



FIRST SESSION - TWENTY-SIXTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

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The Honourable Don Toth
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

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[The Assembly resumed at 18:00.]

EVENING SITTING

ADJOURNED DEBATES

SECOND READINGS

Bill No. 6

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Norris that **Bill No. 6 — The Trade Union Amendment Act, 2007** be now read a second time.]

The Speaker: — Being 6 p.m., debate will continue. I recognize the member from Regina Walsh Acres.

Ms. Morin: — Thank you, Mr. Speaker. Mr. Speaker, to continue on on Bill No. 6, the amendments to The Trade Union Act. This government is attempting to justify their action in tabling these amendments in a manner that appears to be as innocuous as modernization or housekeeping. But it seems plain to me that the real motivation is to install their friends and enshrine a piece of legislation designed to limit the freedom of association that as entrenched in the Canadian Charter of Rights and Freedoms. They also herald this dawning of a new age in a forceful and brash manner so that civil servants can be warned to heed the call.

The real motivation behind Bill 6, Mr. Speaker, is to provide an economic climate with a steady decline in union density and a labour climate that will all but eliminate the applications for certification by employees who wish to join a trade union or employee association.

There are other amendments to The Trade Union Act as proposed by Bill No. 6, and I will turn to these now, Mr. Speaker.

In the proposed new section 6 of The Trade Union Act, the government will require that acceptable evidence of union support will be determined based on regulations made by cabinet, not the Labour Relations Board as is in the case for all other regulations, forms, etc., relating to The Trade Union Act.

Mr. Speaker, why would cabinet be doing this? Again is there a lack of confidence in the new hand-picked, newly appointed Chair of the board? Maybe with the firing of all the experienced adjudicative employees of the board, there are legitimate concerns about the depth of understanding that is required to draft appropriate regulations and the like.

What we see, Mr. Speaker, is once again the heavy hand of the new regime intervening where a competent quasi-judicial tribunal, the Labour Relations Board, had the authority to draft regulations in consultation with stakeholders. I can understand if the government is hesitant to let the experienced take on the task, but surely the answer was not to fire all of the adjudicative employees, Mr. Speaker.

Mr. Seibel's appointment was expiring early this fall, so one would think that an orderly transition could have been planned.

The plan could have preserved the operation of the board, retained some of the organizational experience and knowledge, allowed for a new chairperson to access the two remaining Vice-Chairs and provided continuity to the board.

Most importantly it would not have left significant applicants wondering what will happen to their cases, wondering if they'll have to undergo the significant costs of having the case heard over again, and wondering if a disruption to the operation of the board will mean even further delays in justice, Mr. Speaker.

This is another example of a top-down order of government the Premier seems intent on establishing with little or no regard to the wake his path of destruction leaves behind. Mr. Speaker, this province's economy is humming, and we have many challenges to contend with in order to make sure that it all works well for the people of Saskatchewan. The most pronounced issue is the critical labour shortage facing employers and not the interference with workers' rights or the operation of the board established to resolve disputes.

Mr. Speaker, is this government so afraid of unions that it will insist on controlling from the centre of government everything that has to do with workers' freedom to join and support a union? I say this, Mr. Speaker, because this proposed legislation and the mystery regulations to be developed by cabinet or at least adopted by cabinet exude an ominous tone that is so heavy-handed in favour of the state and employers that it is impossible to suss out the real reasoning behind the blasé explanations given by the Minister of Advanced Education and Labour and/or when the minister stumbles, the Premier.

Mr. Speaker, I ask the Minister Responsible for Labour or the Premier who was involved in drafting this legislation, whose axe is being ground? What favour is being paid?

Mr. Speaker, turning to the proposed new section 1.2 of this government's anti-trade union Act, the following is said:

The board must require as evidence of each employee's support mentioned in subsection (1.1) written support of the application, as prescribed in the regulations made by the Lieutenant Governor in Council, made within 90 days of the filing of the application".

Again the Sask Party government has drawn from the British Columbia model, and my guess is that the government is intending to insert some language that makes it clear that the card the employee is signing identifies that it is intended for the purpose of certification.

For the members opposite, I do want to point out that there is a section in the current Act that provides that the board may rescind an order or reject support evidence obtained by fraudulent means. If the members opposite are unsure of that provision or unable to locate it, let that stand as further evidence that they are ill-prepared and inexperienced.

Being caught short can happen when your strings are being pulled by unforeseen forces, Mr. Speaker. If a trade union was to somehow misrepresent the signing of a membership card or cards as support evidence, the remedies in the current trade

union Act rectifies the transgression and provides a strong deterrent against fraudulent behaviour in any form. However the current government is proposing by regulation adopted by cabinet to begin controlling and dictating how trade unions will sign up new members.

This is a gross intrusion, Mr. Speaker. Maybe, Mr. Speaker, this would wash well with the junta in Myanmar, formerly known as Burma, but in Canada this kind of state interference with any legitimate organization, let alone the business of a trade union is an unwarranted affront by a central government to the freely conducted business of democratically accepted organizations. Furthermore it is unnecessary by virtue of the protections already in place in The Trade Union Act. Now, Mr. Speaker, I'm going to focus at this time on two other amendments to section 6 of the current trade union Act:

(2) Clause 6 (2)(b) is amended:

(a) by striking out "25%" and substituting "45%"; and

(b) by striking out "6 months" and substituting "90 days".

The comments I have made in relation to the amendments on 6(1) and (2) apply to these amendments as well, but I do want to spend a moment on the change of stale-dating support evidence from six months to 90 days. Once again this shorter time frame appears to be drawn from British Columbia's legislation. Why, Mr. Speaker? The jurisdictions in Canada are all over the map on this. And if there is a commonality, it is in the form of a nominal initiation fee ranging for \$1 to \$5. At most, four jurisdictions have a 90-day or three-month expiry of support evidence requirement.

I ask, Mr. Speaker, what decisions of the Saskatchewan Labour Relations Board, with an attentive eye on those decisions that had been judicially reviewed, have pointed to some bias or error in law that needs to be remedied in relation to expiry of support evidence. Is the 90-day drop-dead requirement just another attack on trade unions, which I think it is, or does the government of the day not know about the card revocation rules already in place or doesn't the government trust workers to understand what they mean when they sign a union application for membership card? Is this more Burma from the Premier?

(3) Clause 6(2)(c) is repealed.

Mr. Speaker, this amendment is a recipe for mischief. For the enlightenment of the members opposite, this section of The Trade Union Act is commonly referred to as the raid provision. In a union raid of another union, the duly certified union has the right to rely on the principle of accretion. This principle has long been upheld in jurisdictions throughout Canada and has been articulated by the Supreme Court of Canada. The proposed amendment in Bill 6 takes the jurisprudence and the rules governing raids and tosses them out the window.

I see from the members opposite that the term accretion is not something that they are familiar with, Mr. Speaker. Accretion is the recognition that a union that has been duly certified by a labour relations board takes its evidence of support for the

incumbent or certified union a number equal to 50 per cent plus one of the employees in the bargaining unit. This is accepted as evidence of majority support, Mr. Speaker.

This amendment allows for a union that wishes to raid another union to apply to the Saskatchewan Labour Relations Board to be the bargaining representative with 45 per cent support of the employees in question and to require the Saskatchewan Labour Relations Board to conduct a vote. By virtue of Bill 6, a raiding application for a change in union representation based on evidence of 45 per cent by the raiding union will be mandatory in spite of the fact that the existing union continues to have the support of the majority of the workers in question.

Mr. Speaker, we understand where the government is going with this — an ideological desire to thumb their noses at employees' express wishes. But why create such mischief? Why create this unnecessary disruption in the workplace? Why burden the employers with this intrusion? Why burden the taxpayers with this senseless and unnecessary cost, Mr. Speaker?

At present the Labour Relations Board has the ability to reject a raid under the circumstances described. However Bill No. 6 will change the rules. Who asked for this amendment, Mr. Speaker? What purpose does it serve? Where is the cry to fix some mysterious miscarriage of justice, Mr. Speaker?

This amendment is another example of the government's chaos theory in relation to industrial relations in this province. In Bill 6 the government proposes to amend sections 10 of the current Trade Union Act as follows:

Section 10.1 amended

4(1) Clause 10.1(b) is repealed and the following substituted:

"(b) there is insufficient evidence before the board that shows that 45% or more of the employees in the appropriate unit support the application".

(2) Clause 10.1(c) is repealed and the following substituted:

"(c) the board finds that sufficient evidence of support mentioned in clause (b) would have been obtained but for the unfair labour practice or violation of this Act".

Mr. Speaker, this entire amendment is confusing. And to assist the House in recognizing where this confusion lies, the rest of the section must be reviewed. It is the section of the Act that deals with certification after unfair labour practices and reads as follows:

10.1 On an application pursuant to clause 5(a), (b) or (c), the board shall make an order directing a vote to be taken by secret ballot of all employees eligible to vote, and may make an order pursuant to clause 5(g), where:

(a) the board finds that the employer or the employer's agent has committed an unfair labour practice or has otherwise violated this Act . . .

Now when you drop in the amendments, Mr. Speaker, the reading of the section gets murky.

Section 10.1 amended

4(1) Clause 10.1(b) is repealed and the following substituted:

“(b) there is insufficient evidence before the board that shows that 45% or more of the employees in the appropriate unit support the application”.

Mr. Speaker, the parts that amend the change to a 45 per cent threshold is relatively clear. However the provision in its entirety in layperson’s language seems to read that the board shall direct a vote when the threshold has not been met and there is a finding of an unfair labour practice. You must read it in conjunction with the preamble in section (a). This has in fact lowered the support evidence required for a vote under the current Act. We on this side of the House support an initiative like that of course.

(2) Clause 10.1(c) is repealed and the following substituted:

“(c) the board finds that sufficient evidence of support mentioned in clause (b) would have been obtained but for the unfair labour practice or violation of this Act”.

Mr. Speaker, this next amendment which appears to be stand alone as the amended (b) no longer contains the conjunctive and, of the current legislation, appears to direct a vote in instances where the support is less than the insufficient evidence defined in (b), but there is a finding that this insufficient support could have been obtained but for employer interference.

[18:15]

Again if the intent is to make it easier for unions to apply for and receive a vote when due to illegal employer actions the likelihood of achieving a majority or just the threshold as envisioned by the government has been put at risk, then we will support this amendment, as we support the freedom of association of employees and recognize that freedom means without intimidation, coercion, or threats from employers. It is my hope that the government’s intention is to open up the remedial certification ability of the board, as that ability is the most effective deterrent against unlawful employer actions during organizing drives.

Section 10.2 amended

5(1) Clause 10.2(b) is repealed and the following substituted:

“(b) there is insufficient evidence before the board that shows that 45% or more of the employees in the appropriate unit support the application”.

(2) Clause 10.2(c) is repealed and the following substituted:

“(c) the board finds that sufficient evidence of support mentioned in clause (b) would have been obtained but for the unfair labour practice or violation of this Act”.

Mr. Speaker, these amendments are the replication of the amendments to 10.1(b) and (c) and deal with applications for rescission or decertification and as such I have made my comments.

Section 11 amended

6 Clause 11 (1)(a) is repealed and the following substituted:

“(a) to interfere with, restrain, intimidate, threaten, or coerce an employee in the exercise of any right conferred by this Act, but nothing in this Act precludes an employer from communicating facts and its opinions to its employees”.

I want to start my comments on the basis of the mandate letter sent to the newly appointed Minister of Advanced Education, Employment and Labour. In that letter dated November 19, 2007, the Premier directs the minister as follows, quote:

In your capacity as Minister of Labour, establish a fair and balanced labour environment in Saskatchewan that respects the right of workers and employers by:

Ensuring democratic workplaces by:

[Section 2] Requiring secret ballots on any vote to certify a union in a workplace and a 50% plus one result for successful certification; and

[3] Ensuring freedom of information in the workplace during any unionization drive, by allowing unions and management the opportunity to fairly communicate with employees.

The Premier’s mandate letter seems pretty clear and addresses employers’ ability to communicate during an organizing drive quite specifically. The mandate letter does not address the employers’ ability to communicate beyond the narrow time period that occurs during an organizing drive.

However Bill 6 clearly opens a door by enabling employer interference in employees’ unions on a continuing basis and unrestricted. I dare say that freedom of speech has never been so unfettered especially in terms of labour law. The Throne Speech provides some additional guidance as to the intent of the Premier and the Sask Party government under the maligned heading “Democratic Labour Laws.” Under that deceptive misnomer, the following is found, and I quote:

The rights of workers to bargain collectively and the rights of employers must be respected. However, the labour legislative environment must also be competitive with other Canadian jurisdictions . . .

Mr. Speaker, Bill 6 proposes to amend section 11 of the current Act wherein unfair labour practises are defined and prohibited. The particular amendment focuses exclusively on clause 11(1)(a) of the Act which references employer actions, including by communication, and prohibits any attempt “. . . to interfere with, restrain, intimidate . . . or coerce an employee [or employees] in the exercise of any right conferred by the Act . . .” This provision is commonly referred to as the employer’s free speech.

Given what the Premier and the Minister Responsible for

Labour have said, Mr. Speaker, one could reasonably conclude that this government was considering changes that would clarify an employer's right to communicate during an organizing drive, a right that every employer enjoys under the current trade union Act at the present time, providing they don't cross the line into coercion, intimidation, and so forth. Mr. Deputy Speaker, with this amendment, this government appears to be undertaking an unprecedented expansion of employer's ability to intrude in its employees' expressed wishes, not only during an organizing drive but for evermore and in all ways.

Mr. Speaker, given that it was the express wishes of the Premier to be competitive with other Canadian jurisdictions — and I take that to mean in keeping with the common practices of other jurisdictions — let's review what this government proposes in comparison to the rest of Canada. What we find is that nowhere is the employer's free speech given such broad and sweeping, unrestricted application.

What else we find, Mr. Speaker, is that when other jurisdictions border . . . and they only just border which is not to be confused with an exact match. What we find is a balance that is provided by way of power to order remedial certifications. But alas, Mr. Speaker, this government's actions might be akin to the adage that absolute power corrupts absolutely because I see no evidence of balance, just evidence of a long held hatred of trade unions.

And once again the government is on public record as saying one thing and doing another. I want to draw your attention to the video message from the part-time Minister of Labour. On the question of employer communications, I do appreciate the creativity used to develop this video message, Mr. Deputy Speaker, but then I appreciated it more when it was first done by the government in Nova Scotia.

At least they had the benefit of 16 months of consultations to draw from, Mr. Speaker. In Saskatchewan we, by the minister's own admission, don't know who was consulted or who drafted the Bill or in fact who drafted the script. But nevertheless here is the quote directly from the material on the minister's website, question no. 2: "What is the intent of the proposed amendment regarding employer communications?"

The minister is quoted as saying:

During labour disputes, employees have the right to be informed in an appropriate way.

Current provisions severely restrict employers' ability to speak with employees. It will, however, remain an unfair labour practice for an employer to interfere or intimidate employees by communication or any other means.

Mr. Speaker, Mr. Deputy Speaker, I want the Minister Responsible for Labour to explain to this House why the employers' right to communicate is being expanded by stealth to now include labour disputes without mentioning an organizing drive. Why the change, Mr. Deputy Speaker?

Does the minister know that there is a difference between a labour dispute and an organizing drive? Or is this some sort of Freudian slip in that the minister or his government has had a

long held and firm belief that an organizing drive is a labour dispute?

Mr. Speaker, what is the true intent of this aspect of the legislation? Can employers communicate on all issues involving a trade union as the government would have it? Does the government intend to permit employers to communicate their opinions in relation to internal union business such as to who should be elected to shop stewards or delegates to trade union conventions or as members of the occupational health and safety committees?

Does the employer, by virtue of this proposed amendment, now get to have input into union bargaining proposals that union members are considering? Is there now going to be a legal platform allowing employers to express their opinions about a ratification meeting, perhaps?

What are the limits, Mr. Deputy Speaker? Or is the government entrusting that determination to be made by its new legacy appointees to the Saskatchewan Labour Relations Board, subject to the regulations delivered by cabinet?

This is nothing short of an amendment to legitimize employer domination of unions, and it constitutes an unprecedented intrusion into union democracy as well as an abject denial of the freedom of association, Mr. Deputy Speaker.

The minister and Mr. Emsley should have a look at definition 2(e) of the current trade union Act. Or maybe they have, and that is why this government, Mr. Speaker, is unwilling to test its assumptions in the courts or submit its proposed legislation to an independent committee of review. I want to remind the members opposite, as they are new at governing, that any amendment to the Act still has to fall within the four corners of the Act and cannot be contrary to the purpose and intent of the overall legislation.

It certainly does appear that the Sask Party government's intention is to grant immunity for the employer in communicating whatever they want, whether it's related to the business or just an issue they want to sound off on. The motives for this amendment are clouded and steeped in bias and lack of understanding of labour relations law. Interestingly, in the name of so-called balance, there are no companion amendments that would expand unions' access or ability to communicate with employees, nor is there the inherent ability to order a remedial certification when the employer is found to have acted egregiously or in contravention of the law.

I raise the issue of immunity and the employer beneficial captive audience codicil in the proposed amendment to section 11(1) of the current trade union Act as a real concern. It would appear that the words ". . . but nothing in this Act precludes an employer from communicating facts and its opinion to its employees" seems designed to leave it open for an employer to communicate its opinions on anything at all and with absolute impunity. Maybe employers will be able to tell employees how to vote in elections for public office.

Let me quote from a passage written in 1941. The author is Mr. Justice Learned Hand, and it comes from a decision of the National Labor Relations Board in the United States. And it's

funny, Mr. Deputy Speaker . . . You know, the members opposite are laughing, but unfortunately this is the reality of this legislation. It is so sweeping and so broad that it can literally take in any of these interpretations that I'm presenting this evening. So as I said, Mr. Justice Learned Hand is the author of a decision from the National Labor Relations Board in the United States. It's a passage that is often quoted by labour relations boards in this country, and it is on the topic of employer communication:

No doubt an employer is as free as anyone else in general to broadcast any arguments he chooses against trade unions but it does not follow that he may do so to all audiences. The privilege of "free speech," like other privileges, is not absolute; it has its seasons; a democratic society has an acute interest in its protection and cannot indeed live without it; but it is an interest measured by its purpose. That purpose is to enable others to make an informed judgment as to what concerns them, and ends so far as the utterances do not contribute to the result. Language may serve to enlighten a hearer, though it also betray the speaker's feelings and desires; but the light it sheds will be in some degree clouded, if the hearer is in his power. Arguments by an employer directed to his employees have such an ambivalent character; they are legitimate enough as such, and pro tanto the privilege of "free speech" protects them; but, so far as they also disclose his wishes, as they generally do, they have a force independent of persuasion. The Board is vested with power to measure these two factors against each other, a power whose exercise does not trench upon the First Amendment. Words are not pebbles in alien juxtaposition; they have only a communal existence; and not only does the meaning of each interpenetrate the other, but all in their aggregate take their purpose from the setting in which they are used, of which the relation[ship] between the speaker and the hearer is perhaps the most important . . . What to an outsider will be no more than the vigorous presentation of a conviction, to an employee may be the manifestation of a determination which it is not safe to thwart. The Board must decide how far the second aspect obliterates the first.

Now to put this in the Canadian context, the Charter of Rights and Freedoms in relation to a freedom of association and freedom of expression are the two factors that must be balanced against one another, that is in this context the employer's freedom of expression and the employee's freedom of association.

The balancing — and I recognize that the government uses that catchphrase ad nauseam — but the balancing of those two factors has been examined by the Supreme Court of Canada on many occasions, Mr. Deputy Speaker. By way of example, former Chief Justice Dixon of our own Supreme Court, from the Supreme Court, who was from Yorkton, Saskatchewan, and a war veteran as well, wrote, quote:

Freedom of association is the cornerstone of modern labour relations. Historically, workers have combined to overcome the inherent inequalities of bargaining power in the employment relationship and to protect themselves from unfair, unsafe or exploitive working conditions. As

the United States Supreme Court stated in *N.L.R.E. [National Labour Relations Board] v. Jones and Laughlin Steel Corp.*

Long ago we stated the reason for labor organizations. We said that they were organized out of the necessities of the situation; that a single employee was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for the maintenance of himself and family; that, if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employer and resist arbitrary and unfair treatment . . .

[18:30]

The "necessities of the situation" go beyond, of course, the fairness of wages and remunerative concerns, and extend to matters such as health and safety in the work place, hours of work, sexual equality, and other aspects of work fundamental to the dignity and personal liberty of employees.

As is often the case with Supreme Court rulings, Chief Justice Dickson was not alone in his view. Mr. Justice McIntyre wrote the following:

It may be observed as well that freedom of association was recognized and applied in relation to trade unions. The law of Canada and of each province has long recognized that trade unions could, and did, exist as lawful associations with rights and obligations fixed by law and that individuals had the right to belong to, and participate in, the activities of trade unions . . .

Mr. Justice Le Dain's judgment contains the following comments that really drive home the cautionary note that I want the members opposite to consider. Quote:

Freedom of association is particularly important for the exercise of other fundamental freedoms, such as freedom of expression and freedom of conscience and religion. These afford a wide scope for protected activity in association. Moreover the freedom to work for the establishment of an association, to belong to an association, to maintain it, and to participate in its lawful activity without penalty or reprisal is not to be taken for granted. That is indicated by its express recognition and protection in labour relations legislation. It is a freedom that has been suppressed in varying degrees from time to time by totalitarian regimes.

Mr. Speaker, all of these quotes were from a time before the landmark Supreme Court of Canada decision in *Health Services and Support — Facilities Subsector Bargaining Association v. British Columbia* that I've referenced earlier in my comments. That decision was a stunning reversal of 20 years of the court's own jurisprudence and guarantees employees freedom of association and the recognition that those rights affirm the values of dignity, personal autonomy, equality, and democracy that are inherent in the Charter.

Mr. Deputy Speaker, the amendments to 11(1)(a) seek to undermine, if not obliterate, the protection of employees in

choosing to belong to and participate in a trade union and run affront of that recent Supreme Court decision. The amendment seeks to undo years of labour relations law, law that is consistent in all Canadian jurisdictions that protects employees during that vulnerable period of unionization.

Now, Mr. Speaker, I would like this House to consider the quotes that I've provided from some of the most learned minds to ever have cause to look at the issue and to set those comments against the backdrop of an election campaign because an organizing drive is often and erroneously compared to an election campaign, Mr. Deputy Speaker.

Let me begin by stating the inherent differences. The union does not have equal access to the workplace, does not have an equal opportunity for an exchange of ideas or open debate, and does not have the benefit of a neutral commentator to assess the issues. And all of these factors make it significantly different to a public election.

In addition there is no government or state to which either management of a union is elected to and which has legislative powers to govern the employer's operations. The ownership of a company remains unchanged by the fact of unionization, as does the management. Quite simply put, after an election, the supervisor is still the supervisor. Mr. Deputy Speaker, it is short-sighted to draw an analogy between election campaigns and organizing drives. If there is a comparison that is closer to the situation found in organizing drives, it may be a referendum as in a referendum on a single issue being decided and not a change in government.

There is, however, one factor which underscores the lack of analogy to an election campaign, and this is the fact that the membership evidence or support evidence is kept confidential. That is true in every jurisdiction. This is not an issue of privacy, but rather a protection of employees against improper interference by employers. It is a statutory protection that has in place to ensure employees' freedom of association.

This public policy is a recognition of the economic dependence and vulnerability of employees to an employer. An employer has the ability to deprive an employee of their job. This is a very powerful weapon which the employer can use against their employees. Canadian labour legislation prohibits any employer interference to ensure that freedom of association is not thwarted by the employer's resistance to trade union organizing.

Mr. Deputy Speaker, I would like to again turn to Dr. Muthu's critique of Bill 6 amendments with the following quote:

The use of a political analogy by employers to describe the union representation election, their emphasis on certification only by mandatory voting, their preference for a lengthy, American-style election campaign based on the employer's freedom of speech, their civil libertarian rhetoric in defence of the rights of individual employees against the imminent union dictatorship after certification, and their conviction that the vigorous employer campaign against unionization has almost no bearing on the election results [no bearing on the election results] are based on faulty assumptions and are empirically unsound.

Dr. Muthu goes on to say that, quote:

There are also other differences between a political election and union election identified by Professor Gordon Lafer in his report entitled *Neither Free nor Fair*, quote:

In a regular political election, the boundaries of electoral districts and list of eligible voters are established long before the campaign begins, in a process that is independent of either candidate. By contrast, the scope of workers who are eligible to vote in any NLRB election is subject to debate during the campaign process itself."

In "bargaining unit" determination, the employer does have a greater scope for manipulation, the electorate in its favour and against union organizers.

Moreover management has disproportionate control over power to gerrymander elections. The NLRB's determination of whether a certain group of employees share sufficient "community of interest" to be lumped together as one electorate . . . are under the direct control of the employer. . . managers [may]. . . inflate the size of the bargaining unit to a level that is too large or too geographically disperse to be organized.

The near-universal mantra for management gurus on preventative labour relations is quote, "You can't lose an election that never takes place." Or how about this one: "How to have the election held in a voting unit you want and not the unit the union wants." Or: "Organization delayed can be organization denied."

As you can see, Mr. Speaker, there are a good many righteous reasons for not accepting an analogy that organizing campaigns are like election campaigns, that there are just as many good and righteous reasons for protecting employees during this vulnerable period. Mr. Speaker, I want to introduce a passage from the subcommittee of special advisors that is found in the report given to the minister of Labour in 1992, entitled "Recommendations for Labour Law Reform."

You see, Mr. Speaker, we in Saskatchewan are not in receipt of the valuable information that results in broad-based consultations, since the Sask Party government is adverse to that kind of collaborative, public policy development. The passage — and it has been held in such high regard as to be quoted in decisions of the BC Labour Relations Board — the passage is as follows, Mr. Deputy Speaker, quote:

As mentioned, in the introduction of our report, one of the major impediments to union organizing is employer opposition. That opposition can easily manifest itself during an organizing campaign, when employer representatives express inappropriate opinions on the question of unionization.

We accept the view that employers have a legitimate interest in whether their employees organize for the purpose of collective bargaining. On the other hand, we believe that employers must maintain a circumspect position during an organizing campaign to ensure that

employees are able to freely choose whether or not they wish to belong to a trade union.

Mr. Speaker, the proposed amendment to section 11(1)(a) of The Trade Union Act goes well beyond what the minister and the Premier have said it does. The amendment seeks to provide unfettered immunity to the employer to use his captive audience advantage to expound any opinions or views on any subject he may have. There is no other reason for the words “but nothing in this Act,” the equivalent of a notwithstanding provision to have been included in these amendments, save and except to gut the unfair labour practice provisions and undermine the authority of the Act.

To borrow from former Chief Justice Dickson once more, Mr. Speaker:

This government is trying to suck and blow at the same time. They want to suck up all of their right-wing backers [They want to suck up to all of their right-wing backers] and they want to blow off the rights of working people. I would suggest that this is rather unique in labour relations in Canada, except that British Columbia introduced similar legislation over a decade ago, and it was found to be flawed and has subsequently been amended to address that flaw.

I do want to point out that the British Columbia legislation was somewhat more limiting than what is proposed in Saskatchewan, in that the facts and opinions were tied to with respect to the employer’s business. This limited the blue sky that has been created by the government amendment. Once again for the benefit of this House, I want to point out that the Sask Party government looked to BC, British Columbia, the apparent brains of the new West, for ideas. If they had consulted — and it is clear that they don’t have much appetite for that type of dialogue — they would have realized that they had been handed an old hat. And now they are trying to stack the deck by sacking the chairperson and vice-chairpersons of the Labour Relations Board and replacing them with people closer to their mindset — by the government’s own description, I might add. Lady Macbeth would be proud, Mr. Deputy Speaker.

I’m certain that they look to the new crew to somehow find a new way around the problems that the legislation in British Columbia encountered. The Premier said in a media scrum on March 10, 2008, that, quote, “the appointment was a value-add as we interpret a brand new trade union Act.”

I don’t know what value was added except that the position now pays \$180,000 a year, a full \$60,000 per year more than the previous chairperson. And for that kind of money, I suspect the Premier will be looking for the right results.

The Premier also said on March 10, 2008, that, quote, “You need to have a sort of quasi-judicial body,” and that was the reason for the increase to the wage. Well, Mr. Premier, one doesn’t need a quasi-judicial body as you indicated, but instead one needs a mind that understands labour and administrative law, and furthermore one needs to accept the philosophy underlining a quasi-judicial administrative tribunal because that is what the Labour Relations Board is, and that is the function

of the board chairperson.

But I think that one other comment in that fateful scrum tells the tale of this government’s true intent and the marching orders of the new chairperson, and that is, quote, “We seek to change the letter of the law.”

We certainly take the Premier at his word, Mr. Speaker, but I guess he should have also said that he wants to change the spirit of the law and make sure that his legacy is a non-union one.

The Acting Speaker (Mr. McMillan): — Why is the member on his feet?

Mr. Belanger: — Yes, Mr. Deputy Speaker, leave to introduce a guest.

The Acting Speaker (Mr. McMillan): — Is leave granted?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — The member for Athabasca.

INTRODUCTION OF GUESTS

Mr. Belanger: — Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to all of the Saskatchewan MLAs [Members of the Legislative Assembly] a very, very special young lady who has travelled eight hours to be here. And I want to keep this recording, so when she graduates I want to show her this recording, that I introduced her to all of Saskatchewan.

But I want to say at the outset, I thank all my colleagues for the leave to introduce her. I promised the young lady that she’s with I wouldn’t introduce her because she’s been introduced in the House a number of times, and that’s my daughter, Kellie. But it gives me great pleasure to introduce to you and through you to all the MLAs in the Assembly, a young three-year-old named Meika Rose Belanger, and Meika is my granddaughter.

[18:45]

And I must say that the future for the New Democrats in northern Saskatchewan is indeed very bright because as we bring more New Democrats up through the ranks they get better looking, they get smarter, and they get more aggressive. And I rest my case, Mr. Speaker, to my granddaughter, Meika Rose Lena Belanger. And she’s named after her two grandmothers who have since passed away.

And it gives me a great pleasure to introduce my future, and her name is Meika Rose Lena Belanger. Welcome, Meika.

Hon. Members: — Hear, hear!

The Acting Speaker (Mr. McMillan): — I recognize the member for Regina Walsh Acres.

ADJOURNED DEBATES

SECOND READINGS

**Bill No. 6 — The Trade Union Amendment Act, 2007
(continued)**

Ms. Morin: — Thank you, Mr. Deputy Speaker. With all due respect, Mr. Deputy Speaker, the letter of the law means nothing coming from a gang who apparently can't read the law or understand how it actually operates. Oh yes, they have opinions, but those are like a part of the anatomy that everyone has, Mr. Speaker. Mr. Speaker, the Premier doesn't understand that labour law does not exist in a vacuum. It is the result of decades, if not centuries, of jurisprudence supporting and enhancing the right of employees while balancing the interests and freedom of expression of employers.

No jurisdiction in Canada gives unfettered rights to employers to do and say anything they want on any topic they want, with impunity and immunity from the application of unfair labour practice laws. In all of the legislations in all of the jurisdictions, the employers' free speech provision — if there even is one — is one way or another expressly made subject to the unfair labour practice provisions in the rest of the statute.

Mr. Speaker, the government does not, quote, "seek to change the letter of the law." The government seeks to render the law meaningless and by the stroke of a pen to render null and void the right of employees and the trade unions they independently and freely choose as their representatives.

This Assembly does not have the benefit of knowing who drafted these amendments, Mr. Deputy Speaker. That question is on the record and I'm expecting and anticipating an answer. But I am reminded of the comments of Mr. Justice Le Dain and I believe that author of those draconian amendments has a desire to create a totalitarian state in Saskatchewan while creating a climate of unprecedented labour unrest. I am hard pressed to believe that what this government is proposing is a blueprint for growth and security. Let us review:

New section 12.1

7 The following section is added after section 12:

"Deadline to report unfair labour practice

12.1(1) Subject to subsection (2), the board may refuse to hear any allegation of an unfair labour practice that is made more than 90 days after the complainant knew, or in the opinion of the board ought to have known, of the action or circumstances giving rise to the allegation, unless the respondent has consented in writing to waive or extend the deadline.

Mr. Speaker, on first blush this appears a well-founded amendment but the proof will be in the administration of this provision. Now because I know I'm dealing with a great deal of inexperience across the floor, I will not give any examples of unfair labour practices because essentially any violation of any section of The Trade Union Act can be an unfair labour practice.

There are however some circumstances that the 90 days prescribed in this amendment may be a miscarriage of justice, Mr. Deputy Speaker. I believe limiting the length of time that the parties can use to attempt to find a voluntary agreement to

an issue in dispute is counterproductive to sound labour relations practices. I do want to caution that leaving issues to fester could also be seen as a miscarriage of justice and the approach of lying in the weeds is not acceptable either. I think that the best solution would be for a far more reasonable timeline and I suggest that timeline be six months.

In making this suggestion, I recognize that there are jurisdictions that limit the time in which to file an application but the most common application of that limitation appears to be in relation to duty to accommodate applications. While this type of application would certainly be covered by this amendment, I am certain it is not the only type of application intended to be restricted in such a manner.

Again, Mr. Speaker, I suggest a more reasonable approach and ask the government to amend the 90-day limit and replace it with a six-month limit in an effort to recognize that bargaining collectively as defined in the Act in section 2(b) means more than negotiating a collective agreement. It also means negotiating the settlement of disputes and grievances, which includes the settlements of disputes, an unfair labour practice application as provided under section 11, 25.1, 36(2), 36.1, or any other section of the Act are issues in dispute.

While it may be sound public policy to have a deterrent in terms of a time limit, it does not serve the public good if that time limit is so limiting as to restrict the ability of the parties to resolve their dispute through negotiations. I believe that that is relatively well known in the House, and there are times when negotiations can take longer than 90 days.

Mr. Speaker, I also want to remind the members opposite that they rose up in opposition to the amendment to section 26.5(4), when our government introduced the ability for parties to file an application for first collective bargaining agreement when 90 days or more had passed since the date of certification.

The members opposite cried foul and said that 90 days was much too short a time limit, and urged our government to leave the legislation as it was, or at the very least provide a much longer time limit.

Now to say that the members opposite do say one thing and do the opposite would be repetitive of me. So I'll refrain from suggesting that they heed their own concerns about limiting the ability of the parties to reach a negotiated agreement without interference from the government.

(2) The board must hear any allegation of an unfair labour practice that is made after the deadline mentioned in subsection (1) if the respondent has consented in writing to waive or extend the deadline".

Mr. Speaker, this amendment is odd and almost akin to a writ on water. While there are instances when employers file unfair labour practices, it is well known that the majority of unfair labour . . . of applications are from unions and employee associations. I suggest the likelihood of an employer consenting to an application being filed after the 90-day period would only be matched in odds to my winning the lottery, Mr. Deputy Speaker. And I as a rule do not purchase tickets.

I do note that there's an ability to consent to an extension, but that same ability to consent to a certification application is not found. I must take this opportunity to again reinforce that there are employers that will and do not object to certification applications, and the amendments to section 6 create a hardship that could be easily avoided with a provision that allowed for consent, similar to what has been proposed here.

Section 17 amended

8 Subsection 17 (2) is amended by adding the following clause after clause (b):

“(c) for the purposes of subsection 6(1.2)”.

Mr. Speaker, this amendment is designed to facilitate the intrusion of the government into the affairs of a union. It is illustrative of the Sask Party belief that people do not know they're signing a card to get their workplace certified when they sign a union membership card. Mr. Speaker, I'm not sure that I have seen a union card that doesn't make it clear that the signatory is assigning bargaining rights to the union. I believe that this is just more of the paranoid disbelief that employees do and will freely choose to belong to a trade union.

I've already spoken of the checks and balances inherent in the Act as it stands today but remind the members opposite that certification gained by fraud will be rescinded.

Section 18 amended

9 Section 18 is amended:

(a) in clause (f) by adding “subject to the regulations made by the Lieutenant Governor in Council,” **before** “to determine”; **and**

Mr. Speaker, I believe the sole purpose of this amendment is to create a standard form that can be given to employees who wish to decertify their workplace. I suggest that the next thing that will be required is that this form will be available on the Labour Relations Board website or copies ready and available to be mailed out to interested employees from the board. Should this come about I would further suggest that in the interest of fairness that the union support cards would also be afforded the same opportunity, Mr. Deputy Speaker. The fullness of time will reveal the true intent behind this particular amendment.

(b) in clause (g) by adding “subject to the regulations made by the Lieutenant Governor in Council,” **before** “to determine”.

Mr. Speaker, the current legislation reads as follows:

(g) to determine the form in which and the time within which any party to a proceeding before the board must file or present any thing, document or information and to refuse to accept any thing, document or information that is not filed or presented in that form or by that time;

This amendment does not change the substance of the provision but it profoundly changes who determines those various forms, time periods, and so on. This amendment goes directly to the lack of confidence that the government has in its new chairman

of the Labour Relations Board and takes away the authority from the board to determine these matters. It also takes away the involvement of stakeholders and does not even — and does — and does contemplate seeking advice or information from the employer and employee representatives to the board.

As I understand changes that have been implemented at the board involving time periods, forms and the like have gone through a vetting process and involving first the members of the board and then the stakeholder groups, Mr. Deputy Speaker. It is a practical consideration to involve those people who actually make up the adjudicative panel in these matters. This amendment is another example of heavy-handed, paternalistic government and furthermore takes the discussion out of the public sphere and moves it to the backrooms of cabinet or at least to the backrooms so that whoever is putting forward this misguided agenda can — without the interference of public scrutiny, transparency, or accountability — create what they have deemed to be the forms and time periods for a whole, unconnected, quasi-judicial, administrative tribunal to administer the Act. The depth of this government's abhorrence to consultation is almost boundless, Mr. Deputy Speaker.

New sections 21.1 and 21.2

10 The following sections are added after section 21:

Deadline for board decision

21.1(1) Any decision of the board shall be provided to the parties within six months of the last day of the hearing unless the board is reasonably justified in requiring more time.

(2) Notwithstanding section 21 and subsection 40(1), any party to a proceeding before the board may apply to the Court of Queen's Bench for an order directing the board to provide its decision if the deadline in subsection (1) has not been met.

(3) Any failure to comply with subsection (1) does not affect the validity of a decision.

Mr. Speaker, I think that we can all agree that timely decision making is a reasonable goal. I do, however, find it unlikely that parties to the board are going to undertake the additional expense of applying to the Court of Queen's Bench to receive an order directing the board to provide its decision.

On a practical note, I'm not certain how the reduction of one Vice-Chair position will aid in the timely hearing and determinations that the board is charged with undertaking. In fact, I understand that a backlog has already been created, given the number of decisions that were outstanding from the unjustly terminated Chair and two Vice-Chairs of the board.

There are also hearings that were under way which are not yet completed and there is also the hearings that have had to be cancelled and further delays as a result of the terminations and the newly appointed chairman being physically unable to hear cases scheduled in both Saskatoon and Regina for the same days. As I say, Mr. Speaker, the goal is laudable but the actions of the government have already eroded the alleged intent of the amendment.

Annual report

21.2(1) In each fiscal year, the board shall, in accordance with *The Tabling of Documents Act, 1991*, submit to the minister an annual report on the activities of the board for the preceding fiscal year.

(2) The minister shall, in accordance with *The Tabling of Documents Act, 1991*, lay before the Legislative Assembly each report received by the minister pursuant to this section.

(3) Notwithstanding subsection 40(1), the annual report shall include the following information:

- (a) a list of all matters filed with the board;
- (b) a list of all decisions rendered by the board;
- (c) with respect to each decision listed:
 - (i) the date the matter was initially filed;
 - (ii) the date the matter was heard by the board;
 - (iii) the members of the board that heard the matter; and
 - (iv) the length of time between the last day of the hearing and the rendering of the decision; and
- (d) a summary, by member, of:
 - (i) the number of decisions rendered;
 - (ii) the type of decision whether interim or final disposition; and
 - (iii) the average period between the last day of a hearing and the rendering of the decision for each type of decision”.

[19:00]

Mr. Speaker, with regard to the amendment 21(3)(d), is the amendment intended for a summary for each member as provided in section 4(1.1)(a)(i) of the Act or section 4(1.1)(a)(ii) of the Act or both? To make the question easier for the minister to understand, as he doesn't really have an understanding of *The Trade Union Act* to this point, is the intention to provide an individual summary of all 18 board members, as well as a chairperson and vice-chairpersons, or as we have now one vice-chairperson?

Because as I understand it . . . Now I will use a well-known former board sideperson as an example, so I'm going to use current member Clare Gitzel, an employer-representative sideperson as the example. As I read the amendment, when Mr. Gitzel sits as a sideperson on a panel, the board will have to record the number of decisions that are rendered for cases that he has sat on as a sideperson, the type of decision that was rendered, be it interim or final, and the average time between the last day of the hearing and the rendering of the decision for each type of decision, interim or final.

So over the course of a fiscal year, Mr. Gitzel may sit on a panel on eight different cases for a total of 15 days. There would of course be additional time that he may spend in deliberation of the cases and in reading the draft decision or

drafts, whatever the situation requires. As a result of this amendment, the board will have to keep track of the number of the number of panels that Mr. Gitzel sat on, the type of panel that it was, and the average number of days between the last hearing date and the date of the final decision — noting separately the average for each type of decision.

My question, Mr. Deputy Speaker, is, why? For what purpose? What is the value-add here? And how does this improve the timeliness of decision making? How does this fit with the increased productivity that the minister spoke of in justifying the massive increase to the salary of the other chairperson?

Mr. Speaker, how does the tracking of these details about Mr. Gitzel and the 17 other sidepeople of the board and the presentation of those results in the annual report improve the efficiencies of the board? How does this assist anyone in getting timely decisions? What is the purpose of this busy work? How will the government ensure that the board is properly resourced to undertake all these additional duties, Mr. Deputy Speaker? I'm also wondering what the purpose is of tracking the time between the filing of an application and a date the matter was heard before the board.

It is my understanding that the parties generally are canvassed to gauge availability for a hearing and the number of days each party — or the parties for that matter as many cases involve more than two parties — but the parties indicate the number of days that they believe they will be able to present their case. In addition parties will often agree to adjourn a hearing date for a variety of reasons. In my own past experience with the board, that was certainly the case. There are occasions that I imagine the board may have to cancel or adjourn hearing.

In fact, Mr. Speaker, I have heard recently of at least two hearings, and there may be others, that were cancelled by the board. In fact they were scheduled for this . . . well a number of weeks ago, the week of March 17 but were cancelled by the board. Perhaps this is the value-add the Premier spoke of or the increased productivity that was foretold of by the minister in justifying the firing of the adjudicative employees of the board.

I'm not sure that the parties affected feel as though they've received any value-add, and there was nothing by the way of increased productivity either. That was not how they expressed themselves to me anyway.

Mr. Speaker, I want to inform the House that the Premier's hand-picked friend of the Sask Party, the new chairman of the Labour Relations Board has clearly been able to get the intent of the Sask Party government's communication on the subject of labour laws and how he should conduct himself.

The Premier has been very effective as the employer in conveying his wishes to his employees. One might even suggest that there has been undue influence in the free decision making that the new chairman is required to have as an executive officer at arm's length, independent, quasi-judicial administrative tribunal.

I don't think we have to wait to see how he performs, Mr. Speaker, I think that it is already clear since the new chairman also did not consult with the parties. He has heard how he has to

conduct himself and knows full well that this government doesn't believe in consultation unless it is behind closed doors, potentially.

Unless it is away from the prying eyes and ears of the public and unless it is with a people this government feels beholden to, someone like the president of the University of Saskatchewan, who was in the middle of a labour dispute, Mr. Speaker. Maybe it came about as the minister wanted to help out his former employer. Maybe it occurred when they were discussing which government appointment would be best suited for the president's wife. All I really know is that there is an email that clearly indicates that he was consulted, whether he saw the actual draft Bill or not, and it was before the legislation was introduced and the threat of legislating the CUPE [Canadian Union of Public Employees] members back to work, declaring them essential, defeated the strike. But then that was the intent. Labour peace for the Sask Party government can be equated to no rights for working people in this province should these pieces of legislation pass.

Mr. Speaker, the Premier not only wants to, and I quote, "change the letter of the law," but he wants to walk over every practice, every policy, and every principle that governs modern industrial relations. This is not a stamp the Sask Party government is putting on labour relations. It is the stamping out of rights of employees and their trade unions.

Section 33 amended

11 Subsection 33(3) is repealed.

Mr. Speaker, I want to start by saying that this provision has been in the Act for decades and never really presented a problem, with very few exceptions. For the information of this House, the majority of collective agreements in this country have a term or duration of three years. While it is true that most jurisdictions do not have legislative provisions for the setting of the term of a collective agreement, the practical approach has been for a term of three years. It is somewhat of a standard, Mr. Speaker.

Mr. Speaker, as I said, this provision has been around for decades, and with very few exceptions served the stakeholders effectively. Occasionally there have been times when parties will agree to a longer term, and even more rarely do those parties seek a private members' Bill to receive legislative sanction for a collective agreement with a longer term. The last agreement with IPSCO and the steelworkers is the one example that comes to mind, Mr. Speaker.

But practically speaking, the parties are able to come to an agreement if they are seeking something other than a three-year term. They may agree to sign off on the time that has already passed since the old agreement expired and the new agreement that is in a go-forward position. They may sign back-to-back agreements, or there are many creative and legal methods for dealing with that question when the parties agree. What neither party may do is bargain the issue to an impasse. What the union cannot do is take strike action to achieve a longer term. What the employer cannot do is lock out employees in an effort to force the employees to accept a longer term.

It is easy to see that this amendment is opening up yet another

issue that can lead to a labour dispute. I would have thought that this government has given enough cause to pit workers against their employer with the other draconian amendments they have introduced to The Trade Union Act, but there seems to be a concerted desire to create a labour climate in this province that is acrimonious, confrontational, antiquated, and bent on creating a war with working people.

The instability that they are wreaking in this province is posed to wreak havoc with the prosperity and growth that we so carefully put into place. This government is taking its time of labour peace, growth and unprecedented economic prosperity and wilfully and wantonly destroying it. So much for security.

Employers be warned. Investors be careful. This government is creating a climate of despair for workers that is not a recipe for success. Employees be warned. You will not enjoy the same rights as you may have become accustomed to in other provinces because in Saskatchewan we do turn back the hands of time but not by one hour. In Saskatchewan we want to take you back to 1947, the time of the Taft-Hartley amendments to the Wagner Act. While the sum total of these amendments do not repeal the entirety of The Trade Union Act, they accomplish the same thing, Mr. Speaker. The Act will be a writ on water.

Coming into force

12 This Act comes into force on assent.

Mr. Speaker, in my humble opinion, this Act should never reach assent.

As I said earlier in my speech, this Bill is a death threat to unions and a letter bomb for working people in the province. Mr. Speaker. I'm going to close by relaying a little tale from south of the border. It is, at least I think it is, instructive . . . [inaudible interjection] . . . Thank you . And only reinforces just how backwards and out of step the Sask Party amendments are.

In 2007 the Employee Free Choice Act was introduced by two Democratic and one Republican senator. This Act looks to undo the damage that has been created by the Taft-Hartley amendments to the Wagner Act and moves the National Labour Relations law to a balanced position.

The Act is as follows. Section 1, this Act provides for certification of the union by the National Labour Relations Board on the basis of card check. No more mandatory elections are required. Section 2, this Act provides for first contract mediation, failing that, binding arbitration, which is valid for two years. Section 3, this Act provides for stronger penalties for violations while employees are attempting to form a union or attain a first contract.

Subsection (a) provides for civil penalties, fines of up to \$20,000 per violation against employers found to have wilfully or repeatedly violated employees' rights during an organizing campaign or first contract drive. Subsection (b) provides for triple back pay to be paid by an employer when an employee is discharged or discriminated against during an organizing campaign or first contract drive.

Subsection (c) provides for mandatory application for injunction whenever either party violates the Act and when

there is reasonable cause to believe the employer has discharged or discriminated against employees or threaten to do so which significantly interferes with employee rights during organizing or first contract drive. It also authorizes the courts to grant appropriate injunctive relief.

Mr. Speaker, this piece of bipartisan legislation has been passed in the Senate by a vote of 51 to 48 and by the House of Representatives by a vote of 241 to 185. This, Mr. Speaker, is the future of labour relations law in North America.

Bill 6 is the way of the past, Mr. Speaker. Bill 6 is not legislation that is reflective of the current labour relations climate in Canada. It does not reflect a modern view of industrial relations and brings no value-add for productivity or competitiveness.

This legislation does not provide any solutions for real problems facing employers today, that being a severe labour shortage, and it does nothing to assist Saskatchewan in growing to be a leader in the new West or anywhere. This legislation is old school, Mr. Speaker, full of unfulfilled, ideologically driven desires to eliminate trade unionism and is much much worse, much more worse, is much more reminiscent of the Wild West than it is of any sound public policy that looks to protect the interests of working people in our province.

Mr. Speaker, this Bill should be taken off the legislative agenda and the issues placed before a legitimate and representative committee to meet with the stakeholders and public. Anything short of that and this government shows it has no desire to work with labour in this province and instead declares war.

[19:15]

And, Mr. Speaker, after a lengthy critique of Bill 6 and the proposed amendments by the Sask Party, I'm hoping that the members of the government pay close attention. I hope they learned something from that. This was definitely a speech that required a lot of research and a lot of consultation with various people and various organizations — something that the Sask Party government might want to take an example of. And otherwise they are more than welcome to read it in *Hansard* and to review the research that I have done on their behalf. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

Ms. Higgins: — Thank you very much, Mr. Speaker. Mr. Speaker, it's a pleasure to rise this evening to add a few comments to the legislation that's before us. Bill 6 and Bill 5 have caused a fair bit of lively debate not only in this House but across the province. And sadly it's been a very divided debate when we talk to stakeholders and we talk to people outside of this House. And I think that's for a number of reasons. This Sask Party government has moved ahead arbitrarily with legislation that was obviously drafted by outside sources, but they have moved ahead without any public consultations or any substantive consultations.

And really, when you look at the issues that are before us and why it has caused a fair bit of debate, you truly have to look at the intent of The Trade Union Act and why it is there in the first place. And what you have to take into consideration is that The Trade Union Act was put in place to empower workers and unions. And we may get a few cries and complaints about that.

There's a quote that I'd like to put into *Hansard*, Mr. Speaker, and it's from *Our Times* magazine. And it's an article that was published by Dr. Elaine Bernard, and she's the executive director of the Harvard trade union program at Harvard Law School. The article is entitled "Collective Bargaining as a Constitutional Right." And I quote, Mr. Speaker:

... "the right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work."

And that was from the Supreme Court of Canada. And, Mr. Speaker, when you look at that and you think of The Trade Union Act as being put in place to empower workers and unions, you start to realize the passion and emotion that comes forward when we see changes being proposed for the Bill.

Mr. Speaker, I also made the comment that this obviously was legislation that was structured and written outside of the departments of Justice and Labour, and brought to them after the fact to be tabled in this House.

And there's a number of reasons why this is evident, but one that I want to touch on is when you're looking at any changes to the Act, it's important to remember that the implication of a change to even one word must be read in the context of the whole Act, all regulations, and the case law history. And I know from past practice and from experience that I've had that when Justice and Labour work on a piece of legislation, it is looked at in the context of the whole Act and other pieces of legislation that it may affect.

So, Mr. Speaker, we know this hasn't been the fact. We know that there has been amendments talked about. We haven't seen them, but we've heard them talked about. But I do know that the minister tabled The Trade Union Act amendment (2), now known as Bill 22, which also makes some changes to The Trade Union Act.

And this was an afterthought when it was brought to his attention, but what he was actually proposing to do with the Labour Relations Board he couldn't do by the legislation. So this tells me that the people that wrote the legislation were single-mindedly looking at it for specific issues, and not looking at it as the Department of Labour or the Department of Justice would have looked at it, as an overview and in context of the whole Act.

So, Mr. Speaker, there's a number of things that have been pretty contentious, and I know my colleagues have gone over in fair detail a number of them. But what this legislation has also done, it's really provoked a couple of analyses of the legislation. And one of them that has been quite useful when

you look at Bill 6 was put out by Jim Warren. And he's a Regina-based researcher and labour historian. And he says in his study:

“As it stands the proposed legislation constitutes an effort to enhance employer power and reduce the capacity of employees to achieve union recognition and the ability to bargain collectively with their employers.”

Warren's study discusses the evolution of the Saskatchewan trade union Act from 1944 and to the present day, and argues that the current government's Bill 6 amendments are unduly punitive.

Now, Mr. Speaker, here we go back to why The Trade Union Act is there. And this Act is supposed to empower workers and unions. And the changes are looked at from the perspective of whether the changes weaken or strengthen workers and their unions. And in other words, quite simply looking at who benefits from the change in law is a great guide to understanding its meaning. So when we look at the comments of Mr. Warren, and it goes into quite a bit of detail, but I mean you couldn't be more clear than this. The title of his paper, “An Assessment of Bill 6, Amendments to the Trade Union Act, 2008,” is titled “Joining the Race to the Bottom.” And that really says it all, Mr. Speaker, and it doesn't speak well to what the future holds for working people in the province of Saskatchewan.

And this brings up a number of other issues in this labour market. And when times are so good why is it a time that we wish to be making these changes? And I'm sure there will be more said to this over the next couple of days.

But one of the other analyses that has been put out is the “Proposed Amendments to the Trade Union Act: A Critique.” And this is Dr. S. Muthu, Professor Emeritus, faculty of business administration, University of Regina. And his field of specialization is industrial relations, business ethics, and administrative law.

So, Mr. Speaker, these are a couple of pieces that I would truly like to make a number of points on, and really there's a number of issues that arise when you look at Bill 6. It looks quite simple on face value, but it truly isn't. And it has and will have some lasting implications for working people in the province of Saskatchewan.

And I think there's a couple of other points that need to be made where the minister, when he first tabled this legislation — even though he said it had been worked on for a year by the Saskatchewan Party but he hadn't seen it until it was tabled — he talked about meeting national norms and that this legislation was nothing more, nothing less than what other provinces already had. Now I think my colleagues have made the point over and over again in the last number of hours that this is definitely, the proposed legislation for Saskatchewan is definitely over and beyond what national norms are. It's broader and it has more drastic implications for working people in this province. And we really need to have more discussion on that.

Mr. Speaker, there's a couple of points I want to make out of

the Canadian Centre for Policy Alternatives paper by Mr. Jim Warren. There's also the critique about the proposed amendments to The Trade Union Act that I would like to make more detailed comments on some specific sections, but Mr. Speaker, the poor analysis that's been done by this government on this legislation before it was tabled, the poor preparation for rolling this out to the public, and, Mr. Speaker, even worse claiming that it meets national norms and brings Saskatchewan in line with other provinces couldn't be much farther from being accurate than what it is right now. But the lack of public consultations which has caused a huge rift across this province, public discussion, and the basic misunderstanding or the basic misrepresentation of the intent of this legislation means that my colleagues and I, we, will have to do some more consultations.

There is many stakeholders who have not been able to make public presentation because of this government's lack of accessibility and lack of transparency and accountability. So my colleagues and I need to get in touch with these stakeholders. We need to make sure that we have some good lines of communication and good discussions on this piece of legislation. So, Mr. Speaker, I would move to adjourn debate.

The Speaker: — The member has moved to adjourn debate. Is it the pleasure of the Assembly to . . . I recognize the member from Cannington.

Hon. Mr. D'Autremont: — Thank you, Mr. Speaker. Now, Mr. Speaker, we've spent a number of hours in here now listening to the members opposite talk about Bill No. 6 and what kind of an imposition this is going to be on the workers of Saskatchewan.

But in all the comments that I've . . .

The Speaker: — My apologies. I missed the comments from the member and I believe I did call for a member to have moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion carries.

Bill No. 2

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Stewart that **Bill No. 2 — The Enterprise Saskatchewan Act** be now read a second time.]

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

Mr. Broten: — Thank you, Mr. Speaker. It is a pleasure to be able to join the debate once again on the Enterprise Saskatchewan piece. And I'm glad despite the minor confusion there that I am able to stand and carry on the discussion on this piece, Mr. Speaker.

The Enterprise Saskatchewan Act is a piece of legislation that has received considerable attention from people in the community, people in this legislature as well, and people outside of the province also. So, Mr. Speaker, as we look to The

Enterprise Saskatchewan Act and examine the merits and perhaps some of the pitfalls with the Act, it's important to first look at the context of where Saskatchewan currently is at in terms of its economic well-being and social well-being and where things have been occurring for some time, Mr. Speaker.

As I mentioned the last time I spoke, there are a number of indicators right now in the province which would suggest that things are going well in the province and have been going well for a period of time largely due to the work that has occurred over the past number of years in positioning our province in a place where now, with commodity prices where they are, that we're able to truly capitalize and carry on with the work that has been done.

I was pleased on Saturday to look in *The Globe and Mail*, Mr. Speaker, and there was a fairly lengthy piece about Saskatchewan on the business section on pages 4 and 5. Actually the front page of *The Globe* had a nice photo of the province and talked about it as the it province and a number of very positive things were highlighted about where Saskatchewan has been and where it currently is and where it may be going in the years to come.

I'd like to share a few parts of the article, Mr. Speaker, because I think it provides an important context that we need to be aware of when we're looking at the idea of Enterprise Saskatchewan, what it wants to do and how it wants to do it. The first section — so this is in the report on business weekend on B4 — the article starts off with Dr. Grant Isaac, who is at the University of Saskatchewan. And actually I had the pleasure of taking an undergrad course from Dr. Isaac when he, in the early days when he first moved back to the province. I believe it was the international political economy of biotechnology or something along those lines, but back in 2000. I quote from the article:

Grant Isaac, when he left, never thought he'd be back.

Hailing from a family of sports broadcasters out of Regina, Mr. Isaac studied economics at the University of Saskatchewan in Saskatoon. After finishing his masters, he and his wife moved to England, where Mr. Isaac did his PhD at the London School of Economics. A world of opportunity was at hand.

But they chose, in 2000, to return. Sensing change, sensing possibility, sensing something percolating, the spirits of their forebears, pioneers who [had] made a life out of a hard land, in the middle of nowhere.

"Everything just seemed to be pointing in the direction of change," Mr. Isaac remembered of the emerging ambitions of his home province this week over a coffee in Saskatoon.

So that's very good optimism and I'm pleased that Dr. Isaac was of that opinion when he decided to come back. An important point that I note is the date when he had that feeling and that sentiment about the province was back in 2000, Mr. Speaker. So that was some time ago recognizing — it would appear recognizing — that good things have been happening in this province for some time, Mr. Speaker.

[19:30]

The article goes on to talk about a number of areas, Mr. Speaker, where Enterprise Saskatchewan will be very active, where Enterprise Saskatchewan will have a significant role. The article, as you would know, Mr. Speaker, from following the news, currently there are a number of pressures on the world supply of food, so this is one aspect that can contribute to the boom and the good times in the province. The combination of the need for food production, which Saskatchewan is quite good at — a number of our resources that play a role in that — and also the resources that have here in this province that are also in demand by the world. Going on to quote:

The province may still be seen mostly as rural agriculture place but its economy is far behind that antiquated image. Mining, oil and natural gas, and manufacturing make up about 20 per cent of the economy, and are triple the size of the farming business, according to the Saskatchewan Institute of Public Policy at the University of Saskatchewan.

Mr. Speaker, it's very good to see SIPP [Saskatchewan Institute of Public Policy] receiving such good press on the national stage.

Oil is particularly hot. The province produces more than 400,000 barrels a day, almost as much as Alberta, excluding the oil sands. And the Bakken play in the southeastern area of the province, unlocked in the past couple years by advances in drilling technology, is on fire, promoted as the second-largest oil field ever found in Canada.

So it's no secret, Mr. Speaker, that resources will have a very important part. So as we look at a discussion about Enterprise Saskatchewan, which will have an important influence on what we do with resources, it's important to remember where Saskatchewan, where we are poised, and what is happening at this current time.

The last quote I want to identify from this article which I enjoyed reading, Mr. Speaker, was towards the end of the article. And it goes to speak of perhaps some of the sentiment that was expressed at the beginning of the article when Dr. Isaac was interviewed, and that's the recognition that changes that have been occurring in this province did not occur magically on the night of November 7. But rather they've been part of a determined and part of a strategic plan that this party when it was in government was engaged on. And the quote reads this, and this is on B5, Mr. Speaker:

But the NDP started to make business-savvy moves this decade, cutting taxes, easing red tape and moving incentives to businesses to take risks.

And while the Sask Party looks like a move to the right from the left, it has ended up being more of a continuation of things the NDP had started.

So it's quite interesting, Mr. Speaker, that one of the national papers in this country would make that observation, that the changes that have been occurring here have indeed been

happening for some time, Mr. Speaker, and that a good amount of the benefits that we are experiencing today from those changes have been taking place for some time. I think also, Mr. Speaker, that that's a point that many people in the province also recognize.

I know in a lot of the talk around the budget that we heard following the recent budget, I know on this side of the House we used the expression NDP lite or an almost NDP budget. And it is true that a good number of the editorials that were printed and spoken after the budget, people recognized this, that for the most part the structures and a lot of the changes that had been put in place, that had occurred, were in fact a continuation and were going on in the existing budget. So while we would recognize on this side that there are some holes and some problems with that budget, we would also recognize that a lot of what is there, a lot of what was begun there is in fact carrying on.

So I spent some time, Mr. Speaker, in a sense setting the stage, giving us an understanding of where Saskatchewan is and where we have been and where we are headed. And it's important to keep in mind as we think about what the role of Enterprise Saskatchewan will be and what it is supposed to be.

It's curious at a time when things are going well, when so many positive changes have occurred, that we as a province would want to hand that over to an entity that really does have a lot of question marks around it, an entity which some of the media have described as highly nebulous, Mr. Speaker.

It's true that in looking at the Enterprise Saskatchewan model there are a number of questions that are raised, and these are questions that I know, that as I've been out in the community meeting with people, whether it's doing errands on a Saturday or people coming into my constituency office, Mr. Speaker, these are questions that they have about how will this organization work. What exactly is its purpose? And how will it be held accountable to the people and the public?

So when I discuss this with my constituents, one area that I talk about and which really they bring up but we have a discussion about, and that involves the murky and the questionable rationale behind Enterprise Saskatchewan. I think people do have a lot of questions about it. As I said, in *The StarPhoenix* it was referred to as a highly nebulous entity.

I guess part of the problem people are having with, some of the questions people are having comes down to some of the rhetoric we heard pre-election and post-election concerning Enterprise Saskatchewan and how some of the things that were talked about really aren't jibing with what people are seeing today and what they're reading about and hearing in the news.

Sort of the one main point that we need to remember is that when Enterprise Saskatchewan was talked about in its formative years, over the last couple of years and earlier than that when it was introduced, it was about the Sask Party's hope and intent and their stated belief that they are able to remove the politics from the decision-making process.

And that was part of the rationale, as I understood it when it was explained, that they hope that, well what we would have is

a group of people that were made up from industry, that were respected, were accomplished, active in their respective fields, and that these people would provide us with the expertise and the knowledge to make sound decisions. And they said that this would be done separate from the elected individuals and that these decisions that would come out of this process would be listened to and would be indeed implemented from Enterprise Saskatchewan.

Part of the problem that we saw though, soon after election, is that very quickly the separation between the people that were said to be experts and the people that are elected, that separation very quickly eroded. It just disappeared. And this was a significant flip-flop that was stated by the government, a flip-flop that I think was recognized by people in the media and people in the public.

I suppose if the Sask Party government was intent on maintaining that separation, I don't see why, Mr. Speaker, two members of its cabinet would be placed on Enterprise Saskatchewan — one being the Chair and one serving on Enterprise Saskatchewan. If the goal was to keep it separate, if the goal was to have it separate from the politicians, to me it seems like an odd way to ensure that by actually placing the politicians in Enterprise Saskatchewan, if that was indeed their intent.

And now we're not, having seen that, we're not sure that that was in fact their true motive behind Enterprise Saskatchewan, and that there are many questions around the purpose of the organization.

One could come to the conclusion that if members of cabinet are placed on Enterprise Saskatchewan, that surely that is for a reason. A reason beyond the flow of communication because, Mr. Speaker, for communication we have minutes, we have records of meetings, we have video cameras, and we have the written form, staff people that can take part and relay information. So I don't think the intent of having elected officials in Enterprise Saskatchewan was strictly for communication.

My hunch is that, Mr. Speaker, it had more to do with the Sask Party realizing that they needed to have people involved in Enterprise Saskatchewan if in fact they could live with the outcomes of Enterprise Saskatchewan. It was more of a means, Mr. Speaker, as I see it, to ensure that the outcomes of Enterprise Saskatchewan, the decisions that are made, that they would be consistent with what the Sask Party wants and what cabinet wants.

To me it is somewhat disingenuous to suggest that the whole purpose of Enterprise Saskatchewan was to remove the politics from the process when in fact very soon after the election we see two members of cabinet being put in Enterprise Saskatchewan. At the end of the day what we may see with Enterprise Saskatchewan is that it is more or less the puppet of cabinet, a means simply to have a facade of approval from the wider community, but at the end of the day it comes down to what cabinet wants.

I also think that a good amount of the Enterprise discussion — in relation to how it will integrate into the rest of government

and how it will interact and add benefits to the different ministries — I think a big amount of that is also in question and is also up in the air. There is the idea of Enterprise Saskatchewan. We have the initial legislation, but we don't have a great idea yet as to how the nuts and bolts will operate, Mr. Speaker, how the information from Enterprise Saskatchewan will be indeed be integrated into the ministries.

One example in looking at this question of how Enterprise Saskatchewan at the end of the day is going to work with ministries or line departments has come out just recently, Mr. Speaker. I know committees were meeting at the end of last week before we went home to our constituencies for the weekend and had a chance to talk to people.

Mr. Speaker, as you would know, I'm a member of the Standing Committee on Human Services and we had a good time in estimates on Thursday. Some good discussion was had and some good information was gained. As every critic is responsible to do, I was asking questions about different aspects for Advanced Education and Employment, the critic responsibilities that I have. And I'm providing this information, Mr. Speaker, because it ties into how Enterprise Saskatchewan will have a positive role and how it will be, will be used — or so they hope and suggest and claim.

And the issue that we were discussing, Mr. Speaker, was the Sask Party's plan for a tuition rebate scheme. As you would know, in the previous administration we had a grad tax exemption program that was, that was in place for all people in the province. One characteristic of that program, Mr. Speaker, was that it was open to individuals that studied out of province. So individuals that just, having been born in a different area and studied in a different area decided to go to University of Moncton and for whatever reason they wanted to afterwards come to Saskatchewan, in our plan those individuals were able to benefit from that. And individuals, Mr. Speaker, that are from Saskatchewan but through life circumstance or no fault of their own because a program is offered somewhere else, those individuals have to study out of province at a different institution.

So the original Sask Party plan on that document or on the tuition rebate scheme, Mr. Speaker, was exclusively for Saskatchewan people — Saskatchewan-trained individuals — and it had no application outside of the borders of this province. So when the budget was delivered, Mr. Speaker, there was a note that I found on the bottom of page 41 of the budget summary document. And it said:

Eligibility will also be extended to selected programs at post-secondary institutions outside Saskatchewan. These programs will be determined by the Ministry of Advanced Education, Employment and Labour.

So, Mr. Speaker, as any good critic would do during the estimates time which is set aside for such questions, I had the opportunity to ask the minister what was the impetus for this change and some questions about application and how this would occur because this was a marked departure from what the Sask Party had been saying for some time. And so the minister provided some answers. He said, well it was brought up in question period so that was one, one area where he became

aware of this situation with people outside the province also needing or being appropriate to benefit from this program.

So I had some questions though about, Mr. Speaker, how it's determined who is in and who is out because any time you have a program where a few people are eligible, inevitably you have a good number of people, usually more, that are not eligible for the program. So I had some questions about how this would be determined. And the quote that or the statement that the minister replied to my question was, and I quote:

Certainly as we move forward with some legislative alignment that needs to take place in order to put this in motion, we'll be finalizing those specific sectors. I anticipate that over the next 30 to 60 days we'll have that finalized. That's an ongoing process that will be done in consultation with stakeholders across the province.

[19:45]

So we have a policy change which I think is a good policy change. I don't agree with the overall structure of the program, but offering it to more people is better than fewer. So I went on to ask the minister, and I said, quote, "Thirty to sixty. Okay. And does the final decision rest with the ministry?" And the minister replied, "Yes, it would."

I went on to ask another question about . . . And my question read:

You mentioned you would be consulting stakeholders to determine what are the high-need, high-priority areas. What is the format for engaging those stakeholders? Is there a committee established? Will one be established? Is it ad hoc? How does that work?

So that was my series of questions in a question. And the minister's reply was, "No. Our initial focus is likely to be by drawing on the expertise of the stakeholders in Enterprise Saskatchewan." I went on to ask if they make the decisions or this is simply a recommendation. And the minister replied, "No, they wouldn't make decisions. They would be offering recommendations. Just for clarification."

So the minister made this remark. I thought well we're starting to see how Enterprise Saskatchewan might have a role in some of the programs in 30 to 60 days as was identified. And that was getting towards what I thought was the end of the line of my questioning, but then the minister indicated something which I found surprising. He started to name a variety of other organizations that they would be consulting in addition to Enterprise Saskatchewan. He said, I quote:

Yes, among other stakeholders. Obviously we're going to include some of the . . . [learning] post-secondary institutions. We're going to be speaking with the apprenticeship council and some others. Now the actual process, we'll roll that out, as I say, in the coming weeks.

And as we carried on with our discussion, as we looked at how this list would be determined by those who are eligible for seats, it became clear that the list of people consulting was growing and growing. And I asked myself the question, if

Enterprise Saskatchewan is the location where the expertise lies, if that's the solution, then why the need to go to so many other individuals?

The minister identified individuals that would be eligible for this program. There are the health care seats which are purchased by the province and we also determined that the individuals in those programs, even if they weren't in a Saskatchewan-paid seat, that they would also be eligible.

So that was positive but the minister went on to state that universities would be consulted, the Labour Market Commission, businesses, as well as some other business associations, health institutes, the health care sector, which was identified through the organization of VPs [vice-president] that meet for human resources.

So consultation is indeed a good thing, a wide spectrum is a good thing, but I gained the sense, Mr. Speaker, in the questioning and the answers that the minister and his deputy were almost making up these institutions as they went along. It wasn't, to me it did not come off as a clear plan because they kept adding institutions and other agencies bit by bit to the initial Enterprise Saskatchewan option.

And as a side note I asked, well if this is in the next 30 to 60 days, surely you have some meetings established because that's a good deal of consultations and meetings to take place. But I was not told that any dates were available. In fact it was more an issue of it would be rolled out in the coming days so it was not to me overly assuring that indeed there was a clear plan for how Enterprise Saskatchewan would be relating with the ministry that I'm responsible for being the critic for.

Another question that the minister stated about the Enterprise Saskatchewan approach, with the question that I raised to him, was that it wasn't binding, that it was simply a recommendation. To me that also goes against a good number of the statements that were made pre-election about Enterprise Saskatchewan actually calling the shots and removing the politics from the process. It's clear at the end of the day the decision does rest with the executive.

I also wondered if Enterprise Saskatchewan is a sound cross-section of the population — which there are many accomplished, qualified people on Enterprise Saskatchewan — but if they have the time to meet, if they have the time to make these decisions, why the need to have so many other stakeholders consulted if this is in fact the silver bullet as the government would see.

The 30 to 60 days was also another question mark, Mr. Speaker, that I had. If the role of Enterprise Saskatchewan is to be rolled out in the next 30 to 60 days, that's not an incredibly long time, Mr. Speaker. I'm curious to see how in fact these recommendations will be made. I also asked the question how Enterprise Saskatchewan — the findings and the decision by Enterprise Saskatchewan — would be meshed with the other information that's received from all the other stakeholders and did not receive a clear answer on that.

So indeed, in looking at my first theme of thoughts, to me it does seem that the Enterprise Saskatchewan approach is murky

and, as *The StarPhoenix* put it, nebulous.

Mr. Speaker, this wasn't. My experience on the Human Services Committee was not unique. We actually did see this on another one of the standing committees and that's the Standing Committee on the Economy. And in this case, looking at the record of this discussion — I was not in the room, Mr. Speaker — but looking at the record of discussion, there was an exchange between the member from Prince Albert Northcote and the member from Kindersley where they were talking about the forestry sector. And the member from Prince Albert Northcote quoted from some of the documentation and the literature that we've seen about Enterprise Saskatchewan as it relates to the forestry sector. A quote — a very specific quote — outlined the role of Enterprise Saskatchewan, and it says, I quote:

“... [providing] a more defined accounting of our allowable sustainable cut. This government surveyed inventory will be aimed at finding where Saskatchewan's forestry industry fits into the world forestry market.”

What would appear to be a fairly specific task, a fairly focused task. So when the member from Prince Albert Northcote read this information and had the opportunity to present it to the member from Kindersley, he asked about what would this relationship look like between Enterprise Saskatchewan and the forestry sector. What the member from Northcote said, and I quote:

Thanks to the minister for that answer. Could the minister define for the folks here this evening how the relationship between the forestry branch of government and Enterprise Saskatchewan, how that's going to play out? What's the interaction going to look like?

And the member from Kindersley said:

At this point in time there hasn't been a great deal of interaction. Enterprise Saskatchewan is just recently constituted. The membership has been announced.

And went on to state about some of the things that Enterprise Saskatchewan will be doing.

But then the supplementary question asked by the member from Prince Albert Northcote was, quote “So no formal arrangement within the department, or ministry, sorry.” And that was the end of quote. And the reply was:

Well none at this point in time. I'm not quite sure what you would call formal. I think there will certainly be industry sector participation from the forestry sector, interacting with Enterprise Saskatchewan.

To me that does not sound like a clear-cut relationship that Enterprise Saskatchewan will be having with the forestry sector in terms of providing, in terms of providing the detail or meeting the detailed task that was designed in the documentation before the election, Mr. Speaker.

So we've seen that members of the media see Enterprise Saskatchewan as a nebulous entity. And we've seen how some

of the ministers themselves don't exactly know how Enterprise Saskatchewan will be interacting with their ministries.

Now I'd like to move on to another area beyond the murky nature of Enterprise Saskatchewan. And that's how I do see Enterprise Saskatchewan — as a destructive force for our democracy, Mr. Speaker. I see it as one that undercuts democracy. What we know in our, what we know about . . . [inaudible interjection] . . . I hear the member from Northwest suggesting that my speech is worse than spending time in prison. I suppose I will take that as a compliment, Mr. Speaker, and I thank the member for his remarks.

Mr. Speaker, I see Enterprise Saskatchewan as a destructive force for our democracy because it undercuts the work that our government does in the work of the legislature and the work that we do as elected officials. In fact I see the work of Enterprise Saskatchewan as outlined in the original Sask Party plan of divorcing politics from the decision-making process, really one of outsourcing the decision-making responsibility.

We hear about the outsourcing of telecom jobs to India. This is really what I see as individuals who have been elected to serve in a role, to fulfill a purpose and to do it well, really giving that responsibility over to someone else. And beyond the problems associated with simply not doing that work, there's the wider problem for the electorate and how they view their government, I think. And I think that'll be the potential long-term consequence of the Enterprise Saskatchewan model.

And I see how this could negatively impact and negatively influence the public's perception of government because of two issues. And one is how Enterprise Saskatchewan stands to decrease the transparency that occurs in government. That's the first.

And the second one, Mr. Speaker, is how Enterprise Saskatchewan will in fact decrease the accountability that we as elected officials have for the decisions that we make, and this done all through the outsourcing of the decision-making process. As you know, Mr. Speaker, having . . . or as many members will know here better than I, having been members in this legislature for a longer period, one can never underestimate and one can never disregard the advice and the input that one receives from their voters, from the electorate, from people that voted for you and people that did not vote for you, the entire spectrum — and probably people that chose not to vote at all. So I think by abdicating one's responsibility as an elected official, by putting that responsibility on Enterprise Saskatchewan as the one who holds the buck at the end of the day, I really think that we are hurting our reputation and the way that we are viewed in the public.

So no longer when one is grocery shopping on Saturday and someone comes up to you and says, oh, well Bill whatever, sort of I have some problems with; I would like to discuss this. I want to know how this decision was made, how this recommendation was made. It could be on Bills, government policies, and general procedures. If those decisions are being made, Mr. Speaker, by someone outside of government, someone who is not elected, to me that is a serious problem.

When someone is elected, Mr. Speaker, the public often doesn't

know too many things about the electoral process. Many people are so busy raising families, working jobs, and contributing to their communities that they don't follow the minutiae of what happens in this building. But what the public does know, what they do understand is that the people that they vote for at election time, the individual that they decide to put their X beside and send to this legislature to represent them, they understand that those are the people making the decisions and at the end of the day it's those people that they can go to if they have a problem. So if they bump into an MLA who has made a decision in the grocery store, individuals, as you know, Mr. Speaker, are happy to tell you what they think of that opinion.

It's curious to me now, I'm somewhat puzzled if the decision making process is no longer that . . . If the responsibility does not fall with the elected official, if it falls with an unelected group, to me that decreases accountability because those people are not able to access the individuals that actually made the decision.

Another problem with the decision, if decisions are being made by Enterprise Saskatchewan we also don't have the ability for the electorate to hold those individuals to account at election time. They simply have to vote for someone else who actually didn't make the decision at the end of the day, if in fact Enterprise Saskatchewan is the group that is making the decisions at the end of the day. I think people understand this basic tenet of democracy, that the people that you elect should in fact be the people that make the decisions and the people that represent you.

There are many indicators that one can look at when they're evaluating the health and strength of a democracy. People could look at levels of corruption and how well the civil service operates. People could look at how vibrant the party system. If there are clear political parties that are able to attract support, attract workers, attract finances — that's another indicator. People can also evaluate how strong and how vibrant a democracy is by looking at levels of civic engagement — if the wider community are involved in social movements, if the wider community is concerned about issues, and if the wider community is engaging with politicians with elected officials.

[20:00]

I think all those things are good indicators of how well a democracy is operating. But I think the most basic one that people understand is that the people they vote for are the people that should be making the decisions. And if they don't agree with those decisions, Mr. Speaker, they have the opportunity when the next election is called to turf those people. And that's a basic, basic fundamental aspect of any democracy that is healthy.

We see it in Zimbabwe — and I will in no way say that our political system is approaching that of Zimbabwe — but the people in that country understand that the majority has voted for someone else who's made decisions . . . Or, the majority has voted for someone who has been in power for some time making decisions, and they want that person out. And sadly that is not coming to pass.

But people in a variety of democracies, regardless of how long

that democracy has existed, how healthy it is, understand that the person that they vote for needs to be the person making the decisions. I think that's a pretty fundamental thing that's understood by people living in democratic countries.

We see this, Mr. Speaker, through two general approaches that people have when looking at elected representatives. And this is the . . . There are two models that are generally viewed as how the society can view someone that they choose to elect, and that's the trustee model and the delegate model, Mr. Speaker.

The delegate model goes on the assumption that the individual who is elected should be doing his or her best to represent the interests of the majority in his or her constituency, or his or her group that elected them. It's the understanding that this person was selected by the majority, so they should do their best to understand what the will of the majority is and carry that out. So that can be done through a variety of means. It can be done through . . . some people have suggested polling as an appropriate approach to understand what the majority of one's constituency would like.

Another approach, just through general visits that people have, the interaction that I talked about, the times where you're in the grocery store, general research that occurs by academia and in the wider community. And I would think also a good amount of the decision making in the delegate model is that of using one's gut, basically operating on hunches that people think the majority of the people support.

The other approach, Mr. Speaker, is the trustee model. And this is the idea that those who are elected act on behalf of the people that were chosen. It's the understanding that no one person can encapsulate every view, can know everything that's going on. So you choose the person that you think will do the best job of going to represent, becoming informed of the issues, engaging in debate, and making the decision that is the best for the constituency.

So we have the delegate and the trustee model. You'll know, Mr. Speaker, I was talking about the outsourcing of decision making. You'll see nowhere in that list of the delegate and the trustee approach is the elected representative as the outsourced decision maker. Simply not there because those that study how democracies operate understand that individuals at the end of the day, the people that are elected need to be making the decisions.

And as I said, I think that the electorate knows this. They understand that the people that they elect in both of either the delegate or the trustee model . . . and in truth probably those of us in this room operate with one more than the other, or we have a type of hybrid that we identify with and do our best to follow. But the electorate knows that the person that they choose, the person that is sent from their constituency to represent them, is the one making the decisions. And they know that the one that is making the decisions, they are able to hold accountable at the end of the day.

And that is something that the outsource model does not have, one example that comes to my mind, Mr. Speaker, in talking about how an elected official can represent his or her constituency, the recent Station 20 West decision. What we've

seen in the debate over the last few weeks around the Station 20 West decision, I've had a good number of people approach me as an elected person, someone who has a say in the decision-making process, albeit on the minority side of the legislature. But people are able to come to me with their questions and their concerns.

I remember one morning I was pulling up to my constituency office and I was — it was before the opening of the hours — and so I was the first one there, and there was a woman standing at the doorstep before the hours actually opened and this was a woman who was concerned about the Station 20 West decision. And she had woken up early — she was taking the bus to work — and she had worked in enough time into her schedule, had to take a different bus and come to the constituency beforehand to see what she could do, what role she might have in voicing her, her concerns about this decision.

You see, Mr. Speaker, this individual . . . whether she voted for me or didn't vote for me in the election, that's beside the point. What the point is, is that she realised that I was the elected person for that area, so she was able to come to me with her concern, and I was able to give her advice. Now the advice on the Station 20 West decision was not made by Enterprise Saskatchewan. It was made by the Premier in cabinet one can assume. One could also probably assume that the Enterprise Saskatchewan board, given their experience in the province and their insights, I'm not so certain they would have made the same decision or recommendation; however the executive would like to frame it these days.

But I was able to tell this person, well you know what I think the solution would be to rather than simply coming to me — I'm an opposition member — I think you should go to other elected officials, other people that have been chosen and they're serving a role within the government. So my advice to her was well, write a letter to the Premier, straight to the Premier — he's an elected person, the head of government — and copy that letter to me. And I suggested that she should ask some pointed questions to the Premier and ask for some feedback in the correspondence to see if she could get any answers to the questions she had.

Now this approach, Mr. Speaker, worked all right in that situation because the decision about Station 20 West had in fact been made by the Premier and those around him. But my question, Mr. Speaker — and I guess I'm looking for direction on this point — in the future when decisions are made by Enterprise Saskatchewan, if their decisions are binding, if their decisions are at the end of the day the right decisions because they're divorced from politics, am I to now refer my constituent to write a letter to the board members of Enterprise Saskatchewan? Or should I say well, I don't actually know their mailing address because well they're not elected so that's not up on the Legislative Assembly website, but I do know one of them works at this corporation. And I don't know, but you can look in the phonebook, and I think their office is on the fourth floor. So if that's the individual that made the decision, I guess my advice would be to go talk to her. So, Mr. Speaker, if that's the approach that one is supposed to take now that the decisions are not being made by government, I think I would ask that members on both sides of the House are made aware of that process so that we are able to serve our constituents in the most

effective manner.

Also, Mr. Speaker, I see that Enterprise Saskatchewan . . . My comments about directing people to the Premier or directing people to Enterprise Saskatchewan, this is if at the end of the day the decisions that Enterprise Saskatchewan makes are actually the decisions that will be final. And in recent weeks, in recent months, Mr. Speaker, we've seen some waffling on this issue. We've seen some flip-flopping in a substantial way. Basically a lot of the pre-election rhetoric, Mr. Speaker, that we heard concerning how Enterprise Saskatchewan will operate, how its decisions will be binding, how it will be the final law in the land — metaphorically speaking — not practically but in a sense the de facto final law in the land if their decisions are binding, it's based on that assumption. But we've seen flip-flopping on that. We've seen some shifts, some changes, Mr. Speaker.

One area where we have seen that . . . and I think this is a problem, this shift that's been occurring, because now we're not totally sure — to be honest — if the decisions rest with Enterprise Saskatchewan when it's convenient for the government or if the decisions actually still rest with the Premier and cabinet when it's convenient for that approach. So what we may see is some sort of ad hoc approach with respect to the actual authority that Enterprise Saskatchewan has.

The one area where we have seen this is on the issue of royalty reviews, the issue that has been discussed in the media by members of cabinet and by the Premier and other, other individuals in our province. And so my comments here, Mr. Speaker, are not about whether royalty rates should be going up or down. That's not the intent of my discussion here. What is behind my reason for bringing this forward is that it speaks to the role of Enterprise Saskatchewan when it's convenient for the government or when it's not convenient for the government, when a decision is consistent with its ideology, when a decision is consistent with the majority of its members or when it's not consistent, or when it's contrary to what the Premier may want and the rest of the public may want.

So we've seen a number of quotes in the media concerning royalty rates. So this'll be to provide some background. We had the member from Swift Current stating on the John Gormley show, this was on November 22, 2007, not too long after the election, Mr. Speaker, when he said, "We'll want some advice from Enterprise Saskatchewan . . . on the royalty structure."

In the *Leader-Post* earlier, on November 17, 2007, the same member from Swift Current said:

Let's make sure our royalties and our regulatory regime make us competitive, not just with conventional oil and gas, but non-conventional oil and gas (in Alberta). And that's a review we'd want to conduct immediately through Enterprise Saskatchewan.

So very early, and this was backed up by the member from Kindersley, Mr. Speaker, where the individual said and I quote:

The Premier said through the election campaign that he would be looking at asking Enterprise Saskatchewan at an early opportunity to review those rates. I think it would be

a prudent thing to do and we'll be looking to deal with that in a very short period of time.

And that was from a scrum following the cabinet swearing in on November 12, '07.

So, Mr. Speaker, those initial statements about the idea of a royalty review, the possibility of a royal review as it relates to Enterprise Saskatchewan, was simply saying here's a task which we think is important, and here's a task that we think Enterprise Saskatchewan would be a suitable body to review the royalty structure. So this would fall into the camp, Mr. Speaker, during the era or the times when it is convenient for the decision to rest with Enterprise Saskatchewan at the end of the day.

But the following quotes that I'm going to read, Mr. Speaker, there's been a few catches, a few conditions placed on this review in the following days since those initial announcements. And this is part of the shifting, part of the flip flopping, Mr. Speaker, that we've seen about the role of Enterprise Saskatchewan. And this is whether or not . . . and this all ties all back to the idea and the concern about Enterprise Saskatchewan being murky and nebulous and not really knowing how it will operate at the end of the day.

And this is that in the days following . . . Again I'm making no, no comment on whether or not royalty rates should be up or down. But what we've seen is the Premier and members of his cabinet putting parameters around this review that would be done by Enterprise Saskatchewan. So we see what the Premier has also indicated . . . Excuse me, this is a quote from the member from Kindersley from November 22, quote, "What the Premier has also indicated is that he will want Enterprise Saskatchewan to have a look at it, but the parameters will be that we just don't think it is appropriate at this time to be raising royalty rates."

So on one hand, here's authority being given to Enterprise Saskatchewan to do a review, but on the other hand here are restrictions being put on Enterprise Saskatchewan simply because it's the position of the government that at this time royalty rates are where they want to be, so they would hate to be put in a situation where this board that is separate from politics, this group that is separate from politics, would be making a recommendation that would be contrary to their views or contrary to their beliefs.

[20:15]

And I think that might be a fine position to take, Mr. Speaker. That might be a defensible position, but it's not a forthright position when giving a mandate to Enterprise Saskatchewan to be doing something because on the one hand you're saying, here are the marching orders, here's what we want you to do, this is the task we have at hand . . . oh hold on, wait a minute, this could turn out in a way that we don't actually want, a way that would be politically inconvenient for us, so what we're going to do is put these conditions and these parameters on it. So that's the concern, Mr. Speaker, that in adopting the outsourcing model approach of elected representatives, in adopting that model where the people that are elected aren't the ones who are accountable at the end of the day, you lose focus

on what the role of elected officials are and what the role of an advisory group should and could be.

We heard a similar sentiment expressed from the member from Thunder Creek who has a very, obviously, a close role in the operation of Enterprise Saskatchewan. And on the CBC on April 11, not too long ago, Mr. Speaker, this individual said, quote:

Enterprise Saskatchewan's tasked with reducing and removing barriers to growth. Reviewing royalty rates with any sort of a view to increasing them would be actually against Enterprise's mandate — and I don't expect that if ever we are going to review royalty rates that Enterprise [Saskatchewan] would be the vehicle.

So now we have even a further statement about the role of Enterprise Saskatchewan. On the one hand, they were originally a good place to be doing these royalty review, the royalty review of rates. Then we move to a middle position, Mr. Speaker, where, well okay, we'll still let Enterprise Saskatchewan do this review, but we're going to put the conditions in place, the parameters there that . . . We actually know the outcome. We know how this is going to pan out at the end of the day.

And then more recently, Mr. Speaker, we've seen the pendulum has swung even further, and what we have is the member from Thunder Creek responsible for Enterprise Saskatchewan saying that he actually doesn't think Enterprise Saskatchewan is a good place to be doing such a review, so a bit puzzling, Mr. Speaker, especially given the repeated statements by members of government about how Enterprise Saskatchewan will be such an appropriate place for this review to occur.

On this whole point of Enterprise Saskatchewan and royalty reviews, it is clear that the position has been shifting. The position has been changing, and perhaps the position wasn't that well thought out — not unlike how Enterprise Saskatchewan might interface with the different line ministries that we've seen from different ministers. When the outcome is guaranteed, it calls into question why one would go down that path in the first place.

What we have seen . . . Here's another article, Mr. Speaker, from the CBC [Canadian Broadcasting Corporation] on April 11, and the title of the article is "Sask. rules out royalty review for more than a decade." In here we have and I quote:

An independent report found Albertans weren't getting enough for their natural resources. Alberta Premier Ed Stelmach later announced royalties would go up, prompting oil and gas companies to say they were cutting back their activities in the province.

There will be no similar study in Saskatchewan, Boyd said. A Saskatchewan Party government won't consider the matter for at least three or four four-year terms . . .

So 12 to 16 years, a considerable length of time. And again, Mr. Speaker, I'm not making a comment as to whether or not royalty rates should be going up or down. My point is that the government's approach to using Enterprise Saskatchewan on

this piece has not been consistent. It's been rather confusing. I think also to rule out any sort of royalty review and to rule out Enterprise Saskatchewan having that type of role is also I think somewhat, maybe not short-sighted, but it is somewhat one not being cognizant of everything that can happen in the world over the course of, as it was quoted, at least three or four four-year terms. That's a considerable length of time, Mr. Speaker. A lot can happen in the world over, I quote, "three or four four-year terms." Not quite the length that I've been alive but not that much less, Mr. Speaker.

So to suggest that no review and to suggest that Enterprise Saskatchewan is not the means to do that review, I think those comments weren't necessarily that well thought out, and we'll be seeing, with the position having changed so many times already on this, we'll see where it ends up. That will be interesting indeed.

The idea of Enterprise Saskatchewan, how its role has been shifting as determined by the needs and wants of the Sask Party, it actually reminds me of a story, Mr. Speaker. In looking around, now I relayed to a few members that I was going to pass on a story, and a few people, given the name of Enterprise Saskatchewan, thought that an allusion to *Star Trek* would to apropos. But, Mr. Speaker, I have decided that that wouldn't be the best approach . . . a little illustration to highlight the flip-floppy nature and how that's problematic, Mr. Speaker. It actually reminds me of the individual going in for a haircut. And looking around the Chamber today, Mr. Speaker, I see on both sides of the House, a good number of us have had haircuts.

As everyone in the House knows, photos are coming up this week, so for the sake of posterity we want to ensure that the image that we are putting up on the wall of the legislature is in fact the image that we want people to see. So school groups for many ages can go by and see the image that you want so it is only fitting that one would want to get a haircut before a photo. I don't see a problem with that.

But what I see . . . The Sask Party's approach with Enterprise Saskatchewan, it's a bit like . . . I think when people go for a haircut, there are two types of people. I'm the type of person, Mr. Speaker, it's not that complicated.

I know what I like. I give clear instructions to the hair stylist. I say you know I like it fairly short, tight around the ears, clean on the back, a bit longer on the top of my head, and that suits me just fine. And I did get, I did get a haircut last Saturday, Mr. Speaker, and the individual followed the instructions that I had said — the instructions that as the person paying for the haircut, I felt it was my role to make that decision.

But what we see, Mr. Speaker, there are some people, that they like to go into the hair stylist and say, you know what? I'm not a hair stylist. You're the hair stylist. I think, I think you're the expert. I think you should decide what sort of haircut is occurring. So, Mr. Speaker, some people say well you have carte blanche to do whatever you want to my hair. So then the hair stylist says okay, well what I would like to do is I want to take a lot of hair off the top and put in some highlights and really do some drastic things. I think we could have some fun here. I'm the expert. I think I'm the person that should be doing this.

But then some people, Mr. Speaker, say oh no, no, no. I'm actually quite satisfied with the type of haircut I have, and I know I said you could do anything you want. I know I said, Mr. Speaker, that you're the expert in the field. I know I said that you'd be the person making the decisions, but I've actually changed my mind, and you know I'm quite fond of the mullet I've had for many years, and I think I would like my hair just to stay as it is. Please don't touch anything.

And the hair stylist said but you told me I could do what I wanted, Mr. Speaker. You said that I was the one making the decision. I was the one that could decide what to do. And the individual in the chair says, well tough. It turns out I can't have it appear that I'm not actually calling the shots. I cannot have it appear that I'm walking down the street with a mohawk when in fact I want a fairly traditional cut.

So what we see I think, actually . . . Now I'm of the position that the person paying for the haircut should be calling the shots on the haircut because that's what most people expect. What we have with the Sask Party, Mr. Speaker, they've hung out this notion that Enterprise Saskatchewan will be calling the shots. Enterprise Saskatchewan is the one responsible. But at the end of the day we know that they actually are pulling the strings. They are the ones giving the directions.

So the thing that I think Saskatchewan people need to remember is that if they don't like the haircut that they end up with — at the end of the day they're embarrassed and ashamed with the haircut that they have — the stylist can't be blamed, Mr. Speaker. The stylist did her best to do something different. The stylist tried to use her expertise, and that was what everyone was led to believe. But in the reality, we've seen that the person getting the haircut was calling the shots at the end of the day, Mr. Speaker.

Moving on, Mr. Speaker, I do see the government's . . . Mr. Speaker, at this time, having covered how there are so many murky and nebulous aspects to Enterprise Saskatchewan and having covered how I see this as a destructive approach to our democracy, both in terms of how people view our democracy and in terms of how well it functions, I would now like to make some comments, Mr. Speaker, about how I view the Enterprise Saskatchewan as flawed.

So whether they're ceding significant control as the Premier has said or whether they're simply using this as a puppet to give them political cover as we discussed — changing the mandate of Enterprise Saskatchewan — whatever the real motive behind this is, the model which they are implementing is terribly flawed. And we know that citizens are indeed recognizing this fact and citizens are concerned about this.

First and foremost, Enterprise Saskatchewan is flawed because its unelected and unaccountable board members are not open to public scrutiny. There is no transparency and there is no accountability, Mr. Speaker. When we are elected as MLAs we are open to public scrutiny. If the unelected board members look like legislators, if they act like legislators, if they have their hands on the levers of the provincial economy, shouldn't they be accessible and accountable like legislators?

We've covered this, Mr. Speaker, in terms of people having

concerns. I identified Station 20 West as one example. If decisions like that are being made in the future, certainly the people of this province should have the right to access those people, the individuals actually making the decision.

One question, Mr. Speaker: if final decisions are being made by Enterprise Saskatchewan, I'm curious if members of the media will be able to scrum members of Enterprise Saskatchewan. I'm curious to see if in the same way that the media provides transparency and accountabilities to legislators in this Assembly, I'm curious to see if final decisions are being made by Enterprise Saskatchewan if the media will be able to have unfettered access to those individuals.

Another question that I have, Mr. Speaker, is whether or not members of the official oppositions can direct questions to the members of Enterprise Saskatchewan. If those individuals are making the decisions at the end of the day, Mr. Speaker . . . As you would know when we're in the legislature here during question period, we have the opportunity to ask questions directly to a minister. And it's part of the larger cycle of accountability and transparency.

As we ask questions from this side of the House, we may or may not be satisfied with the types of answers that we receive from government members. But what it does, Mr. Speaker, it provides the media with a hint of something — the media with a story, the media to follow up with something through the scrum. So while we always want good answers in this House, we recognize that the role of an opposition and the media, those are two forces that do have a very significant and a very important role in ensuring that our democracy is healthy through being transparent and accountable.

And the final question or one more question I have, Mr. Speaker, is how this group will in fact be accountable to the larger public. As I said in the election cycle, Mr. Speaker, if the masses are not pleased with a decision about something, those individuals have the opportunity to vote with their X. Those individuals have the opportunity to voice their concerns. So if decisions that are being made, Mr. Speaker, are through Enterprise Saskatchewan, if they're the final arbiter of how things will operate, how can the public ensure that accountability is maintained with those people?

Mr. Speaker, as you well know, when MLAs are elected, we take an oath of allegiance or affirmation of loyalty to her Majesty the Queen and her heirs. We pledge that we are not serving our own interests, but rather we are serving the common good. So I wonder, Mr. Speaker, will Enterprise Saskatchewan board members be required to take such an oath?

If individuals are in a position where they are able to have a very significant role in public policy, if they're in a position to make decisions about our economy, about our society, what sort of oath will those individuals have to take? Will they have to take a similar oath to elected officials if they are acting in a way that many legislators do in fact act? That is another question that begs an answer.

[20:30]

Another area, Mr. Speaker, that we as elected MLAs have to

deal with, and that is that we are subject to scrutiny from officers of the legislature. We file conflict of interest declarations which are made public, Mr. Speaker. People know our interests outside of our role as legislators. This is a very important point because people, in addition to knowing who is their representative in a local area, in addition to knowing that they can approach that person for answers to their questions, in addition to knowing that at the end of the day if they don't agree with the position that person has taken on a variety of bits of legislation, that they are able to vote against that person. In addition to that, Mr. Speaker, people of the public are able to find out where our interests lie, where our financial interests lie, where the financial interests of our immediate family members lie, what we have been involved in.

As you know, we file a report with the Conflict of Interest Commissioner and we have an interview with him. I had my interview some time ago, Mr. Speaker, a few weeks ago or something like that. It's a good exercise I think not only for the transparency and the accountability of the democratic process, but it's a good exercise simply for the elected person as well. It's a reminder in that conversation, in filing those reports.

And the first reports one files when they are elected are fairly lengthy. It took, you know, a while. I don't have an extensive portfolio as some in this House, Mr. Speaker, but you do have to spend some time getting all the paperwork in line and getting the numbers. It's something that many people might view as a bit of a thorn in their side, something that they have to do. But I think it serves a very important role because the Conflict of Interest Commissioner in his judgment can determine if the interests that we have, the financial interests we have, could cloud some of our decisions, Mr. Speaker, if they could have an influence on the decisions that we make, if they could, if an elected individual could make a decision that could benefit their own interests or that of their family.

So my question, Mr. Speaker, is if they're making crucial decisions about our provincial economy, will they be subject to the Conflict of Interest Commissioner? If they are serving as quasi legislators, surely they ought to be. As we know from the sectors that the members of Enterprise Saskatchewan come from, they come from a wide cross-section of Saskatchewan society and Saskatchewan economy. So there's certainly many areas where they could in fact make a ruling or make a decision that has an influence on the current area where they are operating. When we are elected as MLAs, Mr. Speaker, we put our day jobs on hold and ought to be first and foremost working for our constituents. How will board members manage to carry on with demanding careers and still be effective members of Enterprise Saskatchewan?

When we are elected as MLAs, Mr. Speaker, we suspend activities that could compromise or even have the appearance of compromise and impartiality. That's an important point —not only activities that might in fact compromise, but activities that could have the appearance. So basically it's, you know, it's a bit of a smell test — if you think this is something that you could announce to all of your constituents, if they would be fine with you still being involved in a certain area.

How are unelected board members, all of whom are very active in their respective fields, realistically expected to park their

diverse and often competing interests at the door, Mr. Speaker?

By no means, Mr. Speaker, am I criticizing the appointees of Enterprise Saskatchewan. Each of them is certainly accomplished in their respective fields. Rather, Mr. Speaker, I'm criticizing a system that I see as setting them up for failure through its flawed design. It is the Enterprise Saskatchewan model that is flawed. It's flawed in its initial format as announced by government of completely divorcing politics from the decision-making process.

It's also flawed in the shifted approach that we've seen government take with the Enterprise Saskatchewan model. The idea that, well when it's convenient, it's binding; when it's not convenient is there's actually parameters and restrictions put in place . . . And it's also flawed in the aspect, Mr. Speaker, that for some things the Sask Party will just flip-flop on the issue altogether and say, well at the end we actually don't want that topic to go to Enterprise Saskatchewan. It's too problematic for how we might look at the end of the day. So it's not a criticism of the people on Enterprise Saskatchewan. It's a criticism of this flawed design that I have been talking about.

It doesn't take much to imagine some of the challenging situations that board members will be put into. Each of these appointees is still working in full-time, high-profile day jobs. If a person cannot serve two masters, Mr. Speaker, how can we realistically expect these board members to be able to park their diverse and competing perspectives at the door and exclusively work for the common good? So the membership of Enterprise Saskatchewan, touching on many areas of Saskatchewan's society as we have talked about, whether it's education sector, industry sector, the labour movement sector.

To me, Mr. Speaker, if an individual is not meeting with the Conflict of Interest Commissioner, if they're not first and foremost an MLA, if they're not approaching the role of decision making as a very heavy responsibility and one that is very important, if it's simply a side pursuit, if it's simply a side project that they're involved in from day to day, Mr. Speaker, I don't think that's the kind of group, I don't think it's fair to ask those people to make the decisions that really matter to people and the decisions that have long-lasting impacts, long-lasting influence on the wider population in this province.

There are also, Mr. Speaker, other questionable aspects of this Bill. For instance, why does section 5 of this Act say that Enterprise Saskatchewan can accept contributions or receive monies from any source? Does this mean that lobby groups can donate financially to Enterprise Saskatchewan?

Why would Enterprise Saskatchewan need non-government funding? With no accountability mechanisms in place, it's clear that this is a flawed approach. If it's an option to be contributing financial resources, if it's an option to be contributing money, clearly there needs to be an accountability mechanism in there, Mr. Speaker.

It still appears uncertain whether decisions will be made on a consensus basis or by a simple majority. We've talked about how diverse the Enterprise Saskatchewan board is, how it represents many interests, how there are many people involved. While many times I would imagine that consensus could be

reached, while many times I would think that consensus would be an achievable outcome, there are other times, Mr. Speaker, where I think consensus just won't be achievable because people have different perspectives, people have different viewpoints.

With such diverse and competing interests represented on the board, the media asked the minister if the option of a minority report will be available to board members who disagree with the decision of the board. And he said, he hadn't thought of that, just hadn't thought of it.

So, Mr. Speaker, that's another question really, around the idea of how dissent within Enterprise Saskatchewan will be handled — dissent occurring within Enterprise Saskatchewan, within the board members that are there. And I guess also the wider question is, what happens when Enterprise Saskatchewan decides on something that is contrary to what cabinet or the Premier wants? What happens in that situation? Is Enterprise Saskatchewan . . . If a majority of the individuals on Enterprise Saskatchewan were of one opinion, but perhaps the two ministers sitting on Enterprise Saskatchewan were of a different opinion, does everyone's opinion get reported? How does this operate?

Mr. Speaker, at the press conference at the end of February, the minister said that the board will meet no more than one day per month. In fact I'm told he said that the board will meet hopefully less than one day per month. With so much responsibility being handed over to this board by the government, one can't help but question what can truly be accomplished with less than 12 meetings per year, Mr. Speaker.

It's also — this point of the frequency of the meetings, the length of the meetings, the intensity of the meetings — it's interesting if we go back, Mr. Speaker, to the earlier statements that we saw last week on Thursday from the Standing Committee on Human Services and the Standing Committee on the Economy. We were told that consultation with, in the case of Advanced Education and Employment, the consultation on the issue that we were discussing in committee would be occurring within the next 30 to 60 days.

Well a long, long, long list of stakeholders were identified in this list on a sort of off-the-cuff way. It wasn't a crisp list that was provided in written form. We see that if this is happening in one ministry, we could certainly see it happening in a number of ministries. So I'm curious, Mr. Speaker, that if Enterprise Saskatchewan is in fact meeting once a month, how they are expecting to get this all this work done.

Mr. Speaker, clearly the concept of intelligent design does not apply to the Enterprise Saskatchewan model. Rather all I see is a very flawed design. This legislation is a sort of primordial soup and how it will evolve is still very much unknown to not only the people of Saskatchewan, but apparently its creators who sit opposite.

And we've seen this, Mr. Speaker, through how the directions given to Enterprise Saskatchewan really have been shifting in the sand. We've seen how it started out as, no, Enterprise Saskatchewan word is the law; it's the final and ultimate decision. Now we move to a middle position as identified, Mr.

Speaker, where well Enterprise Saskatchewan — we'll take their opinion when it's convenient with us, when it's consistent with our ideology. That is okay. And then we move to yet another position, Mr. Speaker, where, well for some things probably we don't even go to Enterprise Saskatchewan because we're too worried about what the final outcome, the final recommendation or if it's stronger than a recommendation, what the final verdict will be, Mr. Speaker.

So as I get to my conclusion, Mr. Speaker, with such uncertainty about the real motives behind this Bill, with such a destructive design no matter what those motives are, and with so many flaws within the model, it is no wonder why so many Saskatchewan people and so many of my constituents in Saskatoon Massey Place are scratching their heads and wondering what the government is thinking. The signals have indeed been mixed and confusing. Saskatchewan people are confused about the intent behind this legislation. People are uncertain about the rationale — as we've discussed it's very murky — and the purpose of Enterprise Saskatchewan. Saskatchewan people are asking why we need this new entity now, especially given how well our economy is doing, given as I referenced in the initial part of my speech, Mr. Speaker, the very positive statements that were made in *The Globe and Mail* concerning what has been happening in Saskatchewan really over the last decade.

And Saskatchewan people are asking who will be held accountable for these decisions. If Enterprise Saskatchewan is calling the shots, if they are the ones at the end of the day responsible, people want to know how they could hold those people accountable. Can they do it through the electoral process? Can they do it through writing letters? Can they do it through showing up at their offices?

The intent behind this legislation is unclear. Either the government is ceding significant decision-making power to an unelected body or they intend to use this new entity as an expensive puppet to carry out some unpopular actions. Mr. Speaker, it may be the case that this government simply wants to blame Enterprise Saskatchewan for a possible bad haircut at the end of the day.

Either way, Mr. Speaker, this Bill is destructive because it undercuts democracy. It either outsources the decision-making responsibilities that belong with government and legislatures as we've talked about — the need to comply with the different officers of the Legislative Assembly — or, Mr. Speaker, it adds a shroud of secrecy to what should be a transparent decision-making process.

On this point, Mr. Speaker, if decisions are made by a group of unelected people from time to time — once a month, every now and then, here and there — how will these people be kept accountable? Will the media have a role? Will opposition members through questioning have a role? What will this look like?

And the Enterprise Saskatchewan model itself is fundamentally flawed in its design in so many ways. It sets the unelected board members up for failure as they try to balance their diverse interests with their new role as quasi legislators. It allows for influence peddling by accepting financial contributions from

outside of government. And there is no accountability and transparency built into the model, Mr. Speaker.

I think it's clear that we need a lot more discussion about this Bill, and even more importantly we need to look, we need a lot more answers from the government about this Bill. I look forward to hearing the other speakers as I seek to address my grave concerns about this Bill, Mr. Speaker.

So, Mr. Speaker, as I conclude my remarks now, I would like to thank members on both sides of the House for their attention. And I would like to thank them for the opportunity to pose these questions — questions that I think indeed deserve a question, Mr. Speaker. So with that I will conclude my remarks. Thank you.

Some Hon. Members: — Hear, hear!

[20:45]

The Acting Speaker (Mr. McMillan): — I recognize the member for Moose Jaw Wakamow.

Ms. Higgins: — Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, it's a pleasure to be able to rise and add my comments to the Enterprise Saskatchewan Bill, An Act respecting Enterprise Saskatchewan.

Mr. Speaker, I was reading with interest the headlines in the newspaper the other day, and the headline said "Province's economic forecast is positive." The article went on to talk about high commodity prices, a favourable business climate, and Saskatchewan being poised to replace Alberta as Canada's economic growth leader in 2008. Record prices for Saskatchewan's resources are fuelling our very strong economy and it's been building over the last few years and we're really beginning to feel it now.

Economic indicators show that Saskatchewan tops the nation in percentage growth, and retail sales here in Saskatchewan for January are number one across Canada. And, Mr. Speaker, there was very some very good news when they said in the year 2007 Saskatchewan's population grew by 16,000.

So, Mr. Speaker, I know that we can all feel it. We all know that prosperity is a mark of Saskatchewan. Wholesale trade and international export values are also holding down number one spot in Canada. And I think we can all agree that our economy is booming and that secret of that Saskatchewan advantage that we've known all along about is a secret no longer.

And with all this momentum and good news I'm curious as to why the Saskatchewan Party government is bound and determined to embark on this expensive experiment that we call Enterprise Saskatchewan, with a budget so far projected at \$8 million for Enterprise Saskatchewan, and not a wheel or a piece of paper has turned. Enterprise Saskatchewan's plan of laying the groundwork and removing barriers to economic growth has seemingly been left in the dust by our economy.

So why is Enterprise Saskatchewan needed when we've heard all these glowing reports about our economy, all the projections by financial institutions for the coming year? We can see it in

the economy. We can see it across the province. So what's the purpose of having Enterprise Saskatchewan come up behind all the activity, and do what? For a cost of \$8 million to the taxpayers of Saskatchewan, what exactly is this bureaucracy going to do.

Even we can go back where the Premier acknowledged in a letter as early as 2004 that the province has a reputation as a business-friendly environment. Now we didn't often hear him say that in those days but I guess he did put it in writing a couple of times and must have believed it, Mr. Deputy Speaker.

So what purpose will Enterprise Saskatchewan serve and what areas will be focused on by this corporation? The Premier has stated that Enterprise Saskatchewan will be "free of the temporal influence of politics." Then he went against earlier announcements of an outside person chairing the board of Enterprise Saskatchewan and appointed the minister as Chair and another minister as a board member. So much for free of temporal influences of politics.

The government then hand-picked the organizations that received an invitation to put forward names for membership on the board. Then this government used some unknown process to hand-pick board members for the board which it chairs. The government drew up the legislation that governs the board and this government will also write and approve detailed regulations that define the Act.

So, Mr. Speaker, let's see how this goes. They appoint the minister to be the Chair. They hand-pick the board. They write the rules and the regulations, plus set the mandate. So for a price tag of \$8 million we have an Enterprise Saskatchewan free of the temporal influences of politics? I don't think so, Mr. Speaker. This \$8 million is a huge question mark: what it's for, what it will be spent for. And the big question is why.

So as we're going through this process to establish Enterprise Saskatchewan, this government seems extremely reluctant to actually give up the political influence they have sought for so long and are busily picking their own projects and priorities — and while set-up continues for the corporation that is to provide consistency in three points that are identified in the legislation. The first being that taxes are competitive with other jurisdictions. The second is that barriers to economic growth are reduced and removed. The third is labour laws are balanced and fair to employers and unions.

But what have we seen over the past couple of months? Elected government members comment at length on various tax issues. Yes, we will review royalty rates. No, we won't review royalty rates. If only there were a better word for it, I think the Premier commented in Calgary. Is this not part of the proposed Enterprise Saskatchewan mandate?

Education property tax, this government didn't wait for Enterprise Saskatchewan. They appointed an MLA to study yet again this issue and to report by the end of the year — nicely pushing the topic off this budget cycle and probably off next budget cycle and delaying any serious decisions for at least a year or two. Isn't this part of Enterprise Saskatchewan's mandate? Is not property tax, the education portion of property tax identified by SUMA [Saskatchewan Urban Municipalities

Association] and SARM [Saskatchewan Association of Rural Municipalities] as a barrier? But, Mr. Deputy Speaker, this government doesn't seem to be able to grasp the concept, free of the temporal influences of politics.

On the second point, barriers to economic growth are reduced and removed. This is part of the mandate to Enterprise Saskatchewan. In the last few short months we've seen some large-scale projects announced without details and without any sort of timelines. The intermodal facility announced outside of Regina with no details and no input for Enterprise Saskatchewan. Major highways projects have been announced with no input from Enterprise Saskatchewan. Training seats have been announced with no input from Enterprise Saskatchewan. Uranium clean coal project has been announced with no input from Enterprise Saskatchewan. Uranium enhancement, refinement, or a possible reactor have been mused about by various elected members, again with no input from Enterprise Saskatchewan.

Are there barriers that would make these projects better or are there other projects that may be more beneficial to the province? We'll never know. They've never been given a . . . Because what we've seen is that Enterprise Saskatchewan has been given an end run by this government who've really circumvented all the processes that they have put in place.

So who will answer the questions as to why they're building this corporation — spending millions of taxpayers' dollars — when they've already made many, many decisions that will need to be funded for the next three to four years? With multiple sector councils and committees, what will they do over this period of time? Will they put forward recommendations, give advice to government when decisions have already been made and resources committed, or will they just be agreeing to projects already announced by this government, doing a nice little rubber stamp saying, what a wonderful job you're doing? It's rather expensive to have an \$8 million rubber stamp following around the government approving all their decisions.

The trouble is, Mr. Speaker, they don't seem to be able to wait for the Enterprise Saskatchewan board or the sector councils or the committees to give recommendations or advice. They're frantically trying to jump out in front of every possible parade passing by.

The next point in the mandate is the labour laws — ensuring that labour laws are balanced and fair to both employers and unions. When we review Enterprise Saskatchewan papers from its early beginnings way back when the Sask Party members jumped on a plane for Ireland to check out Enterprise Ireland, we see a paper that didn't change much until more recently. Nowhere in any copies or speeches on the topic of the economy do we see labour laws highlighted as barriers to growth. There is absolutely nothing in the economic plan put forward by this Saskatchewan Party to suggest labour laws are a barrier anywhere to economic growth, yet here we see it in The Enterprise Saskatchewan Act.

When the paper was first launched in 2004, no mention of labour laws. In 2005, with the Saskatchewan Party release of *The Promise of Saskatchewan: A New Vision for Saskatchewan* . . . there is again no mention of labour laws. This economic

paper, 10 months later, changed to include “Non-negotiable and foundational to the terms of reference given to Enterprise Saskatchewan will be changes to labour legislation . . .”

So why all of a sudden — when the Premier had acknowledged in letters in '04 what a business-friendly environment we have — all of a sudden it's not acknowledged in any of the economic papers, but then we see 10 months later it starts to appear in some of their platform material and stump speeches that they did around the province and in Alberta?

Proposed labour law changes have been tabled and with no input from Enterprise Saskatchewan.

Why would you jump out ahead again of Enterprise Saskatchewan and start making changes before you have this corporation up and running? Why make labour laws part of Enterprise Saskatchewan's mandate and then move ahead with the current proposed changes? It doesn't make sense. Why are we making the decisions ahead of time?

Why are we committing the province's finances for three and four years and beyond with the clean coal project? Why are we talking about long-term highway programs, but we're turning this over to Enterprise Saskatchewan? The decisions are being made already by this government so what are they going to spend \$8 million on Enterprise Saskatchewan to have them do?

Why circumvent a major plank in their commitments to Saskatchewan voters? When first announced, when Enterprise Saskatchewan was first announced, many worried that this government did not trust their own judgment when it came to making economic decisions and that they were just distancing themselves with an unelected board to guard against failure. That could be, but they just can't give up on the lure of political influence they so often railed against. Why are we spending millions of taxpayers' dollars to establish a corporation — a corporation which is growing and expanding daily — to make decisions that are no longer relevant or necessary because this government has circumvented the very process they've talked about and put in place or are working to put in place?

Why seek advice on the direction the province should be taking when they've already decided which road to take? Why seek advice or recommendations on the appropriate training and support for job creation if you've already announced where and what type of training seats you will expand and where your priorities are? If this government doesn't trust its own judgment on economic, taxation, or labour issues, then is this truly the right process to put in place? And what about a government that campaigned on being transparent and accountable? And this legislation definitely does not accomplish that promise.

And, Mr. Speaker, there's a number of blogs that have some very good analysis on Enterprise Saskatchewan and raise many questions. And, Mr. Speaker, I'd like to read just a couple of those to put them on the record. How many sector teams will there be? How will they be selected? What qualifications are required for membership? How much will they be paid? Will all names be made public? Will board, committee, and sector meetings be open to the public? Will reports and correspondence be accessible to the public?

[21:00]

When you look at the actual legislation and you see section 5(1)(d), the agency can “accept contributions or receive moneys from any source . . . [to carry] out its purposes.”

Will names of donors and amounts contributed be made public? Will the agency be permitted to receive contributions from organizations whose members sit on either the board or a sector team? Will members of the board, sector teams, and committees be covered by the conflict of interest Act?

Mr. Speaker, there’s a huge issue and a huge question about the accountability of this operation and conflict requirements. When you look around this room, any of us that are charged with the responsibilities of managing public resources also have requirements for accountability and openness. What processes will be in place to safeguard public resources and ensure accountability for this unelected board and multiple unelected sector councils and committees in Enterprise Saskatchewan?

The numbers of questions on this whole initiative continue to grow daily, especially when we take into consideration the Premier has written letters stating the province has a reputation as a business-friendly environment. In an April 2007 news release, he referred to Saskatchewan as one of the “lowest cost jurisdiction . . . with fewer trade barriers and restrictions than either B.C. or Alberta.”

So with these glowing comments on our economy, with the glowing comments from the Premier, with the glowing comments from the members opposite, why are they still looking to turn over . . . I’m not sure what decisions are left because a lot of money has been spent, a lot of money has been committed to some long-term projects. They’re really setting the course that Saskatchewan is on, but yet they’re going to spend \$8 million to establish a series of boards, committees, and councils to give advice.

Well, Mr. Deputy Speaker, it’s pretty difficult to give advice when you’re after the fact of the decisions. Now I guess maybe that’s the way they do it because they actually tabled legislation before the department started to do any work on it, being it was brought in from an outside source. So maybe this is the way they work, kind of backwards from making a decision. Go work backwards and do the groundwork. I don’t know, but it doesn’t make any sense.

Mr. Speaker, the question is still there: why is this Sask Party government determined to embark on this questionable economic experiment at a time when Saskatchewan’s economy is booming? We are the envy of many provinces right across the country and beyond. The people of Saskatchewan are working, have worked, and will continue to work to make this province the best place in Canada to live, work, and raise a family.

And, Mr. Speaker, it seems rather after the fact, and we’re kind of putting the cart in front of the horses here with establishing Enterprise Saskatchewan. And I truly do question the \$8 million that it will cost for Enterprise Saskatchewan. That’s \$8 million that could’ve done what? Built Station 20. That \$8 million that could go towards the Moose Jaw Union Hospital renovations. That’s \$8 million that could go to build roads in the province of

Saskatchewan.

But no, what we’re doing, we’re having some friends of the Saskatchewan Party set up on boards, so they can sit around and talk about how well the province is doing. Well they’re a little bit late.

Everyone knows. We’ve seen it all in the media. We know the province is humming. And we know that the opportunities are there to continue building. Mr. Speaker, the question remains, why are we building Enterprise Saskatchewan? Thank you.

The Acting Speaker (Mr. McMillan): — I recognize the member for Regina Lakeview.

Some Hon. Members: — Hear, hear!

Mr. Nilson: — Thank you. Thank you, Mr. Deputy Speaker. It’s a pleasure to rise to talk about this particular legislation.

And I have to say that when I heard this legislation was going to be introduced in the fall, it struck me, you know, kind of interesting way. I can kind of remember the first time I wondered about the word enterprise.

And this is many years ago, but there was a huge ship coming into Vancouver harbour, and they were concerned that it wouldn’t make it under the Lions Gate Bridge. And it was called the USS *Enterprise*, and it was an aircraft carrier. And it was part of the American fleet that was obviously travelling around the world to show the strength of the United States during the ’50s. And, Mr. Speaker, I wondered why a ship like that would have the name *Enterprise*.

And I remember looking it up and trying to figure out, well what does this actually mean? And then it wasn’t too many years after that, that we all heard about the Enterprise as a ship again, only this time a ship in space on the Star Trek show which then in many ways became the encapsulation of a whole idea about how we would, as humans, venture out into space. And there are many people that are still captured by that particular vision.

But as we know, this term has come into more recent use as a result of some of the things that have happened in Ireland and in other countries, and it does have some positive connotations around the concept of doing things together, doing things in a way that allows for the whole of a community to be a joint enterprise or a common enterprise or a co-operative enterprise.

And, Mr. Speaker, what struck me as I was looking through what kinds of attributes we see in this particular legislation was actually quite curious, and I know that you sort of try to figure out, well what exactly is this. And ultimately I had to return to one of our famous Saskatchewan poets, a woman named Lorna Crozier.

She’s teaching out in Victoria right now, but she’s from Swift Current where our Premier is from. And she wrote a great book quite a number of years ago called *The Sex Lives of Vegetables*. And one of the poems was written about the cauliflower, and this is the poem. And I would like to read it to you.

Cauliflower

The garden's pale brain,
it knows the secret
lives of all the vegetables,
holds their fantasies,
their green libidos,
in its fleshy lobes.

That's the whole poem right there, Mr. Deputy Speaker. It strikes me that in a kind of a weird way, this Enterprise Saskatchewan is the cauliflower brain of the Saskatchewan Party that has all its lumpy lobes where they're trying to figure out which direction we go. And what we see from the initial application of this idea to what we have here and to what we think we're going to see as this is amended or more pieces come together, is that it is malleable. It's possible of being cooked and being mushy because it never quite knows exactly what it's going to do.

And so, Mr. Speaker, I would like to think that the best description of Enterprise Saskatchewan, so far, is not just fresh cauliflower but cooked cauliflower, that kind of soft cauliflower that we know because it's malleable and it's changeable. And in fact rather than being something independent and something quite strong like a fresh cauliflower, it actually has ministers right in the heart of this thing which will defeat the initial purpose of this which was to move the economic issues out of the political realm into some other realm.

Now, Mr. Speaker, we know that when the members opposite sat down to try to design this along the concept that they'd had a few years ago, that there were a number of challenges of trying to control fresh cauliflower. It's a little too strong. It's a strong taste. But if you cook it a bit, then you can control it.

And so, Mr. Speaker, what we have now is that mushy version. Now, Mr. Speaker, the original concept had some positive values. Like I say, as you go back to the word, enterprise, what it means, it means a whole task that you intend to do together with a number of people who are part of that. But what we see now is substantially less than that.

Mr. Deputy Speaker, there's another aspect of this, and I'll come at it with another description. And basically it relates to what happens when you have people working together within an organization, and there's a fellow that wrote a book a few years ago, his name's James Surowiecki, and it was published in 2004 by Doubleday. The book is called *The Wisdom of Crowds — Why the Many are Smarter Than the Few and How Collective Wisdom Shapes Business, Economies, Societies and Nations*. Now this is a serious book about how decisions are made.

And this book talks about the fact that when you have a large number of people, quote, "under the right conditions", you can almost invariably make a smarter decision as a group even than the smartest individual among them. And some of the examples from this book are quite interesting, and I'll tell you some of them because I'll think you'd be interested to hear about it.

One of the first examples was a submarine that went down, and they were trying to locate this submarine at the bottom of the

ocean. And they ended up deciding what they would do was get all of the information from everybody who had some knowledge of where the submarine might have been. They put all this information together and then made a decision about approximately where it would be based on the information from everybody. And they came within 200 metres of where the submarine was, and they were able to retrieve it.

Another similar example — and this is over 100 years old, this example — involved people going to a fair, an exhibition like one of our exhibitions here in Saskatchewan 100 years ago. And they were all asked to guess from looking at a live beef cow that was there in the fair how many pounds of dressed meat would come out of that cow after it had been butchered, and what they . . . It's kind of like guessing, you know. What we see more often is guessing the number of jelly beans in the jar or something like that, but this was a guess. And the people that were making the guesses were people who were involved in the cattle business, and when they ended up taking all of the guesses and putting them into a calculation, they came up with a number that was very close to what the dressed weight was of that butchered beef.

And so the point of these kinds of stories is that it also reflects what happens in the stock market. The stock market is a good guess by many, many people making choices with their own money as to what happens. And so what comes of something like this is that you end up then with the wisdom of many people making some choices.

Now one of the problems that arises in making decisions coming from the results of many, many people's advice is that there has to be a diversity of opinion that's involved. The people that are involved have to be independent in what they do. The decision making has to be decentralized. And when you aggregate the information, when you put the information back together, you have to be careful how that's done.

But one of the key points that comes out of this kind of discussion about how decisions are made — whether it's a management decision in a business or whether it's a decision by a government or decision by something like Enterprise Saskatchewan — is that it's absolutely crucial that you have the whole array of opinions involved in what's happening.

Now one of the positive parts of this particular legislation is that there is a group of 12 people that appear to have quite a wide array of opinions and so there hopefully will be some dissent in the advice that comes through Enterprise Saskatchewan.

[21:15]

But if in fact there ends up being a way that the wide variety of information in this Enterprise Saskatchewan is somehow squelched or sidelined which appears to be more what's happening, then it will not have the effect that anybody intended three years ago or which is what's true in other particular jurisdictions where they have this kind of a common enterprise or common plan together.

Now when one gets involved in any kind of activity, it often comes down to who are the leaders? Who are the people who provide the advice? And that can become a major problem and

once again to give you a couple of interesting examples.

People are trying to move a desk through a door and they can't get it through. And they finally come to the conclusion they have to take the door frame off and actually damage the house to get this particular piece of furniture into the house. Somebody comes along who has nothing to do with moving or with this major problem and says remove the door and allow it to get in. What happens, what happens, Mr. Speaker, is that quite often the kinds of advice that we get from different groups is ignored or is not used.

Now there's another recent book out — and I think it's published actually in this year even, maybe in 2007 — called *Executive Intelligence*. And the whole premise of the book is that when you have leaders who are going to provide direction for a government, for a company that there are certain people that seem to have an ability to look in another way than what everybody else expects.

And I think if I use some of the terms that are used . . . there's one of the managers, Jim Collins, he calls these people, the right people. The right people are in control. Jack Welch who we all know is a CEO [chief executive officer] said they're the stars of your operation. Peter Drucker, another professor, who calls them the masterful conductors. And the question becomes, well what is it that makes these stars or these right people better at doing things than others within your organization? And I think this also talks about what makes an organization — or in this case we're talking about a government — one that people will respect and actually say, well they're doing things that make sense to us.

And when one looks at, well what is executive intelligence? What is that smart factor that makes for a difference in what happens in people's lives? One of the factors that's not always recognized is that these stars, or these masterful conductors, have the ability to not to fall into the trap that political parties fall into. And I would argue here that this is where the Sask Party is, is that it goes forward with imperfect data. It goes forward without getting involved in getting all of the information, or they process it in a way that destroys what's going on.

Now, Mr. Speaker, in this book they talk about common errors of business judgment. And I want to talk about this because I think Enterprise Saskatchewan falls into the traps that we hear already here tonight in the response from some of the members who are sitting here.

The first common error of business judgment is called undue optimism or overconfidence. And, Mr. Speaker, we see that, we see that all over the place here. And this is not a personality trait as it relates to an individual. It's a trait that relates to a whole group of people working together. And it's the tendency basically to subconsciously overestimate how much they know about a particular subject.

Well, Mr. Speaker, my argument here tonight is that this particular legislation is a reflection of this common error of business judgment, of overconfidence, in that it seems to play into this, well we know exactly what we're going to do here and we're going to in fact diminish the broader role of advice which

this Enterprise Saskatchewan was originally set up to pull back into the vision of the party and the vision of the control of the ministers. And this goes back to the speech I made last week about the centralizing of control.

So then you talk about . . . well what is another error of the business judgment that shows up, and that's a sign of somebody who doesn't have this star quality or this executive intelligence. And the second one is called availability bias. And effectively what it is, is that often people assume the most recent information is the best information, and they make decisions based on that.

And this is, I think, the bit of the arrogance around what is happening now — that a vote on a single day means that they can cut off a lot of the good advice that's been part of the community for a long period of time. And this kind of snap judgment is not unusual. It's kind of how people have evolved to make decisions because you have to make decisions often in tight situations.

But in a situation like what's happened around this particular business, it becomes like an optical illusion. It's a trick. You're dealing with things where you're making decisions based on some short-term information rather than looking at why a previous government made decisions that they did, why senior civil servants — who unfortunately a number of the best ones have been diverted out of the whole structure — why they gave the kinds of advice they did over many, many years.

And so you end up then getting caught where you don't have the right information and that causes a business error as well. And, Mr. Speaker, I think that that is also a major challenge that we have here.

A third error, a common business error that's made is called frames. Or I guess another way of putting it is that there are certain files where we end up . . . if you're using programming language, there's certain files that you use to filter out the information that you've got. And I don't think there's any question at all that that's what we've been seeing on the legislation as it relates to the trade unions. That's what we've been seeing about the legislation that relates to a whole number of areas — that there's almost a filter that pushes out any of the other ideas.

And this once again becomes the characteristic of a common business error, is that the files are used inappropriately. And it takes a big person, a special person, a star to say you have to go on a broader basis and look at more of the information than what is coming from the sources that you use.

And I think that's crucial, and sometimes it's a hard thing for a new government to do because they're so convinced that what they've been working at for a number of years to get elected is what got them there, as opposed to looking at all of the information that's right across the whole situation.

And then I think the fourth and final error where it's a common business error that shows or reflects that people don't have executive intelligence, they don't have this ability to be a star, and that relates to the concept of what people call pattern matching.

They get so used to making decisions in one way that when they get a little bit of information they assume that it's going to match a previous pattern, and they go down a certain track. And one of the characteristics of an intelligent executive, of a star or somebody who's running a business properly, is that they don't let themselves get caught into those kind of tracks or traps.

And, Mr. Speaker, I think that what we see in this legislation, especially as it's been changed, reflects that use of decisions or decision making that follows a pattern or a track and that is going to get us all into trouble if there isn't a recognition that you need to step back a bit and take some time in doing what you're doing.

So I think the point of me raising this issue of star quality of decision making or executive intelligence is that we seem to hear from the members opposite that this particular legislation is crucial in providing direction for the province in the years to come. Unfortunately what we're hearing and what we're picking up as we listen to the descriptions of what's going to happen here, it misses the point in quite a number of areas that are common business errors.

And so I would say to the members opposite, slow down a bit here. Look a little more broadly at what kinds of advice you're going to get, and in fact be like a good executive or a good leader and seek advice right across the board, and make sure that you don't get caught into some patterns that are going to cause not just you trouble but our whole province trouble.

Mr. Speaker, the economy of this province has moved and is on a very good track right now. And this is not a short-term track or this hasn't developed in a short period of time. This has been people working together over many years to build a base to move forward, and I know that the intention of the members opposite is that they will continue that track and continue things going on a positive basis. Unfortunately, Mr. Speaker, I don't see in this legislation a clear pattern or path that provides confidence to me or to the community that there's some sense that people know where they're going. And I think that's the part that people need to work at, and if in fact that isn't as clear as they all seem to think some days, slow down, take some time, get this right, because if we get on the wrong track with this particular piece of legislation then we're all in trouble. None of us want that.

Now, Mr. Speaker, I said earlier that this legislation has the feel of cooked cabbage. I'm hoping that it will be something different, that it will in fact be the enterprise that the original ideas around economic enterprise have had. I think if the province is able to capture the economic leadership and ideas of many of the people who are working across our province in their particular communities and do it on a broad basis for the province, then that can be a positive thing.

But unfortunately, Mr. Speaker, I don't see that in what we've seen so far. And I'm very fearful that we're going to end up with something which diverts the attention of everybody from the task at hand, which is to build a community together which will withstand all of the rigours of the world economy. So thank you very much, Mr. Speaker.

The Speaker: — I recognize the member from Saskatoon

Meewasin.

Mr. Quennell: — Thank you very much, Mr. Speaker. It's a pleasure to join in this debate and particularly early in this debate before everyone gets tired and cranky and grumpy, Mr. Speaker.

An Hon. Member: — We've been waiting for you.

Mr. Quennell: — The member from Saskatoon Southeast says he was waiting, so here I am. Mr. Speaker, the story of Enterprise Saskatchewan is a relatively long story in Saskatchewan politics. Harold Wilson, Prime Minister Harold Wilson once said, "A week is a long time in politics". And so five years is a very long time — it's made up of over 250 weeks. I could go into how many hours in a week. We'd sitting most of them, I think, this week and for the next four weeks after that.

[21:30]

But the original concept of Enterprise Saskatchewan actually predates the current Leader of the Saskatchewan Party. The former leader, Elwin Hermanson, who is no longer with us, originally came up with the idea of Enterprise Saskatchewan in 2003. And that was the Saskatchewan Party plan to focus the major Crowns on what he called their core services. Now core services for SaskTel would be mostly things that don't make money, Mr. Speaker, and at least for that Crown corporation would have been the privatization of SaskTel without a doubt.

Now that particular policy was tested in the 2003 election and wasn't found to be particularly popular. But Enterprise Saskatchewan, at least the term Enterprise Saskatchewan, survived. And it survived, I think, in large part, Mr. Speaker, because the Saskatchewan Party was desperate to try to be saying something different about what they would do about the economy.

Having the province's finances having been restored, he had an economy that was growing and was growing in the resource sector particularly. But it was growing in industrial sectors. It was growing in exports. It was growing in investments, both public and private, and the economy was just growing. And the Saskatchewan Party opposition, as it then was, kind of casting about for what could we possibly do or say that would sound different than what the government is obviously — the government of the day, the NDP [New Democratic Party] government — is obviously being so successful at?

And it was difficult. It was difficult, Mr. Speaker. It was difficult for them because, you know, if they didn't have anything different to say about corporate taxation and they didn't really have anything different to say about very much else . . . And I think it was sometimes a little frustrating for the opposition of the day, the Saskatchewan Party opposition, Mr. Speaker, because . . . For example, one day the leader of that party said, after listing a whole group of essential platitudes, Mr. Speaker, and nothing different than what the government of the day was doing in any distinctive way, had one distinctive thing to say. He said, my party, the Saskatchewan Party, would consider — consider — bringing an end to mandatory retirement, and that was the news hit.

Unfortunately, Mr. Speaker, the government had already put into the House, had introduced the legislation, hadn't received first reading yet, but had already introduced the Bill eliminating mandatory retirement — not considering it, Mr. Speaker, but doing what governments are supposed to do and acting and had already acted.

So it was frustrating, but there was still this idea of Enterprise Saskatchewan. It was just, what do we say about it that makes it sound different? Well they said a very dramatic thing, Mr. Speaker. They said we will essentially blow up the Department of Industry and Resources. We will do away with that department. We will turn that department and its role in economic development, we will turn that over to a private group of non-political people who will make those decisions.

And if you go to now the Premier's papers on Enterprise Saskatchewan, you will see that Enterprise Saskatchewan was conceived as being something much different, much different than this legislation anticipates it being. And this legislation, it is clearly anticipates something much different than this government is going to allow, Mr. Speaker, because, as former speakers have said, Enterprise Saskatchewan's mandate has been almost completed by a group of ministers who have made declarations about labour law and declarations about resource royalties going forward 10 years. And what is left of what's even set out in the legislation, Mr. Speaker? Practically nothing. And what's left of the original concept of Enterprise Saskatchewan in the legislation? Well also very little.

On December 8, 2005 the leader of the official opposition — as he then was; now our Premier — spoke to the North Saskatoon Business Association at the Delta Bessborough Hotel in Saskatoon. And he said a lot of things, and most of them aren't substantive, Mr. Speaker.

But he wanted to talk about what would happen in the first 180 days of the new Saskatchewan economy. That would be the new Saskatchewan economy after a Saskatchewan Party government was elected, that is the 180 days that are now drawing to a close, Mr. Speaker. What would have happened in the last 180 days or fairly close to it? What would be almost done by now, Mr. Speaker, in other words?

Well he says, in week one we would fix the next election date, and we've heard about that legislation. Now actually, Mr. Speaker, I do want to stay on this Bill because I know the members opposite are very concerned about relevance, but the fixed election date Bill doesn't say the election will be on that date. Essentially it says, Mr. Speaker, it won't be after that date. It says, unless the legislature's dissolved the election will be on that date. So I'm not sure that commitment's fully fulfilled but, Mr. Speaker, I may have an opportunity to speak to that Bill later and I will go back in to Bill No. 2.

So what did the leader of the opposition, now Premier, say would happen in respect to Enterprise Saskatchewan in week one of a Saskatchewan Party government? That is, Mr. Speaker, as we now know, the last week of November, because the government was sworn in November 21. What was going to happen that week, Mr. Speaker? According to the leader of the party who became Premier that week, a public-private partnership called Enterprise Saskatchewan is announced as the

replacement for the Industry department . . . of the Department of Industry and Resources.

All right? I don't think that announcement actually did take place that week, Mr. Speaker. But this is what he went on to say at that December 8 speech, and I quote: "There will be terms of reference for Enterprise Saskatchewan that will not require the new government to wait for its first report to begin action."

So Enterprise Saskatchewan was supposed to be up and running the first week of the government and in fact it would have terms of reference in place for that first week and the new government wouldn't have to wait for its first report to begin action. Now how the government, in the mind of the leader of the opposition of the day, was going to take action on Enterprise Saskatchewan's recommendations before Enterprise Saskatchewan had a chance to report on them, I don't know, Mr. Speaker. But that's what was said.

Then to continue with the quote from the remarks of the then leader of the opposition, now Premier, quote:

Non-negotiable and foundational to the terms of reference given to Enterprise Saskatchewan will be changes to labour legislation to ensure that it is fair to workers and employers, as well as competitive with other jurisdictions.

Now, Mr. Speaker, just as an aside, a competitive labour environment is one of the things that the Saskatchewan Party did talk about in opposition. They didn't want to say what that meant when they were in opposition, Mr. Speaker, but they did say it didn't mean — it did not mean — essential services legislation when clearly it did.

So whether passage of The Enterprise Saskatchewan Act fulfills an election promise or not, I'm not so sure. There was no mention of legislation anywhere in the leader of the opposition's speech of December 8, 2005. But the way they have pursued what they used to call, quote, "a competitive labour environment" certainly doesn't conform with their election promises. As a matter of fact it contradicts what they undertook during the election.

More importantly — aside, aside, Mr. Speaker — more importantly it's clear from the leader of the opposition's remarks back on December 8, 2005 that Enterprise Saskatchewan was to look at the fundamental issues of the labour environment. ". . . foundational to the terms of reference given Enterprise Saskatchewan will be changes to labour legislation . . ." So they were obviously required or expected to bring forward changes. That was assumed from the start.

But it was foundational to the terms of the reference that they would be providing recommendations or . . . the term recommendations never used at this point.

This is now the Department of Industry and Resources. According to these remarks and according to the papers prepared and presented at the time, Mr. Speaker, there's no talk about an advisory council, Mr. Speaker. Not at this time. At this time these are the decision makers and they are all drawn, they're all drawn from outside of government and they will be the ones deciding what changes there will be to labour

legislation.

Well how quickly that changes after the election, Mr. Speaker, how very quickly. The only thing that happened in that order, Mr. Speaker, is that the Bill creating the agency, the advisory council, or whatever we might want to call it preceded Bills 5 and 6. But Bills 5 and 6 were drafted at I assume roughly the same time as Bill 2.

The appointments to Enterprise Saskatchewan or the appointments to the board of this agency — what is essentially becoming an advisory council and an advisory council on very little, Mr. Speaker, as we will see — the appointments to this board, this 12-person board, come much after the introduction of the labour legislation that the government says is fair to workers and employers as well as competitive with other jurisdictions.

The legislation itself says in the mandate of Enterprise Saskatchewan is going to be labour law and immigration law, but no. As a matter of fact, no, Mr. Speaker. I don't think . . . Well I know for a fact that the board of Enterprise Saskatchewan wasn't formed before the labour legislation was drafted. It certainly didn't meet before it was drafted. And although it's received a speech from the Labour minister, Mr. Speaker, has it received any information according to what the government's been able to provide on labour issues from anybody else?

So we are going to have labour legislation, it appears, passed by this House without any public consultation and without any work on that legislation by Enterprise Saskatchewan, which is both contrary to what the now Premier, leader of the opposition said back in 2005, two years before the election, and actually contrary to the stated mandate provided to the board and to the agency itself within the legislation.

The then leader of the opposition, now Premier, goes on to say in his remarks as follows. And he's speaking about the sector teams. So as a matter of fact, I'll start to quote that early, Mr. Speaker:

At the outset, we will direct Enterprise Saskatchewan to establish sector teams for the economic sectors that business has told me can drive true job creating and economic growth in Saskatchewan.

Each team will have one month to prepare its first inventory of the barriers to growth holding that sector back from reaching its full potential. (resource surcharges, infrastructure, etc.)

We won't need to appoint a forestry task force as the Premier did in the wake of the recent Weyerhaeuser announcement — one will already exist.

These sector teams will report publicly and the new government will respond publicly with its plans to deal with those barriers to growth within two weeks. That is one to two months for the first action on barriers to growth.

Well, Mr. Speaker, let's see. That action would have taken

place if the opposition leader, now Premier, had carried through on the commitment that he made in this speech back in December 8, 2005. That would have meant the first action on barriers to growth, as the government calls whatever they call barriers to growth, Mr. Speaker, that the first action would have been by the end of January. That's one to two months, two months to be generous, Mr. Speaker, from the formation of the new government.

Well what did we have by the end of January, Mr. Speaker? We didn't have second reading on this legislation. We could have had second reading on this legislation. We could have had second reading in December on this legislation but we didn't have that. We certainly didn't have any plans to deal with barriers to growth. We didn't have anything from Enterprise Saskatchewan. Enterprise Saskatchewan hadn't done anything. And the 180 days were ticking away and are still ticking away. And fortunately, Mr. Speaker, Enterprise and Innovation will proceed without any action from this government and will continue to proceed without any action from this government because I'm not sure this government has any intention to do anything innovative.

[21:45]

But the most interesting part, I think, of that quote, and I'll read it again, quote:

We won't need to appoint a forestry task force as the Premier did in the wake of the recent Weyerhaeuser announcement — one will already exist.

Well that's a fascinating quote, because of course we do now have an agency called Enterprise Saskatchewan. We don't have the legislation passed yet, but that's in part because the government didn't want to bother with second reading until fairly recently, Mr. Speaker. That's not for any other reason other than that, the government's unwillingness to actually get down to debating this legislation. But we did have the agency. We do have the board. We do have the announcement of sector teams. We now have the announcement of strategic issue councils. And what do you know? The OSB plant, the oriented strand board plant at Hudson Bay closes.

Well, Mr. Speaker, I'm sure all the people affected by that closure are just so pleased and just so happy and take just so much comfort from the fact that there's already a sector team in place. That there's no need to create a forestry task force because Enterprise Saskatchewan will already be — the Premier predicts back in 2005, before he's Premier — will already be in place and will have this thing under control, will already be examining the forestry industry. Well, Mr. Speaker, I don't think they were. And I don't think they did anything to prevent that closure, and I don't think they've done anything to respond to that closure, Mr. Speaker.

So high, high hopes and high standards were set by the now Premier, the leader of the opposition in his speech of 2005. But what the government has done, or I should say failed to do, in respect to meeting its own agenda, is far, far different than that.

So the mandate of the board of Enterprise Saskatchewan is to examine a barrier to growth. The legislation doesn't actually

define what a barrier to growth really is. Is this an examination of environmental regulations? Well, Mr. Speaker, we don't know. We don't know with certainty what the Saskatchewan Party government considers to be a barrier to growth.

They certainly considered the labour environment in Saskatchewan to be a barrier to growth, but as I pointed out, Mr. Speaker, the growth that took place and is taking place now and that the government is so proud of in Saskatchewan took place as a result of 16 years of NDP government. But more importantly to the point, Mr. Speaker, to the point, it took place within the labour environment that currently exists — that is within the essential services environment that already exists and within The Trade Union Amendment Act that already exists.

So the growth that the government is so proud of takes place within that labour environment, but I think it's fair to say that this government thinks that that environment that facilitated and allowed that growth of which they are so proud is actually a barrier to growth although the evidence is to the contrary.

But was Enterprise Saskatchewan allowed to examine labour legislation? Was it allowed to look at the labour climate? Was it allowed to bring forward even recommendations, Mr. Speaker? No, it was not.

It's much ballyhooed that there's a labour representative on the Enterprise Saskatchewan board but the Enterprise Saskatchewan board isn't allowed to make recommendations about what should be in The Trade Union Amendment Act. And the Minister of Labour is scrambling to continually amend the Act to catch up with what he had to backtrack on in the scum. But he's not going to Enterprise Saskatchewan first to find out how many members there should be on the Labour Relations Board.

Once he concedes that maybe, maybe his number was wrong, then he brings forward new amendments, Mr. Speaker. He doesn't go to Enterprise Saskatchewan even though Enterprise Saskatchewan is supposed to have, you know, in its original concept and even in the mention and discussion of mandate within the legislation as currently it's drafted, Mr. Speaker, which is quite a walk back from what the now Premier said.

What The Enterprise Saskatchewan Act purports to do is to take away from the Minister of Labour and from the entire government decisions about labour and immigration policy. And why, Mr. Speaker? Why? Because the government said, we want to take politics out of these decisions. And, Mr. Speaker, we'll come to how well they have designed this organization so as to take the politics out of economic decision making, Mr. Speaker.

Enterprise Saskatchewan now as we see in this legislation could not, could not possibly be more political or . . . of course anything is possible, Mr. Speaker, but it certainly is far, far more political than it was held out to be before the election took place, and as a matter of fact far, far more political than they held out to the very day that the government introduced the legislation in the House.

An Hon. Member: — You weren't expecting us to appoint half of your friends to the board, were you, Frank?

Mr. Quennell: — And the member from Cypress Hills wonders or asks the question did I really expect the government to appoint my friends to the board and actually I hadn't taken dispute and I don't have a dispute with the board.

As matter of fact I'll come back to the membership of the board but since the member from Cypress Hills raises the point and wants to assist me with . . . [inaudible interjection] . . . Well actually no I hadn't yet got to that point but the member from Cypress Hills says, what about the composition of the board? What's wrong with the composition of the board? No, no the legislation, Mr. Speaker, the structure is more political.

The members of the board are a fine group of people on balance, Mr. Speaker. It's the government that's treating them like trained chimps. It's the government that's saying these are important people that are going to advise us on matters of importance, Mr. Speaker, except every single matter of importance will be decided before they have a chance to meet and make decisions, Mr. Speaker.

It's the government's treatment of these people that I think they will lose a number of the better members of that board because of the way they have decided to treat this agency as a front for decisions that are going to be preordained, made before they ever get to the board of Enterprise Saskatchewan.

The original Enterprise Saskatchewan document said it would examine labour laws. As a matter of fact the legislation says it will do that as well, but we know that Enterprise Saskatchewan will not be looking at Bills 5 or 6. And you have to ask the question as to why this agency's being set up and why it is being codified in legislation because you certainly don't need legislation for an advisory council if you're just going to bypass the agency, if you're going to make decisions and then say, but these are decisions that were made by Enterprise Saskatchewan.

Well the decisions about mineral royalties aren't being made by Enterprise Saskatchewan. They're being announced by a minister in a scum. The decisions about labour legislation clearly weren't being made by Enterprise Saskatchewan or by its board, Mr. Speaker.

The government has been all over the map, for example, on the issue of royalty revenues. First they said that a royalty review would be the first order of business for Enterprise Saskatchewan. That's what that party said, Mr. Speaker. They said, first thing we'll want Enterprise Saskatchewan to do, the first thing they will do is they will review the oil and gas royalty rates for the province of Saskatchewan because, the government says, because we want to take the politics out of those decisions, Mr. Speaker.

I said in my remarks on the budget, Mr. Speaker, that if backtracking was an Olympic event, the gold medal team would be sitting on the government benches led by the Finance minister. And I went through four issues on which they've been backtracking. The Fiscal Stabilization Fund was one; previous budgets being deficit budgets, now balanced budgets, was another; and there were a couple of others, Mr. Speaker.

But I didn't mention this one. I didn't mention the backtracking they did on Enterprise Saskatchewan and its role on oil royalty

reviews. I said that was a job for Enterprise Saskatchewan. That wasn't a job for government, that was a job from which we wanted to remove politics. That was a job for private citizens with expertise in business, and in the economy in a more general sense, to make or at least to make recommendations on.

Well, Mr. Speaker, they sure ran away from that quickly. The government decided to set the policy themselves. And again, if Enterprise Saskatchewan's such a great agency, why won't the government trust it to develop policy? Why won't they let it develop policy in the very areas — in the very areas — that the government draws attention to?

We don't want, the government says, to wear the decisions on oil royalty revenues. We don't want to wear the decision on gas royalty revenues. We want to take the politics out of that decision. We want to give that decision to Enterprise Saskatchewan.

Well no, Mr. Speaker. And the Minister of Energy and Resources has pointed out that this is the largest industry in the province, Mr. Speaker. It's become the largest industry in the province but it is one . . . The largest industry in the province is one where there is a large government interest, Mr. Speaker, because of resource revenues and the place resource revenues play in equalization discussions. It is an industry in which the Government of Saskatchewan, the people of Saskatchewan are very interested in, even if it wasn't the largest industry in the province, but it now is the largest industry in the province and this is an industry in which Enterprise Saskatchewan was to have a key role in removing barriers to growth, until the government decided that no, we don't want to remove politics from these decisions.

No, we will make these decisions. And we won't just make these decisions for this year, or next year, we'll make some declaration about 12 years from now.

Well that, as I counted, with a two-year term on the Enterprise Saskatchewan board, which seems like a very short time for people for whom you have supposedly a great deal of respect, that that's six terms on the Enterprise Saskatchewan board before the Saskatchewan Party government would perhaps allow an Enterprise Saskatchewan board to make a decision on the question of . . . [inaudible interjection] . . . Well, Mr. Speaker, there's a difference between who they are and how the government treats them, Mr. Speaker. There's a difference between who they are and how the government treats them.

Now I might come to this in a little bit more detail later, Mr. Speaker, but the nomination process for Enterprise Saskatchewan was very interesting. Hundreds of groups sent in nominations, but it was up to the minister to decide who gets to sit on the board. As a matter of fact, the . . . [inaudible interjection] . . . Well, Mr. Speaker, the members opposite ask about the composition of the board, and I'll say it again. I have no problem with the makeup of this board. It's a very good group of people, Mr. Speaker. I think the members opposite understand that.

My question is about how, it's about how this government is treating these people who are a front, who they are expecting to just rubber-stamp these decisions, these decisions, Mr. Speaker,

that they have made. The decisions that this government said they would be making, but now they have taken away from them, we have taken away from them.

Now it is — and I'll come to this in a little bit more detail later, Mr. Speaker — but when questions were being asked in this House in December, in December before the legislation was introduced and so before the structure of the board was known by anybody but the drafters of the legislation and the government, before we could know who would be on the board and how they would be selected, at that time both the Minister of Enterprise and Innovation and the Premier compared Enterprise Saskatchewan to the Tourism Authority and said, Mr. Speaker, the member from Saskatoon Meewasin shouldn't be so concerned about Enterprise Saskatchewan.

I know what we said about it, says the Premier, I know because he does. I mean, he said it was going to be so much. It was going to do so much. And it was going to take so much power away from government. But it's really closer to, say, the Tourism Authority. And it's not . . . And the member from Kindersley is not expressing cabinet solidarity from his seat. He said, that's true, unfortunately. So if he wants to dissent from cabinet positions, Mr. Speaker, perhaps he shouldn't be doing it in the House where I can hear him.

[22:00]

An Hon. Member: — I was talking to Serge about an entirely different matter.

Mr. Quennell: — Okay. Then I withdraw. Then I withdraw, Mr. Speaker. But previously the member was responding to my remarks so I thought that maybe he still was, Mr. Speaker. I think it was an understandable mistake. I think it was an understandable mistake.

In any case, it's not like the Tourism Authority in the way that the board is made up because if you go to the Act governing the Tourism Authority and you see how the board is made up, it's not only composed of representatives from organizations. The appointments are made by those organizations, Mr. Speaker. So this is not as private and non-political and arm's-length from government as even the Tourism Authority is, Mr. Speaker. It's not, because the Tourism Authority members are chosen largely by the organizations. They don't make nominations, Mr. Speaker, and have a minister appoint their members. They appoint their members from a collection of organizations and each collection of organizations sends a member.

But the government that said it wanted to take the politics out of Enterprise Saskatchewan had so little confidence in these organizations that it didn't allow them to appoint their own members, even though the government was going to have the minister chairing the board, have another minister sitting on the board, select another member from the public at large. Nine members that the organizations could have if they were going to follow the structure of the Tourism Authority, which the minister and the Premier said they would. Nine other members that could have been chosen by the organizations but were not, Mr. Speaker. They were not.

They were chosen instead by the government. There's some

kind of point system, something to do with agreeing with the philosophy of the Premier, no doubt. And when the chief executive officer or the acting chief executive officer of Enterprise Saskatchewan spoke at SARM he said that he was very pleased that the Premier appointed the representative from SARM that he did — that the Premier appointed the representative that he did, Mr. Speaker — which I thought was an interesting slip for the deputy minister of Enterprise and Innovation and the acting chief executive officer of Enterprise Saskatchewan to make, Mr. Speaker, a very interesting slip to admit that at least the one person was appointed directly by the Premier, whatever the point system that the government devised was actually meant to elicit in the way of information, or whatever cover it was supposed to provide for the decisions that were going to be made.

Enterprise Saskatchewan, Mr. Speaker, gets more and more bureaucratic. The sector teams are mentioned in the legislation. The strategic issue councils are not, Mr. Speaker. They're an addition. I think it was either the deputy minister or the minister that said, well the strategic issue councils are mentioned in the legislation. Mr. Speaker, in fact they are not. And there seems to be the same problem with the Minister of Labour not knowing what's in his legislation and what his legislation's effect is.

When Enterprise Saskatchewan was first conceived, it was supposed to streamline government by replacing a line department. In reality all it's doing is adding to the level of bureaucracy. This caused *The StarPhoenix* to call Enterprise Saskatchewan in a quotation — I'll probably quote it at greater length later — quote, “a highly nebulous entity.”

How will it actually work? It's unclear. What will be the reporting structure? That's to be determined. How will the subcommittees report? No one knows. The government hasn't decided. How often would the board and subcommittees meet? Not sure. How will board governance work? Government won't say.

The level of bureaucracy keeps growing and growing. There are now at least 12 sector teams prescribed in the legislation but there are also an unclear number of strategic issues councils which appear nowhere in the legislation, appeared nowhere during the campaign, and never merited a mention when the Leader of the Sask Party was describing the board in its early days, despite what the minister and his communications people are now saying.

And how many other layers of bureaucracy are they hiding and funding with \$8 million, Mr. Speaker? How many members will each sector team have? What about the issues council? The minister mentioned about 300 nominations for the board. Can we expect 300 committee and subcommittee members?

And on top of becoming more bureaucratic, Enterprise Saskatchewan is becoming more and more political. Not only do they get to appoint the board, but they're already breaking the commitment they had to having the board chaired by someone from outside of government. A matter of fact changed the legislation from what was promised by the now Premier, the Leader of the Saskatchewan Party, to ensure that the board was chaired by that minister — not just chaired by a cabinet minister

but we have to have apparently another cabinet minister on this board in our attempt to remove politics, of the government's attempt to remove politics from economic decision making.

Any why in section 23 does Enterprise Saskatchewan have the power to transfer Crown or public assets to Enterprise Saskatchewan in section 23? I will be coming to in more detail later, Mr. Speaker. Enterprise Saskatchewan is an accountability boondoggle waiting to happen.

In a democracy the government has to be held to account for its decisions, but how can the government be held to account for bad decisions made by Enterprise Saskatchewan? How binding will board decisions be? The government claims to oppose privatization of the Crowns, makes a bow, a nod, and a meaningless preamble to the legislation in that direction, but if the board came out and made a case for privatization, will the government use that as a shield to break their promises? Or is that yet another economic decision that this board in fact is not allowed to make? Just as they weren't allowed to review royalties. Just as they were not allowed to review labour legislation. Just as they are not allowed to review royalties — not just oil and gas — but we found out, I think today, Mr. Speaker, any mineral royalties whatsoever.

Will the government just hide behind Enterprise Saskatchewan every time an unpopular idea comes up? Is this all that Bill 2 leaves of the grand ideas the Leader of the Sask Party has expressed in his papers and in his speech of December 8, 2005 — just a shield, just a cat's paw, Mr. Speaker, for ideas that may be unpopular, and if they are, the government will ignore? We know the board will report to the public, but we still don't know how. And will the subcommittees be open to public scrutiny?

The legislation allows the board to spend money on marketing and promotional activities as well as acquiring property — sort of a private unelected government, Mr. Speaker. What accountability measures will be in place since this is public money? And as the member from Moose Jaw Wakamow asked — and it's too bad that the member from Moose Jaw North perhaps wasn't listening more carefully and he might not be asking the question he constantly seems to ask — but as the member from Moose Jaw Wakamow asked, will there be clear conflict of interest guidelines in place? After all you'll have people with a stake in particular sectors of our economy essentially making recommendations to government on public policy, whatever areas of public policy are left, Mr. Speaker.

What's more, these people and their companies will be able to donate money to the board. Very curious provision to the legislation is they can receive money from any source, Mr. Speaker. Very curious provision. I don't know what the members of the government who instructed the draftspeople were thinking when they put that in. And I'd be very interested when I have an opportunity to ask that question in committee, and not just rhetorically, to find out why they wanted to put this very dangerous provision in.

You have unelected people who the government would say still have some power. It's difficult to say exactly where that is, and no limits on their ability to actually provide the agency with funds. As a matter of fact the funds particularly allows it, the

legislation particularly allows that the funds and funds for the agency can come from anywhere. It's an odd provision, Mr. Speaker.

What measures will be in place in light of what the legislation actually says, Mr. Speaker? What measures will be in place to ensure the board does not accept money from companies who are actively seeking certain policy changes or at least recommendations? And won't this just open the door to influence peddling? And why would the government want to take that risk, Mr. Speaker?

Why does Enterprise Saskatchewan need the power to raise funds? Isn't \$8 million enough? Are there any restrictions on who can donate the money? Are there any restrictions on who a board can consult with after receiving money? Doesn't this open the board up to the appearance of impropriety, Mr. Speaker? Questions that I think should be asked, I would think would have been asked before that provision was put in the legislation, Mr. Speaker, but apparently were not asked.

Now there's been some press comment about this legislation. And I know that the members opposite assume that we over here in the opposition oppose for the sake of opposing, spent considerable period of time when we were discussing the rule changes, Mr. Speaker, arguing, as a matter of fact quoting an argument of John Diefenbaker. That was our job . . . [inaudible interjection] . . . And I think the member from Cannington is agreeing with me that that is the job. But it's not just us. It's not just us, Mr. Speaker.

And I would quote from, I would quote from *The StarPhoenix*, January 19, 2008. And this a columnist who is commenting on the changes that have been made in the vision for Enterprise Saskatchewan as reflected in the legislation but as a matter of fact reflected even more in how the legislation will apply and will actually work. And I quote from the column which is entitled, "Reality deals another blow to new agency." Quote:

One need only look at Premier Brad Wall's promise this week that the government has no plans to change its oil royalty structure to realize that his much ballyhooed Enterprise Saskatchewan agency remains a highly nebulous entity even as it recruits members for the board.

Mr. Speaker, and I promised earlier to give a further quote on the highly nebulous entity. The column goes on to state that:

. . . his message diminishes the role he had touted for Enterprise Saskatchewan not so long ago.

When Wall first trotted out the Enterprise Saskatchewan idea as Opposition leader, he made it sound as if the agency would consist solely of representatives nominated by key sectors of the economy. They would be asked to set economic priorities and initiatives for Saskatchewan, and would replace the economic development bureaucracy within the former Industry department.

Wall said Saskatchewan needs an about-face from the 60-year practice of having politics drive economic development in the province.

Yet, the highfalutin promises made from the Opposition benches about turning over economic guidance of the province to an arms-length agency saw a marked change by the time Wall finally got himself in the position to deliver on Enterprise Saskatchewan.

When the bill to establish the agency was presented to the legislature in December, it featured legislation that ensconced the Minister of Enterprise and Innovation as chair and another cabinet member as part of the board, along with representatives from key sectors such as business, labour, aboriginals, municipalities, education, co-ops, resources and farming, and one member at large.

In seeking nominations for the latter position, Enterprise and Innovation Minister Lyle Stewart said in a news release this week that the agency's job "will be to identify and monitor competitive advantages and disadvantages in each sector and to prescribe appropriate actions and strategies to enhance Saskatchewan competitiveness and growth" [Mr. Speaker]. Stewart's boss might have added that there will be limits to that job.

[22:15]

Wall might also have pointed out that despite everything one promises in Opposition, reality bites once one is in government.

The premier is learning that the critics were right when they suggested that it's not really a wise idea for a government to take a back seat and turn over economic development in its jurisdiction to a group of unelected appointees, no matter how trustworthy and competent they are deemed to be. A little thing called accountability under democracy requires politicians to be held to account for public policy.

And so, Mr. Speaker, what was promised by the leader of the opposition and what is in the legislation are two very different things. But the argument for accountability doesn't explain why even the mandate for this advisory council, this agency, in the legislation is not being permitted to be exercised by them, Mr. Speaker.

The column goes on to say, and I quote:

So it's left to citizens to figure out just what's so great about Wall's Enterprise Saskatchewan model, what it will do that various other advisory bodies established by former governments couldn't or wouldn't, and what benefit it offers over the industry consultations conducted by ministers in the past.

Whatever Wall hoped to accomplish with the agency he envisioned in 2004 has undergone a wholesale political transformation. If, as Wall says, Enterprise Saskatchewan has no role in advising the government on fashioning a royalty structure that's competitive with Alberta in the oil and gas sector that's now key to this province's economic growth, the board is then relegated mostly to tinkering on the edges [Mr. Speaker].

And after this column was written, not only did they lose the ability to advise on oil royalties, they lost the ability — it was taken away from them by the Minister of Enterprise and Innovation — to advise on any mineral royalty regime whatsoever, Mr. Speaker. So it's not just the oil and gas industry, the largest industry, but the mineral industry, which is a large industry in Saskatchewan, where the members of the board of Enterprise Saskatchewan have been told, Mr. Speaker, hands off, as we've already decided about labour legislation, Mr. Speaker.

Another columnist, the *Leader-Post* financial editor, Bruce Johnstone, said, and I quote:

“Sask. Party should be cautious” . . . [that] the party's Enterprise Saskatchewan scheme should not be used as “an excuse to slough off responsibility for decision-making on economic development issues.”

Johnstone says, quote:

“Under Wall's ‘bold new vision’ [and that's in quotation marks as well, Mr. Speaker, because I think that's what the now Premier called it] a Saskatchewan Party government would cede control of economic decision-making to Enterprise Saskatchewan, a joint government/private-sector body that would assume the economic development functions of government. Instead of bureaucrats or politicians, Enterprise Saskatchewan's independent board of directors would make the big decisions about such issues as key economic sectors, the barriers to growth, taxes to cut, businesses to attract, and investments to make. In essence, Wall would privatize the economic decision-making functions of government to this new body.”

Well, Mr. Speaker, that's what he said he would do for better or worse. Mr. Speaker, that is not what he has done. What he has done is brought forward legislation that has a board that is appointed by government, chaired by government, controlled by government, and before the legislation is even passed, Mr. Speaker, in every fundamental economic decision that needs to be made by this government has been preordained, set in stone by the Minister of Energy and Resources and the Minister of Enterprise and Innovation. And what is left for the board of Enterprise Saskatchewan is to hear interesting lectures on strategic issues from the Minister of Labour, Mr. Speaker, and I'm sure they'll be fascinated doing that. They'll want to meet quite often, Mr. Speaker.

Murray Mandryk in *The StarPhoenix* on January 12, 2008 had this to say, quote:

What exactly is the model Premier Brad Wall wants to adopt with Enterprise Saskatchewan? How feasible is it for this model to function? And why do we need it?

Unbelievably, these basic considerations are yet to be addressed.

He goes on to say, Mr. Speaker, and I apologize for the language but it's contained within the quotation:

How's it gonna work? Why the hell do we need it? And if Enterprise Saskatchewan merely is some kind of advisory board that's on par with your local Regional Economic Development Authority or is a version of Tourism Saskatchewan, why do we need a . . .

The Speaker: — Order. As much as the member apologized, I must remind the member that the rules say we can't use indirectly what we can't use expressions directly. So it may be in a quote but it's still inappropriate language for the Assembly. I recognize the member for Saskatoon Meewasin.

Mr. Quennell: — Thank you, Mr. Speaker . . . [inaudible interjection] . . . The member from Cypress Hills has suspicions, Mr. Speaker, but I would have to digress from the Bill, and I don't want to do that. Mr. Mandryk goes on to say:

. . . I don't consider myself the sharpest knife in the drawer and I'm certainly no expert on corporate governance. But I truly don't get the model or the purpose of what Wall is envisioning.

I did not read that quotation so that I could quote Mr. Mandryk saying that he wasn't the sharpest knife in the drawer. I did read that quotation because that is an independent, disinterested, objective party looking at the government's proposal and wondering why, why we are doing this, Mr. Speaker.

And to return to my earlier remarks, Mr. Speaker, basically this is one of the things the government is doing for no other reason now, given what's in the legislation, how different it is from the original model, and given how they're actually treating their own board, their own agency, Mr. Speaker, the only reason we're going to have Enterprise Saskatchewan is because the Saskatchewan Party said that we would. And if it has nothing to do after the government finishes making economic policy, well so be it, Mr. Speaker. But we will have an Enterprise Saskatchewan.

Mr. Mandryk goes on to say, quote, “Is Enterprise Saskatchewan supposed to be the management board for the province's economy?” Well now we know, Mr. Speaker, in fact it's not. And then he goes on to say further, quote:

And, really, how would such a diverse group agree on any meaningful change, such as on oil royalty rates? Would anyone seriously consider its recommendations as binding?

Well, Mr. Speaker, the government could not be bothered to wait to hear what they had to say anyways. So I guess we'll never get the answer to Mr. Mandryk's question.

Finally he concludes, more or less, Mr. Speaker, with these words, quote, “Then again, could it be that Enterprise Saskatchewan is just a clever ruse — itself, being a distraction offered simply to present an appearance of consultation?” And is that what this is really, Mr. Speaker? Is this just the appearance of consultation? That's what it's becoming to look very much like, Mr. Speaker.

Mr. Mandryk does wrap up practically with this quotation, quote:

But if it's only to be an advisory body, as Wall and Stewart suggest, why all the fuss and bother? Why not simply have it report to a minister of economic development as the Provincial Action Committee on the Economy did? Why blow up an entire department, as the Wall government has done?

Very good questions, Mr. Speaker, questions the government doesn't seem to be prepared or able to answer. And, Mr. Speaker, there's some other questions raised about, not the advisory council to which I've directed most of my attention to this evening, but other sections of the Act, and I do want to go, before I wrap for the evening, to the Bill itself and what it says.

And the Bill begins with a preamble, Mr. Speaker, and the preamble of course is with, completely without teeth. The preamble has no legal effect. The preamble is there, well it's a political show, Mr. Speaker, and it's important to remember when we're looking at section 23 of — which I may want to look at later in the debate — when looking at section 23 of the Bill, the section 23 will have legal force and effect when this Bill is in place and the preamble will not. So where it says in the preamble of Bill No. 2 that The Crown Corporations Public Ownership Act will be respected, it's interesting that the government put that in the preamble, Mr. Speaker, because that has no force. That has no effect and that has no teeth.

Now the interpretation section of the Act states that the “**agency**” means Enterprise Saskatchewan established pursuant to section 3”. So later on when I refer to agency, Mr. Speaker, I'll be referring to Enterprise Saskatchewan because that is how Enterprise Saskatchewan is defined in the Act. Section 5, Mr. Speaker, sets out in subsection 2:

Subject to subsection (4), the agency may:

(b) sell, lease or otherwise dispose of any of the agency's property in any manner that the agency considers appropriate.

Now it's interesting. When I suggested that the effect of the legislation was to allow Crown assets, including the land and Crown employees, to be transferred into the agency and then sold out of the agency — first brought into the agency under section 23 and then sold out of the agency under section 5 — that the minister didn't deny that that was the case, but the acting deputy minister was sent out to make some comments. And this is what the deputy minister said on December 18, 2007 as quoted in the Regina *Leader-Post*. It said:

... the section that deals with transfers to and from Enterprise Saskatchewan is anticipated to be used in areas such as the limited transfer of furniture or equipment as the agency ... [is established].

The “transfer out” power from Enterprise Saskatchewan back to the government or Crown corporation, not to the private sector, he said.

Well, Mr. Speaker, that's not what section 5 says. Section 5 does not say that the agency may sell, lease, or otherwise dispose of any of the agency's property back to the government or Crown corporation and not to the private sector. That's not

what section 5 says. Section 5 says that the agency may “sell, lease or otherwise dispose of any of the agency's property in any manner that the agency considers appropriate.”

If that's what the government intended, that's not what the government drafted and legislation is interpreted by what it says, not what somebody says it meant, when what that person says it meant and what it actually says are so radically different, Mr. Speaker.

I think the member from Saskatoon Southeast as a lawyer rejects being lectured on such a simple point, but every now and then the member from Moose Jaw North asks what I'm talking about and . . . need to keep it simple, Mr. Speaker.

The legislation does not say what the deputy minister says it says. It says that in section 5 that the government can transfer property, the agency can transfer property in any way it considers appropriate, Mr. Speaker, not in the limited ways that the deputy minister said the section was meant to set out . . . [inaudible interjection] . . . Yes, and a little late, Mr. Speaker, but now I've heard from the member from Moose Jaw North.

In section 6 membership in the agency is set out and it, unlike the Tourism Authority, doesn't allow the organizations to actually make the appointments, only the nominations, Mr. Speaker. This is a group of organizations that if they had been involved with the tourism Act would have entrusted to appoint their board in large part but Enterprise Saskatchewan was not entrusted with that despite the government's assertion that this was to take the politics out of economic development.

And then under section 7 we have a most interesting . . . a term of appointment, Mr. Speaker, not exceeding two years. And now we know that some members will only be there for a year. So as I said before, Mr. Speaker, we have a very good board of Enterprise Saskatchewan, a very impressive group of people who aren't allowed to do anything important, Mr. Speaker, but a very impressive group of people . . . [inaudible interjection] . . . And the member from Kelvington-Wadena wants to give them a quote, and I trust that she'll give them the full quote, Mr. Speaker, because I didn't talk about who they were. I talked about how the government was treating them, Mr. Speaker.

And if you see a full quote, I don't think any of them would have difficulty with that, Mr. Speaker. They may not agree that that's how the government is treating them, Mr. Speaker, but it's certainly a legitimate opinion about how they're being treated, Mr. Speaker. And the member knows that I didn't say what she's saying I said, Mr. Speaker. She knows what I actually said, Mr. Speaker.

[22:30]

So we have a group of people who are appointed by the government, Mr. Speaker, for a term not exceeding two years. Now that's a very, very short term for a group of people you trust to make important decisions of a long-term nature, two years. Some of them will only be a year, Mr. Speaker, of the first ones. The board that we see two years from now could be very different than the board that we are currently being presented with, Mr. Speaker, because everybody can change in two years. Anybody that doesn't toe the government line could

be gone in two years. Some of them can be gone in one year, Mr. Speaker.

The members are eligible for reappointment, so if the government likes the member of the board, they could be there four years from now, Mr. Speaker. If they do not, they could be gone one year from now, Mr. Speaker. Now, is that taking the politics out of economic development policy-making, Mr. Speaker? I don't think so.

I was thinking about this because I served on the board of governors for two consecutive three-year terms for the University of Saskatchewan, Mr. Speaker. Those were three-year terms. And I was thinking about what the universities of this province would look like if the government decided to take the politics out of universities — by their definition, taking the politics out of matters, Mr. Speaker.

The University of Saskatchewan, University of Regina has a board of 12 people, Mr. Speaker. Six are appointed by the government. Six are not. The president is not. The chancellor is elected by convocation. There's two members elected by the senate. The student union president sits there. There's a member elected by the faculty. The government doesn't have a majority of the appointments, Mr. Speaker. It has half the appointments on the board, and those appointments are there for three years, Mr. Speaker.

Imagine if the government decided they just didn't want to take the politics out of economic development. They wanted to take the politics out of universities. Well, Mr. Speaker, then we would have a board where it was chaired by the minister, another minister was a member, and the government appointed all the other 10 members, Mr. Speaker.

Well anybody who is concerned about university autonomy better hope — better hope, Mr. Speaker — that the government doesn't decide to take politics out of the universities the way they decided to take politics out of Enterprise Saskatchewan and out of economic . . . because, Mr. Speaker, there's a lot less politics in those appointments than the way they structured this board, Mr. Speaker.

Further, Mr. Speaker, further, Mr. Speaker, you know, when they decide that after a year they don't like the recommendations, they don't like what's coming out of a member of the board and they decide not to reappoint that member of the board, they don't have to fill that vacancy. The section, section 7(7), states, "A vacancy in the membership of the board does not impair the power of the remaining members of the board to act."

So, Mr. Speaker, we have this, you know, ballyhooed concession from the government that there will be a labour representative that they will choose — the government will choose — on the board of Enterprise Saskatchewan. When that person is gone, Mr. Speaker, when that person is gone, there doesn't have to be a reappointment. The board can carry on without that person. Mr. Speaker, we are seeing a board now that I expect, Mr. Speaker, will be very different, very different from the board that we will see in a year and the board we will see in two years, Mr. Speaker.

And of course the other problem is how long will people be interested in serving on the board that doesn't have the power that was held out to them and doesn't even have the power and decision-making power that is stated in the legislation? Matter of fact the government won't even let the agency decide where its head office is going to be, Mr. Speaker. That is sent off to cabinet as well. Even that, even where the head office is going to be is decision that the cabinet will not delegate to the agency itself.

And that brings me to section 23, Mr. Speaker. And for the moment all I would do is quote from the section and comment on it briefly. Section 23(2), quote:

Notwithstanding any other Act or law or any provision of any contract:

the Lieutenant Governor in Council may, by order, subject to any terms and conditions that may be set out in the order, transfer or assigned to, and vest in the agency:

any personal property, assets, liabilities, debts, interests, rights, obligations, and contracts of the Crown, a Crown corporation or agent of the Crown; and

any lands, interests in lands, mortgages, charges, encumbrances or other real property interests of the Crown, a Crown corporation or agent of the Crown;

And in 2(c):

the president, chief executive officer or other head of a Crown corporation or other agent of the Crown may, by agreement with the agency, transfer any employees or class of employees of a Crown corporation or agent of the Crown to and cause them to become employees of the agency.

Mr. Speaker, very much like the original plan for SecurTek that the member from Cannington outlined before he had to say he misspoke himself, the whole structure for what he said would happen is set out in section 23 of The Enterprise Saskatchewan Act. And if you believe the deputy minister, we need to have provisions in this legislation for the transfer of lands, interests in lands, and other real property interests of a Crown Corporation to the agency so that this agency can get used filing cabinets from SGI [Saskatchewan Government Insurance], Mr. Speaker.

Well what he said about the reason for section 23, getting equipment from a Crown corporation in the transition period, does not explain why there's a provision for the transfer of land of a Crown Corporation, real property of a Crown Corporation, any property assets of a Crown Corporation to this agency, Mr. Speaker. I'll have more to say about this provision, having spoken I think at some length about the advisory council provisions, Mr. Speaker, and very little about the privatization provisions.

I'll have more to say later in this debate but for the moment, Mr. Speaker, I move to adjourn debate.

Some Hon. Members: — Hear, hear!

The Deputy Speaker: — The member from Saskatoon Meewasin has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Agreed.

Bill No. 1

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Gantfoer that **Bill No. 1 — The Growth and Financial Security Act** be now read a second time.]

The Deputy Speaker: — I recognize the member for Saskatoon Nutana.

Ms. Atkinson: — Thank you very much, Mr. Speaker. I rise tonight to speak to Bill 1, which is An Act respecting Saskatchewan's Growth and Financial Security and repealing certain Acts.

Mr. Speaker, on election night in November of 2007 the member from Swift Current in his acceptance speech told the people of Saskatchewan that we could expect something completely different. He seemed to be referring to a different type of leadership and a different type of government — and it's now clear to the public that what he really meant, and I quote, "And now for something completely different!" — than what we promised in the election.

There isn't a clearer example of this government's flip-flop than the growth and financial stability Act. The members opposite couldn't say often enough how much they hated the Fiscal Stabilization Fund. And no matter how many times that we tried to explain it to them, they simply couldn't believe that we had a Fiscal Stabilization Fund. And here tonight, we're debating the growth and financial stability Act which in essence is the identical thing.

Now we tried to explain it to the members opposite many times. We said that it was necessary to allow government to govern effectively in an economy that was vulnerable to fluctuations, particularly because we are a resource-based economy.

They yelled and hollered accusations and insults, and it didn't matter then that other governments across Canada also has similar funds. They tried to make political hay, but they went even further than making political hay. They promised not to have a fund of their own, and they promised to strengthen financial accountability which they said meant getting rid of the Fiscal Stabilization Fund. Now in their election platform — and I want to quote — it says:

A Saskatchewan Party government will pass the *Saskatchewan Growth and Financial Security Act* to ensure the budget is balanced every year, surpluses are dedicated to debt repayment and economic growth initiatives and that government departments and agencies remain accountable to Saskatchewan people for the services they deliver.

That's the end of the quote. Well it's important to note, Mr. Speaker, the promise was not to rename the fund as we're doing here tonight. The promise was to get rid of it.

So you can imagine the surprise of the opposition, not to mention the public's surprise, when the much-touted growth and financial stabilization Act was unveiled and we found out that in fact the government had done the exact opposite of what they had promised in the election campaign. And what they simply did was give the Fiscal Stabilization Fund a new name.

Now the irony wasn't lost on reporters. And I just have to read this into the record because I'm not sure the public has heard all of this. I want to read this excerpt into the record because it's important. The reporter asked, quote, "What is the difference between what you're planning to do with this fund and what the NDP did with this Fiscal Stabilization Fund?"

And the Minister of Finance responds, and I quote:

Fundamentally there is very little difference. We're combining the Infrastructure Fund and the Fiscal Stabilization Fund into this new Growth and Financial Security Fund and the ability.

Reporter follows up: "But you called that a phony-baloney fund. So there is no difference. You have a phony-baloney fund with a new name." That's the reporter. And the Minister of Finance says, quote:

Well we have a fund that could be used in two significant ways. One is to assist with the balancing of the current budget. The other purpose for the Bill or for the fund is to provide for infrastructure initiatives.

And then the reporter says, and I quote, "But how is that different from the NDP who used their fund?" And the Finance minister says, and I quote, "It isn't substantially different." And then the reporter says, "Well then explain to me why you've adopted the phony-baloney fund."

And the Finance Minister says:

Well because the reality is that because in the wildly swinging income gyrations of the provincial economy, you need to be able to set aside funds in good years so that you can draw on them in poor years, and you have to be able to.

And then the reporter says:

Mr. Cline said that too. And you said that was phony. Will this fund have cash in it, or will the government go into debt when it accesses it?

Then the Finance Minister says, quote:

The fund will be an accounting mechanism. If we have a surplus and the fund has revenues in it, we can choose in order to save short-term interest to apply the fund against short-term debt to reduce interest expenditures and so it's a bulk entry if you like.

Then the reporter says, "So was it just rhetoric when you called their fund phony-baloney?" And the Minister of Finance says, "Well certainly we believe we need to account for this fund in a transparent and open way, and that's what we're undertaking to do." Then the reporter says, "Is there some reason it would be inappropriate to call you a hypocrite?" And then the Minister of Finance says, and I quote, "I've been called other things."

I've been called other things; that's what the Minister of Finance . . . that was his best shot at defending why he is or isn't a hypocrite for announcing a Bill with his very own Fiscal Stabilization Fund.

Well, Mr. Speaker, there are a lot of other things that one might want to use to describe a person or a group of people who make a big deal about something and then do the exact opposite themselves. Now there's a number of descriptions you could use. You could use the description of a pretender or a fraud or a counterfeit or a charlatan. Maybe one might describe this as a full-blown phony-baloney. But it could be a hypocrite.

Mr. Speaker, I think now might be a good time to go down memory lane and remember some of the creative terms that the members of the opposition used when they described the Fiscal Stabilization Fund. Here's one. The member from Canora-Pelly, and I quote:

" . . . there's one way the NDP could give us an honest picture of the province's finances. They could listen to the Provincial Auditor and give us a budget that shows the complete picture."

No more phony-baloney transfers from a so-called rainy day fund . . .

The same member had this to say on I think it was March 28, '02, and I quote:

. . . nobody is falling for the minister's smoke and mirrors.
Nobody is falling for his worn-out old accounting tricks.
Nobody believes this fudge-it budget.

So there you have it, Mr. Speaker. The member from Canora-Pelly believes his own government's new Growth and Financial Security Fund is, and I quote, "smoke and mirrors"; quote, "worn-out accounting tricks"; quote, "creative accounting"; and his next budget will no doubt be, and I quote, "a fudge-it budget."

[22:45]

Now then we have the member from Silver Springs, and he was the Finance critic at one time, and he called the fund and I quote, ". . . a make-believe bank account that doesn't exist." He called it, and I quote, "voodoo economics" and, I quote, "phony-baloney election slush fund." So the member must be giving some very harsh words to his own government and the Minister of Finance who admits today that it is the same as the Fiscal Stabilization Fund.

Now the member from Silver Springs took it a bit farther. He said that the . . . saying the argument that one needs a Fiscal Stabilization Fund because of market volatility was false, and

indeed all we had to do was grow the economy. He said, and I quote:

The Finance minister talked about volatility in the markets, his concern about the volatile nature of the Saskatchewan economy. Well I have a suggestion . . . If he's worried about volatility, grow the economy, diversity it, and our revenues will follow . . .

But then his very own Finance minister talked about the gyrations of the economy or the gyrations of the natural resource economy. So it's interesting. Now they have their own fund. And what's interesting, Mr. Speaker, they use the very same arguments we used when we created the Fiscal Stabilization Fund. And then we have . . . Oh and they say, we put money in the fund. There was money in the fund when they took over.

Now the member from Cannington said, and I quote:

The government likes to call this the Fiscal Stabilization Fund. Actually probably a better name for it is the fancy slush fund because the government claims it's going to use this to maintain its . . . [balanced budget].

Well you know, what's really ironic, the Finance minister was outside in the rotunda, telling reporters that his own government, and I quote, he called it, "a fancy slush fund." Well the member of Cannington was inside the House on more about the stabilization fund, talking about how the NDP set it up to balance the budget. Well what's so interesting, Mr. Speaker, is that in their very own budget document this year, in describing their budget, they said it was the 15th straight balanced budget, Mr. Speaker. And what's so interesting is that they used some of the proceeds from the Fiscal Stabilization Fund to balance their budget.

And then we have, I guess, the member from Cannington, he obviously doesn't get memos on SaskTel or his government legislation from the member from Swift Current.

Now the whole situation with the Sask Party criticizing the Fiscal Stabilization Fund and then making their very own fund would almost be laughable if it wasn't that this isn't the only example we have of them saying one thing to get elected and doing something quite different once they are elected.

Now, Mr. Speaker, they said they had a plan to address school closures. So they don't have a plan. They say that there was no need for essential service legislation and guess what? We debated essential services legislation today. Now, Mr. Speaker, they say one thing before the campaign and during the campaign and do something quite differently once they're elected.

So this Bill, which introduces its own Fiscal Stabilization Fund, is just another example of the Sask Party saying one thing and then doing something completely opposite. And I suspect we'll see many more examples of this from the Premier and his government.

Now, Mr. Speaker, there's something else that's interesting that's come out of the scrum following the Minister of

Finance's unveiling of his very first piece of legislation. And what I find so interesting is that this is Bill 1. This is supposed to be a brand new Bill of the brand new Sask Party — the financial growth and stability Act.

Well a reporter asked the Minister of Finance if he would call his budget balanced if he accessed funds from the Growth and Financial Security Fund. And the minister answers, there are some thoughts. So I'm going to once again read those answers into the record. And the reporter says, and I quote:

If you have to access the funds to balance the budget, as you know the auditor says that's not a balanced budget, and you guys roundly criticized the NDP for if they spent more than they took in, and they used the Fiscal Stabilization Fund to draw down and balance the books, you guys said that wasn't a balanced budget. As Finance minister if you access the funds in order to balance the books, will you call it a balanced budget?

Now here's what the Minister of Finance said. I quote:

I'll call it a balanced budget, but I'll give notice, and we'll highlight the fact that in order to balance the budget funds will be drawn from The Growth and Financial Security Act to do it.

And then the reporter asked again: "Why would you call it a balanced budget when you are in government, when you didn't call that same circumstance a balanced budget when you were in opposition?" And the Finance Minister responds, quote:

Well we can. We can call it an unbalanced budget and drawing on the fiscal growth, or the fiscal growth and fiscal stabilization fund in order to provide the cash balance, if you like it.

He didn't even know the name of his own first Bill entered into this House. And then the reporter follows up by asking, quote:

Well I would like to know if you're going to put out news releases like the NDP did, saying another consecutive balanced budget. What you guys said was a lie. If you're going to do that when you're government or not, that's what I want.

The Minister of Finance responds, and I quote:

No, I would think we would point clearly to the fact that it's a deficit budget. The shortfall has been made up with funds transferred from the Growth and Fiscal Stabilization Fund.

Reporter, quote, "So deficit budget, that is what you as Finance minister pledge to call it if you draw down the funds." Answer, "Yes."

Well I don't know about that, Mr. Speaker. I have to say I haven't seen the news release yet from the Minister of Finance, although I suspect the Premier may have a thing or two to say before a news release goes out denoting a Saskatchewan Party government deficit budget. I guess we'll have to see whether or not, before the end of this session, we see such a press release.

Now the other thing that this government promised through this financial growth and security Act is that they'd limit the growth of the public service when the population of Saskatchewan was not growing or declining. And there are a lot of questions about how they're going to decide to do this. How and when will the government decide whether or not to decrease the public service? Will the government look at the population monthly or yearly to determine whether or not there should be changes to the size of the public service?

One . . . [inaudible] . . . by the government that there should be a change in the size, i.e., will they decrease? Who will they go after? And how are they going to make it happen? Will they decide who loses their job? Will they work with departments or ministries to see who should go? Will they take into account the needs of the province before they start reducing jobs based on pop stats? Or are they going to work with departments in deciding if the population is going up, how many public servants we need to add? These are all questions that we as the public need to have answers for. In fact they are answers that we in the official opposition need before we conclude the proceedings on this Bill.

There are also questions on whether or not this is good policy and how much it's going to cost the government to keep this policy. Does it make sense then when your population is declining, that you start laying off people? Might that just exacerbate the problem? If population declines or is seen to be the result of problems in the province or our provincial economy, and not just fluctuations in population, does it make sense that the government should employ an adequate number of people to assist with remedying these problems? Mr. Speaker, will these people be fired because of a population decline? Will they receive a severance, given that they've been fired without cause? Other questions: will this apply to the size of the Premier's staff or the ministerial staff?

It seems from our observation that this seems to be the fastest growing and most costly part of government at the moment. Instead of firing civil servants at the first sign of a population decline, maybe the Premier could decide to let a few of his political advisors go.

Well, Mr. Speaker, the members on this side of the House are indeed proud of our financial accountability when we were in government. We worked hard to make changes to the way business is done in this Assembly in order to ensure that mistakes of the past are never repeated.

When our government came to office in 1991, we were greeted with a debt of over \$15 billion. Saskatchewan's books were a mess. Our credit rating was falling. And more importantly the public was losing faith quickly in government.

Once elected in 1991, we delivered strong leadership, good government. We delivered accountability, transparency, and strong financial management. Our record certainly set Saskatchewan as having the highest standards in Canada for financial responsibility and accountability. In fact, Mr. Speaker, we were the first jurisdiction in our country to balance our books in the 1990s, and we were the first jurisdiction to introduce balanced budget legislation.

Mr. Speaker, since 2004, an NDP government reduced the debt by \$1.2 billion, taking the Saskatchewan debt to GDP [gross domestic product] to its lowest level in over 20 years. And, Mr. Speaker — even confirmed in your own budget — an NDP government balanced our budget 14 consecutive years in a row. And in fact we saw 16 straight credit upgrades.

An Hon. Member: — No.

Ms. Atkinson: — Mr. Speaker . . . Well they can say no. They can say no. But read your own document — 15 balanced budgets, 14 of those balanced budgets were NDP balanced budgets, and there were 16 straight credit upgrades. And we're waiting with bated breath to see what kind of credit upgrades the members opposite can manage.

The Deputy Speaker: — Order. I call everybody to order.

Ms. Atkinson: — So, Mr. Speaker, we are indeed proud of the work we did. And we find it quite hypocritical that tonight we are debating a Bill that replaces the Fiscal Stabilization Fund, a fund that the members opposite called phony. They found it baloney. They called it a slush fund. They called it voodoo economics. They called it fudge-it budget. They . . . Oh he said they had no money.

Well, Mr. Speaker, I think it had. I think when they took office, we left them with \$2 billion in the bank at the Crown Investments Corporation and in the Fiscal Stabilization Fund. And they can spin it any way they want, but the facts of the matter are we left them with \$1.2 billion in the Fiscal Stabilization Fund, and, Mr. Speaker, and, Mr. Speaker, a pile of money over at CIC [Crown Investments Corporation of Saskatchewan]. And we'll be watching to see what they do with it. We will be watching to see what they do with it because we really know where they came from.

We know where they came from. We know their history, and we'll be seeing in the next couple of years whether or not they use the Fiscal Stabilization Fund, or I guess it's called The Saskatchewan Growth and Financial Security Act, to balance their budget because thus far, Mr. Speaker, in this budget they used, they used money from the Fiscal Stabilization Fund to balance their budget, and they called it a balanced budget, Mr. Speaker. So hypocrisy reigns supreme from members of the Sask Party. They say one thing before the election. They say another thing during the election, and they do something quite differently once they're elected.

The Deputy Speaker: — I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Yates: — I am extremely pleased to stand tonight and enter into this debate, Mr. Speaker. Mr. Speaker, I want to start by saying that this piece of legislation is very much an important piece of our province's history, and I'm going to talk about why it's an important piece of our province's history in the next few minutes, Mr. Speaker. But, Mr. Speaker, I want to start by talking about a book that is compulsory reading in

about grade 8 or 9 called a *Brave New World* by Adolf Huxley.

Many of you probably read it. Maybe some of you had a chance to read it two or three times. The member from Cannington knows the name well. He had a chance to read it several times as he repeated grade 9. But, Mr. Speaker, it's a very important Bill. And the book talks about a brave new world where everything should change and everything is going to change, right, Mr. Speaker? But do you know what happens, Mr. Speaker? In the real world not much changed.

And in the *Brave New World* that was written by Aldous Huxley, not a whole lot changed either, Mr. Speaker. So what happened on November 7, 2007? We had an election. We had an opposition who when they were in opposition said oh, we didn't need a Fiscal Stabilization Fund. We didn't need any of that type of phony-baloney, you know, balancing fund, Mr. Speaker. We just, they would do away with it all. We didn't need any of that phony-baloney stuff and they called it a phony-baloney fund.

[23:00]

Well do you know what we find out after November 7, 2007? The Finance minister eats a lot of baloney sandwiches is what we found out, Mr. Speaker, because his phony-baloney fund that he kept referring to when he was in opposition, he bought it hook, line, and sinker, Mr. Speaker.

And in fact, it was really kind of ironic to see the first budget being brought down, Mr. Speaker, and in particular when he introduced this piece of legislation. Because for all the things they made fun of in the Fiscal Stabilization Fund, Mr. Speaker, all the things they made fun of, time and time again, they made fun of it — they said it wasn't necessary, they'd never have it, they'd do away with it — and what's the first, what's the first piece of . . .

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

Mr. Weekes: — Point of order.

The Deputy Speaker: — Proceed with your point of order.

Mr. Weekes: — Thank you, Mr. Deputy Speaker. The member, I believe, was making reference to the eating habits of a member on the opposite side of the House. And I think that's inappropriate and I would like him to withdraw and apologize.

The Deputy Speaker: — Well I will remind the members that eating of food is not permissible in the Chamber. I will just remind members not to make personal remarks about the other members and to carry on with the debate. I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker. I've heard of lame ducks before, but that was one, Mr. Speaker.

Mr. Speaker, as I was saying before, we had every comment you could imagine by the members opposite why this fund wasn't needed, why it was so unimportant. They called it a phony-baloney fund. They called it many different names, Mr. Speaker. And the reality was, what's the first piece of

legislation they introduced?

The very first Bill, Mr. Speaker, is An Act respecting Saskatchewan's Growth and Financial Security and repealing certain Acts, Mr. Speaker. And what's its primary purpose, Mr. Speaker? To put in place or keep in place the same fund with a different name, Mr. Speaker.

Now, Mr. Speaker, if that is not hypocrisy, I don't know what is, Mr. Speaker. To say that they don't need it, they don't want it, and shouldn't have it and then the very first Bill they put in place, Mr. Speaker — the very first Bill — is a Bill establishing that fund with a new name. And they think they've created a brave new world, Mr. Speaker. Well I don't know who they think they've fooled.

Now, Mr. Speaker, they talk about it's got money in it. Well who do they think they're kidding? There was money in the old fund too. If they didn't know that, Mr. Speaker, what'd they do for the number of years they were in opposition they couldn't figure that one out, Mr. Speaker?

Now, Mr. Speaker, and then what's the second thing we hear from them very, very early after they form government? We heard about the stark condition of the province's finances, Mr. Speaker, when they're sitting on \$1.2 billion that we left them, Mr. Speaker, and a surplus that was continuing to grow, a surplus that was continuing to grow, Mr. Speaker.

You know, Mr. Speaker, it's the irony of those types of statements being made by the members opposite. And how even the media reacted was amazing, Mr. Speaker. They were left with more money than they know what to do with. They're sitting on a mountain of money left to them, Mr. Speaker. They say they don't need a Fiscal Stabilization Fund, and the first thing they do is put one in place. Now, Mr. Speaker, that doesn't do much for their credibility.

Mr. Speaker, then what do we hear on budget day? After hearing year after year after year after year that we never had a balanced budget, we never had one single balanced budget — I heard that every single year I've been elected in this House — then what do I hear in the Finance minister's budget speech? What do I hear right off the bat, Mr. Speaker? I hear that this is the 15th balanced budget, consecutive balanced budget.

Well, Mr. Speaker, you can't have it both ways. You can't say for eight years that I've been in this House, Mr. Speaker . . . I can't hear it for eight years that there's never been a balanced budget, and then all of a sudden when they're the government, there's been 15 consecutive balanced budgets. And now the members opposite say now they're the government they can say whatever they want, Mr. Speaker. Well who do they think they're fooling out there?

Mr. Speaker, this is one of the most political provinces in the whole Dominion of Canada. People pay attention out there. They know you can't say for eight, nine years that you never had a balanced budget and then claim 15 in a row. Mr. Speaker, it doesn't add up.

Now I don't know who's running the outfit over there, but first off they didn't want a Fiscal Stabilization Fund. Then they said

they never had a balanced budget. And I hear the leader of the opposition when he was in opposition, he went on at random about how we never had a balanced budget. And then all of a sudden when they're the government, they've got 15 balanced budgets.

Now, Mr. Speaker, that's just a start. These guys, Mr. Speaker — the opposition then, the government now — how can they have any credibility in these types of financial issues, Mr. Speaker? They won't even acknowledge that we had 16 consecutive credit rating upgrades, Mr. Speaker. No, that didn't occur. Well, Mr. Speaker, we don't give them to ourselves. Those are done by bond rating agencies, done by Standard & Poor's and others who examine the books of the province and look at how well the province is doing, Mr. Speaker.

We got 16 consecutive upgrades. That's incredible. Mr. Speaker, our ratings went from, you know, incredibly low to being among the best in the country. Mr. Speaker, over the same period of time our debt-to-GDP ratio went from about 70 per cent down to about 14 per cent, Mr. Speaker. Incredible progress.

But I hear from the members opposite day after day that nothing happened in the 16 years we were government, Mr. Speaker, yet today about six months into their government, they haven't changed anything to do with the oil royalties. So what we did must have worked, right?

They haven't changed many things, Mr. Speaker. They're continuing to follow up with exactly what we did, Mr. Speaker. There's no major change in economic policy.

Mind you they did put forward this new idea of the starship *Enterprise*, Mr. Speaker, where the minister responsible picked them by saying, beam me up, Lyle. You know, all you have to do to get up to the starship *Enterprise* is say, beam me up, Lyle, and up you go, Mr. Speaker. But it doesn't seem to be doing a whole lot yet, Mr. Speaker. It's not even in place yet and operating. Nothing's changed.

So how did we go from a situation where nothing happened in 16 years to billions of dollars, literally billions of dollars in surplus, Mr. Speaker? How does that happen if the previous government did nothing? How did that happen, Mr. Speaker?

Now, Mr. Speaker, in *The Globe and Mail* today it said basically, to summarize it, that this new government has just continued with the NDP's plans. They continue with the NDP's agenda, and things are working relatively well.

Well we'd like to let them know that we're happy they're carrying on with our agenda and things are working relatively well. It's going real well, Mr. Speaker, because so far in this first quarter of this year we're already up about \$78 million over what we expected in revenue due to land sales. And we should all be happy about that. The province is doing well.

But, Mr. Speaker, things don't change overnight. And, Mr. Speaker, it would be nice if the members opposite would acknowledge once in a while that what they believed when they were in opposition isn't necessarily what they believe today when they're in government, because the way you view the

world in opposition is to oppose everything, they think, I guess, Mr. Speaker, and then when they become government to just follow along with the plans that were in place from the previous government. Makes sense if things are working. We thank you for acknowledging that things are working well, Mr. Speaker.

Now, Mr. Speaker, today we have a \$1.3 billion Fiscal Stabilization Fund. I'd still like to call it that. You like to call it Financial Stability Fund. Same thing. But we have a \$1.3 billion fund and it's growing. It's growing every day, Mr. Speaker, because this province is doing very well. Oil is now at about \$1.05, \$1.09 a barrel — somewhere between \$1.05 and \$1.09 a barrel. It's fluctuating each day. We booked there at about \$80 a barrel, Mr. Speaker, so every day we're making more money and that's good. That's good for the province, it's good for the residents, and I'm glad that we're doing that. And we should all be glad. This is our province; this is our home, and we want to have the best possible environment for our children that we can, Mr. Speaker.

But it's growing. And what did the average citizen get in the cities and towns and communities of our province, Mr. Speaker? They got about a \$27 property tax rebate. We call it the pizza rebate, Mr. Speaker. Pizza rebate, Mr. Speaker. So the average urban taxpayer, whether it be in the hamlets, villages, towns, cities of Saskatchewan, got about \$27, Mr. Speaker — \$27 when we're sitting on over \$1.3 billion.

And you know what you got if you rented, Mr. Speaker? Do you know what you got if you rented? You got nothing, same time your rents are going up, Mr. Speaker, dramatically. Dramatically rents are going up particularly in the cities of Regina and Saskatoon, Lloydminster, and some of our other communities — Estevan, Mr. Speaker. We got \$27 as an urban dweller, Mr. Speaker, if we owned our home. And if you were renting, you got nothing.

Now, Mr. Speaker, I remember when we gave a rebate back on the utilities back a number of years ago and the member from Canora-Pelly, when we gave a \$30 rebate — a \$40 rebate, pardon me — called it a pizza rebate. He made fun of the rebate saying it wouldn't even buy him a pizza and it was 40 bucks. Well we got \$27 about four years later so, Mr. Speaker, we got half a pizza. Half a pizza. We didn't even get a full pizza. Prices went up. Prices went up and we got about half a pizza for all our efforts, Mr. Speaker. When we're sitting at \$1.3 billion, we got half a pizza. Now I don't know — a half a pizza when you're sitting at \$1.3 billion, Mr. Speaker.

There's one other significant aspect of this Bill . . . [inaudible interjection] . . . Mr. Speaker, well, Mr. Speaker, they're saying, what do we give them? Well what we proposed in the election, Mr. Speaker, was a 30 per cent reduction in property tax and that would apply to renters as well — everybody, everybody, everybody, Mr. Speaker. Now, Mr. Speaker, when we had the opportunity we put 10 per cent in in one year — 10 per cent one year, Mr. Speaker. The members opposite gave 2 per cent. We put 10 in, they put 2, Mr. Speaker, so it moved from 10 per cent to 12 per cent, \$27 the average urban dweller, Mr. Speaker, so half a pizza.

Now, Mr. Speaker, there are one or two aspects of this Bill I think I need to in my next few minutes — if the member from

Kindersley would let me have the floor — I'd like to talk about, Mr. Speaker. One of the major things is that this Bill significantly changes how you can utilize the funds from the sale of Crown assets, Mr. Speaker.

Well, Mr. Speaker, previously the revenue from the sale of Crown assets had to go against the debt, Mr. Speaker, or go back into reinvestment in the Crown Investments Corporation, Mr. Speaker. Today they've changed it so they in fact can utilize that money in the General Revenue Fund. And if they hadn't used that in the General Revenue Fund this year, Mr. Speaker, they wouldn't have a balanced budget.

Of course they could have simply taken more from the Fiscal Stabilization Fund, which is what the fund is there for, is to balance the budget in times when the revenue doesn't actually cover it. Or, Mr. Speaker, they could have known like they should have known that oil is going to produce significantly more revenue than what was projected at \$80 a barrel. So, Mr. Speaker, they're going to have the revenue to balance the budget, Mr. Speaker.

But what they need to do, Mr. Speaker, is consider what the people of Saskatchewan got out of this budget, the people who ultimately own every penny of money the government has, which are the taxpayers of Saskatchewan. Governments have no money that don't belong to the taxpayers of Saskatchewan, Mr. Speaker. Mr. Speaker, the taxpayers own that \$1.3 billion and they could use a little bit of it, a little bit more than half a pizza, Mr. Speaker.

Now, Mr. Speaker, I want to deal now specifically with this Bill, the Bill that they said we didn't need, the fund they said we didn't need, the fund they said they wouldn't have, Mr. Speaker. We now have it. And you know, it had money in it when it was called the Fiscal Stabilization Fund. It had money in it when it was the Fiscal Stabilization Fund, Mr. Speaker. And now it's got money as the new, the new Saskatchewan growth and financial security Act, Mr. Speaker.

Now, Mr. Speaker, we've entered into a brave new world, a brave new world when you claim something's different when it's the same, Mr. Speaker. It's . . . [inaudible interjection] . . . I hear, we're government; you're not. So you can claim anything's what it is, whether it isn't or not. That doesn't add up to many people, Mr. Speaker.

So, Mr. Speaker, I just want to tell the members opposite — if they'd just give me a minute — it's okay to admit you made a mistake. All right. It's okay to have made a mistake and admit it.

The need for a Fiscal Stabilization Fund is recognized because of volatility in resource revenues, and they can fluctuate quite significantly. That's been the purpose for many years. We're glad that you finally see the light. We're glad that as you move forward in this brave new world where you're the government that you actually see the world as it is. Mr. Speaker, we're glad that . . .

The Deputy Speaker: — I think there will be many hours of debate in the next few days. I think everybody will get a chance. I would like to hear the member that's on his feet right

now. I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker. As we're getting to the wee small hours of the end of this day, Mr. Speaker, I'd like to just talk about, it is okay to admit you made a mistake. It is okay to put something in place you said you wouldn't do. But just for Pete's sake, own up to it. Say we were wrong. We learned something. We know we need this now, Mr. Speaker. Now, Mr. Speaker, that's pretty simple. It's a pretty simple concept. We all make mistakes. We've all made mistakes. The real challenge is whether you'll own up to it or not, Mr. Speaker.

[23:15]

So they made a mistake. They said they'd never have this Bill. Now we have it, Mr. Speaker. We will acknowledge that it's good legislation, Mr. Speaker. We'll acknowledge it does what it should do. It gives us that stability across the many years as you look at balancing off the resource revenue, the volatility in resource revenue, Mr. Speaker.

But, Mr. Speaker, it's the same fund as it was before, Mr. Speaker. The reality is it's the same fund. And those members who are saying, except there's money in it, Mr. Speaker, obviously didn't understand what there was there before because there was money in it too, Mr. Speaker. And nobody can deny that that was elected previously, Mr. Speaker. They know there was money in it. So to say that there wasn't money in it . . . The member from Moose Jaw North, who said there wasn't money in it, wasn't elected before. I don't know who gave him the bad advice or the bad information, but I want to assure the member if he goes back and looks at the previous records, there was money in it. There was money in it, and your veteran members like your Finance minister would have to admit that. Your member of Government Services, he wouldn't deny that that there was money in it, Mr. Speaker.

So, Mr. Speaker, we have the same fund. We got it renamed. So why would we ever be against a fund we put in place, Mr. Speaker? We wouldn't, obviously. We would support such a fund, Mr. Speaker. It makes sense to support what we did, Mr. Speaker. But to think that you can simply change the name and people are going to view it any differently, Mr. Speaker, I don't know, Mr. Speaker, that's irony or hypocrisy. It's many different things, Mr. Speaker, none of which the public is going to buy.

So, Mr. Speaker, this is basically a decent piece of legislation. It does what's always been in place. It's unfortunate though that with the government sitting on more than \$1.3 billion in the bank, growing every day, as we say about \$78 million in the first few days of this month thanks to the land sales for oil and natural gas exploration production, Mr. Speaker. We . . . [inaudible interjection] . . . 73? Well the minister corrected me and said, 73. I appreciate it, Mr. Minister. I appreciate you updating me, and it's actually 73 million. That's good for the province. We're happy, and we should all be happy about that.

And as the situation gets better, I'm hoping that they'll take some of that revenue and accelerate their property tax rebate, Mr. Speaker, because the citizens of our cities and towns have a need right now. With the situation we're facing with significant

property tax increases in our urban areas, Mr. Speaker, and across the province, 2 per cent and \$27 doesn't cut it. Two per cent doesn't cut it.

So we have the Minister of Energy and Resources saying they're going to accelerate the property tax. Mr. Minister, Mr. Minister if you would tell us how you're going to accelerate it, we'd appreciate if you'd share that information with us. If you're going to accelerate the tax rebates, Mr. Speaker, we'd be very happy with that.

But, Mr. Speaker, this is a good piece of legislation. We do appreciate that, Mr. Speaker, that you're moving forward with this legislation. It's good for the people of the province of Saskatchewan, and that's ultimately what we're all here for, is to serve the people of the province of Saskatchewan. New name or not, it does the same thing, Mr. Speaker. It does the exact same thing. It's a little ironic, Mr. Speaker, that we have to be sitting here talking about the same fund that's been in place for years, Mr. Speaker. But it's actually a little bit fun talking about this type of fund, Mr. Speaker, because the members opposite continued to deny its existence, its need, and in fact that there was money in it.

But at the end of the day, Mr. Speaker, how can we vote against what we put in place? Pretty difficult. My colleagues and I understand that we couldn't vote against this because we put it in place. So, Mr. Speaker, at the end of the day this is a good piece of legislation. It will accomplish a great deal for the province of Saskatchewan. But most importantly, Mr. Speaker, it'll continue with what we've done for the last number of years, Mr. Speaker. It will work to create that stability we need in volatile revenues, Mr. Speaker. It will allow us to move forward with balanced budgets in outer years of their volatility in revenues, Mr. Speaker. It's a tremendous piece of legislation.

And, Mr. Speaker, with that I just want to say to the members, thank you for taking our advice, moving forward with our legislation, keeping it in place. We appreciate that. The people of Saskatchewan appreciate it. It's good. Your brave new world is just the old world repeated. But, Mr. Speaker, that's all right. Sometimes it's okay to make a mistake. It would be nice if they would once in a while admit it. And with that, Mr. Speaker, I'm going to take my chair. Several of my colleagues would like to have the opportunity to share a few minutes of their ideas with you.

Some Hon. Members: — Hear, hear!

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

Mr. Nilson: — So I thank you, Mr. Deputy Speaker. Well given the hour that we're at, and I know it's prime time for many people who are watching news this evening, so they may not want to come and watch this channel. But I think what we should do, Mr. Deputy Speaker, is go to a bit of a quiz show format and see what we can figure out here as we go this evening. What I'm going to do, Mr. Deputy Speaker, and I'll ask the home audiences to get out their paper with a pencil, and they can see how many of these quotes they can get, see if they can get them right.

So first off, this is a quote, and let's see if we can guess who, who made this statement: "... fundamentally, there is very little difference" between the Fiscal Stabilization Fund and the Sask Party plan. Anybody know who said that? Well let's, let's ... Anybody in the crowd here? Well the answer to that one is on December 14, 2007, that was said by the member from Melfort, the Finance minister.

So let's go for another one here. Let's, let's try another one. Now let's see who can guess who said this:

They are now running a \$478 million deficit but they try to hide it under the Fiscal Stabilization Fund which is really a false bookkeeping procedure ... We have met with the various banks in Canada, we have talked to the auditor, and they all agree that the Fiscal Stabilization Fund does not exist.

Now could anybody tell me who said that? I'm hearing some suggestions, but they're all quite, quite far from the answer. I know that ... no? This was made, this comment was made on March 21, 2002, by the member from Biggar. Now unfortunately ... [inaudible interjection] ... That was a comment made six years ago by the member from Biggar.

Now let's try another one. Okay. This is, this is one:

... [the] Fiscal Stabilization Fund ... was a ... shell game that had nothing under it, Mr. Speaker. When they lifted the shell up there was nothing there.

So who said that? Well we're getting a lot of suggestions, but I haven't heard one that's even close yet. That comment was made on March 25, 2002, by the member from Indian Head-Milestone who is now the Minister of Health.

So well we've got another one, Mr. Speaker, how about, let's see if anybody can guess who made this comment: "I won't support this budget because it relies on the Fiscal Stabilization Fund."

The Speaker: — Order. I think it's either getting a little late or everyone's just waking up. But I would suggest it'd be better if we didn't involve the other members in the debate, and we might keep, maintain the decorum of the House. I recognize the member from Regina Lakeview.

Mr. Nilson: — Thank you, Mr. Speaker. No, I'll continue with this because my real participatory audience is the audience at home, and so they I know they're very curious to hear all these quotations.

So who said this:

I won't support this budget because it relies on the Fiscal Stabilization Fund, which most people now realize has no money it, and coincidentally never has had any money in it ...

... [how can you] transfer money from a fund that doesn't really have any money to balance a budget that really isn't in a deficit ... the Minister of Finance admitted, technically speaking, in a cash balance scenario, we're in a

deficit.

This is a paper fund.

So who made that statement? Well that statement was made by the member from Cypress Hills who's now the Minister of Transportation. That was made on April 4, 2002.

Now here's one, I think people might get this one. This is another quote:

If they took that money instead of putting it into the phony baloney Fiscal Stabilization Fund ...

The fiscal stabilization phony-baloney NDP slush fund. ...

But the phony-baloney Fiscal Stabilization Fund is not going to help anybody.

So who made that statement ... [inaudible interjection] ... No, that was made by the member from Silver Springs on November 21, 2005.

So I'll give you another quotation that I think will ... let's see if anybody can guess who said this? Quote:

The government likes to call this the Fiscal Stabilization Fund. Actually probably a better name for it is the fancy slush fund because the government claims it's going to use this money to maintain its balances in the budget. That means they're going to park the money there for a period of time until they believe they need it within the Consolidated Fund to balance the books ...

What is actually in the Fiscal Stabilization Fund or the fancy slush fund is a little note, Mr. Speaker, signed in crayon by the Minister of Finance that I owe me money ...

They're shuffling money off into their fancy slush fund ... But there's no money there; they've spent it.

And so when they're claiming they use it to stabilize their fiscal resources of this province, what they're doing is trying to stabilize the political resources of the ... [province].

Now it's quite a long quote, but I wanted to make sure I got the full flavour of it to see if anybody could guess who said that. That was said by the member from Cannington on May 26 in 2000. And I think the key point there is that he calls this an IOU signed in crayon by the Minister of Finance to himself that says, I owe me money.

Now, Mr. Speaker, I think that the reference back to the member from Melfort, the Minister of Finance where he says, fundamentally there's very little difference between the Fiscal Stabilization Fund and the Sask Party plan that's coming forward. And he just said that a few months ago. I think there's a reflection here that some of the comments that have been made over a number of years by many of the members who are now on that side are, I guess, the height of hyperbole around a

fund that actually has a use and is an appropriate way to deal with the finances in Saskatchewan.

Mr. Speaker, this particular Bill was a surprise to us because it was an affirmation of how the accounts had been prepared by the Government of Saskatchewan over the last 16 years. And, Mr. Speaker, we appreciate the praise and the imitation that the members opposite have brought forward in this particular budget because we know that it reflects a great deal of respect for the work that our Finance ministers have done over quite a number of years.

It's the same kind of respect that the bond rating agencies have had for the province as we have dealt with the problems of the '80s and early '90s. And when we get 16 credit rating upgrades by the bond rating agencies, what that reflects is the fact that we have worked very diligently as a government, but also as all of the people in the province working together to make sure that the finances of the province are in order.

So when the government brings forth Bill No. 1 — which goes contrary to a lot of the very strange comments that I've just quoted here — we want to say that, I guess, thank you for recognizing that the way that the books have been organized in this province over the last number of years reflect the volatile resource revenues that we have in this province, but they also set out a plan that allows for the government to actually do the kind of work that's necessary in this particular province.

And so when the members look at the things that they said before and they convey those same comments to their Finance Minister, I think they need to reflect back on the kind of position that they were in three, four, five years ago, and recognize that once you actually have the information as to how the financial workings of this province go ahead that you will support the plans that have been set out for the province.

[23:30]

Now the important thing, Mr. Speaker, is that there is a lot of cash right now in this fund. And some of the choices that have been made have not been made in an appropriate way to deal with the response of people in the province. And I think it's especially difficult by some of the choices made by the members opposite as it relates to situations like Station 20 in Saskatoon or some of the housing issues or, more importantly, what's happened with the municipal taxation issues. Because many of the people in the province who had high hopes for many of the things that could happen with this economy are holding judgment. They're stepping back and saying, well I don't think what these people set forward in their election plans are the kinds of things that are informing what they're doing.

But one of the ways that we were able to continue to balance and deal with the books of the province was to use the Fiscal Stabilization Fund. And on that basis, I know that all of us are appreciative that this is an area where they've listened. Now practically I say that, also encouraging them to, as a government, to listen in a number of other areas. And they will see that the way things that we set out were managed is a way that actually will be of benefit for the people of the province.

So, Mr. Speaker, I am pleased that they have brought forward

this type of legislation. I just hope that they use it in an appropriate way so that the people of the province will benefit. Thank you.

The Speaker: — I recognize the member from Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. I want to join in the debate as well in reference to the Bill, The Growth and Financial Security Act Bill. And you heard from my colleague that some of the hypocrisy over the last several years about the whole notion behind having this fund put in place and having it there as a — I use the phrase — buffer fund in times of less money coming into the provincial coffers and being able to balance the budgets and being able to sustain some of the gyrating sources of income that the province has, whether it's oil or gas and from some of the agricultural commodities that sometimes do have their ups and downs. And these switches, if you will, are fairly dramatic, so I think the overall thought process behind creating such a fund to buffer Saskatchewan people and of course the programs and support services that they expect from their province, there's a lot of thought and merit to that school of thinking.

But I want to point out, Mr. Speaker, suppose I was a backbencher over there. And suppose I wanted to make a big difference for the people that sent me to Regina and said go forward and make a difference for whether it's Lloydminster or Meadow Lake or Carrot River or whatever the case may be. And we want a new government. We want a change. That was the general mode of thinking.

But when the people sent the representatives of the Saskatchewan Party here, they wanted to see some exciting times. They wanted to see some great new property tax relief — not three years from now when it's politically appropriate to do that. Because that's what the senior guys over there are telling the backbenchers and those that didn't make the cut to cabinet. Be patient because the first year we'll go through all the bad stuff. We'll do exactly what the NDP has said they're all about. We'll do exactly what they're doing because what your reward will be is three years from now we'll announce a PST cut. We'll pave a bunch of roads. We'll do a bunch of property tax relief, and you guys will get elected again in the Lloydminsters or the Meadow Lake or the Carrot River.

And so the handlers over there are telling all these young people or these people that have been sent here on a mission, hold your philosophy, hold your thoughts, and hold all the ambitions that you had, and we're going to simply stay the course and follow what the NDP have put in place for Saskatchewan until it's appropriate for us to make a change and that's usually going to happen in year 3 or year 4 of our term.

So these poor backbenchers are sitting back there and everything that our new government is doing is what the NDP put in place already. And even this fiscal fund that they're talking about, well that's exactly what we said we wouldn't do. So the backbenchers over there are being stifled, Mr. Speaker. They're being stifled so when they go back to their appropriate places people are asking them, okay we need some agricultural programs in place here. We really need some help here, and we need help now. Whether it's the pork producers needing help, Mr. Speaker, or whether it's property tax relief, we don't need it

in four years. We need it now because you guys have the money; you have the money now.

And what are these guys going to say, because, when we were in opposition, the Sask Party used to say, that Fiscal Stabilization funding, the people need the money now. The people need the money now. And what you're doing is actually what the NDP have been doing for years. They've been putting that money away to buffer Saskatchewan over the tough times that we sometimes go through as a province, Mr. Speaker.

Now what are those backbenchers going to tell their people that elected them? You're doing exactly what the NDP have done. They're putting money into a Fiscal Stabilization Fund. You're boring. You're unexciting, and you're not taking our fight forward. You're not taking our fight forward. And how could you justify all the cuts that you're going to be cutting and all the programs you're not going to be funding? Well isn't that part of being a new exciting government is to do things right off the hop and make things happen? Didn't we send you to Regina to make this big difference for us and Lloydminster or Meadow Lake? And never mind the pie in the sky stuff. We need programs in progress right now.

But the handlers over there — we're not sure if they're liberals or conservatives, Mr. Speaker — the handlers over there are telling the entire backbench, no we're going to do this, and you guys are going to be part of this scene. And if you ever think you're going to ever make cabinet, you're going to listen to what we tell you; otherwise you guys will be gone from your seat within the next couple years, and we'll find somebody else that'll follow this path laid out for you.

Well I point out to the backbenchers over there that what you're doing here is you're, quite frankly, going back on your word when you said you wouldn't be doing some of these things before the election, and that's exactly what you're doing now that the election is over. Don't you think that's going to have a price to pay, when you look at some of the things that you said you wouldn't do and then you end up doing the moment you're elected?

And these poor backbenchers, they got to follow the directive. They got to follow the marching orders. Well, Mr. Speaker, the marching orders is what . . . [inaudible] . . . they're going to have a tough time explaining to their people back home — why certain roads can't be done, why certain programs can't be put in place, why certain programs have to be cut when you have \$1.3 billion in the bank. When the economy's booming, why would you would make these cuts? Why would you have to do these things in this way in this year? Why? Why?

So if there are backbenchers over there that had any, any backbone, they'd start out asking, why are we doing the things that we fought against during the election that were all NDP? And we said to people, we're not going to be like that. We're not going to put money away when people have needs. We're not going to put money away in the Fiscal Stabilization Fund and claim we have all these balanced budgets. We're not going to do things like that. We're going to invest in education and health care and agriculture. We're going to do that.

But what happened to that argument? What happened to that

argument? All of a sudden it's very quiet over there, Mr. Speaker. It's very quiet, but guess what? We're going to put this Fiscal Stabilization Fund in place. And all the ambitions that the backbench had, all the ideals, Mr. Speaker, all the plans that they had, they all of a sudden are muted. They're muted because the agenda has been set. And you have to ask the question, who's in charge over there? Is it the people or is it the handlers of the Saskatchewan Party, Mr. Speaker?

Now quite frankly from our perspective, we know what's going to happen. They're going to put money in this Fiscal Stabilization Fund. We can complain about it all day and night here, but they're going to do exactly what we were doing — putting money away for the Fiscal Stabilization Fund to buffer Saskatchewan. By the same token, what they're going to do is tell their backbenchers and the people wanting to see things happen, be patient because this is a three- or four-year process. We'll do things for you guys, but in the meantime this is the plan laid out to you, and you have no choice but to accept that plan.

And one of the things that I think is very, very important, Mr. Deputy Speaker — very important — is that if you want to have success in political life, then you've got to acknowledge people, and you've got to share with people your vision, and then you give these people hope. I heard that quote one day, and that's so very true. And how you give people hope is you don't wait for a political agenda. You get things done right now, right off the start when you've got a fresh start.

So what I feel really bad for, Mr. Speaker, is . . . The electoral success that they enjoyed — fine, we'll give them that. We're given a time-out as a party, and we'll accept, as our leader has said, we'll accept that mandate and that responsibility. And we probably will accept that mandate and responsibility. But what I feel awfully terrible about, Mr. Speaker, is what the opposition over there has to go through and the marching orders the backbench has, to say this is what we're going to do and you guys are going to follow that path. You can park all your ambitions. You park all your plans. You park all your projects because we've got a better deal for you.

And, Mr. Speaker, everything they fought against during the election, and I know the entire backbench fought against that. They fought against everything the NDP represented, including our Fiscal Stabilization Fund plan. And now today they're doing exactly what they said they would not do, Mr. Speaker. They're doing exactly what they said they would not do.

So I ask the backbenchers, where in your presentation to the public, where in your discussion with the voters and the people out there that thought maybe this guy or this lady can bring forward our arguments, and maybe we can get that excitement going . . . What happens? They come to Regina and it's the same old same old. You'll simply park your ambitions, park any kind of idealism that you had, or any project that you had in place. You're going to follow the main agenda set forward by 3 or 4 or 7 or 8 select people. And guess what, Mr. Speaker? Not only does hypocrisy reign over there, but they're now quelling any kind of exciting opportunity that any backbencher may have over there. And how in the world, how in the world can they now stand up and park their ambitions aside, saying no, I'm not going to do this for a certain area that I represent; I'm

now part of this team that has everything all figured out for me.

And when you do that, when you do that, when you park your ambition, all of a sudden what you're doing is you're destroying democracy, destroying democracy for people that are handling the ambitions and opportunity for your region. And I believe that's the worst thing that any new person coming to this particular place or coming with a particular party in mind could do to their own people, Mr. Speaker. So not only are they parking their ambitions; they are now supporting something that they said they would never do during the campaign.

They said they would never do this, and they argued till they're blue in the face. And today now what's happening, Mr. Speaker, is they're doing exactly what the NDP had done. They have put a Fiscal Stabilization Fund in place under a different name. So I'll point out, Mr. Speaker, that no matter what happens, no matter what happens on that end, I look across the way, I see a bunch of people that are disappeared in the back room, in the back benches. They did not come here for this, Mr. Speaker. They came here to make sure they made a significant difference. And what happens? These seven or eight people tell them what's going to happen over the next two years, and they follow along like little sheep. Like little sheep.

And all the arguments they made, individual arguments, because if you're going to be an MLA, then you got individual issues, you got individual projects, you got individual ambition to make sure you're able to represent your area well, professionally, and with dedication. And what happens? You come to Regina. All of a sudden here's your marching orders. You're told what to do. And to add on to that, Mr. Speaker, what happens? They come along and they tell people, well we're not going to do that any more; we're going to do what the NDP done. That's the second whammy they get.

So not only are they parking their ambitions for their people, they're going to follow the things they said they wouldn't do before they were elected. So, Mr. Speaker, I think one of the things that people ought to know is that not only are you quelling your ambitions and really parking your promise. What's happening now is you're now compromising what your beliefs were when you first joined this effort to be a part of the political process and hopefully be part of political change, Mr. Speaker.

[23:45]

But for the backbenchers over there, that's not going to fly, Mr. Speaker. It ain't going to fly because no matter what happens — look across the way — and I don't care if the entire bench over there said anything negative about the Fiscal Stabilization Fund. They've said it all ten thousand times and I couldn't care less what they said two years ago.

But I'll say today the people of Saskatchewan won't be fooled because what they've said is they wouldn't do this. The point is they are doing it today, and that's the fundamental message with the Fiscal Stabilization Fund under a new name that they have put forward, Mr. Speaker. So quite frankly I don't care what they said in the past. It's not the issue, and I'll point it out again. It's not the issue.

The issue is they said they wouldn't do this, and today they are doing it. And how are they doing it, Mr. Speaker? They're doing it at the expense of their backbench. They're doing that at the expense of some programs that are out there, and they're doing it at the expense of democracy and at the expense of the people that expected something better — something dynamic, Mr. Speaker — and they never got it.

So it goes back to our point is that they compromised their beliefs and they went totally against the grain of what their people wanted. So now they're sitting there and talking to these guys and they're told — and we know this as well, Mr. Speaker, we know this as well, Mr. Speaker, that they've been told — look you guys, hang tough. The economy's going really well. Oil and gas prices are high. You know, we have all this money coming in. Within two or three years, you know what we'll do? We'll start giving the municipalities more money. We'll give them property tax relief. Maybe we'll redraw a few electoral boundaries. Maybe we'll pave a few streets. Maybe we'll knock down the PST [provincial sales tax]. We'll do all these wonderful things. And guess what? You guys get elected again.

That's what their strategy is. But you know what, Mr. Speaker? That doesn't work because we know what their interests are. We know what their plan is. It's very plain as to what they want to do. And over here we see what is happening. But today, today I ask the backbenchers over there, the backbenchers themselves, what program did you park? What principle did you sit on? And what ambition are you now stifling because all of a sudden you're told, this is the plan; we're going to do this and that's it. And you're going to sit there for the next four years, hopefully make cabinet.

In the meantime, you're not dynamic. You're not having the effect and impact that people sent you here to Regina to have, Mr. Speaker. And not only that, Mr. Speaker, to add insult to injury, you are now going to do exactly what you said you wouldn't do and that's mimic what the NDP have done to the Fiscal Stabilization Fund. That's what you're going to do. That's what you're going to do.

So you're parking your ambitions and you're following what the NDP done and that's the worst thing you can do for voters, despite the fact that you said you wouldn't do this and you did it.

So, Mr. Speaker, I quite frankly know in opposition we can promise a lot of things and we'll certainly make sure we deliver if we're ever government.

But over there right now, the decay on government begins the day your backbenchers are told to park your promises and park your ambitions and park your desire and your idealism. Because today you're part of a team and here's the marching orders, here's the plan. And not only is this a plan that doesn't recognize you, it's a plan that the NDP put in place. So you've got a double whammy, Mr. Speaker.

And that's why I say, I say to the people today, whether it's the Hudson Bay area or whether it's the P.A. [Prince Albert] pulp mill or whether it's essential services, whatever the case may be, the people of Saskatchewan really wanted some change. They are going to experiment with these guys. And, Mr.

Speaker, once again, they have not failed to prove in spades that they're not capable of governing. All they're going to be is simply the same old, tired selves in the sense that we'll follow our lead from other parties because we don't know how to govern ourselves.

So, Mr. Speaker, that old phrase, imitation is the sincerest form of flattery, what's happening now is that, because they have lost their way, Mr. Speaker, because they've lost their way they're going to simply park their ambitions as I said and take the tried-and-true and the safe method of following what the NDP would have done. That's what they're saying to themselves.

And over there across the way, I know a lot of them have views on the Crowns, views on private health care, views on a number of other issues, Mr. Speaker. But right now, they're quelling, they're zipping their lips because they don't want to make any statement that could cost them the next election. So we on this side know that the pressure's on them. And if they don't deal with their backbenchers, they're going to lose a lot of exciting people.

And you think you have this grand scheme and this grand strategy all figured out and instead you're saying you'll spend the next . . . In the next three years, we'll spend all this money, a PST cut maybe, maybe a big chunk of money going towards land taxes in the city. We'll do all these things and then we'll convince the voters to give a second term.

But where does that leave the backbenchers? What are they going to argue when they go back to their community? What have you done for a certain area? What have you done for a certain group of people? What have you done when you spoke to us earlier about what we want to do when you got to Regina? And the sad thing is, Mr. Speaker, they're going to have to say, well I'm sorry, I parked my ambition, I parked our plan for this region and I'm not part of a bigger team. And oh by the way, by the way, we set up this Fiscal Stabilization Fund just so we don't, we buffer Saskatchewan from all these bad times that might be coming.

Well, Mr. Speaker, the people of Saskatchewan are a lot more intelligent than that. They're a lot more intelligent than that. And that's why I say today when they moved this agenda forward, when they moved this agenda forward on this side we quietly said, Fiscal Stabilization Fund is probably good economics for us despite what those guys across the way have said. We're probably smart to do this.

However, Mr. Speaker, across the way, they cannot go back to their constituency, they cannot go back to their constituency and say, I'm about change, because they advocated change when they ran. And they come here, they're doing exactly what we think they ought to do and put their money in the Fiscal Stabilization Fund to buffer Saskatchewan for future problems that will occur, Mr. Speaker, when you have a dramatic shift in your income as a province.

Now I point out, Mr. Speaker, that the pressure is on them. The pressure is on them and I don't know how in the world that they are going to go back and explain to people that elected them, explain to people why they're defending now a Fiscal Stabilization Fund that they fought against and advocated

against. And more so the people that were here before them. I'm talking about the old guard over there. The ones that were here before them used to criticize this plan on a regular, consistent basis and you've heard all the quotes. And now the government is saying oh, oh, no, no, this is a good fund; this is something that we need to do.

So how now with all honesty and all vim and vigour can you go back and explain to the people that elected you, this is a good thing to do because all you can really, truly defend — all you can really, truly defend — is not the lack of program that you're not able to do now because you've been told what you can or can't do here, but really all you can defend is this is a good plan that may get us a second term. This is a plan that might give us a second term and we're going to do exactly what the NDP says.

We accused the NDP last time of buying the next election and that's exactly what they plan on doing, Mr. Speaker, to the fiscal stabilization Act, or so-called financial and growth and security Act. They're going to do exactly that. They're going to wait. They'll have the fund for the next two or three years, announce a bunch of property tax rebates, maybe a PST cut, maybe more paving, a wild variety of things they could offer. And that's it. That's all they can promise their backbench, Mr. Speaker, is a bunch of opportunity four years from now.

And after eight years, after eight years, Mr. Speaker, the backbench is going to look at themselves if they haven't made cabinet, or even if they've made cabinet — what have I accomplished? What have I accomplished? And that is why, Mr. Speaker, that is why they ought to stand up as a backbench and tell the front row guys: front row guys, you want us to be part of your team, you'd better be part of our team as well.

And if all we're doing is following what was laid out in front of us, what are we here for? What are we here for? Where is our democracy? Where is our fight? Where is our priority? Why aren't we doing things that I said I was going to do? And all the things that I was going to fight against, why are we now supporting, Mr. Speaker? So they're looking really bad out there.

So once again I point out that if they don't fight, if all they're going to do is simply follow and follow and follow, then they're doing a great disservice to not only their constituents that they promised things would happen for them, Mr. Speaker, but they're doing a great disservice to democracy because they said one thing when they're running and when they're in opposition, and they're doing exactly a different thing when they became government.

So, Mr. Speaker, no matter what happens out there, no matter what happens . . . If any one of those opposition members or any one of those government members, especially the backbench, how do you explain to your constituents why all of a sudden you're putting in a same fund that the NDP put in? How are you going to explain that? Are you going to use the usual lines that are given to you?

This is the lines you will use with media. This is the lines you will use when media calls you on this fund. This is what you'll do when they call you asking about a certain specific program

or a project.

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

Mr. Belanger: — Thank you very much, Mr. Speaker. And I look across the way, and I say there's a mosaic of parties over there, Mr. Speaker. There's western reformers; there's Conservatives; there's Liberals. There's a bunch of mix over there. And as I look across and I see the mosaic, I say to them, boy, you know, somebody's playing somebody over there because first of all you look at the Liberals, the Liberals in that . . . [inaudible] . . . they're given all the bad assignments. They're given all the bad assignments. We'll give that Liberal this file, we'll give another Liberal that file. And in the meantime, at the end of the day about the only party that'll survive over there is not going to be the backbench, it's not going to be the Liberals. It's going to be the Conservatives, Mr. Speaker. And that's why I point out today, why on earth would they be supporting that process, that process when clearly it doesn't have their interests in mind?

So to the backbenchers I say to you today, this is but one small example of how you're told you will park your ambitions, you will follow the lead, and at the end of the day what you do quite frankly is you quite frankly displace your entire constituency.

So why don't you get up and speak up and say, why are we putting in a Fiscal Stabilization Fund under a different name and then they're telling people they wouldn't do that. Why are we doing that? Why can't I have programs in Meadow Lake? Why can't I have programs in Carrot River? Why can't I have programs in Watrous? Why can't I have all these programs we spoke about during the election? And they'll be told no, no, no, we're putting the money away so we can buy the next election.

And the thing about it is it's no secret, Mr. Speaker. We know that's what they've got planned. It's no big secret. It's not a CIA [Central Intelligence Agency] conspiracy here. We know quite frankly it's going to happen. That's their plan.

In the meantime to the backbenchers I say, how could you say one thing to people out there . . . and what's even going to be crucial, a crucial test for them, Mr. Speaker, is what are they going to say to their constituents when they've got to go home and go on the radio or go on the newspaper? You know what they're going to do? You know what they're going to do? They're going to say, well this is our lines we're given and we're going to follow them. Because why? Because I might be in cabinet two years from now. Oh, you know what's even better? I might be an MLA eight years from now.

But in the meantime you're parking your ambitions and you're parking your projects for something that you said you wouldn't do. And that is a double whammy, Mr. Speaker. That is a double whammy and that's why I say to the backbenchers over there, the facts have been laid out, the plan has been designed, and you guys have no influence to make that change, none whatsoever.

And people are picking your government apart left and right. And I don't know who's doing it, Mr. Speaker, but I say one thing. There is somebody doing something to that opposition

and I can't figure out for the life of me what their strategy is behind all that because at the end of the day it's going to catch up. It's going to catch up. So quite frankly when I look at the government today, Mr. Speaker, and I see really quite frankly a lot of opportunity for discourse, because they said one thing before the election and they're doing exactly opposite. They talked about the NDP being so bad and doing all these different things like the Fiscal Stabilization Fund, and now they're doing it.

[24:00]

So I don't care what they said two years ago. That don't mean nothing to me. What happens from this day on is what means a significant amount, to not only persons like me in opposition, but the people that elected them over there.

There are people right now that need money for housing. There are people that need money for post-secondary. There's infrastructure needs. Mr. Speaker, they need money at the mill in P.A., Mr. Speaker. They need money for agriculture. They need money for teachers, for nurses.

They need money all over the place, Mr. Speaker, and yet what are they doing? They're telling their people, no, park their ambition, park their plan. We got a plan in place, you're going to follow it, and, Mr. Speaker, that is a problem, is you're destroying democracy, and you're not keeping your word, and that is the worst thing you can do to the people that sent you here.

And the worst thing you can do yourself as a backbencher is to park your plan and your ambition. Because people like ambitious young people. They do. They like ambitious young people, but when the older guard tells them, this is what you got in front of you; you're going to follow it and swallow it, and that's it. Guess what, Mr. Speaker? That is a discredit to the constituency that sent him here.

So I would say to them, if you're going to follow, if you're going to follow our path as a party and as a former government in setting up this Fiscal Stabilization Fund, there's a lot of merit to it. And I'm not saying there's nothing wrong with it, but I'm saying that's not what you promised during the election.

You did not say that to the people. You didn't say that; we said it. Now all of a sudden you come here to Regina, now you're saying it. So no matter how much the change that you broadcast, the change that you broadcast, quite frankly, quite frankly it isn't there. The more change you profess, the more things stay the same.

And I'll point out, Mr. Speaker, in my final comments here today, is that there's no question in my mind that I foresee, I foresee that there's going to be a lot of problems over there and, despite their promise of a second term, what are you giving up for that promise of a second term? At the end of the day what are you giving up?

And they can hoot and holler all they want, Mr. Speaker, but I know what they said during the campaign and I know what they spouted off from the top of their mountain of money. And all those words don't mean nothing today because they're doing

exactly opposite of what they said they're going to do. Exactly opposite of what they said they're going to do, Mr. Speaker, and that I think is a spite of democracy and that I think is going to catch up to them, Mr. Speaker.

So with that, I want to make my statements well known. The fact is, and I pointed out earlier in many of my conversations, I pointed out earlier that all the good news, all the good news that Saskatchewan has — the booming economy, the record number of people working, the oil and gas sector exploding, income coming into the province, everything's going great, Mr. Speaker. And I want to say loud and clear to the Saskatchewan Party government: you had absolutely nothing to do with it. You simply inherited.

So at least make the right decisions and spend the money when you have it and spend the money on helping people and spend the money on not making cuts and all in exchange for a plan three years from now to say, oh, now we're going to give you all these goodies. Now we're going to give you all these goodies because, guess what? We want to buy the election. And that's what they accused the NDP of last time, Mr. Speaker. They accused us of trying to buy the last election, Mr. Speaker. And they're doing that again. So to me no matter how much they profess change, things remain the same.

And I say today that the backbenchers over there, they'll have to watch what they say to the people because the people will not be fooled, Mr. Speaker. Thank you very much.

Some Hon. Members: — Hear, hear!

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

Mr. Van Mulligen: — Thank you very much, Mr. Speaker. We're actually in Regina Douglas Park, and welcome, Mr. Speaker.

Mr. Speaker, the Bill that we are addressing is Bill No. 1 of the government. It's An Act respecting Saskatchewan's Growth and Financial Security and repealing certain Acts. It's known as The Growth and Financial Security Act. Bill No. 1, the very first Bill of the government; the very first Bill of a Sask Party government ever; the very first Bill, not just of a session but the very first Bill of what they certainly hope are many sessions to come; the very first Bill, Mr. Speaker, the Bill that, I guess, in a manner of speaking is their signature. This is the Bill by which they seek to become known. This is the Bill by which they seek to become defined, Mr. Speaker, the very first Bill of the Saskatchewan Party government, The Growth and Financial Security Act.

And it's interesting because this is a Bill that could have gone in a number of different ways. This is a Bill that could have emulated some of the musings, the proposals by some of the roots of the Saskatchewan Party, most of the roots of the Saskatchewan Party. And I speak of proposals for balanced budget legislation that was put before the Assembly in the early 1990s by the then PC [Progressive Conservative] Party, who sought redemption from a very sorry record in government. We had the member for Kindersley who was then the leader of the PC Party putting forward balanced budget legislation even as

we were discussing the legislation that is proposed to be repealed by this Act, but putting forward legislation that frankly was in the, well to put it, it was just very extreme, very extreme. Over the top.

This is a Bill that, if memory serves me correctly, said that — the hard right, the old PCs — it said that it had to be balanced every year no matter what. Things like the Finance minister, if he didn't balance it, could lose his pay, or would he be pilloried? I forget exactly what. You know a pillory? One of those wooden stocks with holes for your head and your hands on a post so that you could be held up for public derision. That was the level of thinking, that was the level of thinking that prevailed in your party in the early 1990s.

And that was one of the directions that this Bill could have gone. But no, the Saskatchewan Party didn't go that way. But the Saskatchewan Party in terms of its signature, in terms of seeking to be defined in the very first Bill that it put forward, no it sought to go the route that the former NDP government had gone in terms of legislation. This is a Bill that deals with balanced budgets, a Bill that deals with the Growth and Financial Security Fund which is also known as a Fiscal Stabilization Fund, deals with debt retirement fund, deals with issue of efficient service in government.

But you know it's ironic that this first Bill does so much to call into question the trust the public had placed in this government, because this Bill is based on and is very much based on one large flip-flop. Now former speakers addressed the issue about this is a party that's saying one thing in opposition, doing something else in government. And, Mr. Speaker, they can proclaim from their seats, they can heckle, they can yell all they like, but this is a case very simply — everyone knows it — of them saying one thing in opposition and doing something different in government.

And in particular in two specific items in this Bill: one is the Fiscal Stabilization Fund or what is now proposed to be called the Growth and Financial Security Fund, and the other matter is one of balanced budgets. Now with respect to the Fiscal Stabilization Fund or the Growth and Financial Security Fund, in opposition we heard from my colleagues going on at some length about how, in opposition, they said the Fiscal Stabilization Fund, the NDP Fiscal Stabilization Fund was phony-baloney. It was smoke and mirrors, worn out old accounting tricks, fudge-it budget, make-believe bank account, voodoo economics, phony-baloney election slush fund.

They jumped on a rhetorical bandwagon, Mr. Speaker, powered by excessive hate for the NDP. There was no doubting they were just driven, driven to mock, to criticize the Fiscal Stabilization Fund and giving every indication . . . In fact some members clearly said they're not going to have a Fiscal Stabilization Fund. They were not going to have a Fiscal Stabilization Fund. If you read their campaign literature the inference is clear — no Fiscal Stabilization Fund.

But now, now, now we have a Fiscal Stabilization Fund. They call it something different, although there are days that the Finance minister can't quite articulate the name of the new fund which is the Growth and Financial Security Fund, and he himself refers to it as a Fiscal Stabilization Fund.

But this is the thing that troubles the public that, how it is that a political party can go to such excess, such excess in its rhetoric, such excess in its hate in opposition, and given an opportunity in government to act on their beliefs, comes out with something completely different? This is the thing that troubles the public and this is why my colleagues say, this is a government that is saying one thing in opposition and doing something else in government.

The other issue that the members opposite focused on, Mr. Speaker, was the question of balanced budgets. They said that if you draw on the Fiscal Stabilization Fund to balance your budget, well then it's a deficit budget. Well that's what they said in opposition again and again and again.

I believe it was the member for Silver Springs who was acting as the Finance critic who was merciless in attacking the NDP government and calling into question the sustainability of the budget and the fact that the government would draw down the Fiscal Stabilization Fund to balance its budget. But what are they doing now? What are they doing now, Mr. Speaker? What are they doing now? Now they're doing exactly the same . . .

The Speaker: — Order. Order. I know it's getting early in the morning, but if members would co-operate. I know it's sometimes difficult to just sit back and listen, but there will be ample time to respond. Right now the member from Regina Douglas Park has the floor.

Mr. Van Mulligen: — It doesn't bother me, Mr. Speaker. I always was taken with the words of John Diefenbaker who said when someone asked him about, how can you stand all the heckling in the House. And he said, well when you're out hunting big game you don't stop to take a shot at a jackrabbit, Mr. Speaker.

So, Mr. Speaker, this is a party in opposition, this is a party in opposition who said the Fiscal Stabilization Fund, if drawn down on, resulted in deficit budgets. Now they're saying, Mr. Speaker, now they're saying, Mr. Speaker, that when you draw down on the same fund, now it's a balanced budget.

In fact they went one step further. When the Finance minister came out with his budget, when the Finance minister came out with his budget, he said this was a balanced budget and referred to 14 previous NDP budgets as balanced budgets. Completely contradictory to the position that they were taking in opposition. Completely contradictory to the position they were taking in opposition.

All of which raises the questions, Mr. Speaker, all of which raises some questions for me. Did they not know in opposition, were they that uninformed in opposition about government finance and how it works? It's hard to believe, given all of the briefings that were made available to members of the opposition, MLA technical briefings which were provided on every imaginable subject, myriad opportunities to inform themselves at the Public Accounts Committee and other committees of the legislature, to learn about public finance and public administration. Millions of written questions — well, I'm exaggerating. Maybe thousands of written questions, Mr. Speaker, that were put to the government on every imaginable subject. High-priced advisers, accountants among them.

And we have the word from the member of Biggar that they also had meetings with banks and auditors to inform them on government finance, Mr. Speaker. So it's hard to believe, it's hard to believe that they were uninformed as an opposition and were making these comments on an uninformed basis, Mr. Speaker.

Which then raises the second question: were they informed and knew but decided to criticize the NDP government anyway knowing they would do essentially the same when they formed government? In other words, they deserve the label of hypocrite. That's another scenario, Mr. Speaker.

[00:15]

Now there's a third option that one can plausibly develop. They were informed but didn't understand. In other words, they were stupid. Well that is certainly a plausible scenario. Either they were uninformed — and that's not very likely — or they were informed and chose to ignore what they knew and decided to criticize the NDP anyway and said, when we form the government, we're going to essentially the same, which is then a question of hypocrisy, or they were informed but didn't understand, and they were stupid. So they can take their poison.

The Speaker: — Order. Order. I think we're at the point where we're getting a little too carried away in reference, making it personal, becoming too personal, and that's not becoming to the debate in the Assembly. And I invite the member to continue his remarks.

Mr. Van Mulligen: — Well I certainly wouldn't want to reflect on individuals, Mr. Speaker.

The Speaker: — Order. Order. The member's been around a while and understands that he is not respond to a Speaker's ruling or request for the House to come to order. I just ask the member to go directly to his comments.

Mr. Van Mulligen: — Mr. Speaker, given their fumbling, stumbling as a government, given their fumbling, stumbling as a government, when we witness for example the question of the management of the House; when we witness for example the fumbling and stumbling by the Minister of Social Services who one day said, well yes this is what we're going to do then said, oh no that's not what we're going to do, oh no this is what we're going to do; given a Premier who said the fiscal circumstances of Saskatchewan were stark — Mr. Speaker, given that kind of fumbling and stumbling, when I say that that party was . . . Well I don't want to use that word, but they certainly seem to lack some critical thinking capacity, Mr. Speaker, and that is a plausible scenario. So, Mr. Speaker, they didn't know? But very unlikely. They knew and the party was hypocritical, saying one thing, doing another. Thirdly, Mr. Speaker, they just didn't understand. They lacked the critical capacity to think these things through.

Mr. Speaker, those are the three choices that the people of Saskatchewan have when they seek to understand why it is that that party would say those things in opposition yet in government do something completely different, contrary to what they said. Those are the three choices, Mr. Speaker. Well actually it's only two, because I think they were informed. So

those are the choices for them.

And speaking of understanding, Mr. Speaker, do they know that the budget as it stands is illegal? That is a question that I hope to address tomorrow. Having said that, Mr. Speaker, at this point I move to adjourn debate.

The Speaker: — The member has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

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

The Speaker: — The minister has moved this House do now adjourn. Is the Assembly agreed?

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried. This House stands adjourned until tomorrow morning at 10 a.m.

[The Assembly adjourned at 00:20.]

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