when we go through the whole process, we'll find out what it is. But it's also very scary wondering like, where's this going and why. Why this way?

And like I said, I can't help but to think about my colleagues, how they articulated well and they've gone through the different processes that could have done. And I think the minister and the government had another access or different ways of amending it or doing more protection of our Crowns. There's different ways, you know, that they could have done that. They could have consulted with, I guess, there's so many different areas and individuals they could have consulted with if they wanted to find a way to clarify what is it they're saying, and if we need that.

And my colleagues articulated well why do we need this interpretation, the way it's bringing back and it's allowing the government to sell off 49 per cent of our Crowns. And you know what's really interesting is if you talk about that, why would you want to send money to Ottawa? Like we do our part, and that's fine. Where things go good, you send it, but here's going to be a tax. If you're going to sell off, you know, any more than 10 per cent of our Crown . . . I don't think you should just sell off any one. Let's make it very clear. I don't think you should sell one — one share, 1 per cent, I don't care. You shouldn't touch it. It should be there and protected. This shouldn't be done.

But let's say the government's going to do what they're going to do and they're going to try to do, and I think against the good people of this province and then you're going to be taxed and we're going to send money away. Well you use those dollars.

I think about, you know, my grandkids. I think about my grandkids. I think about well just kids in general when you talk to them, you know, people. You talk about the good . . . Would you like to have, let's use \$300 million. If we could say our Crowns are going to provide \$300 million to Saskatchewan people for your education, for your health care, for your roads. Would you like that 300 million to help out that way, or would you sooner it go to a private company or most of it go to a private company? And we'll tax you or we'll find other ways to make residents pay for that. And there's different ways that government can do that. It'd have lots of ways that it can generate dollars, and we're going to find that out, I guess, in the next little while here how they're going to do that.

I think most would say, yes, I would like to have our Crowns and utilize, you know, the profits to come back and help pay for this stuff. It just makes good sense, and people will say that. It's just good, common sense to do that. Why would you want to mess with that? Like it's not broken, so why mess with it? Why do this? Why go this route?

It's interesting, you know, that a government . . . But they have an agenda. They say, oh no, no. The Premier and his ministers and his cabinet, his colleagues on the other side with his government saying no, no, no, no.

We talked about the backbenchers, you know. We talked about

the backbenchers, you know. My colleague, the member from Athabasca, made it very clear. Say something. Get up. Fight for the constituents because at the end of the day, it is our kids and our grandkids that will pay dearly. And it is. And I don't say that to criticize. I say that I'm hoping the backbenchers would hold your government to account. You have a strong voice, and you can be a strong voice for the people that elected you to represent them. I hope . . . You know, you're sitting back, and you're, you know, you're talking to your constituents and that you do something.

I hope that because I know on my side, I've heard many people talk about they do not want their Crowns sold, not whatsoever, any part of it. As soon as you bring up that discussion, people get very upset, and they're very protective. And I'm glad to hear that, and I'm glad to see that.

So this government . . . And you know, my colleagues talked about a referendum, you know, an election. But that was not brought up to the people in 2016. There was no mention from the government, the Sask Party. They didn't say, oh we're looking at maybe selling off 49 per cent, maybe 10 per cent, maybe 11 per cent. Not a word about that to the good people of this province. Just left it alone. And now look where they're going. Look at the amendments they're making, and the way they're trying to bring it in.

So here we have a government, and I don't know for what reason they have to have this interpretation. And like I've said, my colleagues have made it very clear. And I know we're going to have opportunities to talk, you know, on this bill. There's going to be more colleagues that want to join in and get in on the discussion. But I think about it, even in committee, you know, the minister will get a chance, and hopefully his officials, to explain why, why they need to do this.

And when I think about some of the comments we've heard from people, and I think about this motion that was brought in today and introduced, the member from Regina Douglas Park who introduced the motion, you know, to say the government could withdraw this, you know, the minister could withdraw this motion, Bill 40. And if there's areas where we can protect our Crowns even more, or if there's other ways of having an interpretation that they're willing to . . . You know, you could work out . . . So strengthen.

And I want to make it very clear when we say we want to work with government to strengthen our Crown protection, not to weaken it, not to give a government an opportunity to do any, as my colleague from Saskatoon Nutana, any back door, you know, coming at it, legislation. Make it very clear it's from the front door; you're upfront with the Saskatchewan people of what this government is going to do and what you're going to do. And I think that's what the people of this good province expect and want, you know. They don't want a government to say one thing, and then when they get in do another thing.

You know, I've heard the government's side and, you know, they have a big majority. Let's be honest. They have a huge majority, and it has. So pretty well they can, you know, they can manoeuvre and do what they want. And sometimes they'll say, oh we can't do anything. The opposition, the NDP, they're stopping, they're stopping us. They're holding us up. You

know, the NDP, those 11 members now, are holding us up. Well you know, I want to be very clear, and I've said this earlier, we'll work when we can, when it makes good sense, legislation, that we work together. And I've said that; we have done that.

But this piece of legislation, I'm hoping the minister will do the right thing and hopefully follow this motion and, you know, take Bill 40 and say, let's have another look at this. Maybe this is the wrong way to go. There's another way to do it. And let's protect our Crowns and let's strengthen them so nobody can mess with them. Because the people of this province do not — make it very clear — do not want any part of our Crowns sold in any way.

And you know, having said that, I go back to the benefits that our province and all of us have benefited by our Crown corporations. And many of us use many of the services, whether I think about SGI, and I go through . . . And we could go on about the good work that they do, and the benefits that benefit Saskatchewan people and our province and the government because the government gets to use those assets, whether they borrow on them, however the Crowns do, whether they take dollars in.

And I think some people talk about the dollars our Crowns do when they want to . . . I think about SaskTel. We pay a certain amount that we pay and goes into maybe upgrades. And over time the government will say, yes. But when we see power rates going up the way they have been going up, people wonder about that. I've had people ask that. You know, January they went up; I think previously went up. So people are asking, you know, why. They want it affordable. They want it affordable. They want to have it affordable. They want to make sure the people do the right things with their dollars.

So the government needs to make sure less scandals, no mismanagement. Let's make it very clear: that's what the good people of this province want. They want a government to take good care of dollars — whether it's our tax dollars, whether it's the dollars that coming from our Crowns. Make it very clear. The good people of this province, you will not pull the wool over their eyes. They will not put up with this, and they will send a message. Maybe it's not today. Maybe it's tomorrow that maybe they're saying, enough's enough. But it will come. Change will come and my colleagues talked about that. When you lose the faith of the people, they will send you a message. I know that.

[21:30]

So having said that, I know my colleagues have more words they want to share and some good information that they want articulate well and bring forward to the Assembly. And hopefully the minister will withdraw Bill 40. He will see that this is the wrong way to go as my colleagues before me have articulated well, that he will see that this is the wrong way to go. So at this point, you know, I'm going to prepare to conclude on my comments.

The Acting Speaker (Ms. Ross): — I recognize the member from Saskatoon Riversdale.

Ms. Chartier: — Thank you, Madam Deputy Speaker. It's my privilege to enter into the debate on the motion before us tonight. My colleague from Douglas Park moved a motion regarding Bill 40:

That all the words after the word "That" be deleted and the following substituted:

this House declines to give second reading to Bill No. 40, *The Interpretation Amendment Act, 2016* because:

the Bill creates a new definition for privatization that allows the government to wind down, dissolve, or sell up to 49 per cent of shares of a Crown corporation without holding a referendum; and further

that this bill risks sending millions of dollars of Crown dividends to Ottawa, rather than to the people of Saskatchewan, because under section 149 of the *Income Tax Act* of Canada, Crown corporations are exempt from corporate income tax, provided not less than 90 per cent of the shares are held by a government or a province.

So that was the motion moved just a short while ago by the member from Regina Douglas Park.

It's interesting Madam Deputy Speaker, this is, it's called a reasoned amendment, and this is the second time on my time in this legislature that we've moved a reasoned amendment, just casting our minds back a few years ago. So a reasoned amendment is an amendment that objects to the second reading of a bill. And in that amendment, as you can see that it . . . The reasons for rejecting that bill need to be laid out, Madam Deputy Speaker.

Old habits die hard. It's not very often we have the privilege of having a woman sitting in the Speaker's chair, so my apologies.

So the last time that we have a reasoned amendment actually was around the addition of three more MLAs [Member of the Legislative Assembly] to this House, Mr. Speaker. And the members on this side of the House, I think, made a clear case and spoke strongly about not needing three more MLAs. And you know, much like this bill, Bill 40 before us, I didn't find any support in the public nor did any of my colleagues who sat here before, for the addition of three more MLAs. People weren't interested in having more politicians, Mr. Speaker. That wasn't something that people were talking about. That was not a demand that they were asking for.

Much like Bill 40. I've not heard one person say to me, we need to privatize our Crowns, Madam Deputy Speaker. So much like the last reasoned amendment that we brought forward several years ago, that was eventually defeated 49 to 9 I believe, or whatever the numbers. I'm not sure if everybody was present for that vote, but it would have been 49 to 9. Unfortunately, there is a . . . in a place sometimes in this House where the majority rules.

But I can tell you that in my time on the doorstep in Saskatoon Meewasin, and prior to that as well, I've had a lot of correspondence to my office in Saskatoon Riversdale, and I'm sure all members in this House have from people — people we

know, but many people we don't — actually reaching out and saying, we don't want to see our Crowns privatized. And they are aware of this bill before the House and have huge concerns.

We have a Premier who, less than a year ago, reaffirmed his commitment to not privatize our Crown corporation. There was a hard lesson learned, I believe, in the election of 2003 when the then leader of the Sask Party had toyed with the notion that, of course if his government was elected, he'd have to look at any, the government would have to look at any options. And that was the nail in the coffin of that election for the Sask Party, Madam Deputy Speaker.

So I think the future leader, our now Premier, has learned that lesson. And actually, I may read into the record some of the comments he's made around that time, and recognizing that the people of Saskatchewan know the benefits of our Crown corporations, know the jobs that they create, the rates that they keep low, the services that they extend to people in rural and remote communities that we might not . . . who might not otherwise receive those services.

The fact that dividends, this is the big one, Madam Deputy Speaker, the dividends that our Crown corporations, our successful Crown corporations paid to the people of Saskatchewan to add to the revenue side of the ledger, to ensure that we have health care, that we have education, that we have highways, all the things that we value and we think are important here in Saskatchewan — our Crown corporations help support those.

So again it is my privilege to be speaking to this motion tonight, this reasoned amendment. Again, again casting our minds back to that last reasoned amendment, we actually find ourselves in a similar place where there wasn't a huge public demand for three more MLAs, much like there's not a public demand to privatize our Crown corporations.

And we have the debate before us as well. At the moment, the opposition is actually calling on the government to reduce the number of MLAs in this House. We believe that, if you look at the numbers, we're one of the most over-represented people on a per capita basis if you take a look at the rest of the country, Madam Deputy Speaker. And so we're proposing that we could use five fewer MLAs in this legislature in the next election. We think that that's something that we're happy to work with the government to make that happen, to reduce the number of MLAs.

We also think that another part of that debate right now is reducing . . . Obviously everybody in this House, I know we're very willing to take that 3.5 per cent pay cut, Madam Deputy Speaker. But we believe, and the people of Saskatchewan believe, that those who created the financial challenges — the ministers — should be taking a 20 per cent cut, as well as the fact that, with respect to the 3.5 per cent cut, that shouldn't be an excuse to foist that upon the public service, the people who work hard for their money every day, Madam Speaker, who didn't create this mess.

So it's just interesting from a historical perspective that two reasoned amendments that have come before this House in my seven years here, have a bit of a connection, Madam Deputy

Speaker.

I want to talk a little bit about the jobs that Crown corporations create. The reality is there's more than 10,000 jobs across the province, 10,000 people employed by Crown corporations who make a living wage, who have the opportunity to pay their mortgages, to spend their money in their community, to contribute to their community, pay taxes. But people who have decent incomes have an opportunity to spend that money and invest in services and make businesses in their communities flourish.

But I think one thing that stood out for me, and I haven't actually researched this or looking . . . I don't know, this popped into my head actually today when the member from Saskatoon Centre was reading his pay equity petition. And in that pay equity petition it talks about women in Saskatoon earning 63 cents on the dollar, and women in Regina earning 73 cents on the dollar compared to men. I think the discrepancy, whether it's 63 cents or 73 cents, isn't good enough and we need to do something about that in general.

But I was just thinking about why the difference between Regina and Saskatoon. And I don't know this; I haven't looked at the numbers. But I'm wondering, or just suggesting, hypothesizing perhaps, that it is the Crown jobs or the civil service jobs here in Regina that are a good reason why women are making 73 cents on the dollar compared to men, as opposed to 63 cents in Saskatoon. But either way, that needs to be rectified in the whole.

So jobs are one part of the work that Crown corporations do very well. When we think about rates, a Crown corporation, the reason Crown corporations were established in the first place were to serve the people of Saskatchewan. They were established by and for the people of Saskatchewan. We are the shareholders, all of us citizens here in this province, and when we think about one of the reasons why we would have Crown corporations, it's to keep rates low, to ensure that citizens have the ability to afford the services that they need.

And just looking at an intercity comparison of taxes and utilities, when we take a look at rates, just pulling out one income line . . . So this is the 2016 intercity comparison of taxes and utilities, single person at \$25,000 total income. And just for listeners' sake, there's also a comparison of 40,000, 50,000, and 75,000, but the utility rates and insurance are listed as the same. But just when we're comparing telephone utilities across cities here, so here we have in Saskatchewan, \$258, Mr. Speaker, in Regina, compared to cities like Winnipeg, 314; 369 in someplace in St. John; 370 in Halifax; 370 in Charlottetown; 369 in St. John's.

We can look at auto insurance. We have SGI, a Crown corporation. \$1,159 here in Regina, the average single person rate for auto insurance. So we think about that compared to, say, Vancouver, which is 1,730; Calgary, 2,341; Toronto, 4,410; Halifax, 1,992; St. John's, 2,991. So that's just an example of how our Crown corporations can help keep our . . . are a clear example of how our Crown corporations help keep our utility rates down.

I think another very important aspect of Crown corporations are

the dividends that they pay to the General Revenue Fund, to the people of Saskatchewan. We can look at the last decade, basically since 2006, and all our Crown corporations have contributed more than \$3 billion to Saskatchewan's economic well-being, Mr. Speaker. More than \$3 billion. So you take that \$3 billion out of the picture and we have an even bigger hole than this government has created without the Crown corporations being sold off, Mr. Speaker. That is a substantial number.

I think another interesting thing about Crown corporations are the ability to direct policy, Mr. Speaker . . . We had Madam Deputy Speaker in the Chair. And it's good to see you back but it was nice having a woman in the Chair for a little while there, Mr. Speaker. So I just wanted to . . . Just for clarity's sake, if people were wondering what was going on there, that's what's happened here.

In terms of policy choices, our Crown corporations have the ability to help drive . . . Government can use our Crown corporations to help set policy, and positive policy. I remember having a conversation with Premier Calvert several years ago around SaskPower and the green agenda, and him being at a SaskPower event and talking with some front-line engineers, some people who made stuff happen, Mr. Speaker. And he was very interested in wind power. Premier Calvert had been very interested in wind power. And he had talked to some folks in SaskPower who weren't those front-line engineers, and he was told that it wasn't the easiest thing to pursue.

But then he had a conversation with some of the people who did the front-line work, and they said, of course we can make it happen. And Premier Calvert at that point said, well let's make it happen then. So our Crown corporations can also be an opportunity to set positive policy agendas, Mr. Deputy Speaker, so we have good jobs that help people pay their mortgages and contribute to the local economy. We have competition and keeping rates . . . well, the ability to set rates and provide competition as we have with telecommunications here in Saskatchewan, and keep those rates reasonable or low. The dividends, more than \$3 billion in the last decade, paid to the people of Saskatchewan for our services that we enjoy, Mr. Speaker, and the ability to impact policy choices.

I think a big concern I have with this bill and with many choices this government has made in the past, it reflects this government's inability to analyze the situation or do in-depth analysis of the impact of their decisions. So this interpretation Act gives and defines privatization, which the member opposite . . . I know the minister has heckled that, well nobody else has defined, nobody else. He's not heckling tonight, just to be fair, but in the past he was. He was in the . . . earlier tonight. Hey, Gordon . . . Sorry, Mr. Speaker.

[21:45]

I do like the Minister of Justice very much. I would consider him a friend, but I think he's completely off base with this Act, Mr. Speaker. So he has heckled that the NDP failed. He has lots to say tonight, Mr. Speaker. So he has said the NDP failed to put a definition into the Crown protection Act or to provide a definition of privatization. But I can tell you on the doorstep in Meewasin or anywhere I've been, and actually prior to the

by-election, taking a petition out in our respective communities, talking to people in our community about privatization, they know what it means, Mr. Speaker.

But the Minister of Justice has been quite vocal in saying that the NDP government, past government, failed to put in place a definition of privatization. But I need to point out that when the Crown protection Act was put in place, was introduced in 2004 and then passed, it had support of both sides of the House. And back at that point in time, none of the members who were then in opposition, who are now in government, felt the need for a definition.

So I'm wondering what has changed. Well actually, I'm not wondering; I know. I know what has changed. This government is trying to do by the back door what they can't do by the front door, Mr. Speaker, and that is to create the opportunity to privatize our Crowns. And I can tell you that the CRA, the Canada Revenue Agency, has a definition for income tax purposes, Mr. Speaker. Anything over 10 per cent will see us shipping . . . Anything over 10 per cent will see us shipping money to Ottawa rather than keeping those dividends here in Saskatchewan. So that's a pretty clear definition right there, Mr. Speaker.

So one of the things I was saying a moment ago, the thing that bothers me about this particular bill and about other things that the government has brought forward is their lack of analysis at the time. So the point about the Canada Revenue Agency and the 10 per cent, I know the . . . Initially it was the Minister of Finance who took some of these questions and he said, oh, well that's a hypothetical. We'll cross that bridge when we come to it. It's just a hypothetical, that 10 per cent. We'll deal with that situation.

But that's something, when you're creating public policy, Mr. Speaker, that should be thought of long before you introduce a bill. That's not an afterthought. That's something that should have gone into . . . I'm sure in their cabinet decision items, that was probably included or should have been included. Someone should have thought about that or realized that, Mr. Speaker. It wasn't long after the bill was tabled that the opposition and many other people realized that was an issue. And it is an issue that this Act will possibly put us in the position of shipping money to Ottawa instead of keeping those dividends here in Saskatchewan.

I think about other areas where this government has done a very poor job of those unintended consequences and not really thinking things through. And actually it was an issue around privatization of the Saskatchewan Communications Network which this government sold, I believe it was in 2010. Again budget time, it's just about budget time, Mr. Deputy Speaker, and so this makes my mind go to that place. So in 2010, the government, without any consultation, without any word to anybody, announced in their budget that they were privatizing the Saskatchewan Communications Network, the last public broadcaster in Canada. They didn't realize the impact or the ramifications of that decision on the film industry.

So SCN [Saskatchewan Communications Network], aside from providing good local content, being an educational broadcaster, also was the first in. So local production companies could get

... SCN would purchase or get a broadcast licence or issue a broadcast licence and they would be the first in, which would cause other organizations to support and get involved in that production as well, Mr. Deputy Speaker. So the reality is ... So the government hadn't thought about that at all. Clearly they hadn't thought about it because the Canada Media Fund ... I don't think they realized the dollars that the film industry ... when we still had a film industry at this time. This was before they made the decision to cut the film tax credit, so this was the start of the erosion of the film industry. So no, it wasn't the erosion. It was like the outright obliteration of it a few years later, Mr. Speaker.

But that lack of analysis around the sale of SCN was a huge issue. And they ended up selling SCN, a treasury Crown for \$350,000, Mr. Deputy Speaker. It was valued, its assets were valued at 4 million. So they undersold it and then just a short while later, I believe it was about a year and half later, the person who purchased it for \$350,000 turned around and sold it for much more money, Mr. Deputy Speaker. So lack of analysis is, I think, the hallmark of this government, or I would say analysis after the fact as well.

Again I can't help but think about the film industry again and when the government introduced the cut to the film tax credit. And we discovered later through freedom of information requests that the government decided to cut the film tax credit and then called for analysis of the cut to the film tax credit. So they made a decision and then they analyzed it after the fact, Mr. Deputy Speaker, which to my mind is the wrong way of doing things. And this is exactly what this government, with respect to the Canada Revenue Agency ... and what this will mean to the people of Saskatchewan if we end up sending our dividends to Ottawa instead of keeping them here, Mr. Deputy Speaker.

Again I had a very interesting conversation, just thinking about the by-election here again. We all had many conversations. I'm sure the members opposite did as well. But I'm thinking about a young fellow who I met on the doorstep who was from just outside of Swift Current, from a small town not far from Swift Current. He knew the Premier. He likes the Premier. He likes the Sask Party. He's a Sask Party supporter. There were lots of places where we weren't on the same page, but the one thing that he didn't like was the privatization of our Crowns. He had huge concerns about this. So it was interesting to me that ... And I know that he was planning on casting a vote for my new colleague from Saskatoon Meewasin, but he still, he made it very clear that he was a supporter of the Sask Party generally and a supporter of this Premier, but he felt that privatization of our Crowns was not the right choice. This is exactly what this bill allows this government to do.

So the Premier, it was interesting to me, so the Premier just a few weeks ago says, people in Saskatchewan are not interested in a referendum. They are most certainly not interested in a referendum, but that's not because they're not interested in this issue. They don't want a referendum because they don't want our Crowns privatized. They just don't want our Crowns privatized. They don't want the government to do by stealth what it can't do through the proper channels, Mr. Deputy Speaker. So the Premier is right when he says the people don't want a referendum, but it's not that they aren't willing to place

their support in favour of Crowns. They just don't want a referendum because they don't want our Crowns privatized. It's that simple.

So I just want to point out the SaskTel effect in ... And I want to thank my colleague for dropping these off on my desk a little bit earlier. I'd been looking for them. So I've just ... looking at utilities. You know what? I'm not going to talk about those right at this moment.

I just want to put some of the Premier's own comments on the record here around privatization. So he's recently said that he is not, again as I just said, he doesn't want us to have a referendum because he knows the people in Saskatchewan don't want to have a referendum, but again it's not because they aren't interested in our Crowns, that they are not interested in selling our Crowns, Mr. Speaker.

So just a few years ago ... I'm drawing your attention to *Planet S* which is a Saskatoon paper. And the article's entitled, "In Brad Wall's Words: A recap of our premier's statements on SaskTel privatization." I only used his name, Mr. Speaker, because it was in a newspaper article. So in this article, the first thing that the Premier more recently said about privatization came in a one-on-one interview with Gordon Pitts in *The Globe and Mail* in May, 2010.

Pitts asks Wall why he resists privatizing Crowns; Wall references the 2003 gaffe by then-party leader Elwin Hermanson. Here's what he said.

"It's a practical lesson from the election of 2003 (which his [Sask] party narrowly lost) when we sacrificed the chance to implement the rest of this growth agenda. I was the Crown corporation critic and I helped write the policy, so mea culpa. We sacrificed the chance to make some long-term changes in the psyche and environment in the province for this one issue.

"Some on the right say SaskTel doesn't have a future as a standalone indie. Well, it just had its biggest year. Part of it is a growing economy and part of it is an attachment people have to their Crowns. In the case of SaskTel, it is competing with other telcos, and this (attachment) has stood them in good stead. I'm not saying Saskatchewan is an island with respect to government-owned enterprise, but there are unique elements that say to me: 'We still have other things to do, we made a commitment and we plan to keep it.'"

Well I'd like the Premier to keep that commitment as I think would the people of Saskatchewan. So in this article:

... *Leader-Post* reporter Angela Hall did a year-end interview with Wall [with the Premier]. She asks him about accusations about a hidden privatization agenda.

He says:

"The fact is we have put significant investment into the Crown sector. We put significant general revenue dollars into SaskTel over three years to help them expand connectivity in the province, to help them expand the

mobility network” . . . [said the Premier].

And then the Premier doesn't . . . From the same article from *Planet S*, not too much comes out from the Premier on SaskTel and privatization until last year's election, which started March 8th. And on March 15th, the former NDP leader raises the prospect of the “hidden privatization agenda for the province's Crowns, as reported by the CBC.”

When pressed on the issue, Wall said [or the Premier said]: “There's something we signed on to called the Crown Corporation Protection Act, or to that effect. Basically, it protects Crowns from being privatized,” he said. “If elected, we will make one change to that: that's to the liquor [store] retailing in the province. And we've already announced that.”

“With respect to the major Crowns, we will not be changing it if we're re-elected again,” he said.

So that was just over a year ago, Mr. Deputy Speaker. And we find ourselves in the position of a bill being before the House which will effectively change the nature of our Crown corporations if given an opportunity. The reality is a business owned 49 per cent by private investors and a business owned 51 per cent by the people of Saskatchewan will have a very different agenda and a very different feel than it currently does.

Our Crown corporations are owned by the people of Saskatchewan and are to serve the people of Saskatchewan. The 49 per cent of whomever may hold that percentage has . . . As with all businesses, the goal is to maximize profits, but that's not just the goal of a Crown corporation. So there are two very competing interests if this bill goes forward, Mr. Deputy Speaker.

So the discourse . . . I'll take you back to the *Planet S* article that talks about the Premier's own words on privatization and this:

Before [on May 17th, before] entering the Legislature for his government's throne speech . . . [the Premier] told reporters that “competition has gotten tough,” for SaskTel, due to a May 2 deal that saw Bell Canada buy Manitoba Telecom Services, according to *Leader-Post* reporter David Fraser.

“Maybe that's a discussion Saskatchewan people want to have,” Wall said. “We wouldn't be able to be in a position of welcoming private investment into SaskTel even if that was thought to be the right thing, because we didn't campaign on it.

“If it was something Saskatchewan people, we thought, really wanted to at least talk about, there is the idea of a provincial referendum,” said . . . [the Premier].

Well we've gotten to the place now since that time, less than a year ago, the no privatization, oh, then the possibility of a referendum, and more recently no referendum. But the reality is this bill, *The Interpretation Act*, leaves that opportunity wide open to change, to change the nature of our Crown corporations and thus changing their ability to do what they do best, create

good, mortgage-paying jobs; keep rates low; ensure that the dividends are paid to the people of Saskatchewan; impact public policy. All those things are put at risk by this government's willingness to do by the back door what they're not willing to do by the front door.

[22:00]

But with respect to this bill, I do know that I have colleagues who are interested in speaking to this reasoned amendment, and I'd like to cede the floor to my colleague.

The Deputy Speaker: — I recognize the member from Prince Albert Northcote.

Ms. Rancourt: — Thank you, Mr. Deputy Speaker. I'm proud to stand again to talk about Bill 40, *The Interpretation Amendment Act*. The last time I was able to speak with regards to this bill, there was some areas that I wished I had time to mention, and so I'm happy to be able to stand today and have that opportunity.

So, Mr. Deputy Speaker, this bill is quite concerning, some of the . . . a lot of the aspects of it actually, and it really should be withdrawn. And allowing this bill to pass would be allowing the Saskatchewan Party government to sell and privatize our Crowns, which is wrong. And so I really appreciate that my colleague, the member from Regina Douglas Park, putting forth the motion for changes to the amendments of this bill. And so I look forward to hopefully seeing that pass, and I'm glad that she was able to put that forward.

I've been speaking to many people, Mr. Deputy Speaker, and a lot of people are very concerned about the aspects of this bill. And I was speaking in particular with a friend and a strong labour activist, Kent Peterson, who helped me prepare this response to this bill. And I told him I would give him a shout-out so his name would be on the record. So thanks a lot, Kent.

We have been seeing the increase of sell-offs and cuts since this government took office in 2007, so that's been in the past 10 years. We saw very quickly that our Crowns were at risk as soon as they were elected. We know that the people of Saskatchewan want and need the Crowns, and we want and need to keep our Crown corporations public. So when I talk about Crowns, more specifically I'm talking about, you know, SaskTel, SaskPower, SGI, SaskEnergy, and there's many other Crowns within that too.

So they provide profits in the form of dividends back to the province. And we know, and through past discussions, that it's about approximately \$300 million of dividends a year that we get back from our Crown corporations. And you know, Mr. Deputy Speaker, these Crown corporations, they provide good service and particularly important in rural and remote areas where there would otherwise be no services provided because the cost to provide services in these areas are quite costly. And because we have these Crown corporations, we can offset some of those costs and make it affordable to provide the service there. But if a person owned the business, it wouldn't make a lot of logical sense for them to provide that service in these areas.

And like my colleague, the critic for Education, indicated that, you know, if we can't get services like SaskTel into a lot of these remote and rural areas, that will impact the level of education kids get in schools. And our children across the province deserve to have the same level of education regardless of where they live. And so that's one of the major, important parts of what these Crown corporations do and help provide with these services.

Our province is a huge geographic area, and to be able to provide service to all the locations and small populated areas, again for a business that is looking solely on profits, it doesn't make good sense for them to provide that service there. That's why our Crown corporations were established, and that's why it's so important, one of the reasons of why it's so important to keep it here.

And there's many other reasons, such as the rates are among the lowest in Canada. We provide services in a huge geographic area, but yet our rates are the lowest. And the reason for that is because, since we own the Crown corporations, we have control over the prices and therefore the competitors that we do have in our province also have to compete with our competitive prices. So that keeps all of our costs low for the consumers.

And they also provide good jobs. These are good, mortgage-paying jobs, jobs that you can buy a house, raise a family, have benefits. And we really need those types of jobs in our communities, Mr. Deputy Speaker.

So think about what it would mean for cities like Moose Jaw or Prince Albert or small towns in rural areas if these jobs would disappear because, Mr. Deputy Speaker, these communities really rely on these types of jobs. And you know, Mr. Deputy Speaker, it's really upsetting when my colleague from Saskatoon Riversdale talked about how she hasn't talked to many people who think that privatizing the Crowns is a good idea. And I have to agree. I also have that experience.

But when the member from Moose Jaw Wakamow sits and indicates that he talks about it a lot and proceeds to laugh, well I think a lot of the constituents in his area would be upset if they heard that he was talking like that because Moose Jaw was one of the communities that was heavily hit by a lot of the privatization of these Crown corporations that this Sask Party government has put in place since they've been elected.

And I think, with the phone calls that I've been getting from residents in Moose Jaw, they're getting fed up with the fact that their members aren't sticking up for them. And their members in fact were the ones who stood up and voted for cuts to their municipal parks. And it's their members that are supporting the cuts of jobs in that community, which is really troubling. So with Moose Jaw, they've already lost many jobs with the closing of Valley View, the cuts to SaskTel jobs.

And both Moose Jaw and Prince Albert lost jobs when they privatized the laundry services. They made cuts to the municipal parks, and now the privatizing of custodial services. This has been having a major impact. And also Prince Albert lost many jobs with the privatizing of food services in the correctional centres. This is slowly eating away at our services that we provide.

And now that this government started privatizing liquor stores, food services, and custodial services, people are concerned that more is yet to come. How many other liquor stores will be given away? Is our health going to be the next one up for privatizing services? If you privatize the food services in the jails, will you start privatizing the food services in the hospitals? If you privatize the custodial services, will that be next, the custodial services in the hospital? People are really concerned and people are feeling really uneasy when they watch the news and they hear that there's more cuts in all these areas. And they're wondering, will they be next and will the government be putting their livelihood on the block? And so this is really serious, Mr. Deputy Speaker. These are real people, real families that are losing their jobs and opportunities, and they are good taxpayers in our community.

These are sometimes the only stable and reliable jobs in these small communities, and it's unfortunate. Like in Prince Albert, we talk that it's a government town. The good-paying jobs are government jobs, and that's because a lot of our other resource sectors have been not being utilized to their full extent. Our forestry industry has gone south, and we don't have a lot of other industry there for good jobs. So, Mr. Deputy Speaker, yes, when this government starts making these decisions, it has a major impact on our community. And our unemployment rate is one of the highest in the province, you know, and when we have the highest rates of poverty and our food banks are being used like more and more and half of the people using them are children, you've got to look at how we're providing stable employment for our province. So that's why we value our Crowns.

And we saw very quickly that they were at risk once this government was elected in 2007. So for example, in May of 2008 SaskTel was forced to contract out some installation services for SaskTel Max and high-speed Internet. They had trained staff that were able to provide that service, but that was contracted out and I believe out of province as well. In July 2008 the provincial government sold Saskferco to a Norwegian company, which had provided the province \$209 million since the original investment, in dividends.

So I sometimes wonder, Mr. Deputy Speaker, when we say we've got to not only rely on our natural resources, how these sales have maybe had the long-term impact on the situation that we're in right now with regards to our economy.

It started off, comparably speaking, as a piecemeal privatization. A little bit here, a little bit there, just so that nobody really paid attention or nobody really knew what was happening. Then we saw big change in October 2008.

The provincial government announced its Saskatchewan First policy for Crown corporations, and this was nothing about putting Saskatchewan first. It forced our Crowns to sell off and give away its out-of-province operations that had until that point generated money out of the province for use back into Saskatchewan. And we realize more and more how important that is. It's to be bringing money into our province, and how that provides that stability.

So this was meant to weaken our Crowns. The more that we sold little pieces of it, it was to show that our Crowns were

getting weak. We saw SaskTel outsource email and conference call services, and then SaskTel had to sell Navigata and SaskEnergy had to sell its 50 per cent stake in a Nova Scotia natural gas distribution business. All of these were making money. All of these were supporting our economy and our province here. And then SaskTel had to give up its holdings in DirectWest Canada. And this was all in the first two years, Mr. Deputy Speaker, of their mandate. This was when we had unprecedented resource revenues also, and we were selling away a lot of our Crown.

There are many other examples of this type of privatization, where our Crowns are being hacked down to limit their capacity and ability to provide good returns. So we fast-forward to the Information Services Corporation was privatized. Saskatchewan Communications Network was effectively given away. The SCN was sold for \$350,000 to Bluepoint, a private company wholly owned by Bruce G. Claassen. Just two years later, Mr. Claassen sold SCN to Rogers Broadcasting for \$3 million, a price more than 8.5 times higher than what we had paid for that channel. So it sounds like someone knew the true value of this network, but unfortunately it wasn't our government who valued it.

This government attempted to sell our two publicly owned casinos, but that was blocked by this opposition. And more recently the government has given away nearly 40 public liquor stores, all of which turned a profit that was used to fund our hospitals, schools, and roads, and keep our taxes lower than they otherwise would be.

So we've got to remember, Mr. Deputy Speaker, that revenues exist to pay for expenses. And if we give away a good chunk of those revenues by privatizing Crowns, expenses are still there. So who pays for them? Guess who? We all do with higher taxes.

So public services have also been at risk for 10 years — not only our Crowns, our public services. So for instance, correctional food services were privatized to save no money, and we all know that the cost is going to increase because now we have no control over the costs. And they're going to say food costs are more, and so they're going to change the contract and they're going to want more money. And we know that's going to happen.

And also when you talk to people who work in these correctional facilities, they talk about how safety has been compromised since they went to a private company because these workers aren't trained like our staff were that worked in the kitchens. And they're not trained to handle the manipulateness of inmates, and that's also very important.

[22:15]

And so hospital laundry services were privatized to an out-of-province corporation, and our health care workers are telling us now that the supposedly clean laundry is coming back to hospitals still wet, stained, and questionable safety when the linens have blood on them, and other human by-products.

So, Mr. Deputy Speaker, I know, especially in Prince Albert with the laundry facility right there, laundry was done in the

exact same day, you know, so these stains weren't set in. They were treated. They were always clean to perfection. And I know with talking to hospital staff there that they've ran out of like face cloths or soilers or things like that, and they have to wait until the next shipment come, whereas when we used to have our laundry completed there, they just phoned the laundry department and they'd get some brought up right away. And so like try to be doing your medical procedures and running out of your basic necessities, you know.

And this makes no sense. Not only that we lose those good-paying jobs, that we're . . . And I believe we lost some people in our community because of those jobs being lost, but we also lost good service. So can you imagine what this means to seniors' or patients' recovery when they have bedsores or infections, or even workers' safety when the clean laundry comes back not clean at all, you know. And so this is putting a lot of people at risk and possibilities of infection and then that just ends up with a bigger bill in the end.

So then we have our public-private partnerships, the P3s. And schools will be one of the examples of this privatization that we're going to be paying for these projects for years and years to come. And so your grandchildren will be paying for these and that's just not right to be putting the burden of expenses now on them.

And we're paying for a French company to be building the \$2 billion privatized bypass around Regina. And we talk a lot about how there's a lot of companies from the province here that are working on this bypass, but was there nobody in our province that was able to take over this contract? There was nobody in Canada that was able to take over this contract? And we won't even get into the fact that this contract expanded by lots of money. So we'll carry on with what I have here.

We have private MRIs [magnetic resonance imaging]. So now the richest among us can pay to jump the queue for MRIs and CT [computerized tomography] scans as well. And we have private surgical centres.

And we remember the lean scam. I'll call it a scam because the government forced this into our health care system and we paid millions, \$100 million and counting, for American consultants and Japanese senseis, because I remember those days when they paid them lots of money to come and sit and tell us how to do this. And the interpreters for the senseis. And I know the sensei that came to Prince Albert didn't want to stay in any of our hotels, so then he was transferred from Saskatoon to Prince Albert. So the expenses just skyrocketed from there.

And they were paid to follow health workers — nurses, health workers like myself — around with stopwatches, and even timed us when we went to the bathroom to see how long that took. You know, and it just seemed senseless and a waste of time. And it really did not end up with any good results, in my department anyway. And I didn't hear of any positive results from others. So that was a lot of loss of money right there, too.

So whether it's Crowns or public services, it's clear that they're under attack. And there have been thousands and thousands of people across the province that have signed many different petitions regarding these privatization plans. There's been

thousands of people across the province that's rallied to show this government that they're against the privatization.

But clearly this government doesn't listen. And we are now facing new threats. And privatization is ramping up on all fronts and it's targeting much larger things, like the whole scale sellouts.

So this is with our Bill 40 and the changes to the definition of privatization. So currently this government cannot sell a major Crown without running on it as an election like they did with the liquor stores, or they must hold a referendum. So you have to have an election or hold a referendum if you want to sell. That's why you'll oftentimes hear the Premier talking about referendums, and he would say that we need to have a referendum if we were planning on selling any one of our Crowns. And he wasn't doing this because he is a nice person and really wants to consult with the people in this province. He was doing this because it's the law.

And so now this government is trying to find a different way so that they don't have to go to the public and ask for permission. And if this bill passes, it means the government can sell half of any Crown without holding a referendum or consulting voters whatsoever. This government wants to pass Bill 40 so they can, for example, take 49 per cent of SaskTel and convert it into shares to be sold or sell it to a pension plan or a giant telecommunications company. Either way it would mean SaskTel gets privatized. We would lose our dividends, and SaskTel's mandate would change from providing good service and return to Saskatchewan to making a profit at all costs for its private business shareholders. It would be a loss forever. Bill 40 is a huge threat, Mr. Deputy Speaker.

And just last month, the Minister of Crown Investments Corporation, the body that oversees Crown corporations, found himself talking out of both sides of his mouth. In a letter dated February 3rd, the member for Prince Albert Carlton responded to a concerned constituent by saying, Bill 40 is "... not about the privatization of any particular Crown corporation" and that Crowns will continue to provide service to Saskatchewan people.

Just 10 days later on February 13th, the member for Prince Albert Carlton had a change of heart. At a luncheon event in Prince Albert he said, "If somebody comes along and offers a bunch of money for ... [STC] just like SaskTel, I think that question would have to get answered." He effectively put STC [Saskatchewan Transportation Company], the next Crown, on the chopping block.

The government's talking points on selling Crowns is a bit weird. It's kind of like we are not saying they're for sale but we're definitely taking offers. If I didn't want to sell my house, I wouldn't talk about potentially selling my house. They have a for sale sign outside our Crown corporations and will jump at the chance to sell them. They have a plan.

Think about STC as an example. It's a province-wide bus service. It costs us about \$17 million a year, according to the minister, so that's why we should sell it, he says. Seventeen million dollars as a percentage of the provincial deficit is 1.4 per cent, so we would lose a vital service, that seniors rely on to

attend medical appointments and that people across the province use for transportation and shipping, forever. We'd lose this forever. We would lose STC and the jobs that go along with it forever so we would save 1.4 per cent of what our current deficit is.

So let me spell this out: deficit before giving away STC, \$1.2 billion; deficit after giving away STC is \$1.183 billion. It doesn't seem worth it to me, Mr. Deputy Speaker.

So lately we have also seen deep cuts to education, a complete upheaval in health care through cuts and amalgamation, threats to wage rollbacks for hard-working public servants. And not long ago, the Finance minister said he thinks people should be forced to take an unpaid day off per month to help save money. They were calling those days Wallidays or whatever the people are calling them. I believe the Premier, at SARM [Saskatchewan Association of Rural Municipalities], said they could be Doherty days. A lot of different names.

It's about the provincial government trying to blame workers for their financial mismanagement, scandal, and waste, and, Mr. Deputy Speaker, it's unfair. This will not stimulate our economy or provide the much needed stability or grow Saskatchewan.

So the information that's in this bill is not going to help Saskatchewan in any way, and in fact it's going to cause more hardship. It's going to cause issues with our economy. We're going to lose control of our Crown corporations, which we know are really important with providing services across the province, which are really important for providing jobs and stability within our province. And this isn't the way to fix our economic problems right now, with regards to attacking our hard-working public servants.

And the definition of privatization, just like my colleague from Saskatoon Nutana said, nobody is confused about what privatization means. When you ask someone if they know the definition of privatization, they could give you a pretty good, clear answer. And I have to admit that the answer that I've ever thought of privatization doesn't look anywhere near or close to the one that's identified in this bill. And I think this bill is kind of deceiving in a bit and that it's going to be putting people in a hard place because the residents of our province don't want to sell their Crowns and they don't want to lose those services.

And so if the minister's correct, and he said that this bill is not for the intentions of selling our Crown corporations, then he should just rescind this bill and say that maybe it wasn't the right way of going about things. And I know, like he can do that because he has in the past and accepted this as the wrong move to have.

So we don't need it. We don't need to have the definition clearly made. We know what privatization is, and we don't want to have that. And we know that if we want to do something like that, we could go with a province-wide referendum because the Minister Responsible for SaskTel even indicated that if there was a sale he would do a private-wide referendum.

The Premier was quoted saying that there would be no sale of

SaskTel because that wasn't something they campaigned on, and it's because of the current legislation that they couldn't do this. So I wonder if he was talking about this legislation when he was quoted saying that. But when it comes down to it, we should not sell any of our Crowns or government owned . . . because they're government owned and they're owned by the people of the province, and each person in this province should have the ability to put forward what their thoughts of this was.

And that's what a referendum would do, or even presenting it at the next election. Put it in your platform, and we'll work on it for the next election and see what the people of Saskatchewan think at that point. And this is just a backdoor way of trying to get what this government wants done in the end, and it's to slowly deteriorate the public sector. And so like I said, Mr. Deputy Speaker, there's a cost to privatizing and we need to recognize that. And it's important to acknowledge that when we're looking at bills such as this one.

I'm really happy that I was able to stand up again today to discuss this bill because, like I said before, there was some things that I didn't feel I was able or had time to say the last time I spoke on this bill. And so tonight gave me the opportunity to do that. And I really appreciate being able to have that opportunity.

And I know my other colleagues will want to say a lot about with regards to this bill because this is really important on our side of the House. And we're really passionate about this and we really feel that we need to really work hard to ensure that this bill gets rescinded.

The Deputy Speaker: — It now being the time of adjournment, this House stands adjourned until tomorrow at 1:30 p.m.

[The Assembly adjourned at 22:30.]

TABLE OF CONTENTS

EVENING SITTING
GOVERNMENT ORDERS
ADJOURNED DEBATES
SECOND READINGS

Bill No. 40 — *The Interpretation Amendment Act, 2016*

Loi modificative de 2016 sur l'interprétation

Belanger	1775
Sarauer	1779
Sproule	1782
Vermette	1793
Chartier	1796
Rancourt	1800

GOVERNMENT OF SASKATCHEWAN

CABINET MINISTERS

Hon. Brad Wall
Premier

President of the Executive Council
Minister of Intergovernmental Affairs

Hon. Tina Beaudry-Mellor
Minister of Social Services
Minister Responsible for the Status of Women

Hon. Ken Cheveldayoff
Minister of Parks, Culture and Sport
Minister Responsible for the Public Service Commission

Hon. Kevin Doherty
Minister of Finance

Hon. Dustin Duncan
Minister of Energy and Resources
Minister Responsible for SaskEnergy Incorporated
Minister Responsible for Saskatchewan
Telecommunications

Hon. Bronwyn Eyre
Minister of Advanced Education

Hon. Joe Hargrave
Minister of Crown Investments
Minister Responsible for Saskatchewan
Government Insurance
Minister Responsible for Saskatchewan
Transportation Company

Hon. Donna Harpauer
Minister of Government Relations
Minister Responsible for First Nations,
Métis and Northern Affairs

Hon. Jeremy Harrison
Minister of the Economy
Minister Responsible for Saskatchewan
Liquor and Gaming Authority
Minister Responsible for The Global
Transportation Hub Authority
Minister Responsible for Tourism Saskatchewan
Minister Responsible for Innovation

Hon. David Marit
Minister of Highways and Infrastructure

Hon. Scott Moe
Minister of Environment
Minister Responsible for Saskatchewan Water
Security Agency
Minister Responsible for Saskatchewan
Water Corporation

Hon. Don Morgan
Deputy Premier
Minister of Education
Minister of Labour Relations and Workplace Safety
Minister Responsible for the Saskatchewan
Workers' Compensation Board

Hon. Greg Ottenbreit
Minister Responsible for Rural and Remote Health

Hon. Jim Reiter
Minister of Health

Hon. Lyle Stewart
Minister of Agriculture
Minister Responsible for Saskatchewan Crop
Insurance Corporation

Hon. Christine Tell
Minister of Central Services
Minister Responsible for the Provincial
Capital Commission
Minister Responsible for Saskatchewan
Gaming Corporation

Hon. Gordon Wyant
Minister of Justice and Attorney General
Minister Responsible for SaskBuilds
Minister Responsible for Saskatchewan
Power Corporation