



FIRST SESSION - TWENTY-SIXTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
The Honourable Don Toth  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Speaker — Hon. Don Toth  
 Premier — Hon. Brad Wall  
 Leader of the Opposition — Lorne Calvert

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

[The Assembly met at 10:00.]

[Prayers]

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

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

**Hon. Mr. Morgan:** — Mr. Speaker, I would like to introduce three individuals seated in the west gallery. These three individuals are with the Saskatchewan Association for Community Living. Earlier today the members of the legislature were treated to a breakfast that was very interesting, and we had a puppet show. We had some special guests that were with us that made us get some understanding of the Adopt an MLA [Member of the Legislative Assembly] program.

And, Mr. Speaker, I would like to introduce Judy Hannah who resides in my constituency — welcome Judy; I speak about her first because she's a constituent — Faith Bodnar who is the executive director of Saskatchewan Association for Community Living, as well as Judy McLaughlin. All three of these people are from Saskatoon, and they travelled down to assist a number of people to put on the breakfast.

It was an informative and interesting and very pleasant breakfast, especially given the late night that the members are now seated. So I would ask that all members join me in welcoming them to their legislature and thanking them for the very good work that they do.

**Hon. Members:** — Hear, hear!

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I too would like to join in welcoming the guests and introducing them again to you, through you to the rest of the House, the folks from the Association for Community Living.

It was a great breakfast. Thank you so much. And also that they are here this morning promoting their program, adopting MLA, which is a great way of us getting to know the work that they do in a very special circumstance by getting to know families who have members who live with disabilities. It's a wonderful thing. So welcome to Faith and Judy and Judy, and thank you for being here and welcome to your House. Thank you very much.

**Hon. Members:** — Hear, hear!

### PRESENTING PETITIONS

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

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, I rise this morning to present a petition on behalf of Moose Jaw constituents. And it speaks to the surprisingly shabby way that the residents were treated with the closure of

our South Hill liquor store, with no consultation and no input. And the petition reads:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to reassess its decision to close the South Hill liquor store, allowing it to continue to serve the people of Moose Jaw and provide valuable revenue to the people of this province.

Mr. Speaker, the residents signing the petition are throughout Moose Jaw. And I so present.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Atkinson:** — Thank you very much, Mr. Speaker. I have a petition in support of Station 20 in Saskatoon. The petition is signed by a number of people across the city of Saskatoon and also in the province.

And the prayer reads as follows:

Whereas your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to immediately restore funding to the Station 20 project.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, these petitioners come from Colonsay, Saskatchewan; Grasswood Road; Kingsmere Boulevard; McKercher, as well as Fairlight Drive; Ross Crescent; Avenue K; Rural Route Saskatoon; once again McKercher; Colonsay; Saskatoon Gladmer Park; Third Avenue; Main Street; as well as Greaves Crescent, Mr. Speaker. I am pleased to present this petition on behalf of these petitioners.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Iwanchuk:** — Thank you, Mr. Speaker. I rise today to present petitions in opposition to Bills 5, the essential services Act, and Bill 6, An Act to amend The Trade Union Act on the prairies as follows:

We respectfully request that the Legislative Assembly of Saskatchewan urge the new government to withdraw both Bills and hold broad public consultations about labour relations in the province.

And as duty bound, your petitioners will ever pray.

And the petitions are signed by residents from Moose Jaw, Regina, Kamsack, Canora, Pelly, Springside, and Wroxton. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

## STATEMENTS BY MEMBERS

**The Speaker:** — I recognize the member from Regina Qu'Appelle Valley.

**Support for Families Dealing with Disability Issues**

**Ms. Ross:** — Thank you, Mr. Speaker. Mr. Speaker, I had the opportunity, along with other MLAs, of attending the Saskatchewan Association of Community Living Adopt an MLA program. And that started on April 2004 to give families dealing with disability issues an opportunity to talk personally with the members of the Legislative Assembly. It's an important opportunity for connections that are making a difference to both the MLAs and to the families that have the opportunity to meet them.

Mr. Speaker, the aim has always been to keep the concept simple. MLAs meet with the families and talk about issues facing these families such as education, respite, and medical supports. With the meetings with the families around the kitchen table, it offers us, the MLAs, insight and opportunity to connect with our constituents.

Mr. Speaker, as past fundraising Chair for the Regina therapeutic riding program, I worked with many people with disabilities who benefited from the riding program, and I know the benefits that come from such programs. Mr. Speaker, I had Zoe Deutsch and her mom and dad at the breakfast table, and I had the opportunity to discuss with her parents about the therapeutic riding program. They are hoping she will be accepted soon. Mr. Speaker, Zoe is an amazing person, and I was inspired by her strong spirit and smile.

**Some Hon. Members:** — Hear, hear!

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

**Terry Fox Award**

**Mr. Furber:** — Mr. Speaker, on March 12, 2008, at the Prince Albert city council meeting, a Prince Albert teen was presented with this year's Terry Fox Award. Kevin Sasakamoose was honoured with the award.

This is the 27th year that the Terry Fox Award has been presented in Prince Albert. The award serves to perpetuate the memory of Terry Fox while also acknowledging the accomplishments of its recipients.

Mr. Speaker, council chambers were filled with Kevin's friends and family who came to honour this young man. His great-uncle, hockey icon Fred Sasakamoose, made a surprise visit to present Kevin with the award. Although Fred had tears in his eyes during the presentation, he told everyone that, "These tears are not sad tears . . . They are good tears."

Kevin Sasakamoose is 16 years old and is in grade 10. And what is so incredible, Mr. Speaker, is that Kevin, while bound to a wheelchair and unable to communicate verbally, uses gestures, an alphabet board, and a speaking machine to communicate. Kevin has spastic quadriplegic cerebral palsy and

faces daily challenges with courage, perseverance, and a sense of humour.

Mr. Speaker, his nominator, Peggy Diehl, special education tutor at St. Mary High School, my alma mater, said, "What other people may see as a life full of challenge and adversity, Kevin has embraced as his life." "He considers himself to be just like everyone else."

Using his speaking machine, Kevin told Mayor Scarrow that he was very honoured to have been selected as a Terry Fox Award recipient. Mr. Speaker, I ask that all members of the House join with me in acknowledging the spirit and determination of Kevin Sasakamoose and congratulating him on receiving the Terry Fox Award. Thank you.

**Some Hon. Members:** — Hear, hear!

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

**Yorkton Family Sets Good Example**

**Mr. Ottenbreit:** — Thank you, Mr. Speaker. Yorkton resident Wendy Wilson went to Kenya as a project consultant through the College of the Rockies and the Parkland College to do small-business workshops at Kimathi Institute of Technology in Nyeri, Kenya.

While there, she went above and beyond her duties, Mr. Speaker. She helped a group of women help themselves by getting them started in a sewing business now called Mwangaza Designs, women building a better future for their families and communities by making environmentally friendly projects — quite something, Mr. Speaker, especially when you consider the group Ms. Wilson helped — KENWA, the Kenya Network of Women with Aids. This was in June 2007.

Many people don't accomplish a feat like this in a lifetime, but in February of '08, while most people take a winter holiday, Wendy Wilson and her husband, James, children Katelyn, Chelsea, and Bryce went to Mexico through Prairie Harvest Christian Life Centre for the Erma Fennell Foundation for Needy Children. They built a house for a family of four adults and seven children. While there, James rewired a church and the family fed the poor — all in a week.

The Wilsons are a humble family, Mr. Speaker, not looking for recognition, but they set a good example. And as their daughter Katelyn says, "If you have the ability, you have the responsibility". Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

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

**Saskatchewan Roughrider Honoured**

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, recently Riverview Collegiate in my constituency of Moose Jaw Wakamow honoured the Saskatchewan Roughrider, Scott Schultz.

Scott graduated from Riverview and played four years of high school football there. Scott addressed the staff and students after a ceremony where the school retired the jersey that he wore during his high school football career. He was the first person in Moose Jaw high school history to have his number officially retired by their school. No other athlete, male or female, will be able to don number 55 for the Riverview Royals.

Schultz stated that he had been part of some pretty amazing ceremonies, but nothing meant more to him than being honoured by the people from where he was from. Schultz said to come back to my alma mater here at Riverview is a really special day for me.

Schultz started his football career with the Riverview Royals as a running back. Now an incredibly popular Saskatchewan Roughrider defensive lineman, Scott is relishing a Grey Cup win in his home province. After getting a degree from the University of North Dakota, through a football scholarship, none of which would have happened without trying out for the Riverview Royals football team.

Scott Schultz was also honoured with a spot on Riverview's wall of honour. His plaque will join those of John Konihowski and Lorne Calvert, both former graduates. Mr. Speaker, I ask all of the members in the legislature to thank Scott Schultz and congratulate him on his community involvement.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — I recognize the member from Cypress Hills.

#### **Frontier Midget Flyers Win Provincial Championship**

**Hon. Mr. Elhard:** — Mr. Speaker, I wanted to rise and speak about the accomplishments of the Eastend Jets senior men's hockey team that defeated the northern D men's championship team from Davidson for the provincial title. However, my colleague from Arm River-Watrous already told of their victory in double overtime.

So today I'd like to speak about another great local hockey team, the Frontier Midget Flyers. Mr. Speaker, the Flyers captured the SHA [Saskatchewan Hockey Association] provincial D championship earlier this month after a season that can only be called unbelievable.

This group of young men skated through every game of league play undefeated — not one loss, Mr. Speaker. Coach Jamie Pegg gives the credit to this special group of kids who worked hard all year and were willing to sacrifice everything they could for the team. Under Pegg's leadership and with the help of assistant coaches Greg Gryde and Jared Nelson, the players achieved a perfect record. They continued their dominating performance throughout the playoffs, taking the league championship by sweeping all competition away and capping the year by winning the midget provincial D title.

*The Shaunavon Standard* quotes Pegg as saying, "It's the kind of year you could never even dream about." Though they play under the Frontier banner, the team is made up of boys from Frontier, Climax, Eastend, and Val Marie. And I'd like to take

this opportunity to congratulate each of the players and their parents and the coaches on this tremendous achievement.

**Some Hon. Members:** — Hear, hear!

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

#### **Walker School Participates in Mayor's Mega-minute Reading Challenge**

**Mr. Wotherspoon:** — Mr. Speaker, it was my pleasure to attend as guest reader, Walker Elementary School's community kickoff to our Mayor's Mega-minute Reading Challenge on April 3. This event was organized by the Walker's School Community Council. They should be very proud. The event promoted literacy by inviting the community in for a used book sale; Métis dancing led by a local renowned author, Wilfred Burton; book reading led by myself; as well as cookies and hot chocolate, Mr. Speaker. I found out, Mr. Speaker, that I'm a better book reader than Métis dancer.

[10:15]

Mr. Speaker, we know that a great indicator of student success is family and community involvement with their schools as well as taking time to read together as a family. By this measure, this was a fantastic success as it was filled with students, families, and community members.

I would like to pay special thanks to all the members of the Walker School Community Council; principal Judy Campbell; and Walker staff; author, literacy consultant, and dancer, Wilfred Burton; our city's mayor Pat Fiacco; and all of the students, parents, and community members who attended.

I ask all members of this Assembly to join with me in extending thanks to all those individuals for their valuable contributions to literacy within our community.

**Some Hon. Members:** — Hear, hear!

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

#### **Provincial Labour Legislation**

**Mr. McMillan:** — Mr. Speaker, I rise in the House today to talk about 281,000 reasons the members opposite oppose our government's changes to the provincial labour legislation.

In recent days, Mr. Speaker, those members have spoken ad nauseam about the proposed legislation, how it intimidates and manipulates working men and women, full of righteous indignation, pointing, posture, and pontification, painting themselves as the protectors of the people. But are they really what they say they are, Mr. Speaker? Are their motives really so pure?

Well, Mr. Speaker, I think it's time the members opposite did a reality check. In reality, Mr. Speaker, the members opposite are doing the bidding for their union masters. In the last election campaign, Mr. Speaker, NDP [New Democratic Party] candidates received campaign contributions from the unions to

the tune of 281,000. In fact a whopping 50,000 was given in hopes of defeating my quiet friend from Saskatoon Northwest, Mr. Speaker.

With two-thirds of Saskatchewan people saying they support our proposed legislation changes, including many working people, Mr. Speaker, it's time to expose the members opposite for exactly what they are. They are puppets doing the bidding for their union masters. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — Before . . . Order. Order. Before I call for oral questions, I would remind members that sometimes statements by members can become very personal and not necessarily uplifting to the Assembly. So as we word our statements in the future, I would ask that we be somewhat mindful how we word our statements and be more . . . just recognize our role and responsibilities as members.

### QUESTION PERIOD

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

#### Revenue Sharing with Municipalities

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, it seems the Minister of Municipal Affairs is on a very steep learning curve. Yesterday the media had to explain to the minister that infrastructure would not be a solution to property tax hikes. They also had to point out that the financial picture in the 1990s was slightly different than what it is today. And I have tried on a number of occasions to explain to the minister that his 7 per cent increase in revenue sharing is in fact less than the 11 per cent that municipalities received last year and seen in increases over the past several years.

To the Minister of Municipal Affairs: with all the enlightenment that he's received over the past days, will that minister finally admit that he has underfunded municipalities to the point where he is forcing property tax increases?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Wall:** — Thank you. Thank you, Mr. Speaker. I want to thank the hon. member for that question. She points out quite rightly that the Saskatchewan Party during the campaign promised a 7 per cent increase in revenue sharing to municipalities and then delivered on that promise, Mr. Speaker. Additionally we have committed to find a long-term solution that escaped members opposite when they sat here for years. For year after year they refused to move towards an own-source revenue sharing formula. We will not make that same mistake, Mr. Speaker.

What we have seen in the last number of days is an unprecedented and almost inconceivable amount of land sales in terms of oil and gas for the province of Saskatchewan. Our

forecast from Energy ministry officials was about \$100 million. This is \$265 million. So perhaps we can make some progress here in the near future with respect to even exceeding our own commitment to the municipal sector that we made in the election campaign — that we've kept. Perhaps we can do a little bit better so that we can continue to be ready for growth and sustain the economic momentum of the province.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Higgins:** — Interesting argument, Mr. Speaker. We can't give the municipalities more money because we've got another 265 million in our bank account.

Mr. Speaker, the minister was asked point-blank by a reporter if taxpayers should brace for a property tax increase. The minister, in a very rare moment of clarity, said, and I quote, "I expect so." He didn't defend his budget. He didn't say that with billions of dollars in the bank and more cash, as the Premier's just said, flowing in on a daily basis, that he would act to prevent property tax increases. No, that minister told taxpayers to get ready for tax increases.

To the minister: is he really okay with telling taxpayers to brace for more hikes or might it be better for him to use some of this windfall revenues his government has on hand and do a better job for municipalities?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Wall:** — Thank you. Thank you, Mr. Speaker. I'm not sure if the hon. member was listening to the answer but I will say this, Mr. Speaker. Municipalities in this province have a right to expect to be treated a lot better than they were ever treated when that party opposite sat over here.

And I'll make this other commitment. That has already been the case under the leadership of this minister and this government. They have been treated with greater respect. They have been treated better. We will keep our commitment for that long-term revenue-sharing formula and because of the unprecedented and amazing \$265 million in land sales for oil and gas activity and exploration in the province, I would say, Mr. Speaker, caused at least in some measure by the good work of this brand new government . . .

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Wall:** — And because of that, Mr. Speaker, because of that our Minister for Municipal Affairs will be meeting with SARM [Saskatchewan Association of Rural Municipalities] and SUMA [Saskatchewan Urban Municipalities Association] to find out what exactly will be possible in terms of exceeding the promises that were kept with respect to municipal revenue sharing in the election.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Higgins:** — Well, Mr. Speaker, the Premier's arguments just speak to the question. He's talking about increased activity right across the province. Right across the province there is increased activity, but yet he refuses to support the municipalities who are feeling the strain and need to . . .

**The Speaker:** — Order. The member from Moose Jaw Wakamow.

**Ms. Higgins:** — Mr. Speaker, he's talking about increased activity. Who does this increased activity put pressure on? On the municipalities.

**Some Hon. Members:** — Hear, hear!

**Ms. Higgins:** — We gave the municipalities an 11 per cent increase of \$30 million last year. We increased it whenever we had increased revenues in our provincial General Revenue Fund. This Premier is content to sit on huge surpluses while the municipalities struggle.

Mr. Speaker, the question to the Premier if he would like to answer: why is he intent on forcing municipalities to build the province on the backs of taxpayers and not help them out appropriately?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Wall:** — Well I don't know. Maybe we could send an earpiece over to the hon. member. I don't think she's paying attention at all to the answers. She's following her script and fair enough, I guess.

I will just say this again, to that member and to all members of this Assembly, that our minister will be very soon meeting with the municipal sector to discuss the ability and the possibility of our government being able to exceed our election commitment on revenue sharing because of the amazing activity that's occurring in the oil and gas sector that's exceeded anyone's expectations by many, manyfold.

I would also say this, Mr. Speaker. It's pretty rich coming from that member opposite who sat in a cabinet, who was part of a government that downloaded to the tune of \$300 million on the municipal sector of this province. That is a big, cavernous, NDP hole that we will have to dig ourselves out of, but make no mistake, Mr. Speaker, the new Saskatchewan Party government will do just that.

**Some Hon. Members:** — Hear, hear!

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

## Potential and Process for School Closures

**Mr. Wotherspoon:** — Mr. Speaker, the spokesman for Save Our Schools and the head of SARM are not impressed with the Sask Party's much touted changes to The Education Act introduced in the House yesterday. The word underwhelming jumps to mind, and it seems even the minister agrees. When asked by reporters whether the new legislation would make it easier or harder for schools to close, the Minister of Education replied, and I quote, "I don't know that it changes that."

Mr. Speaker, this is a far cry from what the Sask Party was saying back when they were in opposition, when they travelled this province telling communities that they had a plan to keep schools open. To the minister: will he admit today that his legislation falls far short of what communities are expecting?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Krawetz:** — Mr. Speaker, the answer to that question is, absolutely not. This legislation was prepared with our stakeholders in consulting with many different groups. It was prepared, unlike that group over there when they sat in government, who didn't do anything for 16 years, Mr. Speaker.

The Education Act has a process in place that allows boards of education to review a school. We committed, Mr. Speaker, in the platform . . . On page no. 14 we indicated that our promise was that there would be a revising of The Education Act to improve the consultation and assessment process before significant changes are made to school facilities. Mr. Speaker, that's what we said we would do. That's what we're doing. We are putting in place a process that will allow far greater community involvement. It will extend the process that people want, unlike that government who didn't do a single thing.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Wotherspoon:** — I'll tell you what is clear, Mr. Speaker, is that these guys are far more about hype than any bit of hope. With 1 billion sitting in the Sask Party bank, that government has brought down a provincial budget that sets aside just \$1 million for schools of opportunity. And let's not forget that schools of opportunity are able to access up to \$350,000 each. Do the math. Mr. Speaker, that's three schools that can access full funding, four fewer than the Sask Party led people to believe when they released the plan in opposition.

To the minister: when his party criss-crossed this province, promising communities that they had a plan to keep schools open, did they mention that they'd only be setting aside a measly \$1 million?

**Some Hon. Members:** — Hear, hear!

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

[10:30]

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Krawetz:** — Mr. Speaker, it's clear that we as a government have done exactly what we said we would do. We have consulted across the province. We have extended the time period. Mr. Speaker, the member opposite may not understand that the current process means that a board of education can notify the community in February. We're moving that to October 15, and I'm sure the member's had an opportunity to review the Bill. Mr. Speaker, that's an extensive amount of time that now allows a community and its residents to be involved.

Mr. Speaker, if a community sees now, in this month of April, that it has potential of having its school under review, it's beginning its work today, Mr. Speaker. It's not waiting for October 15. We have put in place a standardization of the process. It will now be understood by all boards and in fact, Mr. Speaker, we're going to be publishing a handbook that will be distributed to the public to ensure that they know the process of school closure.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Wotherspoon:** — Mr. Speaker, the meaningless gestures of a handbook and the three and a half months addition falls far short. This is stated by the head of SARM; it's stated by Save Our Schools.

The minister has implied that more than three schools could benefit from his funding because not all schools applying would receive the full \$350,000. Mr. Speaker, the minister seems to have some idea of how many schools will apply for funding under his schools of opportunities initiative, how much money each will get, and who those will be. But one thing he has told us is that not all schools can potentially benefit. Only rural schools have any hopes of applying. There is no hope and no funding for urban schools.

To the minister: does he have any indication whatsoever from schools or school boards or any other body or organization of how many schools of opportunity we have within this province?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Krawetz:** — Mr. Speaker, we put in place a plan to move education as a priority. Education is a priority of this government, unlike that government, Mr. Speaker. And I have to review — I know the member hasn't been involved long — but, Mr. Speaker, when they were in government, that they delivered minus two, minus four, minus two. These are percentages of decreases in the grants to school boards. That's what they were responsible for. There were hundreds of schools closed during the decade of the '80s and the '90s, Mr. Speaker.

**The Speaker:** — Order. Order. I ask the members to come to order. The minister.

**Hon. Mr. Krawetz:** — Mr. Speaker, there will be an opportunity for communities to review whether or not they see their community and their school as being a school of opportunity. There will be criteria that they will apply for and they will apply to the ministry based on the fact that they see themselves growing and becoming a viable school. That's what the process is. That's what will be followed and that will allow the community to determine whether or not they see themselves as a potential viable school.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Wotherspoon:** — Mr. Speaker, I guess schools of opportunity should consider themselves lucky. At least they get mentioned in the Act and at least they're getting some money even if it isn't as much as the Sask Party led us to believe in previous years, but if communities were hoping to have schools of necessity, they've got a bit of a problem. There's not even a mention of it within the new changes to the Act.

In case the minister has forgotten, he said in opposition that schools of necessity would guard against children spending too much time busing and not enough time in school. But let's recap. The minister has now admitted that 1 million won't be enough to keep schools of opportunity open and when it comes to schools of necessity, he's not even trying. To the minister: why did he forget about schools of necessity?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Krawetz:** — Mr. Speaker, that is a bizarre question. In the foundation grant, in the foundation grant under section F, there is a category that is called schools of necessity/Hutterian schools. That is in the foundation operating grant manual. And I'm sure that that member has read that manual. It provides additional funding to schools that are outside 40 kilometres. It provides under two factors, an enrolment factor and a distance factor.

That is in place, Mr. Speaker. So for the member to suggest that schools of necessity have suddenly disappeared, he needs to read the manual. Schools of necessity and schools of opportunity are entirely different, Mr. Speaker, and that member better be aware of what he's talking about before he rises in this Assembly.

**Some Hon. Members:** — Hear, hear!

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



### Dental Sealant Program

**Ms. Junor:** — Thank you, Mr. Speaker. We thought the members opposite might have wrapped up their attacks on Saskatchewan's disadvantaged . . .

**The Speaker:** — Order. Order. It's difficult for the Speaker to hear the question being placed, so I ask members to come to order, and I recognize the member from Saskatoon Eastview.

**Ms. Junor:** — Mr. Speaker, we thought the members opposite might have wrapped up their attacks on Saskatchewan's disadvantaged residents with their mean-spirited cut to the Station 20 project, but it seems they might just be getting started.

Mr. Speaker, to the cut of the day. The official opposition has learned that the government has axed the dental sealant program, a program that was costing about \$300,000 to provide dental sealants to disadvantaged children in Saskatoon and Moose Jaw.

Mr. Speaker, to the Minister of Health: can he confirm the program has been axed, and can he please tell us why?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to be filling in for the Minister of Health, and I can assure the members that the minister will be pleased to provide a detailed answer for him, so I take notice.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Junor:** — Mr. Speaker, the dental sealant program was introduced in the 2007 provincial budget. The program provided children in grades 1 and 7 in community schools in Saskatoon and Moose Jaw with dental sealants. In case the minister hasn't found out, sealants are plastic compounds which are painted on the back of teeth to prevent cavities. And as the minister surely knows, cavities may contribute to many serious conditions, including heart disease, diabetes, respiratory disease, and other ailments. Apparently preventative medicine isn't that minister's priority.

Mr. Speaker, to the minister: with over \$1 billion in the bank, why is he making this petty cut at the expense of children's health?

**Some Hon. Members:** — Hear, hear!

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

**Hon. Mr. Gantefer:** — Again, Mr. Speaker, on behalf of the Minister of Health, I take notice.

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

**Ms. Junor:** — Mr. Speaker, many saw the program as a first step toward a return to a universal children's dental program. Saskatchewan people have benefited from a children's dental program in the past, a program that was both popular and effective.

But the Blakeney era program was dismantled and the equipment sold when the Premier's old boss, Grant Devine, took office in the 1980s. While our government had a history of starting programs that improved the health of Saskatchewan children, it seems the members opposite have a penchant for taking those programs away.

Mr. Speaker, to the Premier: is this just a case of history repeating? Why else would the minister make this cut that is an important part of preventative medicine?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Gantefer:** — Thank you, Mr. Speaker. Again on behalf of the Minister of Health, I take notice.

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

**Ms. Junor:** — . . . more, Mr. Speaker. The Minister of Health claims to listen to health care professionals, but we now know that his hearing is selective. In 2007 . . .

**The Speaker:** — Order. Please allow the member to place her question.

**Ms. Junor:** — In 2007, SAHO [Saskatchewan Association of Health Organizations] passed a resolution commending our NDP government on introducing a targeted dental sealant program, and this year they're going further at their convention, proposing a resolution to lobby the government to implement a province-wide children's dental program.

Mr. Speaker, to the Premier: why has this program been axed when health professionals firmly believe in it, and will he admit that he again got it wrong and restore funding to the program?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, again on behalf of the Minister of Health I take notice of the member's question.

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

### Eaglestone Lodge

**Mr. Harper:** — Thank you, Mr. Speaker. Mr. Speaker, last week we learned that Eaglestone Lodge in Kamsack would be closing its doors permanently, and that the 30-some residents would need to find somewhere else to go. The images and the stories that go with this news has been devastating.

We've seen seniors who have helped build our great province ask where they should go, wondering if they are going to have a roof over their heads after Eaglestone closes its doors in 60 days. We have family members who are concerned about their loved ones. To the Minister of Health: what is he doing with respect to Eaglestone Lodge residents who will soon have to find somewhere else to go?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — I recognize the deputy leader.

**Hon. Mr. Krawetz:** — Mr. Speaker, I'll take that question on behalf of the Minister of Health because Eaglestone Lodge is my constituency in the town of Kamsack. Mr. Speaker, people have to understand that it is the NDP who decided to not fund level 1 and 2. They made that decision a long time ago, Mr. Speaker.

Level 1 and 2 homes are not funded by government. Mr. Speaker, when I found out that indeed Eaglestone Lodge is under consideration for closure — and they've given 60 days notice — immediately on Friday morning I had an opportunity to meet with town council members in the chamber in the town office in Kamsack. I met with three of the board members — by the way the only three that are still sitting board members — to discuss what might be alternatives.

There is concern about the fact that people, 34 residents in fact who are in that home, have been given 60 days in which they are going to vacate if that lodge closes. We need to explore all the possibilities to ensure what can happen to fund, possibly fund, or to ensure that there is a mechanism in place to provide care.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Harper:** — Mr. Speaker, the minister's answer is cold comfort to those men and women who have lived in this province all their life, worked in this province all their life, sacrificed to build this great province, and now find their next residence a sidewalk in Kamsack.

Mr. Speaker, in the past the members opposite have been very vocal in ensuring that seniors should spend their golden years in their communities. They have soundly criticized decisions that resulted in seniors having to move from their communities, from their friends, and from their families to receive care.

My question to the Minister of Health: is he still concerned about this now that he is government and what is he doing about it?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Krawetz:** — Mr. Speaker, this is not a new problem. This problem has been raised for a number of years. And in fact, Mr. Speaker, I have a headline of a *Kamsack Times* dated October 27, '05, and it says, "Premier Calvert asks Minister of Health to look into Eaglestone Lodge concerns." Mr. Speaker, that's October 27, '05.

On May 15, 2005 in estimates recorded in *Hansard*, I asked the minister of Health the following question. I said to the minister:

. . . the first question that I'm asking, Mr. Minister, is are there any dollars that could be provided through health departments for funding of a personal care lodge that is owned by a municipality and other municipal shareholders?

**Hon. Mr. Nilson:** — The answer is no.

**Some Hon. Members:** — Hear, hear!

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

### Confidential Documents

**Mr. Quennell:** — Thank you, Mr. Speaker. This question, Mr. Speaker . . .

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

**Mr. Quennell:** — Mr. Speaker, this question is to the Justice minister in his current capacity as Minister of Justice of the province of Saskatchewan. We know that the Minister of Justice recently went out and got himself briefed about who is the suspect in the case of unlawfully obtaining police files. One has to wonder why the minister thinks he should have this information and know who the suspect is, but the people of Saskatchewan do not need to know.

We know that the Saskatchewan Party does not have a great deal of respect for privacy. They have no problem putting people's personal information on their website. So why all the sudden concern for a suspect's privacy?

To the Minister of Justice: why won't he tell the public who the suspect is? Why the cover-up from that government? Who is the minister protecting?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Morgan:** — Mr. Speaker, this matter goes back to the NDP caucus fraud that goes back to 1992. Their MLA, Pat

Lorjé, said in 1994 the members over there were making a conscious and concerted effort to cover up this fraud that took place in their caucus. In 2007, we saw former MLA Glenn Hagel stand in this House and have to apologize for misleading this House. Mr. Speaker, this . . .

**The Speaker:** — Order. Please let the minister respond.

**Hon. Mr. Morgan:** — Mr. Speaker, this matter we saw Mr. Hagel come into this House and have to apologize here and in the rotunda for not being forthright with the information that he was to have provided in his capacity as caucus Chair. This matter was referred, as these matters ordinarily and usually are when a matter arises affecting a member of the legislature, to an independent prosecutor to look at. It was referred to the Alberta prosecutions unit who determined nothing improper had happened and the members over there know it full well.

**Some Hon. Members:** — Hear, hear!

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

**Mr. Quennell:** — Mr. Speaker, well those may be the conclusions of the Minister of Justice, but those were not the conclusions of the RCMP [Royal Canadian Mounted Police] and those are not the conclusions of Alberta public prosecutions.

Mr. Speaker, I've a very simple question for the Premier about the standards he sets for the staff who work for him. Does he think it is acceptable to employ people in his office that have knowingly misled the media and the public? Why did the Premier hire Reg Downs as the chief of staff knowing that Mr. Downs stood right next to the now Deputy Premier in a scrum and let him give the media false information and not correct the record for over two weeks until after a police investigation had begun?

**Some Hon. Members:** — Hear, hear!

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

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Morgan:** — Mr. Speaker, the member opposite was the attorney general of this province for the last four years. That member knew full well the names of people that have charged with an offence or under investigation, the names are not released until after the charges are formally read in court. And that member knows it full well, Mr. Speaker.

Mr. Speaker, with regard to Mr. Downs, I can tell the House this. When there was an error made or a misstatement, we came back and we corrected it immediately and promptly with full candour and we have done it on every occasion where it was appropriate to do so, Mr. Speaker. It is not the intention of the members on this side of the House to conceal anything — not now, not ever.

**Some Hon. Members:** — Hear, hear!

## MINISTERIAL STATEMENTS

**The Speaker:** — I recognize the Minister of Municipal Government.

### Infrastructure Framework Agreement

**Hon. Mr. Hutchinson:** — Thank you, Mr. Speaker. I rise to inform members of the House that on April 11, 2008, Saskatchewan communities received a major boost for their priority public infrastructure projects when the Government of Saskatchewan and the Government of Canada signed the Infrastructure Framework Agreement for the Building Canada plan. This agreement provides approximately \$635 million for new long-term infrastructure for the province of Saskatchewan and Saskatchewan's municipalities. This funding is in addition to funding from the Gas Tax Fund and Municipal Rural Infrastructure Fund already being provided to Saskatchewan. The Government of Canada will provide more than \$755 million in funding between 2007 and 2014 for infrastructure projects in Saskatchewan.

[10:45]

The framework agreement commits Canada to provide funding of \$635 million to Saskatchewan over seven years through three different programs. The Building Canada fund, 236 million over seven years; the provincial-territorial base fund, 175 million over seven years; and the Gas Tax Fund top-up, \$224 million over four fiscal years beginning in 2010.

Mr. Speaker, the Building Canada fund will provide \$236 million over seven years, consisting of 94 and a half million dollars, communities component, for communities of less than 100,000 people. And this will be matched by the province, bringing funding for municipal infrastructure projects to \$189 million over seven years; 141 and a half million dollars through the major projects component for projects of provincial, regional, or national significance to be matched on a project-by-project basis by private partners or local or provincial governments.

Of the \$635 million, federal funding has been committed to Regina IPSCO Place project, up to \$20 million with the province committing 17 million; Lewvan-Highway No. 1 interchange, up to \$16 million, which will be matched by the province; and the first phase Highway 11 twinning between Saskatoon and Prince Albert, up to \$10 million which will be matched by the province.

Mr. Speaker, I am pleased that this agreement has been signed, and we will be looking forward to future project announcements under this fund.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Higgins:** — Well, Mr. Speaker, first off I'd like to thank the minister for sending over a version of his minister's statement today. Speaking to the Government of Saskatchewan signing onto the framework agreement for the Building Canada

plan, Mr. Speaker, I believe this will be good news for municipalities. It has been spoken of quite highly for over the past number of months. Many projects that have been announced by the province of Saskatchewan have attributed funding that will come from this fund.

Mr. Speaker, I guess there is a couple of concerns that have been expressed to me. First and foremost when you look at MRIF [Municipal Rural Infrastructure Fund] and the Gas Tax Fund and also the Building Canada fund being rolled in under one program, there is concerns that these remain separate and be designated in the places that they currently are as separate funds. And I know from the municipalities that, when we look at one fund under the title of Building Canada, will the amount of money . . . and this is a very simple question that comes from municipalities. Their concern is that, the amount of dollars going directly to municipalities, will it be more or will it be less than what the municipalities have received previously?

So, Mr. Speaker, it's good news. It's good news for the province of Saskatchewan, and we're always pleased to see the federal government dedicate money to Saskatchewan, and this program was rolled out right across Canada. Other provinces have already signed on and seen dollars flowing to their communities. So we're pleased to see this agreement finally signed and being put in place in Saskatchewan.

#### INTRODUCTION OF BILLS

##### Bill No. 33 — The Active Families Benefit Act

**The Speaker:** — I recognize the Minister Responsible for Tourism, Parks, Culture, and Sport.

**Hon. Ms. Tell:** — Mr. Speaker, I move that Bill No. 33, The Active Families Benefit Act be now introduced and read a first time.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — It has been moved by the Minister of Tourism, Parks, Culture, and Sport that Bill No. 33, The Active Families Benefit Act be now read a first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — It's carried.

**Clerk:** — First reading of this Bill.

**The Speaker:** — When shall the Bill be read a second time?

**Hon. Ms. Tell:** — Next sitting of the House.

**The Speaker:** — Next sitting.

#### BILL WITHDRAWN

##### Bill No. 36 — The Corporation Capital Tax Amendment Act, 2008

**Hon. Mr. Gantfoer:** — Mr. Speaker, pursuant to Rule 15(2) I

wish to withdraw this item from the order paper.

**The Speaker:** — Pursuant to Rule 15(2), item no. 2 is withdrawn.

#### TABLING OF REPORTS

**The Speaker:** — Before orders of the day, I first of all would like to lay on the table a report from the Office of the Provincial Auditor regarding the 2007 financial statements of CIC [Crown Investments Corporation of Saskatchewan] Crown corporations and related entities, as well as the report from the Chief Electoral Officer regarding the election reports of the Weyburn-Big Muddy by-election June 19, 2006, and the by-election report of the Martensville by-election March 5, 2007.

#### STATEMENT BY THE SPEAKER

##### Ruling on a Point of Order

**The Speaker:** — Before orders of the day as well, I would like to comment . . . Order. I would like to comment about the point of order raised by the Government House Leader regarding certain statements made during the 75-minute debate last Thursday, and I thank both House Leaders for their comments and interventions.

The first session of every legislature is the time for newly elected members and returning veterans to familiarize themselves with the rules and traditions of the Assembly. Determining how best to phrase one's views and positions in a forceful yet respectful manner requires skill and a sound understanding of the factors involved.

The issue of unparliamentary language has been dealt with by my predecessors on numerous occasions, including April 17, 2000; May 12, 2000; and April 11, 2007. A ruling made on June 13, 2003, clearly summarizes the guidelines used by presiding officers in determining the acceptability of language. These include balancing the right of every member to speak freely while respecting those limitations imposed by the Assembly itself. The context that the language was spoken in and its impact on the decorum in the House are also important considerations. Applying these guidelines to the comments made during last Thursday's debate, I find that the comments in question, while pointed and directed, do not exceed the boundaries that this Assembly has set for acceptable and spirited debate.

#### Ministerial Statements

**The Speaker:** — I would also like to comment, yesterday in ministerial statements I listened very closely to the ministerial statement, and then asked the Clerk as well to do a bit of research, thinking back to former guidelines in regards to ministerial statements. And I refer to April 20, 1998, where the former Speaker mentioned "... ministerial statements are intended to be an opportunity for members of Executive Council to advise the Assembly of new directions or policies of the provincial government."

And it has been a longstanding tradition that when we give

recognition to the achievements of individuals that that is done by leave, with the request for an extended congratulatory message, and that ministerial statements reflect government policy and priorities. I ask members to keep that in mind at future date.

### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

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

**Mr. Weekes:** — Thank you, Mr. Speaker. I would like the Assembly to issue an order for return on question 555.

**The Speaker:** — A notice for issue on return for question 555 is given. I recognize the Government Whip.

**Mr. Weekes:** — Thank you, Mr. Speaker. On behalf of the government it's my pleasure to table the answers to questions 556 to 577.

**The Speaker:** — Answers to questions 556 to 577 tabled.

### GOVERNMENT ORDERS

#### ADJOURNED DEBATES

#### SECOND READINGS

##### Bill No. 5

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Norris that **Bill No. 5 — The Public Service Essential Services Act** be now read a second time.]

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

**Mr. Iwanchuk:** — Thank you, Mr. Speaker. It's good to get back into the debate. As I started with my remarks yesterday, there were a number of questions that I felt needed to be answered and in fact needed to be asked about the Bill 5, the essential services Act, and it's there I'd like to start today.

And again just to summarize those questions. We were asking questions about who drafted this legislation. There have been some indications that this was drafted outside the ministry. It was drafted by perhaps Kevin Wilson.

There were questions about, why is the government proposing a designation model with the employer, Mr. Speaker, holding all the cards? Why are the unions and why are workers and union members left out of the model, when we continually hear that it is with the workers and the manager on site that they are best to determine essential services, who is needed, and what is the best operation for the department?

Again, Mr. Speaker, the issues that we have heard a lot about in the Assembly regarding the controversies over the Labour Relations Board and after all that we have heard with the firings and the process of hiring, the lack of confidence becomes a great concern for practitioners in this area.

And, Mr. Speaker, something that we haven't really spoken about, but what will the effect on our health care system be, a health care system that we hear is under stress? Is this the best thing to be doing at this time, Mr. Speaker? Mr. Speaker, when there is a lack of, a lack of employees in a system — what? — is that the best time to bring in an Act and then will we be looking at it in subjective terms?

Also, Mr. Speaker, what does section 21 mean, the ability of the employers to expand, the ability that the government has allowed for expansion of the inclusion of employers into this. And in terms of the regulations, Mr. Speaker, that are made by the Lieutenant Governor in Council, where section 21 says:

[in] defining, enlarging or restricting the meaning of any word or expression used in the Act but not defined in this Act;

[And] (b) prescribing, for the purposes this Act, as essential services any services or any class of services provided by the Government of Saskatchewan.

Mr. Speaker, this does not leave a lot of confidence for many people in this field or in terms of the employers or the unions as to who this might include.

And finally we have problems regarding Bill 24 where this government has again leapt first before thinking and perhaps doing appropriate research, to now having to come back with another Bill to start fixing things that they've missed.

And we wonder because of the lack of the consultations, because of the lack . . . And we hear many times in this Assembly, before Bills are proposed, that there was consultations held, that the stakeholders all were contacted, that there was discussions and then the legislation moves forward. And one of the reasons that perhaps we don't have that here is there was none of that.

So, Mr. Speaker, it is of concern to me when the people of Saskatchewan, prior to the last election, were told that in fact there would not be any legislated essential services or any legislation for essential services legislation. And then immediately after the election, Mr. Speaker, the present government now is saying that, announced that they would be proposing essential services legislation.

Mr. Speaker, they said many things before the election, and now we find perhaps a minister that is in the situation of having to — for lack of better words — mumble and fumble his way through this on a daily basis, Mr. Speaker. Many times we have maybe, Mr. Speaker . . . And I see the Minister of Labour is listening and thank him very much for that, finally to get his attention. But, Mr. Speaker, every day it has been this minister who has come out, made statements, retracted these statements, backtracked, re-explaining, only to return the next day with some other issue he doesn't know about and to misspeak again.

Mr. Speaker, many times the officials have had to explain and have also then indicated that they did not know what was happening with this legislation. Many officials who have been with the department a long time have indicated that this was the broadest essential services legislation that they have seen. The

minister said he didn't know. He talks about moderate. He talks about middle-of-the-road. But, Mr. Speaker, I think this, all of this, all of this points to lack of consultations.

And, Mr. Speaker, and I again . . . and on his own website he now has put out video clips — 15-second video clips — using a teleprompter to try and explain, explain what it is that is happening, Mr. Speaker. This is not an advertisement for soap, Mr. Speaker. These are serious matters that impact the people of Saskatchewan.

[11:00]

And yesterday, yesterday in this House he finally, finally decided to answer a question. And, Mr. Speaker, and he answered the question, and he said, “every province . . . has it in place or has it tabled,” referring to essential services legislation.

Mr. Speaker, the first time again that he answered yesterday, and I would like to put in for the record, because “every province . . . [he said] has it in place or has it tabled.”

Well, Mr. Speaker, not every province has it in place or has tabled essential services legislation. I just want to, for the record, and perhaps the Labour minister will read *Hansard*, and I want to put in *Hansard* so that he can read it, is that in Alberta, Ontario, Prince Edward Island, they have no-strike legislation. In Saskatchewan and Nova Scotia, they have the ability to strike. It is only Newfoundland, New Brunswick, Quebec, Manitoba, and BC [British Columbia] that they have designations in essential services legislation.

So, Mr. Speaker, again even yesterday when there was no need to come forward with some information, the Labour minister did, and again he was wrong, Mr. Speaker — wrong again.

And in terms of the video clips, and so far everything that's been put out before us here, every day the minister coming out and explaining things going back and having to explain it again — Mr. Speaker, I just want to say that the people, the practitioners in this area are really shaking their heads in disbelief as to what is happening here. We are creating somewhat of a circus around an issue that is very important to the people of the province.

Mr. Speaker, we have from our side taken a more serious approach and have been asking for public consultations and public hearings. Mr. Speaker, this minister tried to hold consultations. He called them consultations. They were more like backroom meetings. And after those meetings, a good number of those stakeholders that came out — I've had an opportunity to speak to a number of them on the employer side and on the union side — and they all came out with questions, Mr. Speaker. They all came out with questions, and in fact a good portion came out calling for public consultations because they were saying here are what real public consultations, they are.

Now the minister in his reply has said, well he has huge support. He has huge support. And my question then to the minister would be, if he has the huge support that he has, then what is the fear? What is he really afraid of? Why not take the legislation out to people, put it up for public scrutiny? And

would he not have better legislation? In fact there have been arguments made that the voting in terms of Bill 6, that when you vote you have better, you know, stronger unions. So here it is again, democracy — or the lack of as it comes to Bill 5 — why is he afraid of democracy? And maybe he should strike out on his own because we know those members across seem to all have some difficulties.

Now, Mr. Speaker, we also talked a bit about last Friday, and I, along with a number of other ministers and MLAs, attended a panel discussion on Bills 5 and 6 with the NSBA [North Saskatoon Business Association]. Here were members holding a discussion, probably because at the request of their members, to try and give them more information on Bills 5 and 6. And, Mr. Speaker, I commend the NSBA because what occurred were presentations, good questions, and one could see where this could lead to excellent debate.

Mr. Speaker, even if the NSBA feels it is necessary for the government to provide more information, why is this government, why is this minister holding back and not, and not having public consultations? He has the time, Mr. Speaker, just so that the House knows, he has the time to meet with the NSBA, but the Saskatoon & District Labour Council is holding a forum on April 17, and the minister was unable to attend. Granted he is sending the deputy minister, but this sends all the wrong signals, Mr. Deputy Speaker. It send all the wrong signals in terms of that. It sends the signals that he feels this is not important, that perhaps he is afraid to meet or that he is hiding something here.

And, Mr. Speaker, in terms of the hiding, as I mentioned in 21, the Act, we have had nothing, nothing about explanations about the Act. We have had nothing in terms of the regulations which seem to be very wide ranging. Now returning to the NSBA and the panel and the presentation of the members and the association, what was particularly instructive to me were the questions from the floor. And the member from Saskatoon Eastview was there, and prior to her present occupation she was a nurse, Mr. Speaker, and she asked a very interesting question. And that was, her question was what essential services would mean to nurses and what extent of coverage would be required.

Now, Mr. Speaker, this question is central and at the very core of what we would be talking about and what in fact, if the minister could, perhaps this would be one of the key items that he could answer. But this panel was able to answer that question, and the panel said this, and I found this to be something new that had been put forward in the debate, and I would like to make that known to the House. And that was the medical person on the panel answered that the health care system at present, as he saw it, was in crisis, and that all nurses would be deemed essential.

In addition he talked about concerns about the doctors. And he went on to speak about the 1962 doctor strike, doctors withholding their services. So, Mr. Speaker, I would ask and further then, in addition, before I go on, in addition he said that he saw all health care providers as on a continuum, that they all worked together as a team, that they provided this, and he could see everybody being essential.

But I think the key thing that we gather from this is that at

present the health care system is in stress. And as the government tries to work through it, why are they putting — my question would be — why are they putting more stress on this system? Why put more stress on the system and particularly with legislation that they have not consulted on, have not talked to the stakeholders? In fact are they making this worse, Mr. Speaker?

And that question, that question, I think, is in terms if you would be looking at stakeholders. There's an April 11 article in *The StarPhoenix*, and the headline is:

Sun, province relationship sours  
 Union describes essential services bill as “worst in the country.”

Now, Mr. Speaker, I don't know about you, but when I would hear these sort of statements, I would think that this is not, not good for our health care system. Mr. Speaker, they also in that same article, the Government House Leader is quoted and is quoted as: “Government house leader Rod Gantfoer denied this week the government's desire to get essential services legislation passed this spring had anything to do with the four major health-care contracts — SUN, CUPE, SEIU, and SGEU . . .”

Mr. Speaker, this is hardly a recipe, Mr. Speaker, for getting a health care system if we truly believe that all stakeholders who are working in . . . must co-operate to make our health care system the best or workable for the people of this province. Mr. Speaker, what we instead get, we get a ramming of legislation. We get a lack of co-operation, people asking for public forums. People asking questions. And we get, as yesterday, misinformation. We get, I'll get back to you; I don't know. We get again officials coming out and discussing things. This is hardly a recipe. This is hardly something that gives us, would instill any confidence in people in Saskatchewan.

Now is it then, Mr. Speaker, one of the things, is it then the time to bring in . . . The question we should first ask, whether or not we would need essential services legislation, is it time to bring in essential services when up to 37,000 health care workers in this system are saying we need public consultations? Are we sure this is the right thing? Mr. Speaker, I don't want to say dysfunction, but is this helping our health care system when we are not dealing with any of the problems, when we see a minister who in fact at best is having backroom consultations?

Now if the minister determines to forge blindly ahead . . . And in terms of what he has provided us, the most arguments that he has provided, he's talking something about middle of the pack. He's talking about something that this legislation is moderate. Mr. Speaker, it's hard to, it's hard to know what that means, what that means when you're trying to solve a problem, to simply say well we'll just kind of find the middle of the road in terms of what's happening across Canada.

And I question how he could say that when he did not appear to know, in terms of essential services legislation, where he talked about where it was tabled. If he does not even know where it is tabled, how can we have some confidence here to determine that this minister . . . after saying something like that, something so basic, something so basic, to then say oh well I know, across

Canada, where the middle of the road is. He doesn't even know where essential services is, Mr. Speaker, and that is sad. That is really sad. And, Mr. Speaker, maybe that is why he's hiding behind video clips. I'm not certain, in terms of what he is doing.

But, Mr. Speaker, in terms of this and in terms of one more on the health care system, SUN [Saskatchewan Union of Nurses] had another . . . in that same article, in the April 11 *StarPhoenix*, the Saskatchewan Union of Nurses had one other thing to say. And this is what they said about consultations to date, they said, and this is Rosalee Longmoore, the union president:

While SUN was one union that met with the government, she said public hearings should be held on the bill.

“Our facts were presented. I would not characterize it as consultation. To me, consultation would have happened way before legislation was ever introduced,” said Longmore [sic].

Now, Mr. Speaker, when even people who the minister calls consultations come to see him and would not characterize that — and I know I certainly wasn't at the consultations that the minister calls — perhaps we shouldn't even call them consultations. Or is he denying or is he saying that what the president of the Saskatchewan Union of Nurses has said is in fact incorrect? And that would be interesting to hear from him on that and to see what he would have to say about that.

So in terms of . . . also just going back, just for the minister perhaps, I know he was at the North Saskatoon Business Association meeting. But the president of the Saskatchewan Chamber of Commerce, in there, is quoted, on Saturday, April 12, he is quoted as saying, “Most importantly, [he said] let's empower our people, our staff, the workers, and give them the tools and assets and support to become world leaders, and let's recruit and retain them,” Mr. Speaker.

Mr. Speaker, this is exactly what our province, what we talk about . . . we talk about training workers. We talk about recruiting workers. We talk about a good workplace.

The president, President Dutchak of the Saskatoon Chamber of Commerce went on to say, talked about MB Ambulance because he is the owner of MB Ambulance and how he works with his union workers to make that place a workable place. He talked about a company that's moving forward. He talked about a province that's moving forward. He made no statements about animosity, animosity. He talked about instead of working with union members of MB Ambulance and his company and how Saskatchewan could move forward.

Now, Mr. Speaker, in terms of arguments for the legislation . . . and Statistics Canada has indicated that Saskatchewan has a unionization rate of over 35 per cent. The Saskatchewan Labour policy and planning branch has published a statement that states over 96 per cent of collective agreements are solved.

Where are the arguments? Where — before we jump into this to think that there are excessive labour disputes — where are the reasons and what problem are we solving? Mr. Speaker, if we talk about . . . then we also hear from the members opposite . . .

that we talk about that nobody's coming to Saskatchewan, this province isn't going to grow because we have to send a signal in labour legislation. And if that's what this is about, then it is a sad, sad day because what is being impacted is the health care system. What is being impacted is the health care system.

[11:15]

The growth that we hear about and the members opposite standing up and repeating numbers of growth and us being number one in Canada, this has not happened overnight, Mr. Deputy Speaker. This happened over a period of time. And the labour legislation that was there was there long before. This growth happened with the labour legislation that was there.

So that argument, the argument that sometimes we hear that we are being held back by labour legislation is a bit suspect. And again I asked, if you are going to introduce legislation and if you are prepared to enter into a confrontational relationship with a good portion of the people of this province, what does that do? And what does it do specifically for health care?

What message does it send to people when we talk about recruiting and retaining people? What message does it send out to people over and above what the now Premier when he was opposition leader, when he was opposition leader and he talked about going to war with labour? He said it. He said it. We're going to go to war with labour.

Now is that the kind of messaging that we want on billboards across the country? It is a fact that we need people in the trades. We need people in the trades, Mr. Deputy Speaker. We need them to come here. We need to fill our jobs. We need to get this province working. And what are we doing, Mr. Deputy Speaker? What are we doing? We are sending out a signal that says we're going to war with labour, and we have, what some people have said, the worst labour legislation in the country.

How is this good? How is this good for us to become an engine of growth, Mr. Deputy Speaker? How is this good?

Mr. Deputy Speaker, for the now Premier to appear on a local talk radio show and say we are going to go to war with unions, this is, Mr. Speaker, this is perhaps, as the member has said here, this is low. This is very low. And I can't imagine, I can't imagine people who are in unions across this country — the trades and that — hearing that and saying, well now I wonder if I should pick up my family and move to Saskatchewan. Now here's the welcome mat for me.

And it's kind of a broad brush stroke that they like to paint of union members. And I find that really at times disturbing because I'm sure there are union members in their constituencies, and I'm not certain what it is that they are saying when they say that.

Now in terms of that, I think I have mentioned the minister not wanting to meet with the Saskatoon & District Labour Council forum, that he is just, you know . . . What message does that send? What message does it send to a good part of our residents of this province, Mr. Deputy Speaker?

Mr. Deputy Speaker, perhaps what we should then . . . what I'd

like to just talk about briefly — and I started to talk about it — is the entire issue, the entire issue of unions because at times we've heard over the past few days, across the way, people saying different things about the money that everybody has been given. But there's a kind of . . . you get a feeling, Mr. Deputy Speaker, that somehow unions and union members and union leaders . . . and then it accelerates to union bosses, somehow this generalization that everybody is the same.

And so I think I will say a bit more about that in a minute, but I just thought perhaps I would like to put into the record just something Beth Bilson has written, former Chair of the Labour Relations Board. And she writes about The Trade Union Act and I just thought it was kind of informative.

From the earliest days of European settlement in the west, some workers chose to be represented by trade unions in settling their wages and working conditions with their employers, a process which came to be known as collective bargaining. Till the end of the 19th century . . . unions were regarded as illegal organizations [Mr. Deputy Speaker, illegal organizations] because they interfered with the commercial activities of employers; by the time Saskatchewan became a province, however, Canadian legislation had been passed declaring trade unions to be legitimate organizations. In the first decades after 1905, the legal status of trade unions and of their collective bargaining activities was somewhat unclear, though a number of employers engaged in bargaining with trade unions representing their employees. [Now] in 1938, the Saskatchewan legislature enacted the Freedom of Trade Union Association Act, which recognized the right of employees to form and join trade unions for the purpose of bargaining collectively with their employers. It did not, however, place a legal obligation on the employer to recognize or bargain with the trade union.

Now, Mr. Deputy Speaker, it's interesting because you see there isn't a long history that you would think. And perhaps that's why the members across the way are a bit confused. Perhaps they're living in the past, and I would just like to bring them up to the future because where we are going, in not only this explanation but in terms of the Supreme Court explanations, we are moving forward. We are moving forward because people have become enlightened and have accepted what even, even the president of the Saskatchewan Chamber of Commerce is saying that employees and employers should work together to make the workplace a better place.

And I really don't hear that, and it's very disappointing from the other side when we don't. Because even in 1938 in that first Act, people were thinking that you can join a union, but the employer doesn't have to bargain with you. Now that's a simple concept.

But it wasn't until the Douglas government came in, Bilson goes on, in 1944 that this changed because:

The Trade Union Act not only included a renewed statement of the right of employees to be represented by trade unions, but also gave the trade unions selected by groups of employees the exclusive legal right to represent those employees in matters concerning their terms and



conditions of employment, [and, Mr. Deputy Speaker, more importantly] and placed an obligation on employers in organized workplaces to bargain in good faith. [Now] the statute also defined certain conducts by employers or trade unions as unacceptable and constituting an unfair labour practice.

So, Mr. Deputy Speaker, to the members across, perhaps I could put this simply, based in this, one of the central tenets of The Trade Union Act is the right for people to bargain collectively. That means that union members have a right to discuss their concerns with the employer.

Now it is unfortunate that something like this, that is so clear and simple — that should be so clear and simple — has to be legislated, but in fact, it is. So it is a fact of life, and it has now been enshrined in fact in the Charter, not only association but the right of collective bargaining.

Now further on The Trade Union Act, which as I mentioned was brought in by the CCF [Co-operative Commonwealth Federation], this was based on the Wagner Act in 1935 in the United States. And even the United States under Roosevelt were moving far ahead of what we are doing. So we're not by any means, Mr. Deputy Speaker, breaking ground here.

Now some of the more common ways . . . Perhaps today people see unions or perhaps because of the . . . that we get unions because of unfair treatment. But, Mr. Deputy Speaker, as I mentioned to you, I think one of the other things that unions are involved in are making the workplace a better place — better place to work, a better place for the jobs, and a better place for if it's a public service they provide.

Now this concept is important because the same concept would apply, as I have mentioned, to the essential services legislation and the impact that it would have if put in without consultation of the workers, Mr. Deputy Speaker. It appears that the residents of Saskatchewan understand democracy, and they are asking for public hearings on this because they're asking, because probably — and for the same reasons that there was a need for a trade union Act — because probably there is an understanding that at the very basis of democracy is discussion, is consultation, and then there are solutions.

And, Mr. Deputy Speaker, just one other point on this, just to maybe bring home the point — and perhaps it is the attitude that we see coming from there — is there have been many people, trade union members who have come to the Legislative Assembly. I've have had the opportunity to introduce them. And they came here, they came here to listen to their elected representatives debate issues around Bill 5 and 6. They came to hear that.

And these people came, and one particular day these people came from Paddockwood, Birch Hills. They came from Shellbrook, Meadow Lake, Lloydminster, North Battleford, Prince Albert; and I introduced these people in the legislature. Now some of these, some of these people were elected leaders of unions. Some were members at large.

And it was very disheartening to me personally because I had to go and speak to them later, when the Premier got up and —

quote from March 17 *Hansard*, and I quote — and this was the Premier saying:

Mr. Speaker, with respect to the essential services legislation, I know the Leader of the Opposition is very aware that over a year ago, reported in *The Globe & Mail* newspaper, the article reported that the then Leader of the Opposition — myself — indicated that essential services legislation may well be needed in the province. The intervening CUPE strike at the University of Saskatchewan and University of Regina where health care, where health care, the smooth delivery of health care was being threatened for Saskatchewan people underscored the need for this.

And so now the most important question . . .

Mr. Deputy Speaker, this is the key or this is the main part:

And so now the most important question before this Assembly on essential services — and I welcome this debate with the Leader of the Opposition, Mr. Speaker — the most important question . . .

And here is the most important question for the leader of our province:

Will they vote in favour of public safety? Will they vote in favour of the continuance of health care for Saskatchewan people? Or . . .

Mr. Deputy Speaker, here is what he had to say to the people, of the people who happen to be a trade unionist:

Or will they vote, Mr. Speaker for the agenda of union bosses and union leadership? What will be the choice?

Mr. Deputy Speaker, no wonder that attitude permeates that other side. No wonder there is that sort of generalization that permeates that other side — the generalization that everything can be swept away because of union bosses or union leaders.

And I wanted to and I had to go out later, but I really wanted to remind the Premier that these were, the people in the gallery, were democratically elected officials, democratically elected like many others for whether it be SARM, SUMA, chamber of commerce. And I wonder what these people thought. I wonder what the people from Paddockwood, Birch Hills, Shellbrook, Lloydminster, Prince Albert, Regina who travelled a good distance, Mr. Deputy Speaker, they travelled a good distance, and I wonder what they thought. And I thought the government failed that day. I thought the government showed a very poor side that day.

This government should be — and we all are — for the people. The government has made other things that make us wonder. They've made cuts to the poor, Aboriginal, disabled. And the Premier's . . . Mr. Deputy Speaker, there's Station 20. They've cut funding for literacy programs. We've heard today they cut the dental sealant program. And I wonder what signal that does send, Mr. Deputy Speaker, I wonder what signal.

Mr. Deputy Speaker, just back to the essential services

legislation. The minister is fond of the legislation, saying that it is moderate; it is not broad; it is middle of the road. And again as I mentioned previously many even within his own ministry have indicated that perhaps this is not the case. But like his lack of understanding of the crisis in health care, and perhaps now . . . and the stress that he is putting on for health care, he has obviously missed the point. And, Mr. Deputy Speaker, there are different ways of looking at this. And there are ways not only of, are we in the middle? Are we in the middle of the pack? Or whether this is broad or not?

There are different ways of looking at this, and the question perhaps we should be asking is what works. And we have a model in Saskatchewan, within which collective bargaining works, an environment that I would say does work.

And as we have heard many times that even the then opposition leader, the health critic, the former leader, and now the Premier have said, referred to this legislation and said, what did they say? They referred to the nurses, and they said that is the way essential services should work. They said this is the way it should work. They said we don't need legislated essential services. We don't need this at all.

[11:30]

Now all we hear about is middle of the pack. Just the other day, as I mentioned already, the minister went out on a limb again, and it was cut off behind him. And then he said, it's on the table everywhere. It's on the table everywhere. And it's not.

But, Mr. Deputy Speaker, perhaps . . . I would just like to mention that in fact the truth of the matter is when we look at this . . . And for those people who understand what the impact of this would be, to those people perhaps what we should be talking about is not only what works — but if we truly want to study, if we truly want to study what is happening — perhaps the way we should do this is look at the models that are in existence across the country.

Now a good summary of this is in a book, *Strikes in Essential Services*. Authors Bernard Adell, Michel Grant and Allen Ponak outline three models for essential services dispute because that is in fact what we are talking about. How do you resolve, and in what environment should this proceed? And they put out the three models. Three basic models are identified.

And so number one, Mr. Deputy Speaker, the no-strike model prohibits strikes entirely and usually provides for some form of compulsory arbitration as the dispute resolution mechanism of last resort, Mr. Deputy Speaker:

This model can be said to be based on the principle, if the strike prohibition is clearly set out in advance in legislation, if an arbitration process is also set out in advance, and if the arbitrator is truly independent. However [and this is in talking about the independence of the arbitrator] elements of a power-based model often creep into the no-strike system in the form of restrictions on the arbitrator's independence in furtherance of the interest of one side. In addition and more fundamentally, if arbitrators merely attempt to replicate the settlement terms that the parties might have negotiated if they had the right

to strike and walk out, the no-strike model acquires a power-based dimension.

Mr. Deputy Speaker, number two, number two is the unfettered strike model. The first model is the kind that we see — and I just talked about Alberta — where we would see the no-strike model. What they call the unfettered strike model or the strike model is what we would have in Saskatchewan. And this is the second model. The no-strike model prohibits strikes entirely . . . or I'm sorry:

The unfettered strike model in its pure form is a power-based system of dispute resolution because it leaves the parties free to use their economic power not only to resolve the underlying collective bargaining dispute, but to also to decide what services, if any, will be maintained during a work stoppage. There are no restrictions on strikes and lockouts other than the standard procedural constraints set out in the applicable labour relations statutes. Nor there are specific legal requirements with respect to essential services.

And that is what the Saskatchewan model's about. Now the third model that they talk about is what we are engaged in here in Bill 5, and that is the designation model. And they say that:

It stands between the other two and relies on the elements of both power and principle. It seeks to leave the underlying collective bargaining dispute to be resolved through the interplay of power, but it puts a separate process in place, a process culminating in independent adjudication in an attempt to ensure that as many employees will remain at work during strikes and lockouts as needed to maintain essential services.

In other words the designation model endeavours to treat the provision of essential services as an enclave to be sheltered from the inner play of economic power, one where reason and principle will prevail instead. A third party, either a specialized essential services tribunal or a Labour Relations Board, is made responsible for deciding on the nature and extent of essential services should the union and employer be unable to agree, but in some cases the determination is made directly by legislation.

Mr. Deputy Speaker, Mr. Deputy Speaker, there are two other things that would come into play in, perhaps, in the second model, and that is to make things work the parties have determined that there could be back-to-work legislation in the second model and in the first, and perhaps as things that come into play, wage restraints which would hamper what the collective bargaining agents could ask for.

Now the explanation, and I read that in because I think we would want that, want that in, but the explanations around that are this — and perhaps to the minister or somebody could do him some bedtime reading — but what, what we are talking about in different models? We are talking about creating an environment in which problems are solved.

Now we talked about — and I explained, Mr. Deputy Speaker, to the members opposite — why it is important to have legislation that has the parties sit down and talk to each other.

There's legislation. Now we come to the part of, if you can't resolve problems, then what do you do?

So in the first, in the Alberta model where people have looked at that and said, well let us not do anything, let's just ban strikes . . . Let's just ban strikes and be done with it, and what we will do is send everybody to binding arbitration. We'll make some rules around it. I don't want to complicate the issue, but in the simplest form that's that is what occurs.

Now has it prevented strikes? It has not. In fact Alberta has had more days lost to strikes than Saskatchewan with our system. As the authors have said, binding arbitration is not necessarily — depending on the independence of the arbitrators, depending on what approach the arbitrator takes — is not a cure-all. And is it a cure-all to have somebody from outside, somebody from outside impose on the parties a solution, Mr. Deputy Speaker?

Now we move to the strike model which is the Saskatchewan model. The model is based on that the parties will be able to craft the best agreement. They will be able to craft the best agreement and not only the best agreement around essential services legislation but a best agreement.

Now what does this say in terms of the issue of designation, because I raise that as an issue. If you apply and if, as in our legislation, the employer would have the final say and say who is designated without input, without input from the employees, how is that system better than a system where . . . at the very basis, we've heard everybody call for consultations. We've made the arguments for why people should sit down together and determine that. The best, I would say, the best system would be a system where people would look at and allow the people, the employees, allow the managers on-site to make those determinations. That has also been argued and agreed to, Mr. Deputy Speaker, as one of the better ways.

Now the final way which the minister talked about, the Minister of Labour talked about, was the designation system, and I've gone over where that has been. There have been concerns. There have been concerns in terms of that. In New Brunswick where there were designations and particularly in terms of where health care systems are under stress, there were strikes and where there is that they resorted to back-to-work legislation. So what we had was a return to a strike model which exists in our province.

So I think before we would move, before we would move on this issue, I think a good discussion of what model we are trying to build is the discussion that we should have. To simply say, Mr. Deputy Speaker . . . and I am just baffled by how you can say that you can look at the middle or put ourselves somewhere in the middle of the pack when these are simply models that are used in negotiations between parties.

Now we have in terms . . . And I would like to at this time as well quote Dan Cameron who's a lecturer of industrial relations at the Hill school of business in the University of Regina. It talks about our system, and he had this to say in terms of this legislation: "A difficulty with the proposed legislation is [that] it requires every public service union and management subject to the Act to engage in a designation process [at the outset of negotiations] that is time consuming, complex, and costly."

Now what he's saying there, Mr. Deputy Speaker, is that, whether or not there is a threat of strike or not, parties will have to sit down and do these negotiations. This is complex. It's costly. In most cases, as I've mentioned before, with the policy branch saying that 96 per cent of all disputes are resolved, what are we doing here? What are we doing? And putting an enormous cost perhaps on our health care system. So:

It treats every negotiation as if a strike or lockout is inevitable in spite of the . . . overwhelming [evidence] . . . of agreements are arrived at peaceably [and without a strike]. The early designation of essential services in every public sector bargaining unit reduces the negotiating powers of unions in those units at the very beginning of negotiations. Thus the focus of the legislation appears to be limiting union bargaining power and the impact of strikes and lockout action generally as opposed to ensuring the continued provision of essential services in those specific instances where . . . [it is] threatened.

Now he goes on to explain:

Currently, when strike or lockout action occurs in the Saskatchewan public sector, it is quite common for union and management to have an informal understanding to ensure the provision of essential services. Neither management, union nor employees want to be held responsible for a serious adverse event. It is not uncommon for striking workers to drop their picket signs to attend to emergent situations and return to the picket line later. This response is grounded in the social ethic of the province. If we must have essential services legislation, this same ethic should serve as its foundation.

And then, Mr. Deputy Speaker, he goes on to suggest a solution:

Union and management in public sector negotiations could be required in law to establish a joint committee to identify essential services. This body would only function once an impasse is reached in negotiations. It would identify essential services and the employees required to provide those services within a specified [period of] time, i.e., 30 days. No strike/lockout notice would be permitted during this period. It would continue to function dealing with emergent situations until a collective agreement was achieved. In such situations there is always the risk that a party will engage in delaying tactics or propose or oppose a . . . essential [service], given the number of essential employees can strengthen or weaken the bargaining power of a party. To avoid this, a Labour Relations Officer of the Saskatchewan Department of Labour would be an *ad hoc* member of the committee.

Now Mr. Cameron felt that, Mr. Deputy Speaker, that at this time that also to resolve disputes that perhaps he foresees bringing in a labour relations officer. He then goes on to explain:

That person could act . . . [in a mediating role in] facilitating negotiations, resolving differences, and confirming that essential services were in fact essential and emergencies were true emergencies. If there is no

resolution, that officer could recommend a solution to the parties and to the Minister of Labour. Failing resolution, the latter could take a range of actions, i.e., release the Department of Labour report to the public in order to pressure the parties, offer third party mediation, [arbitrate directly in this dispute] or order the provision of disputed services.

This approach deals with actual as opposed to theoretical threats to the provision of essential services.

It builds on the practises that already exist. As well, the primary focus of the parties in negotiations will be on concluding an agreement given the uncertainty as to which services and employees will be determined essential. This process involves a neutral party in quote, “fostering a resolution between the parties and ensuring the essential services are in fact essential . . .

It places primary responsibility for providing essential services where property resides, with the management, union and employees who provide those services. It preserves Government’s flexibility in responding to protect the public interest when the bargaining parties do not exercise their responsibilities.

Mr. Deputy Speaker, this is an excellent analysis, an excellent analysis. And I would just like to take you through that much, much the way so that the members opposite could understand this, much in the same way as the rights that unions have gotten in terms of meeting with the employers, between employers and unions.

And what do we have here? What do we have with the tools if the parties properly understood? We have, we have in Mr. Cameron’s proposed solution, the tools or all the factors that come into negotiations, all the factors that come into negotiations.

We have one. We have . . . leave it to the parties. Who are the best parties to resolve this? The parties — the employers, the managers, the employees on the work sites. What do you do if the parties do not agree? You mediate. You send in a conciliation officer, a mediation officer. You try and get the parties moving. These are the things that have worked, have worked for years, that have worked for years in labour. We don’t, we don’t need to reinvent the wheel here. We don’t need to talk about moving forward. We need to talk about solutions. And then he talks about putting in and sending reports to the minister and going through all the necessary steps that would have to happen in terms of getting a deal.

[11:45]

So the questions, I think the questions then become, what is wrong with our present system? And this goes to the very heart. Had there been consultations prior to the Bill as we hear daily, as we hear daily on other Bills that after . . . Even in today’s question period we heard, after consultations in the education sector, we brought in this Bill. That was said by the Deputy Premier. And yet, there was no consultations. Nobody heard about anything. And we wonder why we’re getting into a problem.

So what I ask . . . And it makes me wonder about the attitudes and that from that side. What was it that was going on here? Who drafted the legislation? Why was this happening? Where is the analysis for change? Where is the analysis for change that people can reply to? All we have is video clips. We have 10-second video clips that people can reply to and a website. Now that, in contrast to changes in other Acts, is shameful. It is absolutely shameful that . . .

And I heard members talk about, well how many members are in unions and that. But it sends a message. It sends a message outside this province. It sends a message to all workers. It sends a message that are they concerned and what is this government concerned about.

So lack of consultations and more importantly . . . And I think the members are missing, they’re missing a huge point here. More important, our health care system, our health care system is at risk if we simply ram this through. Mr. Deputy Speaker, I am very concerned that if we ram this through that this is what’s going to happen.

And those members, they smile. The previous Health critic and now the Health minister, they smile when they said, well this was not necessary. What does this do to the stakeholders when they met with them and they said, well don’t worry about it, don’t worry about this, this legislation isn’t needed, we don’t need to go there?

This has been repeated countless times in here, and the members opposite wonder why we would say that if in fact any person was told on an ongoing basis that legislated essential services were not necessary and a day later or weeks later or months later are told that oh well yes, we’re going to do that because we have to get in the middle of the pack. There is no middle of the pack. There are models in which people try to address issues of collective bargaining. And that is the real issue that we would be going.

So we’ve had the now Health minister, the now Premier, the former leader all saying that this wasn’t necessary, and somehow people are to forget all this, somehow people of Saskatchewan are to forget all of this and then just say, we will just embrace this and we’re going to move forward and we’re going to work forward. So there’s a lot of talk about moving this province forward. There’s a lot of talk about population growth.

But really for a large portion . . . And if you look at the health care sector, that is the most highly organized. I don’t have the exact number, but I would venture to guess that it’s in the high 90s in terms of the organization in the health care sector.

And not only, not only, Mr. Deputy Speaker, that are they moving, moving in one direction, and I would suggest that it’s not forward. The Supreme Court of Canada — just to show how out of step these folks are — the Supreme Court of Canada just simply is moving in the other direction. They’re moving in the other direction. In British Columbia when the Campbell government came in and tore up collective agreements when they stripped workers, what the Supreme Court . . . And I would just sort of give a brief overview. The Supreme Court just simply said this was unacceptable, that you had to consult, that

you had to negotiate.

And this seemed to somehow just miss the understanding, or somehow there was such a lack of understanding that people could do this, such a lack of respect for contracts, Mr. Deputy Speaker — a lack of respect for contracts, a lack of respect for people. Something that permeates from that side in terms of, as I tried to mention, right down to the simple thing of the union bosses and who are you . . . who's calling the shots. And I think that that might be fine as we exchange barbs here. But to the people when they attend this Assembly, to the people outside when they hear that, what does this do to foster — what the president of the Saskatchewan Chamber of Commerce said — working together with workers? What does it do? I mean he himself understood. But he does not do in MD Ambulance what this government is doing here.

Now in terms of . . . I would just like to, for the record, read in from the Supreme Court decision of the one I just spoke of, of *Health Services and Support — Facilities Subsector Bargaining Association v. British Columbia*, a decision of June 8, 2007. Somewhat in here, the reason I read it is twofold, is a bit of a history on how we got here. And I feel that this is probably necessary from everything that I'm certainly hearing here in the Assembly. And I quote from there:

Workers' associations have a long history. In England, as early as the end of the middle ages, workers were getting together to improve their conditions of employment. They were addressing petitions to Parliament, asking for laws to secure better wages or other more favourable working conditions. Soon thereafter, strike activity began.

In Canada, workers' organizations can be traced back to the end of the 18th century . . . However, it was not until the industrial revolution that workers' organizations took on more than a marginal role, and that a real labour movement was born.

From the beginning, the law was used as a tool to limit workers' rights to unionize . . . After the French Revolution, the British Parliament, convinced that labour organizations were the nesting ground of potential revolutions, adopted the Combination Acts of 1799 and 1800, making it unlawful for two or more workers to combine in an attempt to increase their wages, lessen their hours of work or persuade anyone to leave or refuse work . . . Combinations of workers were already illegal at common law.

. . . The question of whether the repressive common law doctrines and the Combination Acts of 1799 and 1800 were introduced into Canada is subject to controversy.

. . . By the beginning of the 1900s, the main criminal barriers to unionism in Canada had been brought down.

. . . At the time the *Charter* was enacted in 1982, collective bargaining had a long tradition in Canada and was recognized as part of the freedom of association in the labour context.

. . . The protection enshrined in s. 2(d) of the *Charter* may

properly be seen as the culmination of a historical movement towards the recognition of a procedural right to collective bargaining.

Now I don't want to say or tell the members opposite to get out of the Dark Ages. If you want to move forward, if you want to truly move forward . . . [inaudible interjection] . . . As the member says, get out of the Dark Ages because you are doing no one any favours, yourselves first. And it's simply a suggestion.

Show some respect and move this province forward so that we do not have to look and explain that Saskatchewan, that Saskatchewan is not a leader, that Saskatchewan has no respect for workers, that Saskatchewan has no respect for workers' rights.

We speak of that, and they wonder why we speak of that so long and why we ask so many questions of that — because they don't get it. They don't get it. Maybe one day the Supreme Court will have to tell them. Here's where it is. But here in our Assembly, I feel that it is my role to attempt to enlighten that government on these issues.

**Some Hon. Members:** — Hear, hear!

**Mr. Iwanchuk:** — Okay. Finally in respect to bringing in this, one of the things they talked about was the snowplow operators and what a danger they posed. And even on that . . . how suspect is that, Mr. Deputy Speaker, when in fact everything pointed to, all the news reports pointed to that the snowplow workers, the workers in this province, because they did not also . . . They also have a respect for their jobs. They also look towards the province and its residents in providing the service. They went back to work.

We've had many other instances in terms of the ways . . . we heard the way the Labour Relations Board — and I don't think I need to go to the details in terms of the firing — the way that the new Chair has been brought in. And one of the important tenets, one of the other important things of this is that this quasi-judicial board should be seen as independent. And what signal does it send, and what trust can people have, the practitioners?

The Canadian labour lawyers have put out a statement in terms of where they talk about:

“For tribunals to be able to interpret laws impartially and without fear of reprisals, security of tenure must be respected. The recent actions [in speaking] of the government have not only called into question the independence and integrity of the Labour Relations Board, but have raised the spectre of political interference in the workings of the tribunal essential to maintaining legal rights in the workplace . . .”

Mr. Deputy Speaker, there have been many other analyses, analyses that say that workers will strike or workers will leave because that is what a strike is. Worker will leave their place of employment if things get so bad that that is the only thing that they could do. It's a form of quitting. But that's what will happen. So can you, can you truly . . . Where is the discussion

and the debate — which is obviously sorely lacking — to even deal with the issue of strikes?

Again then, Mr. Deputy Speaker, I would ask that perhaps — if the government members are listening — that perhaps those questions that I began with, the questions that I began with on the designation that we need to have some discussion about, we need to have some discussion about the resolution of strikes. We have to discuss essential services.

And, Mr. Deputy Speaker, one of the things that people have mentioned to me is the issue, the issue of . . . there is no end here, where you have in Alberta, you can go to binding arbitration. There is no end here; there's perpetual negotiation — the potential for perpetual negotiation, the potential for more strife, the potential for more stress in workplaces.

We have excessive fines. The government won't tell us about their amendments. And with the Labour Board and everything else that we have, it is a wonder that workers will have any feeling of comfort or any confidence in their workplaces.

I would like to end just by a quote from the brief submitted by the Saskatchewan Federation of Labour, and the brief says:

If these Bills pass, Saskatchewan will move from having legislation that is internationally acknowledged, recognized and respected as “fair and balanced” — to legislation that will occupy a position at the bottom. Is this the sort of labour relations climate you wish to foster, given that keeping workers in Saskatchewan and attracting new workers to the province is a goal shared by all of us across the policy community?

The relationship between employers and workers will also suffer if Bills 5 and 6 are enacted. Workers will see employers having more control over their working conditions than ever, including their ability to function as independent trade unions. Such an environment can only lead to disharmony and discord. Regarding Bill 5, evidence cited above suggests that essential services legislation may in fact prolong and provoke strikes.

Mr. Deputy Speaker, we have many questions. We have heard from this side many excellent speeches. And contrary what the members opposite are saying, that there has been an inordinate amount of time spent on this, we believe that these issues, that these issues should have been raised for the people of this province. This goes to the very heart as we have had many countless debates here about democracy and our ability to do that.

We have not been told about the regulations. We have not been told about the excessiveness of section 21 in the essential services Bill 5. And it is very difficult, Mr. Deputy Speaker, to talk about some of the sections when we see that the Lieutenant Governor in Council has such wide-ranging powers to change these things.

So with that, I would end my comments and recommend that we move this Bill to committee.

**Some Hon. Members:** — Hear, hear!

[12:00]

**The Acting Speaker (Mr. McMillan):** — The member is moving second reading of the Bill. Is it the pleasure of the Assembly to adopt this motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. McMillan):** — Agreed.

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

**The Acting Speaker (Mr. McMillan):** — To which committee shall this Bill be committed?

**Hon. Mr. Gantefoer:** — Mr. Deputy Speaker, to the Human Services Committee.

**The Acting Speaker (Mr. McMillan):** — This Bill stands referred to the Human Services Committee.

### 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 Acting Speaker (Mr. McMillan):** — I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, it's a pleasure to rise this morning to continue my comments on Bill 6. And, Mr. Speaker, I would like to repeat a couple of the comments I made last evening before we adjourned debate.

And I think most importantly is that we have to realize first and foremost that The Trade Union Act, we need to understand why it was initially implemented and its initial intent. And quite simply put, Mr. Deputy Speaker, that The Trade Union Act is put in place to empower workers and unions.

And I'd again like to repeat a quote that comes from Dr. Elaine Bernard. She's the executive director of the Harvard trade union program at the Harvard Law School. And this quote comes from an article that's entitled “Collective Bargaining as a Constitutional Right.” And just to read this quote into the record:

“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 this comes from the Supreme Court of Canada. And, Mr. Speaker, I would like to repeat again. In the quote it says “. . . thereby gain some control over a major aspect of their lives . . .” It doesn't say, have more control than the employer. It does not give them an overpowering control. It gives them some control into a major aspect of their lives — all of our lives — which is

our work life, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, when we're looking at any changes that are being put forward to The Trade Union Act, we really need to look at how do we interpret these and how do we look at them overall. So when we think of the Act as put in place to empower workers and unions, and when we look at changes we look at them from a perspective of whether the changes weaken or strengthen workers and their unions.

And in other words, quite simply, we look at who benefits from a change in the law. And that's a great guide to understanding the meaning when changes are proposed. Who benefits from the changes that are being proposed?

Now, Mr. Speaker, it's important also to remember that the implications of a change to an Act or a piece of legislation, a change to even one word, must be read in a context of the whole Act, all of the regulations, and in this case, in the case law history. And, Mr. Speaker, that hasn't been done with this Bill.

And I will again repeat that that's obvious because when a Bill is developed in-house, meaning within the Government of Saskatchewan, you will have the departments and the Department of Justice, whichever ministry or department is affected, work with the Department of Justice to look at, in the context of the whole Act, how the changes will affect the whole Act, also the regulations, and case law history.

And we're seeing that there has been amendments tabled. The minister has talked about other amendments that will be put forward for Bill 5. But he's also tabled a separate Bill, Bill 22 — which is The Trade Union Act amendment two — in this session which obviously points to not a thorough job being done with this piece of legislation and the changes that were initially put forward.

And that just, I think, substantiates the claims that these Bills were in fact drawn up by a third party and delivered to the Department of Labour and the Department of Justice to actually do some background work on, and really try and move these pieces of legislation forward. So that has raised a number of questions for many people.

Mr. Deputy Speaker, some of my colleagues have gone into quite a fair bit of detail and in the amendments and the changes that are proposed for Bill 6. But what I would like to do this morning is really just touch on a couple of them.

And when we have talked about labour legislation over the past eight, nine years that I've been involved and probably . . . well I remember quite clearly the five years that I served as minister of Labour. We always heard the discussion from the Saskatchewan Party about freedom of speech and a democratic vote. And they've repeated this over and over and over again, with the support of many of the business organizations that they seem to collaborate quite closely with.

And when we look at the changes that are proposed to The Trade Union Act, in section 6 of the Bill that replaces section 11(1)(a) of The Trade Union Act, the new words are, and I quote: “. . . but nothing in this Act precludes an employer from

communicating facts and . . . opinions to its employees” — and opinions.

Mr. Speaker, quite simply when you look at this change, what it will do . . . And I'm sure once we get into committee we will go into many examples of what kind of problems and issues this can cause. I know it raises many concerns amongst many working people across the province. But quite simply, this amendment may make legal more than 90 per cent of employer conduct that is presently illegal in almost every part of Canada and much of the United States — illegal in every part of Canada and much of the United States.

So, Mr. Deputy Speaker, when the minister has stood and said that what we're looking at doing is meeting national norms and that this is in place in other parts of the country and why don't we have it here, well what I would say . . . I was trying to think of a good analogy. And the one thing that comes to mind is that when you go to a restaurant and they say, would you like your wings mild, medium, or hot. Well wings are wings, but what degree you have those wings — whether they are hot or whether they are mild or whether they are plain.

And while people will stand and say quite clearly we have essential services, we have these things in other provinces, it's the degree to which we have them. It's the degree and the depth that these amendments will change the legislation in Saskatchewan. That's the concern.

And that's why over and over again we have stood in this House. We have stood in our constituencies and stood in whatever venues are open to us to say there needs to be real public consultations on the recommended or the proposed changes to The Trade Union Act put forward by the Saskatchewan Party government.

Now, Mr. Speaker, there is also a number of conflicting statements that have been made by the minister and by the government in general as to their depth of understanding and what they perceive as the intent of this legislation. That also just causes many more questions to arise and a number of doubts to be brought forward as to what the actual intent is in bringing this legislation.

So, Mr. Speaker, a couple of things that I would really like to touch on is the whole issue of the democratic vote.

And I talked yesterday, or last evening, about a number of papers that have been put out that do an analysis on the proposed changes. And one of those is from the Canadian Centre for Policy Alternatives. And Mr. Jim Warren, who is a Regina-based researcher and a labour historian, says in his study . . . and the title is even a little bit surprising, “Joining the Race to the Bottom: An Assessment of Bill 6, Amendments to The Trade Union Act, 2008.” And a quote from his report is, “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.”

So then, Mr. Deputy Speaker, I go back to my initial question: who benefits from this legislation? Who benefits from the changes proposed to The Trade Union Act, The Trade Union

Act which is put in place to empower working people and unions in the province of Saskatchewan?

Mr. Warren goes on to say that his study discusses, that this study discusses the evolution of the Saskatchewan Trade Union Act from 1944 to the present day and argues that the current government's Bill 6 amendments are unduly punitive, unduly punitive to working people across Saskatchewan.

So, Mr. Speaker, this is a very good analysis of the amendments, and it goes through the amendments clause by . . . or amendment by amendment, and gives a number of examples and analysis of what the long-term effects of this will be and short-term effects.

It talks about the Labour Relations Board, and it also talks about . . . when we talk about the signed membership application cards, and this is one of the areas where I really want to have a bit of discussion. We've heard over and over from the business community and from the Saskatchewan Party about a democratic vote. So what we'll see from the current legislation is, that under the existing legislation, after a union succeeds in obtaining signed membership application cards from the 25 per cent of the employees in the workplace and applies to the board, the Labour Relations Board can authorize a certification vote by employees in the proposed bargaining unit.

Now I have to say, Mr. Speaker, no union goes to the Labour Relations Board with 25 per cent of any signed cards of the membership for any workplace that they may be looking to apply for certification. They wouldn't do it. It's always much higher.

A vast majority of certifications are granted on the basis of card evidence presented in conjunction with the application. And in practice, the evidence required by the Labour Relations Board involves the presentation of sign-up cards from over 50 per cent of those people to be included in the bargaining unit the day the application for certification is filed.

The amendment proposed will require a vote in all cases. Currently in the rare instances when a vote is held, a majority of 50 per cent plus one of those voting decides the issue, provided that a majority of those eligible to vote actually vote. Now this is referred to as a double quorum system. It is interesting that the double quorum requires a higher level of participation than we require when electing members to the legislature or to parliament. And since votes are only rarely held, the double quorum has not been a significant bone of contention here in Saskatchewan. Now if this amendment passes and votes become mandatory, it will become an area of concern. It is noteworthy that Alberta, a province the current Saskatchewan government is accused by critics of attempting to emulate, does not have a double quorum requirement.

So from labour's perspective, a significant advantage of the card sign-up certification process is that it can be conducted in relative secrecy without employers being able to determine who is and who is not a union supporter. And, Mr. Speaker, this is important. It's very important. If a successful certification vote requires a majority of all employees to vote, the employer can interpret an abstention as a no vote.

Now this has caused some confusion also in the statements that have been made and in the proposals that are sitting now before this legislature. This is because if enough employees abstain a pro-certification vote will fail. The secret is out, if those who choose to vote can be automatically considered union supporters. An anti-union employer will be able to deduce which employees do and which don't see unionization the employer's way. And this leaves those employees who vote vulnerable to employer's sanction. A truly secret ballot is not possible under the double quorum system.

[12:15]

Now, Mr. Speaker, we've had a number of examples that have been given, but I have to point to one where observers, including Professor Muthu, argue that given the challenges unions face in organizing any workplace, the card certification system which we currently have constitutes a valid method of measuring employee preference. If a union gets 51 per cent of the employees to sign union cards, it is for that union akin to winning a plebiscite under a dictatorship. Granting union recognition and certification after a card check by a labour relations board in such cases is perceived to be the most legitimate, and justifiably so.

So, Mr. Speaker, we can make many, many arguments about why the card system works, why the system of certification that we currently have is in place, and why it's been successful for so long. And I'm not saying that every certification attempt works. Employees and workers in those locations will decide. But, Mr. Deputy Speaker, it's their decision. It's not a decision of the employer. So then we look at what the requirements are to achieve a minimum of 25 per cent sign-up rate, well the current 25 per cent sign-up rate required to apply for certification . . . however in practice and as I said before, which union organizers will ensure that they have achieved sign-up rates of well over 50 per cent before filing an application.

Amendment 3 will require the union to obtain a 45 per cent minimum card sign-up rate, but they also shorten the time for that sign up to take place and to get the work done to in 90 days. So unions theoretically will have to work faster and meet a higher threshold of sign-up success before they can apply for certification. And since union organizers typically sign up more than 50 per cent of those eligible, the 45 per cent minimum will not be their biggest problem.

The timelines will be of concern though. And that said, it's interesting that the amendment sets the sign-up threshold higher than it is for Saskatchewan employees subject to federal legislation, which is 35 per cent. So, Mr. Speaker, what clicks in my mind when I start reading these numbers — 35 per cent is federal legislation, Alberta and Manitoba which have a 40 per cent threshold — what happened to national norms? What happened to the minister's contention that we were only looking to reach national norms?

So anyway we can look at, even under with this proposed legislation, if you were at 100 per cent of the employees sign up, signed cards to join the union, it would be unacceptable without a vote. So that in itself causes a number of questions, causes a number of issues to come up.



But what I have to do is look at a paper that was put together by Dr. Muthu, and it's called "Proposed Amendments to the Trade Union Act: A Critique." And Dr. Muthu is at the Faculty of Business Administration at the University of Regina. And his field of specialization is industrial relations, business ethics, and administrative law. And Dr. Muthu does a very nice analysis in his paper on the cards versus the vote. And where this government and their business supporters and the supporters who have followed along quite closely with them or led along — I'm not quite sure whether they followed or led, but they're one and the same, Mr. Speaker — about a democratic vote for unions and unionization in a workplace, well Dr. Muthu makes some very good points. And I'd like to put this on the record, Mr. Deputy Speaker. And I quote from his report:

The use of a political analogy by employers to describe the union representation election, their emphasis on certification only by mandatory voting, and their preference for a lengthy American-style election campaign based on the employers' 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 are based on faulty assumptions and are empirically unsound.

Corporate governance is presumed to be a purely private matter, and hence the political analogy is never extended to the authority structure of the company itself or to its decision making processes.

Can you imagine, Mr. Speaker, if it should be put to a vote of the employees, that the company with free speech involved as to what decisions the company should make or what organizations the employer wished to join? I mean we would hear about it for a long, long time. But yet they feel quite right within their right to have that impact and that influence on the employees:

But when a union knocks at the door, the employers prefer a full-fledged election process similar to that of a national election. They argue that because employees must be able to make "informed choice," the employers should have *an equal opportunity to make the case against unionization* and to persuade the employees that they would fare better under the existing regime of individual employment relations.

The assumption behind the regulatory approach of the Canadian system of industrial relations, with its preventative and reparative purposes, differs from the U.S. model which superimposes a broad political analogy on union "election and representation." Paul C. Weiler, foremost scholar in labour law and industrial relations system of North America, Europe as well as Pacific Rim systems, and currently at the Harvard Law School, objects to the misuse of the political analogy for the following reasons: [And Mr. Wheeler states]

*There is an inherent fallacy in the political analogy. The employees are not making a momentous choice, one which should be carefully hedged about with ceremonial*

*trappings, ultimately allowing the employees to make up their minds in the solemnity of the voting booth in the same ways that citizens do about their governmental representatives.* The fact is that the trade union does not have the governmental authority over the unit of employees.

So why do we expect the elections to be compared to and run the same? Now those are my comments, Mr. Speaker. And I go back to the paper:

The trade union gets a piece of paper — a license to bargain on their behalf — which is by no means the key to the vault. The union must do something in the real world with that license. True, the employer has to sit down at the table and negotiate with the union. But it does not have to agree to any of the demands of the union. How does the trade union extract concessions and ultimately a contract with a recalcitrant employer? Only with the lever of employee pressure, through the threat or the use of a strike. In the final analysis a trade union must be able to get a strike mandate from the employees. In practice there must be not just a bare majority, but a solid one to be credible at the bargaining table. This is the crucible in which the durability of the union's majority will be tested. *Unions do themselves by flimflaming a group of employees into "instant unionism" which they will shortly regret. The trade union has to maintain — indeed it has to build up — its initial support during the months of the certification proceedings and first contract negotiations.*

And, Mr. Deputy Speaker, this really lays out nicely the argument for the card system itself. And then we go on. There are some very clear differences and other differences between a political election and a union election, identified by Professor Gordon Lafer in his report entitled "Neither Free Nor Fair."

And, Mr. Speaker, this directly speaks to the calls from the CFIB [Canadian Federation of Independent Business], the North Saskatchewan Business Association, the Saskatchewan Party, who year after year after year have stood and said, we want a democratic vote. We need a democratic vote. Who could argue with this?

Well many people can argue with it, Mr. Speaker. And there are many good reasons that the union card system for certification works and it's the appropriate method to use and to continue using. And, Mr. Speaker, I want to go back to Professor Lafer and his report entitled "Neither Free Nor Fair." And I quote from his report:

In a regular political election, the boundaries of electoral districts and lists 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 . . . [labour relations board] election is subject to debate during the campaign process itself.

In bargaining unit determinations, the employer does have greater scope for manipulating the electorate in its favour and against union organizers, in election for public office, borders of election districts — predetermined by a statutory body which

cannot be manipulated by candidates.

In . . . [the labour relations board] elections, however, every single vote is open to such manipulation, and it is standard practice for employers to exploit this opportunity. "The effective use of the bargaining unit" . . . is "the most potent . . . instrument of preventive labour relations."

Mr. Speaker, I could go on and on, and I know that there are a number of examples that we can use. We can get into the Charter of Rights and Freedoms when we speak to employees and unions and the appropriateness of bargaining units.

And one of the points I do want to make before I wrap up, because I know many of my colleagues also have comments to make is that one of the issues, is that when we talk about whether we have a democratic vote or whether the card system is appropriate, if employers insist on mandatory balloting as the only means for unions to exercise their statutory and constitutional rights to the freedom of association which is guaranteed under the Charter of Rights and Freedoms, then they should give up their impenetrable fortress mentality and enhance unions' accessibility to the workplaces. The free enterprise system is not a moral free zone. Unions' accessibility to workplace is a fair quid pro quo for mandatory elections.

So, Mr. Deputy Speaker, this is one of the areas that needs to be delved into farther and especially during committee. And I know my colleagues will state and more comments and more issues in their comments that they're going to make this morning.

But I do just want to repeat we're not reaching national norms. We are going far beyond what is national norms. We can look at the other provinces have card certification or the federal government which has card certification. We have the freedom of speech is restricted to employers, not to the normal duties of business but to provide opinions. These are very contentious, and we need to understand the basis with which this labour legislation has grown and changed and evolved in our province to understand the issues that arise from these proposed amendments that have not been offered for public consultation.

You know and, Mr. Deputy Speaker, I go back to, on many of these issues, a former colleague of mine who loved the parliamentary debate, loved the whole parliamentary process. We had a fairly long discussion one evening about putting in place laws and making amendments to current legislation.

And this person said to me, you know as government you can put in any change you want. If you have the numbers, you can ram it through. But the art in this and the need in this is to make sure that the citizenry of Saskatchewan understand why you're making the change and feel that they have had opportunity to make comment and to give input to any changes that are proposed. We will follow a law that we understand why you did it. But when a law is jammed down the throats of citizens by a government that has the numbers to do so — and fair enough, Mr. Deputy Speaker, that can be done — people will not be, not be inclined to follow it. And it will cause problems. And there is a huge value in having actual, real public consultations on any of these issues.

So, Mr. Speaker, I will save the rest of my comments for committee. But I really want to make the point again: we need to move these Bills to public consultations.

[12:30]

**The Acting Speaker (Mr. McMillan):** — I recognize the member for Saskatoon Eastview.

**Ms. Junor:** — Thank you, Mr. Speaker. I just want to add a few remarks to the debate before the Bill goes off to committee.

I was a nurse before the Saskatchewan Union of Nurses was founded in 1974. I know that dates myself, but I want to talk about my experiences in nursing before the union. Before, when I worked, we worked 10 shifts in a row, 10 eight-hour shifts in a row. That was the norm. Weekends off were at the whim of management. And particularly if you got married, you came back to work permanent nights for quite a while. There was no occupational health and safety regulations. There was no ability to influence unsafe working conditions.

I took some time off from nursing and came back to an organized workplace under SUN contract language. It was a much different workplace. Order and safety were the focus.

My colleague, the member from Walsh Acres, says these amendments are a step back for women and workplace improvements gained over the years. And I can certainly identify with her eloquent and well-researched comments. Mr. Speaker, I've worked in a workplace where the senior manager was a bully. I served as SUN local president during the time when merger transfer language was being written to address issues not ever dealt with before.

In 1991 downsizing and mergers were the norm of the day and a very stressful time for nurses in the workplace. And as the local union rep, I took it as my job to keep all my colleagues as informed as possible about events that were going to have a major effect on their lives and on their working lives. Because of my vocal and visible contact with the employees, I was taken aside alone in a side room of a hospital cafeteria and told, and I quote, "My best advice to you, my girl, is to keep your mouth shut."

I learned several things from that encounter: never go alone to a meeting; never wear your nurse's uniform as it invites condescension and bullying and a general lack of respect; and the union, SUN, protected me in the workplace to continue to do the job as a union rep for my nursing colleagues.

I also had a second incident that stands out in my mind over much the same issue and during the same time frame. Management was telling the staff what they wanted us to hear about the mergers and the transfers. The media were outside the door waiting for the results of the meeting. I was approached, as I sat asking questions, and intimidated to the point that I thought I was going to be struck. I knew the media outside would welcome the drama, and I was ready to take the hit. The manager backed away. I again learned several things. Management is not going to tell employees anything that doesn't move the employer's agenda forward, and intimidation is often the first line of attack.

This amendment to The Trade Union Act which my colleague from Walsh Acres has so carefully and thoroughly and thoughtfully criticized is very repressive. I won't repeat all her excellent points and arguments, but if anyone in the Assembly or the public thinks this is a positive step to improve the workplace for many, many people, experience has shown me that they would be wrong. Freedom of association is hard won, and any erosion can seriously damage workplaces. Intimidation is always possible, and the broad article talking about the employer's right to speak to the employees and offer their opinion is very troublesome.

Here's the rub. What opinion? Informed by what information? And what recourse does a worker or union have when poisonous information is spread in the workplace? That information cannot be recalled. Employees feel real threats to their livelihood if the employers can gather employees and give opinions. Red flags are raised in many quarters, and my own personal experience has reinforced my skepticism that the employer will support a union drive and not try to undermine the organization for a certified bargaining unit.

This package of essential service legislation, trade union Act amendments, and the gutting of the LRB [Labour Relations Board] and replacing it with Sask Party-minded folks sends a crystal clear message to labour from the Sask Party: we don't respect you; we don't like you; we don't trust you; and we will use all our powers to break you. This is not the workplace that says to working people looking to come to Saskatchewan or stay here to work, that we value you and come. On the contrary this is an insult to trade unionists and a regressive piece of legislation for all working people.

The reason working people look to unionize is to improve their workplace and working life. If the employer is a good, fair manager, workers are unlikely to look to a union to fix their problems. When we look around Saskatchewan, many, many workforces are unionized. Workplaces are unionized. It does not speak highly of management practices here. I have little confidence that this amendment will improve any worker's life or work.

Mr. Speaker, my last point I want to talk about is public consultation. What is the Sask Party afraid of? If they can't defend their legislation, say so. The north Sask business association in Saskatoon had a luncheon last week talking about essential services. They had a panel. They had no such fear of public debate. They are playing more of a leadership role than the minister. There's no hurry for this legislation, no reason to deny public scrutiny and debate. My question again is what is the Sask Party government afraid of?

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

**Mr. Harper:** — Thank you, Mr. Speaker. It's an opportunity for me to rise in this House again on behalf of the fine people of Regina Northeast. And as yesterday, Mr. Speaker, it's also a bit of a sad event that we find ourselves in, the need of discussing this type of legislation that's been brought forward by the government opposite — Bill 6, which is the Act to amend The Trade Union Act — which is just one further step by this government in its already declared war on labour and its

attempt to strip away the rights of working men and women, these rights having been secured over years through hard work and negotiations. And it's sad to have to enter into this debate.

I find it interesting, Mr. Speaker, when we look at this particular piece of legislation, Bill No. 6, the sixth Bill put forward by this new government, a government who is about five months into its mandate only . . . Certainly its top-of-the-agenda issue has been to carry out an attack on the working men and women of Saskatchewan, and this Bill is sort of some of the ammunition they're using to do that.

And it's disappointing in a lot of ways, Mr. Speaker, because you would think that the role of government would be to make life and circumstances better for the people they govern. That's always been my belief in government. Unfortunately, that's not the case opposite. But you'd also think, Mr. Speaker, that governments would learn from past experiences. They would learn from the situations and experiences and mistakes of other jurisdictions.

This type of legislation is really not new to the Canadian scene. If we hearken back a few years to about, I think it was about 1995 in Ontario, a then newly elected Conservative government of Mike Harris went down much the same path. In fact this Bill No. 6 is really a blueprint of what Mike Harris brought forward in their very first term and their very first sitting of their government back in I believe it was 1995.

We all remember Mike Harris who became the Premier of Ontario in a campaign that his party — the Conservative Party of Ontario — used as a theme, and I believe it was called, the theme was something like the Common Sense Revolution. Well, Mr. Speaker, it soon became apparent to working men and women in Ontario that common sense had nothing to do with the Conservative government of Mike Harris.

So what we see here is simply Bill 6 is a blueprint of what the initiatives and the attempts of Mike Harris to, to weaken unions and to create a situation where unions would find it very difficult to organize and they were, I would say, probably quite successful of that. Beginning in 1995, the Conservative government of Premier Mike Harris dramatically changed labour legislation and regulations in Ontario. Within months, within months of taking office, Mike Harris Tories introduced Bill 7. Well how about that, Mr. Speaker? The Bill to devastate labour, the rights of labour, particularly as far as the rights to unionize, to join forces together in a common voice in Ontario was Bill 7 brought in by the Mike Harris Conservative government.

And what do we see here in Saskatchewan under this Sask Party government? Well the Act to amend The Trade Union Act, essentially for the same purposes as Bill 7 in Ontario, we see it as Bill 6 in Saskatchewan. Well how about that, one mirrors the other. So you can tell, Mr. Speaker, that the fundamental beliefs of the conservative right wing agenda that the Sask Party shares with the Conservatives across the piece here in Canada reflects one, reflects the other. So we have Mike Harris who had in 1995 introduced a piece of legislation in Ontario called Bill 7, and it was the most regressive, anti-union, anti-worker, labour legislation in Ontario's history. Bill 7 was a complete re-writing of the Ontario Labour Relations Act.

Of particular importance were the changes made to the certification process through which employees were able to select and join a trade union. Well, Mr. Speaker, if history, if history is any teacher of ours — and it should be — we should always be looking at history and learning from history, and learning from the mistakes of history, so we don't repeat those same mistakes again. Well that's not been happening here in this government because this government has introduced in Bill 6, a labour legislation that is going to strip away, strip away the rights of men and women to find a solid form of being able to join together, join their forces, join their thoughts, join their processes, join their opinions, and join their wants and their needs in a unified way under an umbrella of a union that will be able to represent them in negotiations with the employers to ensure that they get fair and reasonable compensations for their labours, for the services that they provide, be sure that they're treated fairly as far as other jurisdictions is concerned and workers in the same occupation or the same industry in other jurisdictions, as well as ensuring that they have the ability to enjoy a safe workplace, a safe, secure and a productive workplace.

And that's all working people ever ask. That's the reason working people unite, so that they have the strength of voice to be able to sit down and negotiate with their employer.

Back in Ontario, Ontario's experience at this type of legislation . . . this most significant change to the Act introduced by Bill 7 assisted of the advent of the first time in decades of a mandatory certification votes, even where the majority of employees in the workplace had already indicated majority support for a union through a provision of signing membership evidence. Usually this was a form of a union membership card. The Harris government asserted that these reforms, the reforms in Bill 7 made the certification process more democratic.

Well have we heard that before, Mr. Speaker? Yes we have. We've heard from the members opposite. We heard that from the minister when he introduced this Bill under the disguise of attempting to suggest to people of Saskatchewan that this Bill was more democratic than the previous processes used to determine certification. Well let's just see what the reality here is.

Decades of labour relations experienced since the 1950s demonstrate that representation votes are inherently and profoundly undemocratic. Mandatory representation votes ignore the realities of the workplace. In order to be democratic, a vote must take place in a setting that is free from intimidation. The workplace is no such place. Indeed it cannot be such a place.

The suggestion that mandatory certification votes are democratic reveals a wilful blindness and overwhelming power and control that exists in the employer's workplace.

[12:45]

Mr. Speaker, for anyone, anyone to ever suggest that this type of legislation is more democratic than the process, the card signing process that is in place now, is totally false. What we're seeing, Mr. Speaker, is an attempt by this government to further weaken the trade union movement in this province, to go after

trade union people, to go after working people, to deny them the vehicle to be able to protect themselves, to be able to ensure that they receive fair and quality compensation for their efforts. That is the goal of this government through this Bill.

And I find it passingly strange, Mr. Speaker, and I will quote from an article here from a critique of the proposed amendments to The Trade Union Act and it was done — and I will attempt to pronounce his name. It's — as soon as I find it here — it's Muthuchidambaram who is a Faculty of Business Administration of the University of Regina. And I'd like to quote from here:

In the 1960s, 35 % of the labour force was unionized in the United States. This declined by 12% in 2007, and in private sector only 7.4% were unionized at present. A recent survey shows that 58% of non-unionized workers want to join union if they can. Why can't they have the freedom of choice?

Why can't they have the freedom of choice? And that's a good question, Mr. Speaker. Why is this government denying that freedom, denying the freedom of choice, not forcing one person into accepting something that they may or may not want but providing workers with the right of choice?

And, Mr. Speaker, I'd be very happy to table this critique so that the members opposite will have the opportunity to read it, and perhaps the minister might have the opportunity to read this particular document and I'm sure that he would find a lot of information and a lot of wisdom in these writings.

Mr. Speaker, it is not without verification that it has been determined in more than one circumstance that the present card check system is by far more fair and it provides the opportunity of choice to the worker. They can make a choice of whether they want to be unionized or not unionized. That's their choice and they could so in an atmosphere of free from intimidation.

And after the 1995 experience of the Harris government, a professor from Queen's University — and I believe she's assistant law professor at Osgoode Hall — and the Queen's University in Ontario did a review of the 1995 experience of the Harris government in Ontario. And the professor was Sara Sinn. And she published an article after doing the review, and there was many articles that she pointed to in her report. But one that really comes to mind is:

In recent years there has been a shift away from the card check certification process towards a requirement of unions will win a representation election vote in every case. This legislative change has been a subject of vigorous debate within the labour relations community. And it has been described as further Americanizing our certification process.

Mr. Speaker, it is with great sadness that I see that we have a government here that's fresh into their mandates, less than six months into their mandate. And rather than being a progressive government and looking at ways and means that they can make life better for the people they govern, for the people of Saskatchewan, for the working people of this province, they have decided to go the other way. They have decided to take

away the right of choice. They've decided to strip away the rights that many workers have earned in this province over the years. They have decided to go backwards rather than going ahead.

Mr. Speaker, that is one of the reasons why I'll certainly not be supporting this particular piece of legislation when it comes forward. Thank you.

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

**Mr. Iwanchuk:** — Thank you, Mr. Speaker. It's a privilege to be entering in debate of Bill 6, the amendments to The Trade Union Act. As I spoke earlier on Bill 5, some of the . . . I will not be repeating most of those comments, but I would like to at least for the record to perhaps do a slight review. And I would just like to start by saying the central question to this would be is the need for these changes, and why we are doing these changes. I guess questions as to . . . has the economy been damaged somehow by labour laws? And I think that all who look around can see that there is nothing wrong with the Saskatchewan economy.

I guess questions about why do we want to — perhaps by the types of Bills that we're putting in here — put a dampening effect on wages, because that is definitely some of the things that this will be doing, particularly in terms of the way that all governments these days are competing for a labour force, a labour force that is there and that all provinces, especially in the West need. And the kind of negative signals that we are sending out to the rest of the country in terms of putting these labour views . . . some of the messages around the Premier when he was in opposition leader talking about war with labour.

And also, Mr. Speaker, one of the things that I still haven't been able to understand is if there is so much support for these, for Bill 6, as the government has said or indicated, then why, I would ask, would they not take it out to public consultation? It should be a done deal. You know, it should be a done deal . . . [inaudible interjection] . . . Members ask how many times should we ask that. I guess the issue is, is it's a question that should be answered, and we haven't received an answer and it's . . .

**The Speaker:** — Order. Order. Order. I would just ask members that if you have private conversation or debate, please meet behind the bar. But let's allow the member from Saskatoon Fairview the opportunity of being heard while he's speaking. The member . . . Order. The member from Saskatoon Fairview.

**Mr. Iwanchuk:** — Mr. Speaker, originally The Trade Union Act had been brought in to balance, to balance labour laws. And now we see the same response in terms of saying we have to rebalance because somehow our labour laws are not balanced.

In terms of we've been calling for public consultations, really in my understanding, letters didn't go out to stakeholders, select groups of stakeholders, not until sometime in January of this year requesting for input. And I'm not sure, but as we have stated before, how many times that this is a definition of consultation that is being used by the present government is far

short of what usually happens in terms of new Bills.

And I think we can talk about the impacts of this and the healthy workplaces and what will be. So, Mr. Speaker, in terms of, in terms of some of the things, I think, when we look at and how you promote healthy workplaces, this Bill definitely does not add to that.

I would simply go directly to the amendments and, just for the record, to read in some comments on there on 6(1) which talks about determining what trade union represents the majority of employees. It seems here the main change is that, no matter what level of support you sign up in cards in an organizing drive — even 100 per cent — the board will not certify you anymore. And they must hold a board-supervised vote. And also currently we were asking for the 25 per cent of employees. With this Bill, we see that there's a minimum of 45. Changes also have gone from where there were six months before on the sign up to 90, and the board will only order a vote if there is a 45 per cent. And this is not again required.

Now the kind of support also in this Bill is under question. And each of the unions presently use their own cards. There's never been a problem with that, but now somehow, this is also a problem.

Mr. Speaker, also I think, as some of the members have spoken about the idea of what actually constitutes a majority and whether 50 plus one now or . . . And it seems to be we have sort of the situation now of what they are calling double quorum, where you would in fact have to have more, the majority of employees voting. Some people have said that this leads to people . . . By simply people not voting, the employer will be able to identify people who are voting against the union. And this is not, definitely not, something that we would want if we are talking about a secret ballot. And that is most certainly a problem.

The next, 11(1) unfair labour practice. The main part about the opinion piece where people have spoken about the rights of, I guess freedom, right to freedom of expression, where the employers and the degree that the employer can discuss, openly expressing their opinions. These opinions do not appear to be in any way confined to fact or anything. At least it does not appear this way at this time.

And I guess that leads to all sorts of possibilities. I'm not going to stand here and talk about all the different things that this might mean, Mr. Speaker. But definitely when you open up the ability to communicate, what will those communications be? How will they be interpreted, and interpreted by the Labour Relations Board? And again here, I will come back to that with just a few brief comments on that as to what that might mean.

So in terms of the communication piece, put together with the majority piece, and in the way that this is structured, there are definitely some concerns here, Mr. Speaker, in terms of whether this will in fact make it more democratic — and when I say democratic, more of what we understand in our parliamentary system of majorities.

The other question that is raised by this piece — and it's unclear as to what will be happening here — is whether the

opinion piece and the communication piece will apply to collective bargaining. During collective bargaining, will it apply to meetings? Will it apply to any other things in the workplace that perhaps go on?

Now also back, just the cards, if I understand this correctly, cabinet . . . I know we've heard before from the minister that he wasn't sure who would be determining these cards. He said that the Chair of the LRB would determine the cards. But if I read the legislation correctly, it is cabinet that'll be determining the cards. To have such an intrusive . . . I wasn't too clear or too sure why they would want to take over this role, but again they have, I guess, taken that role upon themselves.

Section 33(3) was repealed, Mr. Speaker. I think the comments, I would restrict my comments to these pieces. There are other pieces there regarding the Labour Relations Board, but I think just a few comments on what the effects of these would be. I think many people have spoken, and many people have written comments saying that this will definitely be an anti — if I could phrase it in that way — anti-union piece of legislation and by that, making it harder to organize.

[13:00]

I think the big concern, obviously the big concern would be in the way that that department and that ministry has handled the Labour Relations Board because I think in quoting from the document from the labour lawyers association of Canada where they are definitely very concerned about the message that this sends to the practitioners who have to deal with this . . . You have to have confidence. There has to be impartiality. The tribunal has to be seen that way.

I know the comments such as the Deputy Premier made that they have to be in line with the philosophy of the Premier, those things have all been said. I won't go on about those, but I think the rollout of this piece was not well thought out. And I'm not sure where the blame should rest, but obviously the ministry at some point in time has to accept that.

With those comments, Mr. Speaker, and then all the questions that remain here, I would look forward . . . I know there's been some talk about amendments in this, and I'm uncertain as to whether they will be coming or not. But we look forward taking this Bill to committee, so I move that we move this Bill to committee.

**The Speaker:** — The question before the . . . Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — Question. The question before the Assembly is a motion by the minister that Bill No. 6, The Trade Union Amendment Act, 2007 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

**Law Clerk and Parliamentary Counsel:** — Second reading of

this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Government House Leader.

**Hon. Mr. Gantefer:** — Mr. Speaker, Human Services Committee, please.

**The Speaker:** — The minister has designated that Bill No. 6, The Trade Union Amendment Act, 2007 be now referred to the Standing Committee on Human Services.

## 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 Meewasin.

**Mr. Quennell:** — Thank you, Mr. Speaker. So to bring my remarks on the Bill, Bill No. 2, The Enterprise Saskatchewan Act to a close within the second reading debate, Mr. Speaker, we have a piece of legislation that essentially serves two purposes.

One is to provide for an advisory, the creation of an advisory council and advisory committee with a great marketing plan, Mr. Speaker. Enterprise Saskatchewan has been a term used by the Saskatchewan Party since 2003. It's meant different things over a period of time, but there's almost a brand name for Enterprise Saskatchewan, whatever it happens to mean in any particular time period. So the Enterprise Saskatchewan would be one of the best known advisory councils. It may not one of the most effective advisory councils, Mr. Speaker, because essentially the matters that it was asked to be advised upon, the government is proceeding to make decisions, and decisions well into the future, Mr. Speaker, without seeking their advice.

The second part of the legislation, Mr. Speaker, is contained in section 23 and really has nothing to do with the earlier sections creating the advisory council that is called Enterprise Saskatchewan, and that's the section that permits all Crown property, land, and equipment, and all Crown personnel that the government wants to move into the agency out of the Crown and into the agency, Mr. Speaker.

And how this is intended to be used, Mr. Speaker, the government has not spoken to. The deputy minister has said, well it's just for the transfer of equipment and furniture during the transition period from a Crown corporation to Enterprise Saskatchewan, now which doesn't explain why land and real property can be transferred into Enterprise Saskatchewan, doesn't explain why employees would be transferred into Enterprise Saskatchewan, doesn't explain really why the government would want to get a used desk from SGI [Saskatchewan Government Insurance] or a file cabinet from SaskTel instead of from the usual source, from Saskatchewan Property Management.

It's not really an answer, Mr. Speaker, and there will have to be an answer to that question. It looks like an advisory council,

Mr. Speaker, that no longer has any advice to give as a cover for, as I've said before, Mr. Speaker, privatization by stealth.

That's a summary of the remarks I made yesterday, Mr. Speaker, and I will have some questions about this when the matter does move on to committee, Mr. Speaker, but for the time being, those are the conclusion of my remarks.

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

**Hon. Ms. Draude:** — Thank you, Mr. Speaker. Mr. Speaker, Enterprise Saskatchewan will play a very important — in fact a critical — role in creating and ensuring that we have long-lasting economic growth in our province. The board has been challenged with some very important responsibilities — responsibilities like identifying and removing barriers to growth in our province, defining the different opportunities and challenges for the future of Saskatchewan's economy, and building stronger relationships between government and business in our province.

Mr. Speaker, Enterprise Saskatchewan is new. It's different, and it's a better way of dealing with the economic development potential in our province. It will remove politics from economic development. It will allow the new government to avoid such things as SPUDCO [Saskatchewan Potato Utility Development Company], the fiasco which was a highlight of the previous NDP government. And let's keep in mind, Mr. Speaker, that's just one of the many examples of mismanagement by the NDP government when they meddled in the economic development in this province.

Mr. Speaker, Enterprise Saskatchewan has some very important tasks at hand, and that's why it was important and necessary to appoint some of the very best from a very long list of nominees to represent their respective fields on this board and head up various sector teams. I am very pleased with strong representation from the individuals that have been appointed to the Enterprise Saskatchewan board.

But Mr. Speaker, considering the importance of this board, I find it just a little concerning and shocking that the member from Saskatoon Meewasin referred to its members as people who could be treated as trained chimps.

Mr. Speaker, let me run through a list of a few of the representatives the members opposite consider to be treated as trained chimps. Gavin Semple, the deputy chair of Enterprise Saskatchewan, a very successful businessman involved in many community organizations, Mr. Semple is the owner and the president of the Brandt Group of Companies, the largest privately held company in Saskatchewan. Do the members opposite believe Mr. Semple could be treated as a trained chimp?

How about Hugh Wagner, Mr. Speaker? Mr. Wagner is the general secretary of the Grain Services Union and a past vice-president of the Federation of Labour. Mr. Wagner has been very highly involved in the labour movement and is a well-respected leader in the labour community. Does the opposition really believe Mr. Wagner would allow himself to be treated as a trained chimp?

Mr. Speaker, how about Gary Merasty? Mr. Merasty served as the grand chief at the P.A. [Prince Albert] Grand Council. He sat as a Member of Parliament for Desnethé-Missinippi-Churchill River, and now he's the vice-president of the Cameco Corporation. Would the NDP truly believe this highly qualified First Nation leader with his long list of accomplishments would allow himself to be treated as a trained chimp?

Mr. Speaker, we've heard the position of the members opposite. It appears the NDP believe these people could be treated as trained chimps.

Mr. Speaker, if the opposition feels that these highly respected and highly qualified people are simply pawns, it shows how truly out of touch they are with reality. These dedicated Saskatchewan leaders were chosen on their merits for leadership in their own fields and willing to give of their time for the province at financial losses to themselves.

Well, Mr. Speaker, let me tell you. This government does not share the views of the tired, old, completely-out-of-touch NDP. This government has the utmost respect for the individuals chosen to represent each of their fields on Enterprise Saskatchewan. This government recognizes the great achievements that all of these board members have accomplished in their lives. And this government also realizes how all of Saskatchewan will benefit from the experience and the professionalism of these individuals. This government can recognize a trained chimp when they see one, Mr. Speaker, and there is not one on the board of Enterprise Saskatchewan.

On that note, Mr. Speaker, I'd like to end my comments by stating that this government looks forward to working with Enterprise Saskatchewan. And I, along with the majority of Saskatchewan people, believe that the members of Enterprise Saskatchewan will serve this province very well, and we thank all of them. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

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

**Ms. Morin:** — Thank you, Mr. Speaker. It's with great pleasure to enter into the debate concerning Bill 2, An Act respecting Enterprise Saskatchewan. During a business dinner in 2005 the Premier, who at that time was the leader of the opposition, opened up a discussion about the Sask Party's ideas with a quote from Mark Twain. The quote is worth repeating here today, quote, "No man's life, liberty, or property is safe while the legislature is in session."

Mr. Speaker, I am mindful of this quote today as I enter into the debate concerning The Enterprise Saskatchewan Act. While this legislature sits, now into the wee hours of the morning, the Sask Party government is attempting to pass a legislative package that will undoubtedly rob the people of Saskatchewan of their once-bright future.

It is as this legislature sits that Saskatchewan's people's life, liberty, and property are at risk of being exchanged all together to secure the future for the Sask Party's large corporate donors

and select friends. This, we are reassured, is necessary to achieve a warmer business climate.

Saskatchewan people are ever vigilant over the agenda of this Sask Party government, Mr. Speaker. Throughout the short time this Sask Party government has been in office, Saskatchewan people have seen consistent attacks on the quality of their lives with the vengeful cancellation of Station 20 West in Saskatoon, their liberties with Bills 5 and 6, the cancellation of the dental sealant program, the cancellation of benefits for vulnerable workers, the shutdown of the Climate Change Secretariat, and on.

And now they are waiting to see if the Sask Party government will sell their property — their Crowns — as well. Saskatchewan people want to know what is behind the gloss of the Enterprise Saskatchewan scheme and what the consequences will be to their lives, their liberties, and their property. What exactly does the Sask Party mean when their leader claims that Enterprise Saskatchewan is needed to, quote, “provide enterprise friendly leadership to our economy, to change our brand, and to warm up the business climate”?

The Enterprise Saskatchewan scheme has had an interesting history since its invention under the Sask Party, Mr. Speaker. In 2003 it was advertised in their glossy pamphlets as a new agency that would work in partnership with Saskatchewan business leaders.

In that same glossy 2003 pamphlet, Saskatchewan voters were reassured that the four major Crowns — SaskPower, SaskTel, SaskEnergy, and SGI — would not be privatized, while other Crowns such as Saskatchewan Transportation Company would be. To quote the pamphlet, quote “. . . only divested if and when a private sector business is prepared to continue providing the service.”

To be clear, Mr. Speaker, the Sask Party has kept this promise. In The Enterprise Saskatchewan Act it reads in the preamble, quote “that The Crown Corporations Public Ownership Act be respected.” Yet despite this reassurance in the legislation, Saskatchewan people know from the comments made in the 2003 Sask Party pamphlet that the Sask Party has identified the Crowns and their policies as barriers to growth. The Enterprise Saskatchewan scheme is designed to unilaterally, without any input from the elected Assembly, remove barriers to growth.

In 2004 we were told by the member from Swift Current that, quote, Enterprise Saskatchewan “. . . will develop a systematic and ongoing process to identify and remove barriers to growth in each of our key economic sectors.” We were told by this member to also keep in mind that, quote, “These initiatives are non-negotiable and hard wired right into Enterprise Saskatchewan.” Moreover we were also told as recently as last year quote, “. . . the attention and diligence of Enterprise Saskatchewan [also] include direct competition to business from various government agencies and Crowns attempting to diversify from core functions, as well as policies of the Crowns themselves.”

It therefore stands to reason, Mr. Speaker, as past comments indicate, that Enterprise Saskatchewan could find Crowns a barrier to growth.

[13:15]

I hope the Sask Party government has every intention to ensure that Enterprise Saskatchewan honours the spirit of its own legislation — The Enterprise Saskatchewan Act. Nonetheless I would like to remind the Sask Party government that The Crown Corporations Public Ownership Act applies to more than just the four major Crowns that the Sask Party says it will protect.

It also applies in part to Crown Investments Corporation of Saskatchewan, the Liquor and Gaming Authority, Saskatchewan Gaming Corporation, Saskatchewan Telecommunications Holding Corporation, Saskatchewan Transportation Company, Saskatchewan Water Corporation, SGC [Saskatchewan Gaming Corporation] Holdings Inc., and TransGas Limited.

How can this government and this Premier fully assure the people of this province that their assets will be safe from this group given its prior comments about Enterprise Saskatchewan’s scheme and — more concerning Mr. Speaker — the lack of accountability of this group. The only accountability measure contained in Enterprise Saskatchewan’s scheme is the annual report that is to be tabled before the Legislative Assembly detailing its financial decisions, financial decisions, Mr. Speaker, like the sale of Crown assets.

Mr. Speaker, I guess the larger question is this, if the Sask Party government, through the Enterprise Saskatchewan scheme, wants to respect The Crown Corporations Public Ownership Act, then why does Enterprise Saskatchewan have the power to transfer Crown or public assets to Enterprise Saskatchewan? Concurrently why does Enterprise Saskatchewan have the authority to divest these assets? Is it privatization by stealth, as the member for Meewasin just mentioned?

Mr. Speaker, when we delve into the Enterprise Saskatchewan scheme, we are left with the glaring question of, what is a barrier to growth? But before we go into the extent of these barriers — which I submit include the Crowns, Mr. Speaker — it is important to identify how exactly these barriers are determined and the scope of the Enterprise Saskatchewan scheme.

One of the most important aspects of the scheme is the creation of sector teams that will identify barriers to growth in 14 sectors of the province’s economy. This notion of sector teams, Mr. Speaker, is a dubious one, borrowed from the unelected and unaccountable CEO [chief executive officer] working groups, shaping the security and prosperity partnership of North America, otherwise known as the SPP.

There are initiatives in the SPP that are aimed at harmonizing policies on food, drugs, security, immigration, refugees, manufacturing, the environment, and public health. Obviously these policies would ensure the lowest common denominator, ensuring barriers are not too big for big corporations, Mr. Speaker.

In keeping with the principles set out in the preamble of The Enterprise Saskatchewan Act, among the stated core purposes of this scheme, according to section 4(a) of the Act: “to



establish sector teams to survey and identify barriers to growth in the following sectors of the Saskatchewan economy.”

So this is right from The Enterprise Saskatchewan Act, Mr. Speaker. They identified these sectors: (i) energy production; (ii) agriculture; tourism; forestry; advanced education, research and development; life sciences, synchrotron science and information technology; environment, Mr. Speaker; construction; trucking and transportation; financial services; manufacturing; mining; co-operatives; arts and culture; and any other prescribed sector.

Beyond this mention, included in the last prescribed item, referring to regulations that are yet to be presented to the House, Mr. Speaker, there exists no other information in the Act regarding the sector teams.

Not known, for instance, is the election process and qualification of these teams, Mr. Speaker. Not known is which individuals will be sitting on these teams, Mr. Speaker. Not known is if any conflict of interest regulations will be set in place to prevent the direct benefit of any team’s member, Mr. Speaker. Also not known is if the members of these teams will be paid.

Not known is the basic knowledge of whether the names will be made public. Further not known is if the sector meetings will be open to the public. Will any reports or correspondence considered by these teams be available to the public, Mr. Speaker? Moreover not known is what powers and terms of reference, if any, will these sector teams be granted. Will they too be a permanent fixture in the esoteric Enterprise Saskatchewan group, Mr. Speaker?

It’s bad enough that the members of the board for Enterprise Saskatchewan are unelected and unaccountable. Now the sector teams, making the recommendations, will be behind closed doors, meeting with the corporate interests who will undoubtedly be the team’s beneficiaries, Mr. Speaker.

One thing is for sure, Enterprise Saskatchewan is a great return on investment for corporations and donors of the Sask Party. Unfortunately Saskatchewan people will not receive the same benefits, Mr. Speaker. Some details are clear upon reviewing this alarming transcript. First, BC business told Premier Wall, Premier, which sectors needed an inventory of barriers. Second, that the influence of sector teams within the Enterprise Saskatchewan scheme will be long term. The Sask Party tourism plan of September 2007 also offers a bit more information about sector teams, Mr. Speaker, quote, “Enterprise Saskatchewan will establish sector teams in fourteen key sectors of the economy, including tourism, to identify barriers to economic growth and propose strategies to realize the full economic potential of Saskatchewan’s economy.”

Interestingly section 4(b) of the Act says only that the agency itself will, quote, “provide recommendations and advice for the removal and the reduction of barriers to economic growth in the sectors of the economy mentioned in clause (a) and report publicly on the Government of Saskatchewan’s progress in these activities.” Section 4(d) notes that Enterprise Saskatchewan will, quote, “establish, measure, monitor and report on goals and targets for Saskatchewan’s economy.”

If these actions, Mr. Speaker, are to be based principally on the barrier inventory identified and strategies proposed to remedy these barriers submitted by sector teams, then it seems the influence of these bodies could be quite substantial. Moreover the existence of such sector teams moves Enterprise Saskatchewan away from a body providing advice to a privatized version of a government department, Mr. Speaker.

So far I’ve identified the Enterprise Saskatchewan scheme as one that seriously lacks accountability. It is unaccountable in terms of its decision making and advice seeking. The people of Saskatchewan already elect decision makers through the democratic process, Mr. Speaker. These decision makers are in turn held accountable by the citizens of this province through elections, and in between elections through the formal legislative process. In this context it is clear that the Enterprise Saskatchewan scheme violates the very logic of our democratic system, Mr. Speaker.

Mr. Speaker, so far I have identified that Enterprise Saskatchewan scheme is likely to accomplish privatization of this province’s cherished Crowns by stealth, Mr. Speaker. Accordingly the legislative ability of the cabinet to transfer public assets and authority to Enterprise Saskatchewan is far too sweeping. New Democrats are fair and reasonable to describe this as a method to divest Saskatchewan of our Crown corporations outside of the legislature. Further, New Democrats continue to seek assurances from the Sask Party government that Enterprise Saskatchewan would, as consistent with the preamble of The Enterprise Saskatchewan Act, fully respect The Crown Corporations Public Ownership Act, Mr. Speaker.

I have also addressed the significant influence of the secretive sector team structure that lacks any clear assurances that these team members don’t just take whatever they want for themselves, Mr. Speaker. This is the most glaring and faulty party of the enterprise scheme thus far.

I would like to now go back to a question I posed earlier. What is meant by the terminology barrier, and concurrently to what extent will the Enterprise Saskatchewan scheme negatively affect our environment and therefore our citizens’ quality of life, Mr. Speaker?

To see through the gloss of the Enterprise Saskatchewan scheme and understand its workings, we need to unmask what is meant by the term barrier. As I’ve already demonstrated thus far, the term Enterprise Saskatchewan is nothing but poor public relations gloss — pure public relations gloss. Actually both words would work. The purpose of the gloss is to mask the Enterprise Saskatchewan scheme as some kind of benign process that is beyond politics and meant to simply warm our business environment.

What could be wrong with that? Mr. Speaker, what is wrong is the government’s blatant attempt to reward large corporate donors and concurrently to elude any scrutiny or ethical responsibilities, be it to protect our environment, ensure our most vulnerable citizens are cared for with dignity and respect, or upholding our legal right to have a voice in our workplaces? Why can’t the government simply tell us what they believe the barriers to our society ultimately potential to be? Why do they need a secretive, undemocratic group to hide behind?

As proven by the actions of this Sask Party government thus far, the environment isn't a concern at all, Mr. Speaker. They finally recognize they have adopted the NDP greenhouse gas targets. They finally are aware that the Alberta tar sands are "the most destructive project on earth" according to Environmental Defence, Mr. Speaker. Now they are also finally aware that acid rain comes our way from Alberta as a result of their race to just say yes to anything with dollar signs attached, Mr. Speaker.

It is unreasonable then to assume that they also know that the Enterprise Saskatchewan scheme promotes a race to the bottom with respect to the environment, Mr. Speaker. Remember the SPP that I mentioned earlier, the idea of the sector teams that I asserted was likely borrowed by the Enterprise Saskatchewan scheme? Well, Mr. Speaker, it appears that Enterprise Saskatchewan has also adopted the idea that any real environmental standards may just be a little too redundant. It may constitute one of those so-called but not yet defined barriers to Saskatchewan's growth. The SPP is already showing a regulation agenda that shifts regulatory philosophy from precautionary to simply risk management. This means a serious erosion of environmental and health standards, Mr. Speaker.

The cabinet directive on streamlining regulation advanced by the federal Conservative cousins of the Sask Party in 2007 already places increased hurdles for a government department to perform its job and protect Canadians. It mandates that regulations should first have the least possible costs on business and should not restrict trade any more than absolutely necessary.

Further the SPP business community report, similar to those sector teams, proposed to work under the legal umbrella of Enterprise Saskatchewan, Mr. Speaker, has recommended that industrial chemicals contained in the Canadian domestic control Act and the US [United States] Toxic Substances Act should be harmonized so they no longer prevent some US goods from being sold in Canada, Mr. Speaker. It is safe to assume that given past practice, the chemical industry is not carrying the flag for stricter regulations, Mr. Speaker. In other words, business trumps environmental and health standards. I am sure that this will be the same philosophy under the Enterprise Saskatchewan scheme.

Mr. Speaker, let us just briefly look at the Sask Party's position on the issue of regulation. In its Sask Party policy book of 2007, page 15, it reads under the title, "Reviewing Regulations to Remove Barriers to Sustainable Growth" that, quote. "Be it resolved that a Saskatchewan Party government will mandate Enterprise Saskatchewan to review all government regulations every five years to eliminate barriers to environmentally sustainable growth."

Mr. Speaker, not so nuanced or disguised in the Sask Party policy is the similarities to the philosophy of the regulation shared by their federal Conservative cousins. More striking however is the mistaken use of the term sustainable development. Apparently by removing regulations designed to protect the environment and our ecological health, we can actually achieve sustainable development, Mr. Speaker. This wording is so blatantly faulty, it is only worth mentioning to have a laugh. What is no laughing matter however, Mr.

Speaker, is Enterprise Saskatchewan's potential negative impact on environmental standards.

Looking at the legislative mandate, it is clear that any regulation that could possibly restrict the ability of a private firm to make a dollar constitutes a barrier and barriers. I remind this House that removing the so-called barriers is the *raison d'être* of this select group in order to create a warmer business climate.

[13:30]

It will be warmer, Mr. Speaker, all right, as it only perpetuates and promotes the exasperation of climate change for instance. Enterprise Saskatchewan is diametrically opposed to the environmental protection and any sincere notion of sustainable development.

But let not one of us in this House and across the province forget the enthusiasm the Sask Party had for — and for my knowledge still has according to Premier Stelmach — for the trade and labour mobility agreement, otherwise known as TILMA [Trade, Investment and Labour Mobility Agreement] — an agreement that would have certainly have been tantamount to a straitjacket when dealing with such issues as pesticide regulation, protecting our water from bulk water exports, or ensuring that resource extraction such as the tar sands occur only in the most environmentally sound manner possible and at the same time not occur too quickly.

Under the Enterprise Saskatchewan scheme however, TILMA or a TILMA-like agreement might be deemed necessary. Just read the sweeping powers of the agency including 5(1)(b) which states that, quote:

5(1) The agency may:

... (b) enter into agreements that it considers expedient or desirable in the exercise of its powers or the performance of its responsibilities.

Remembering that its responsibilities are to remove barriers and facilitate, enthusiastically and without hesitation or without any notion of proper public consideration, private sector growth.

I further submit that the cabinet may direct Enterprise Saskatchewan to enter into a TILMA-like agreement and obviously blame the decision on the illogically labelled non-political-party body of Enterprise Saskatchewan. This scenario can be played out in section 4(g) and (h) and (i) as they read, quote:

(g) to provide recommendations and advice to the Government of Saskatchewan respecting research and commercialization of innovation in Saskatchewan, including reviewing and making ... [decisions] regarding programs and policies that may better co-ordinate, support, develop and promote and facilitate research and the commercialization of innovation;

(h) on the request of the Lieutenant Governor in Council, to undertake any program or activity for the purposes of achieving the objectives described in clause (g);[and]

(i) to undertake any other prescribed activities and programs.

Mr. Speaker, the logic used to justify (a) the prerequisite need for Enterprise Saskatchewan scheme and (b) the esoteric operation of such a heartless operation is so faulty, so dubious, and so incredulous that it is truly beyond comprehension.

Saskatchewan people expect more from their government, Mr. Speaker. They expect a government actually be concerned with securing the future, would seek to ensure the benefits of economic growth were more equally shared.

The values enshrined in Enterprise Saskatchewan's theme are opposed to the ethics of democratic citizenship and environmental sustainability. The most important aspect of people's lives is not the dollars made by corporate friends and the insane belief in government regulations designed to protect and enhance our citizens' quality of life are barriers. Rather, the most important aspect of citizen lives are the quantity and quality of jobs, the extent of pollution, the nature and generosity of the social programs that care for us and our neighbours, Mr. Speaker.

The Sask Party government should devote more energy and time to meeting the genuine needs of Saskatchewan people and not give a rubber stamp to an esoteric route to adopt — without allowing for any true notion of public debate — an agenda to grow at whatever cost to our environment, our health, and our legal rights. It is difficult to believe that, in a legislature that offers its citizens a capacity to deliver on the needs to protect our environment and help those who are struggling, that this Sask Party government instead decides to deprive citizens of their ability to have a voice in their future. I guess that is too political, whereas backroom meetings with undisclosed players is simply a way to grow enterprise and make Saskatchewan a better place.

Today with The Enterprise Saskatchewan Act, we see an intensive effort to undermine the significant gains that have been won through decades of work and struggle. The Sask Party has shown through Enterprise Saskatchewan Act that it is the antiquated 19th century notion of economics — greed before people. Besides the esoteric, Enterprise Saskatchewan has as its goal to increase competitiveness that will ultimately make government less democratic, create a back door for decision making, and — not to put too fine a point on it, Mr. Speaker — easier to pollute and easier for the government to shrug their responsibilities when it comes to the environment and ultimately our health, Mr. Speaker.

New Democrats know that a healthy market economy is one that delivers for its citizens, one that is human, and one that is equally shared with everyday working people. Saskatchewan people want to build. They don't want to hand over their dreams, their ambitions, and their hard work to an unaccountable, unelected group of friends of the Sask Party, Mr. Speaker. As a *StarPhoenix* article dated December 17, 2007, puts it, quote, "Enterprise Sask. idea sends chills up spine," Mr. Speaker.

In the article the author expresses that, quote:

... references to such horrors as "competitive challenges" and "obstacles to economic development" ... is not about ordinary people reaping the fruits of this province's prosperity. It is all about the rich (read friends of government) getting richer and the rest of us dealing with the fallout.

Mr. Speaker, I concur with these sentiments and join fellow New Democrats in opposing The Enterprise Saskatchewan Act. Saskatchewan people deserve much more than what this legislation offers. They deserve an economy that treats people fairly, where there is a concern about our planet, where there's a genuine version to addressing inequality. They deserve a government that is willing to work and have a vision.

Unfortunately all Enterprise Saskatchewan offers is the 19th century economics that is blind to climate change and environmental destruction, blind to poverty, and blind to human well-being. And to allow this Bill to be further scrutinized, Mr. Speaker, I now ask to have this moved to committee.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion by the minister that Bill No. 2, The Enterprise Saskatchewan Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

**Clerk:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred?

**Hon. Mr. Gantefoer:** — Mr. Speaker, I would refer this Bill to the Economy Committee.

**The Speaker:** — This Bill stands referred to the Standing Committee on the Economy.

### Bill No. 1

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

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

**Mr. Van Mulligen:** — Thank you very much, Mr. Speaker. I see at least one of the members looking at his watch, and I want to set his mind at ease that I'm not going to belabour some points that had been made on this particular Bill. I might refer to a CBC [Canadian Broadcasting Corporation] report on the CBC News from December 14 of last year which encapsulates

the issues that we have expressed concerns about with respect to this particular Bill.

And this particular report was made available to the public after the government introduced or said that it was going to introduce The Growth and Financial Security Act to replace The Balanced Budget Act. And that report indicates in part, not in full:

The Saskatchewan Party has flip-flopped on the need for a “rainy day” fund to avoid falling into deficit.

Before the Nov. 7 election, the party criticized the former [NDP] government for dipping into its Fiscal Stabilization Fund to balance its books.

On Thursday, the new Saskatchewan Party government said it will wind down the Fiscal Stabilization Fund as well as a second rainy-day account — the infrastructure fund.

It said it will also set up a new contingency fund, called the Growth and Financial Security Fund, that will be used to balance the budget.

And further on in the report it indicates:

Before the election the Saskatchewan Party said it would draw down the NDP’s fund and once it was gone, it would return to “transparent” bookkeeping.

Instead, the new legislation will make this fund a permanent fixture in the new government.

So there were lots of comments, Mr. Speaker, about how it is that this political party could be making these comments before the election about the then called Fiscal Stabilization Fund and now replace it with a very similar fund after the election. So I don’t want to go on to that.

I did leave off last night explaining that one of the reasons that the legislation does in fact need to be amended, the balanced budget legislation that currently governs budgets needs to be amended, is that The Balanced Budget Act provides or has in place prohibitions and restrictions on the extent to which the government can transfer funds from the Crown Investments Corporation to the General Revenue Fund which this government has done with this budget. And unless the legislation is changed, the government’s budget would in fact be illegal given the legislation that currently governs budgets.

And that is a good reason, Mr. Speaker, for us to move forward in a timely fashion to examine that issue and to look at changing the legislation. We also need, I think at all times, a good legislative framework that governs budgets in Saskatchewan. The reason that we do this is that the Saskatchewan government in the 1980s went down a road of undisciplined budgets and frankly financial dealings. . . You might say dealing with budgets in way that were, well it resulted in massive debt increase for the people of Saskatchewan. And so the government in the 1990s in response set up balanced budget legislation.

When we examine this new Act, The Growth and Financial

Security Act, we see that in the main it continues to ensure that there will in fact be balanced budgets as we go forward.

It also deals with the fact that Saskatchewan has extremely volatile revenues — and people will know this — in the oil sector where now oil prices are very high. But oil prices have also been very low, and oil prices could fall again and therefore having a major impact on government revenues, and therefore there needs to be some mechanism, whether it’s called a Fiscal Stabilization Fund as the present legislation does or whether it’s called a Growth and Financial Security Fund, essentially the same thing.

We recognize that legislation should provide for that so that as we go forward that we can assure the people of Saskatchewan that they can continue to have confidence in the budgets that are placed before them . . . may not necessarily agree with all aspects of the budget, but that when it comes to the fiscal policy that underlines those budgets, they can have some confidence in those budgets as we go forward.

And of course also to . . . [inaudible] . . . confidence of the financial community outside of Saskatchewan so that when they review our budgets, that they can continue to provide us with their support when we go into the bond markets to borrow money, as we will need to continue to do.

So those are good reasons for moving forward with this legislation. We do have a number of specific questions on this Bill, but I think those questions are best addressed in committee when we come to it. And having said that, Mr. Speaker, thank you very much.

**The Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion by the minister that Bill No. 1, The Growth and Financial Security Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Clerk:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Government House Leader.

**Hon. Mr. Gantefoer:** — Thank you, Mr. Speaker. I would refer this Bill to the Standing Committee on Crown and Central Agencies.

**The Speaker:** — The Bill stands referred to the Standing Committee on Crown and Central Agencies.

#### Bill No. 4

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 4 — The Legislative Assembly and Executive Council (Fixed Election**

**Dates) Amendment Act, 2007/Loi de 2007 modifiant la Loi de 2007 sur l'Assemblée législative et le Conseil exécutif (élections à date fixe)** be now read a second time.]

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

**Mr. McCall:** — Thank you very much, Mr. Speaker. It's a pleasure to resume debate on Bill No. 4. When we'd had the introductory comments from the members opposite in terms of this debate, and again this has sort of caused some laughing on this side of the House in terms of the speech that was given by the Minister of Justice, talks repeatedly about fixed election legislation. And of course on this side of the House, Mr. Speaker, I want to make very clear, we're definitely not in favour of fixed election legislation. I'll leave it to the members opposite to explain their position with regards to fixed elections.

[13:45]

But as to the substance of the Bill itself, Mr. Speaker, there is much to recommend this measure. We think it's worthy of consideration. We'll have more to say in the committee, Mr. Speaker. But I guess I'm glad to participate in this debate because of course I was sent by the good folks from Regina Elphinstone-Centre to speak out on their behalf.

The very constituency of Regina Centre, Mr. Speaker, came into existence . . . Regina in the '60s used to be represented on a city-wide basis. There was a Regina West multi-member seat. There was a Regina East multi-member seat. And the first election where there was actually a distinct Regina Centre seat was the '71 election.

And in that election, Mr. Speaker, the total electors in Regina Centre — again, the forerunner of the constituency I have the honour of representing — the total electors in that constituency were numbered 17,599. And of course the winner of that election in the 1971 general was Allan Blakeney. And it was the year before I was born, I might add, Mr. Speaker.

Why I remark on that is that one of the things that that election was notable for was the distinct efforts that had been made on the part of the then Ross Thatcher Liberal government to gerrymander the system and to interfere with the democratic rights of the citizens of Saskatchewan, and particularly as it played out in Regina.

So whereas in Regina Centre you had 17,599 electors, in Regina Albert Park which was carved out as a little boutique, Thatcher-friendly riding, the number of electors were 4,573. Now it's quite the difference, Mr. Speaker — 17,599 on the one hand, 4,573 on the other. And I guess in terms of the offence that the people of Regina Centre took to the way that their democratic right, their franchise was being so messed around with by the then Thatcher government, and the way that, you know, the almost 4:1 difference in terms of electors between Regina Centre to Regina Albert Park. They took great offence to that, Mr. Speaker. And in fact my father who had grown up in a CCF-NDP [Co-operative Commonwealth Federation-New Democratic Party] family got active in that election, took, you know, took pains to get out there and knock on doors because

such, you know, he had the general sort of philosophical agreement with the CCF-NDP and that sort of upbringing. But the thing that tipped him over the edge into becoming an active partisan on the part of the NDP was just this thing, this anti-democratic behaviour on the part of the Thatcher Liberal government.

So I guess in terms of the teachings I was brought up with, in terms of the political teachings that I've been brought up with, democracy is something that was always held up for me as being central to the work that you want to do in the legislature on behalf of the people and so it's, again, it's a pleasure to participate in this debate on a fixed election . . .

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

**Mr. Chisholm:** — To ask leave to introduce guests.

**The Speaker:** — Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Leave is granted. I recognize the member from Cut Knife-Turtleford.

#### INTRODUCTION OF GUESTS

**Mr. Chisholm:** — Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce guests of our governments from the Pacific NorthWest Economic Region. The PNWER is an important regional organization that allows members to address transboundary issues in the spirit of co-operation with the goal of enhancing the region's competitiveness. Today with us, to my left, Matt Morrison, executive director; Lisa Wilkinson, ministerial assistant to the Hon. John van Dongen from British Columbia; Joan McIntyre, MLA for West Vancouver-Garibaldi; and second last but not second least, the PNWER president, representative George Eskridge from the state of Idaho.

I'd also, Mr. Speaker, like to take the opportunity to introduce Lara Zaluski our researcher and super hostess for the last couple of days. Thank you very much.

**Hon. Members:** — Hear, hear!

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

#### ADJOURNED DEBATES

#### SECOND READINGS

**Bill No. 4 — The Legislative Assembly and Executive Council (Fixed Election Dates) Amendment Act, 2007/Loi de 2007 modifiant la Loi de 2007 sur l'Assemblée législative et le Conseil exécutif (élections à date fixe)**

(continued)

**Mr. McCall:** — Thank you very much, Mr. Speaker and certainly we join with the members opposite in making greetings to the guests today.

The set election dates is but one sort of tool in the democratic reform toolbox that I think is worthy of consideration. And again, I'm glad that we're having this debate. I think this is a worthwhile debate to have.

On the CCF-NDP sides of political dealings in this province, Mr. Speaker, you can look through history and the CCF-NDP has always had their elections on or about four years, sometimes a little more, sometimes a little less. And I guess we've always believed in using that roughly, the four-year period.

And I guess it's interesting that this is brought forward as hard and fast legislation by the members opposite. In terms of the last party, the last government party to go, you know, so far beyond the four years was of course the Grant Devine Progressive Conservatives. And a number of individuals on that side certainly sought election in that 1991 election which was five years plus a day.

So in terms of the parties in the political history of Saskatchewan that have made, you know, rather egregious affronts to that four-year convention, it being a five-year limit under law, but that four-year convention I think, you know, in terms of comparing our side and our history to the history and the tradition on other sides I think we're quite happy to do that.

And so again, we, you know, four years . . . fixed election, I don't know that substantially we've got a lot of problem with moving to a legislated approach to that. But again that had been certainly the practice on the part of the CCF-NDP for the great majority of elections that we had anything to do with calling.

Now I guess the thing that is interesting is that across Canada as you survey what's been going on in the front of democratic reform the last decade has been a time of great activity, and it's interesting to look at what's happened in places like British Columbia, Ontario, New Brunswick, perhaps even what's been undertaken in Ottawa. And the thing that is interesting, the measures that have been taken around things like, you know, certainly in the '90s in Saskatchewan we moved to legislation that tightened up the boundary, the electoral redistribution aspect of our democratic functions.

We moved to a six-month limit on by-elections. And certainly, Mr. Speaker, I came into this House via a by-election, and so I'm very cognizant of the history that had gone before in terms of places where they've sat for, you know, upwards of a year and a half without democratic representation because the government of the day — for whatever reason, be it fear of the electors or what have you — did not want to call an election.

There've been changes made in terms of the moving to the very machinery of our democratic process in terms of tightening up some of the procedures there to make it more about fairness and more about ensuring that when citizens engage in the democratic process that the basic rules of engagement are fair and open and accountable. But I guess, you know, I see this, this measure is one more step in that direction and as such I'm glad to see it.

But I think that a place where there's more room for activity, Mr. Speaker, I think of things like electoral finance reform.

Certainly the provinces of Manitoba and Quebec, federally we've seen great strides taken there in terms of electoral finance reform, and I realize it's a contentious topic, Mr. Speaker.

And just this very day, we had members of the opposition making assertions about individuals or groups that donate to one side or the other and how that impacts the democratic system. And I guess I'd say, you know, if it's such a concern then perhaps what they should do is, you know, reach into that democratic reform tool box and perhaps move to a regime something like that which we see in the federal situation or in the provinces like Manitoba or Quebec.

I also find it interesting that there is no consideration made of things like the Australian approach to mandatory voting. I've got sort of mixed opinions on mandatory voting, Mr. Speaker.

But you know, I think it's good that our elections will be taking place in November because, something I find, you know, no end of frustrating and quite frankly depressing, Mr. Speaker, is when you talk to people that, you know, they're not going to vote. They've completely given up on the democratic system — and not just that, you know, there are reasons, arguments to be had on that front — but they won't even take the trouble to get down to the polling station. They won't get up off the couch to go and cast that ballot. And again I guess I'm glad that the fixed elections are taking place in November because it gets us close to that Remembrance Day, November 11. And you know, if ever there was an argument for people to get down to the polling station and at least making the effort, if you don't agree with any of the candidates, you know, mark none of the above. Fair enough. But especially around Remembrance Day, people should be, you know, exercise that democratic franchise and realize that it's been hard-won and hard fought for and that to take it so much for granted is, I find, quite alarming, Mr. Speaker. So there's no consideration of this.

There's no consideration of the voting age. And again there's been a conversation at different places in the country around the voting age being 18 in some jurisdictions or in, pardon me, in most jurisdictions, Mr. Speaker. And there has been some question from time to time about whether or not that's an appropriate voting age and whether or not 16 would be a better voting age.

And certainly there's an argument to be made that if you can have a good civics course and a way to engage students when they're in high school to get them excited about democracy, to get them fully aware of what their democratic rights are, and if they have the chance to engage in the democratic process, you know, in a good transition from what they're learning in school into real life, there's I think a lot to be worthwhile to be considered there, Mr. Speaker.

And certainly I think of Peter Adams federally who's done a lot of work for that for the Liberal Party.

And I guess, you know, there are a number of these topics that other jurisdictions have considered under the general heading of democratic reform, be it through citizens' assemblies or legislative reform commissions. And again there's an argument to be made there that in terms of the basic rules of how we conduct ourselves in a democracy, be it the very rules of play

that govern us as political actors in the province, Mr. Speaker, there's a good argument to be made that that should be left to the citizens themselves, that it should be taken out of the hands of the politicians and put in the hands of the citizens to make recommendation and to make known their counsel on what they see as the best way to safeguard and promote our democracy.

And I guess that's something that we had proposed in the campaign, Mr. Speaker, in terms of moving to a citizens' assembly to consider some of these broader questions around how we're being served by our democratic process.

You know, one thing in particular, Mr. Speaker, is the whole question of what is the electoral system generally. Other jurisdictions have considered things such as the single transferable ballot, mixed member proportional arrangements, where there's reckoning made in terms of the actual vote that is cast for people, and also that important connection between electors and their elected representative and the legislature. Some consideration has been given over the years to things like a democratic top-up.

[14:00]

I know that both sides of the House, we've confronted circumstances. For the NDP, in 1986 we had a greater percentage of the popular vote than the then Grant Devine Progressive Conservatives. In 1999 the Sask Party had a greater percentage of the popular vote than the New Democratic Party.

And again with each electoral system, Mr. Speaker, each has its own sort of benefits and problems, but there has been that consideration arising from the fact that, you know, how is it that you cast these votes and then the party that gets the most votes does not form the government. And again there are arguments for and against.

There are different arguments to be made in terms of federally versus provincially, but I think it bears consideration by. . . And this is where I do support something like a citizens' assembly where you put that consideration and that deliberation in the hands of the very citizens who are the basic building block of our democracy, you know, and again taking it out of the hands of the political actors.

So in terms of the fixed election dates itself, you know, again, fair enough, Mr. Speaker, but we thought it could have been part of something more, could have been part of a greater renovation and consideration of how well the people of Saskatchewan are being served by their democratic institutions, and we'd still, you know, be interested to see if there's something that can be done to again better engage, better serve the citizens of Saskatchewan.

In the Bill itself, one thing I'd be interested to inquire after, and perhaps in committee, is in earlier renditions of Sask Party Bills around fixed election dates there was an allowance made for whether or not with the approval of two-thirds or more of the House, that the life of the Legislative Assembly could be extended. The life of the legislature could be extended in the case of war or insurrection or what have you.

And certainly the last time that something like this was

experienced in Saskatchewan was after the '38 election. The election was supposed to be called for 1942-43. The then William Patterson Liberals extended the life of the legislature to 1944, and in June '44 of course were defeated by Tommy Douglas and the CCF. So there's no such provision in that regard contained in this legislation. I'd be interested to find out why that is.

In comparing this legislation to legislation in place in Ontario and federally, those two pieces of legislation contain measures that enable the Chief Electoral Officer to call a date that is more appropriate should there be a conflict with a major religious holiday for example, Mr. Speaker. And again the intricacies of the solar calendar versus the lunar calendar and all of that, I'd have to see a bit more in terms of projections. But certainly I know in the case of Ontario, they ran into a conflict with Yom Kippur which is, you know, one of the most holy holidays in the Judaic calendar. And certainly, you know, there's no remedy in that regard under the legislation as it's proposed, Mr. Speaker.

So barring that, we think this is worthy of consideration. We think there are things to recommend this legislation. We don't think it goes far enough of course in terms of other measures or other tools that could have been seized upon out of the democratic reform toolbox. But I guess, Mr. Speaker, we're happy to be entering into the debate. We're happy to be knowing when the next election comes.

One of the criticisms of fixed election dates is that it extends that electoral campaign, and I'm sure our friends across the way will find out about the way that the campaign seems to extend as they get closer to the election date. And of course they wouldn't say that up front, I'm sure, but we'll be interested to see how that fact of political life in Saskatchewan is played out the closer we get to November 2011.

I guess, Mr. Speaker, that's about all I'd like to say on the Bill at this time. Again I'm quite happy to be participating in this debate. We'll be following this Bill in committee with great interest. And with that I'll cede the floor to my colleague from Prince Albert Northcote.

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

**Mr. Furber:** — Thank you, Mr. Speaker. I'm happy today to be on my feet to speak to this Bill. I think there are many outstanding questions that should be answered regarding this Bill. The principles regarding the Bill are fundamentally sound, but there are some questions that have been raised. When I travel throughout my constituency, I hear a few different things, and they're questions related to predictability — which they find helpful — accessibility, tradition, symbolism, and the Americanization of our electoral system.

It's been an interesting experience for me, and once again I'm humbled to have been elected in our democracy and to be able to take a Bill out to the people to have them scrutinize it.

I would characterize the reviews as being mixed with people expressing a wide range of opinion; some being appreciative of predictability, others being categorically outraged at the

American-style system that this helps to ensure. By extension it ensures the lengthening of the campaign period.

In regards to Americanization, for those that don't know, American federal campaigns have dates that are static, and this causes what we've seen in the last year in the US with Huckabee and McCain and Clinton and Obama campaigning for months and months on end.

Campaigns are incredibly costly. As an example, Obama raised 55 million in February alone to aid in the continuation of his campaign efforts. Now granted we see nothing of this magnitude in the Saskatchewan provincial election, but I think the principle and the means by which funds can be obtained provide a representative comparison.

These funds come from two main sources, generally individuals and corporations. I think for the most part people in Saskatchewan are comfortable with fundraising originating from individuals dispersed throughout the community — people that have a particular ideology that they'd like to support.

I'd like to quote now, if I could, Mr. Speaker, from a session forum I recently attended where folks were discussing this very issue. Here's the comment that was provided in the forum, Mr. Speaker, and I quote:

Sure, as long as we realise that the last year of every mandate will be an election campaign that we pay for just like the U.S. Personally, I think it's a big waste of time and money.

Are there ways to control that? Such as no campaigning before a specific date. Also candidates will not be official until after a certain date and, under our proposal of equal campaign funding there would only be campaign funds available as of a certain date.

Obviously this person raises some interesting concerns, Mr. Speaker. They too are fundamentally concerned with the massive amounts of money required for these campaigns, and they ask the question, are there ways to control the spending? A question I believe speaks to the heart of democracy.

Will we accept that money becomes a major factor in one's ability to legitimately seek public office? Will we stand by and allow only those with ample needs to become elected in our democracy? Or will we stand for democracy that might have members from all walks of life — a truly representative democracy?

I'd like to speak a little further to Sask Party's legislation, and how it appears to break still another one of their promises. In a government media release, December 18, '07, the Premier's saying the following: "Before the next election, we will also be keeping our promise to restrict spending on government advertising in the lead-up to the election."

In light of this recent promise regarding tertiary health care centre in Prince Albert, a second bridge in Prince Albert, his promise of having a plan to find a solution to the pulp mill issue, his promise to provide funding for major expansion of the Prince Albert airport, who would trust that this promise would

be carried out? Nobody in Prince Albert.

Why doesn't this Bill contain one clause to limit campaign spending? Why doesn't it contain a clause that will not allow a candidate to be officially named until a specified period before an election? Why does this legislation appear to favour the interests of the corporate instead of the interest of the people? What does unrestricted spending mean to our democracy? Is it an intentional omission? What is to be gained by not having done thorough work in the preparation of this Bill? Should we take the Premier at his word, that he will keep his promise and I quote, "... to restrict spending on government advertising ... [leading up] to the election."

I note with interest that this promise says absolutely nothing of an individual candidate's ability to spend. The people I have spoken to have valid concerns regarding the possibility of opening up our democracy to the highest bidder. Will we indeed end up with a government that is the best government money can buy, as they have in the US? Is this going to be a Bill about graft and privilege? Why does this Bill contain not one clause that might serve to address the possibility of abuse in our electoral system? There are a great number of these questions that remain unanswered, and I'm concerned at this point that answers might not be forthcoming.

Mr. Speaker, the Saskatchewan Party's put out enough discussion papers in the last 10 years to fill a garbage can; well at least in my house they fill a garbage can. How is it that every one of these papers contains discussion on many kinds of democratic reform, and yet this is the only item that makes it into this government's legislation? Please allow me the indulgence of providing you with a few examples.

The Sask Party guiding principles include and I quote, "Democratic reform to make government more responsive to the people it serves." In their '99 election platform entitled *The Way Up*, they promised to implement MLA recall which is what they referred to as quote, "the ultimate tool of accountability" to, and again I quote, "to give voters the power to fire their MLA mid-term."

It also promises to use binding provincial referenda where appropriate to settle major issues. But it didn't end there, Mr. Speaker. In 2002 their handbook entitled *Our Vision of a New Saskatchewan* promised to, and again I'll quote, "explore the preferential balloting and proportional representation systems as alternatives to the current system."

But you know, Mr. Speaker, it doesn't end there. Believe it or not, there's more. I think you begin to understand why my own refuse container can no longer stand reform. In June 2004 the current Minister of Government Services said, and I quote, "I think we will need to be seriously looking at if you're going to open up the electoral debate, on what kind of electoral system we have then we should be taking a very serious look at the single, transferable vote."

Now, Mr. Speaker, the current Sask Party policy book contains an entire section dedicated to democratic reform which, while mentioning set election dates, also includes the greater use of free votes and the promise that, quote, "... a Saskatchewan Party government will study Saskatchewan's electoral system



and make recommendations . . . [that will change] representation and encourage voter participation.”

How is it, Mr. Speaker, that with all this overture toward massive reform that we get a Bill that contains only fixed election dates? No reform on any elements alluded to in their can full of policy papers, a prime example of say one thing and do another.

Mr. Speaker, I'm sure the members opposite are well familiar with a gentleman named Karl Rove. Rove is the former deputy chief of staff to George Bush. I'm sure they'll be surprised to learn of Rove's comments offered recently at the Fraser Institute in Vancouver. In his address to the institute he preaches of his experience gleaned in his time as a Republican election strategist. And he states unequivocally that this proposed American method of campaigning, quote, “is an exhausting undertaking that lasts far too long and wears candidates down.” He further suggests that the campaign process leaves candidates with very little time to formulate their campaign ideas and offer solid plans to the electorate, which results in very few specific details on their proposed policies.

Mr. Speaker, I was again looking for information on the subject of fixed election dates and stumbled upon some information in a forum, and noted with interest the comment provided by an attendee. The person raised two more interesting points. They mentioned how they too are concerned that, I quote, “fixed election dates are a template for abuse, just like they are in America.” I think again that this speaks to a fundamental concern that people have about this legislation. They have concerns that this will open up our process to abuse. Another point raised by the same person is that they are quite happy having things, a distinctly Canadian way of doing things. They're proud of the system we've got here as it helps define our Canadian identity.

I would argue, Mr. Speaker, that this person raises a number of very valid concerns regarding this legislation. I'm not convinced that answers are forthcoming. With that, at this time I would like to move this Bill to committee for scrutiny in that forum. Thank you, Mr. Speaker.

[14:15]

**The Deputy Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Deputy Speaker:** — The question before the Assembly is that Bill No. 4, The Legislative Assembly and Executive Council (Fixed Election Dates) Amendment Act, 2007 be now read a second time.

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

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Agreed.

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

**The Deputy Speaker:** — To which committee shall this Bill be referred? I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — I designate that Bill No. 4, The Legislative Assembly and Executive Council (Fixed Election Dates) Amendment Act, 2007 be referred to the Committee for Intergovernmental Affairs and Justice.

**The Deputy Speaker:** — The Bill stands referred to the Standing Committee on Crown and Central Agencies . . . The Legislative Assembly and Executive Council (Fixed Election Dates) . . . this Bill stands referred to the Crown and Central Agency . . . Oh sorry, sorry, intergovernmental.

**Hon. Mr. Morgan:** — Intergovernmental Affairs and Justice is correct.

**The Deputy Speaker:** — Okay. The Bill stands referred to the intergovernmental committee.

### Bill No. 3

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Boyd that **Bill No. 3 —The Potash Development Repeal Act** be now read a second time.]

**The Deputy Speaker:** — I recognize the member for Regina Coronation Park.

**Mr. Trew:** — Thank you very much, Mr. Speaker. Today it's my pleasure to resume debate on the Bill No. 3, An Act to repeal The Potash Development Act. When I last spoke on this Act, I had spoken about some historical fact, that potash was discovered in Saskatchewan in 1942 and that potash was subsequently proven up, subsequently proven up by extensive drilling that was sponsored by the then government of the day, the then Tommy Douglas CCF government of the day which proved up vast, vast resource in potash that belonged of course to the people of Saskatchewan.

That was our natural resource, and the government of the day, Mr. Speaker, wanted very much to enhance job opportunities for people, to bring in revenue. The situation for the provincial government was such that revenue was not in abundance like it is today. There was a shortage of money available to do things like build roads and maintain hospitals and schools and those sorts of things that were very necessary with a relatively young, vibrant, growing province. So that's part of the history.

What I had missed was not an insignificant part of the potash history in Saskatchewan. I'm going to fast forward . . . Well let me, before I get too far fast forwarded, let me say that three companies, Mr. Speaker, were granted very, very significant royalty concessions because the Douglas socialist government of the day had entered into agreements with the private sector. And these three private sector companies faced very significant challenge in getting through down to roughly 3,000 feet below the surface so that they could mine Saskatchewan's potash.

The part of the history proves that the Blairmore Formation of water proved to be the biggest technical challenge that faced that entire industry. But the response of the government of the day had been to grant huge, huge royalty concessions to those

companies that were first in and said that they would do what they could to get to the marketable potash. And I mean there was no question that we had a pretty good idea what the volume of potash was. We had a very good idea what the concentration of potash was. We knew that it was a very high-grade potash deposit that we're blessed with below Saskatchewan. And we knew of course that it varied in height a little bit and some, making it more economic in some places than in others to try and mine.

Now I'm going to fast forward to the Ross Thatcher Liberal 1960s and in the free enterprise haste to have more potash, to have even more potash developed, the Thatcher Liberal government of the day, Mr. Speaker, granted potash corporations royalty freedoms as well, brief cessions on the royalties in their encouragement to have the potash industry expand, and it's a laudable goal. There's no question that it's a good thing to have an expansion of that industry.

The problem — with the benefit of hindsight — the problem that developed was that the mines were brought on stream faster than the world market could handle that additional potash, that additional high-grade Saskatchewan potash, and it had a number of very chilling effects. One was that potash wound up being stockpiled in pretty significant quantities, discounted on world markets. It drove the prices down. Corporations found it increasingly difficult to turn a profit, and you know you cannot, you cannot run a corporation on a loss ongoing and expect that corporation to continue running in perpetuity. That has to turn around at some point.

So we wound up with significant problems by the late '60s and into the '70s where corporations had come to a conclusion that they had to rationalize down their potash production. The Government of Saskatchewan got involved in making it happen as well, and there was pressures because one corporation would think that they were getting the shorter end of the stick than the next corporation. And the hard truth is, I believe history shows that there just wasn't much stick to pass around. There was only short sticks all around because of the very, very serious over-productive capacity.

Well that ultimately worked its way through, and ultimately the world demand for potash came closer to Saskatchewan's productive capacity.

And then, then enter the Blakeney government of the '70s, a government that wanted to extract a resource rent and taxation that was fair for Saskatchewan people. We didn't have any desire to cause undue grief for the corporations that had opened the mines, but we really wanted in those days to extract a reasonable rent from the Saskatchewan potash that was being mined and sold worldwide. We wanted to make sure that the potash industry maintained its vibrancy and its preferred place in the world of potash where we produce over a third of the potash produced in the world. And Saskatchewan potash is of course known to be very high quality.

So there was an attempt to raise the royalty rates. Not surprisingly, the potash industry balked. They said no, you can't put in a usurious rate of royalties without there being some push back. Well push back did happen. Push came to shove and the Blakeney government of the '70s introduced the very Act that

we're discussing today, which is The Potash Development Act, Mr. Speaker.

Well The Potash Development Act, after much discussion and an election being held around it, the people of Saskatchewan agreed that the Blakeney government was looking out for their best interests, re-elected the Blakeney government, this Act was passed. But interestingly, The Potash Development Act was never proclaimed. It was passed in the '70s and never proclaimed.

So now the question is, well what's all of the urgency in repealing The Potash Development Act? Why is it, Mr. Speaker? Why would it possibly be? The member for Kindersley says it sends a signal to business.

Well how does he explain that, in the last five years, there's been \$1.7 billion in capital cost expansion in the potash industry — \$1.7 billion in the last five years alone? That does not speak to a crisis in confidence in the potash industry.

When New Democrats had formed the government, we had a \$1.7 billion investment, capital cost investment in the potash industry over the past five years. It increased the production by 5 million tonnes a year. It increased the production of capacity by over 25 per cent . . .

**The Deputy Speaker:** — Order. Order. I'm starting to have trouble hearing the member that has the floor. I recognize the member.

**Mr. Trew:** — Thank you, Mr. Speaker. The simple fact — and I know the hon. member for Kindersley doesn't want to hear — the simple facts are the potash industry's in great shape in Saskatchewan.

**Some Hon. Members:** — Hear, hear!

**Mr. Trew:** — It enjoys absolutely fabulous resource. We've got several hundred years of potash available for us to extract and to sell worldwide, on the worldwide market because potash is sold mostly, mostly outside of — even not just outside of Saskatchewan — mostly outside of Canada.

So here we are. Now we've got extended hours in the Saskatchewan legislature. We can sit now until 1:00 every morning. Only four days a week, Monday through Thursday we can sit from 10 a.m. to 1 a.m. so that we can do really important business for the people of Saskatchewan. We can do incredibly important things like repeal The Potash Development Act that was passed in the '70s and never utilized, never proclaimed. But it'll send some magic signal to the potash industry. So says the incoming government.

Notwithstanding, Mr. Speaker, notwithstanding that the facts belie that statement, notwithstanding that the facts are a 5 million tonne increase in productive capacity and a \$1.7 billion expansion, capital cost expansion in the potash industry. The proof is in the pudding. The proof is in the eating. The proof is in the literally hundreds of people that are involved in expansion of jobs in the potash industry as we speak, Mr. Speaker.

The need for this Bill to be repealed, the logic for this is somewhat missing.

Mr. Speaker, I have covered, I have covered most of the points that I feel we really, really needed to make, the fact that this repeal of The Potash Development Act is largely a meaningless gesture. I don't think it's going to increase the productive capacity by 1 tonne a year. I don't think it's going to increase investment by the potash industry or anyone else by \$1 a year. I know the government will have this other view, but there is no mad rush for the repeal of this. But I have some other concerns, some other questions, and I very much at this point, Mr. Speaker, I think they'd probably be better dealt with in committee. So I'll take my place and refer this Bill to committee.

[14:30]

**The Deputy Speaker:** — Question. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Deputy Speaker:** — The question before the Assembly is that Bill No. 3, The Potash Development Repeal Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

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

**The Deputy Speaker:** — To which committee shall this Bill be referred? I recognize the member from Cannington.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Deputy Speaker. That this Bill be referred to the Economy Committee.

**The Deputy Speaker:** — This Bill stands referred to the Standing Committee on Economy.

## SECOND READINGS

### Bill No. 23 — The Municipal Revenue Sharing Amendment Act, 2008

**The Deputy Speaker:** — I recognize the Minister for Municipal Affairs.

**Hon. Mr. Hutchinson:** — Thank you, Deputy Speaker. Mr. Deputy Speaker, I rise today to move second reading of Bill No. 23, The Municipal Revenue Sharing Amendment Act, 2008.

As many members will know, Mr. Deputy Speaker, The Municipal Revenue Sharing Act provides the authority for a key element of the provincial financial assistance for urban and rural municipalities. The Bill establishes the amount of funds available this year to both the urban revenue-sharing pool and the rural revenue-sharing pool. It also determines the split in funding within the urban pool between cities and towns,

villages and resort villages. These amendments will give legal effect to decisions announced in the 2008 and 2009 budget.

This Bill and the budget decisions it enacts demonstrates our government's commitment to keeping our promises. In the 2007 provincial election campaign, we promised to raise the revenue-sharing amount by 7 per cent as an interim measure while we take the time to develop a new revenue-sharing deal that includes a portion of the province's own source revenue. Mr. Deputy Speaker, this is exactly what we have done. While even I agree that 7 per cent increase may not be enough, it does provide a predictable source of funding for municipalities while a new deal is being developed.

In total the budget and the subsequent legislative amendments will increase the amount available for urban revenue sharing by \$4.721 million, for a combined total of \$72.168 million and will increase rural revenue sharing by \$3.125 million for a total of \$47.756 million. In addition to the urban and rural revenue-sharing amounts set by this Bill, northern municipalities also receive a 7 per cent increase to their allocation of revenue sharing for a total of \$10.22 million. This is provided for by regulations under The Northern Municipalities Act, so it does not appear in this Bill.

Once this Bill has been passed and has received the assent of the Lieutenant Governor, this will come into force retroactively on April 1, 2008, the first day of the province's 2008-2009 fiscal year. Mr. Speaker, this funding is important to the prosperity and well-being of all communities and municipalities in Saskatchewan. I hope all members of the legislature will support this increased funding for municipalities. Mr. Speaker, I move second reading of Bill No. 23, The Municipal Revenue Sharing Amendment Act, 2008.

**Some Hon. Members:** — Hear, hear!

**The Deputy Speaker:** — The question before the Assembly is that Bill No. 23, The Municipal Revenue Sharing Amendment Act is to be read the second time. Is it the pleasure of the Assembly to adopt the motion?

I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Deputy Speaker. Well it's a pleasure to rise and add some comments to The Municipal Revenue Sharing Act. And the minister made a comment about a 7 per cent increase that was a Saskatchewan Party election commitment, and he recognized in his comments that it wasn't adequate. And I think we've all seen throughout the province in the media and in our local media the concerns with municipalities and cities having to raise mill rates and taxes in our communities, because of the shortfall in municipal funding.

So it's a bit of a circle here where we see the economy in the province of Saskatchewan growing. We see the revenues of the provincial government growing daily, especially with the high resource prices and commodity prices that are evident in markets right around the world.

Mr. Speaker, but here we have the municipalities that have the responsibility for providing the on-the-ground service for that

growth and development that's happening first-hand in communities right across this province. There's a strain in municipalities, not only on infrastructure but the services that are provided. So when the minister acknowledges that 7 per cent is not enough, I would agree, and I would say that most of the associations around the province, municipalities, both urban and rural and northern, would agree with the minister that 7 per cent is not enough.

Now today out in the rotunda, we heard the Premier musing about there may be an opportunity to make some changes, and he would have to go into having some discussions. And I would say that really this government with the types of revenues that it has coming in, the types of revenues that are sitting in surplus in the provincial General Revenue Fund, that they should look at doubling this to at least 14 per cent for this year until a permanent solution is put in place.

So, Mr. Speaker, there's a great deal of discussion that needs to be had, but this Bill needs to move ahead. But I would remind the minister that there is time to make amendments. The House is sitting for another four to five weeks, so if there is a desire from this government to increase revenue sharing to the municipalities to help them through a difficult time, we would be more than happy to support that.

So, Mr. Deputy Speaker, I'd be pleased to move this Bill into committee.

**The Deputy Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Deputy Speaker:** — The question before the Assembly is that Bill No. 23, the municipal revenue sharing agreement be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

**Clerk:** — Second reading of this Bill.

**The Deputy Speaker:** — To which committee shall this Bill be referred?

**Hon. Mr. Hutchinson:** — Mr. Deputy Speaker, I designate that Bill No. 23 be moved to the Standing Committee on Intergovernmental Affairs and Justice.

**The Deputy Speaker:** — This Bill stands referred to the Standing Committee on Intergovernmental Affairs and Justice. Is that agreed?

**Some Hon. Members:** — Agreed.

**Bill No. 15 — The Northern Municipalities  
Amendment Act, 2008**

**The Deputy Speaker:** — I recognize the member for Municipal Affairs.

**Hon. Mr. Hutchinson:** — Thank you, Mr. Deputy Speaker. I rise today to move second reading of Bill No. 15, The Northern Municipalities Amendment Act, 2008. The proposed amendments will allow the boundary area of the city of Flin Flon, Manitoba, to qualify as a Saskatchewan northern municipality eligible for our provincial infrastructure funding.

For those who may not know, the boundary area is actually a small part of Saskatchewan that was made subject to joint municipal jurisdiction with the city of Flin Flon, Manitoba, in provincial legislation passed over 50 years ago. The 242 people living in the boundary area are Saskatchewan residents who pay provincial taxes here and vote in our provincial elections. Our government believes that they should be able to access services and funding like other northern Saskatchewan communities.

The current section 291 of the Act, however, only allows grant payments to be made to settlements specifically designated as northern municipalities and does not mention the Saskatchewan portion of the city of Flin Flon. By way of comparison, the Saskatchewan portion of Lloydminster qualifies for funding the same as any other community in our province.

In order to ensure fair and equitable treatment, the amendments contained in this Bill will at long last designate the Flin Flon boundary area as a Saskatchewan northern municipality, thereby making it eligible for infrastructure funding and establishing a permanent infrastructure funding scheme that is consistent with other Saskatchewan northern municipalities.

It allows the boundary area to apply for funding programs such as the northern water and sewer program. It does not guarantee that any particular projects will be selected, but for the first time will allow the boundary area to compete with neighbouring communities. It should also be noted that infrastructure funds will only be used for projects benefitting the Saskatchewan side.

Mr. Speaker, this Bill does not earmark new funding. It simply provides access to funds already available through the northern revenue sharing trust account program drawn from the General Revenue Fund. The boundary area and the people living there deserve access to services and funding like other northern communities in our province. And all Saskatchewan residents in the North should receive equivalent treatment.

Mr. Deputy Speaker, this Bill shows that our new government accepts its responsibility to the people living in the boundary area. It shows that we have listened carefully to their concerns and have responded quickly to address them with appropriate legislative changes that will enhance their prosperity and quality of life.

Mr. Speaker, I move second reading of Bill No. 15, The Northern Municipalities Amendment Act, 2008 and urge all members to support it.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The minister has moved second reading of Bill No. 15, The Northern Municipalities Amendment Act, 2008. Is the Assembly ready for the question? I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, it's a pleasure to add a few comments to the amendments proposed for The Northern Municipalities Act. Mr. Speaker, over the last number of years I think this is the last piece of municipalities legislation that hasn't had a major review. The Cities Act and The Municipalities Act have both undergone some major renovations and renewals over the past number of years, so The Northern Municipalities Act is the third piece of municipal legislation to undergo a major renewal.

This Act has been looked at by a review committee that has been dealing with it over the past year. They took into account new concepts and provisions that were developed for both The Cities Act and The Municipalities Act. The review committee also discussed other key issues unique or specific to the North and that's important in this Act, Mr. Speaker.

There was a discussion paper issued by Saskatchewan Ministry of Municipal Affairs in December of last year that made mention of the complexity of many of the issues of The Northern Municipalities Act and what needed to be addressed, and it also stressed that ample time be made available for public consultations.

So I expect that this is just the first step in opening the northern municipalities Bill. And while this legislation, as the minister stated, addresses the specific case of funding arrangements for Flin Flon, I'm sure in the upcoming years we will see more portions of this Act come before the House.

So, Mr. Speaker, I know there is some more detailed questions that my colleagues and I have for committee, but as of right now, I think, we're happy to move this Bill forward to committee for that process to begin.

**The Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion moved by the minister that Bill No. 15, The Northern Municipalities Amendment Act, 2008 be now read the second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

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

**The Speaker:** — To which committee shall this Bill be referred?

**Hon. Mr. Hutchinson:** — Mr. Speaker, I designate that Bill No. 15 be moved to the Standing Committee on Intergovernmental Affairs and Justice.

**The Speaker:** — This Bill stands referred to the Standing Committee on Intergovernmental Affairs and Justice.

Why is the member on his feet?

**Mr. Brkich:** — With leave to introduce guests.

**The Speaker:** — Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — I recognize the member from Arm River-Watrous.

#### INTRODUCTION OF GUESTS

**Mr. Brkich:** — Thank you, Mr. Speaker. Sitting in the west gallery, I just noticed my CA [constituency assistant] had popped in because he was up today for some meetings, so I would just like to, through you and to the House, I would like to introduce my constituency assistant who has provided me with many years of good service. I'm probably the only. . . he's the only reason I'm still getting elected and back here in the House each and every time. So I would like to introduce Mr. Clark Puckett and welcome him here to his legislature.

**Hon. Members:** — Hear, hear!

[14:45]

#### SECOND READINGS

##### Bill No. 12 — The Consumer Protection Amendment Act, 2008

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

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I rise today to move second reading of The Consumer Protection Amendment Act, 2008.

Gift cards have become one of the most popular products in the marketplace today. Nearly all major retailers sell gift cards to their customers and many small- and mid-sized retailers offer gift cards as well. Gift cards are now a multi-billion dollar industry. The rise in the popularity of gift cards has raised a number of consumer concerns.

In many cases, Mr. Speaker, consumers who have purchased a gift card are not aware of the terms and limitations that may apply to the use of that gift card. Many gift cards expire one or two years after the date of purchase. Some gift cards have fees such as activation fees, transaction fees, monthly maintenance fees, or replacement fees for lost or stolen cards. In other cases a fee might be deducted from the balance of the gift card each month until the card value is eroded or eventually eliminated.

Consumers often realize that a gift card expires or is subject to fees only when they attempt to redeem the card. In most cases, the person who buys the card is not the person who ends up using the card.

Mr. Speaker, the purpose of this Bill is to update and modernize Saskatchewan's consumer protection legislation by setting out new rules to protect consumers who purchase and use gift cards and gift certificates.

Consumers will receive the full value of the gift card and not

have it reduced by stealth or hidden charges. The proposed legislation prohibits expiry dates on gift cards and gift certificates except as set out in the regulations. It also prohibits suppliers from charging inactivity fees that reduce the value of the gift card if it is not used within a certain period of time. Other fees will also be prohibited unless specifically authorized by the regulations.

The Bill allows for regulations to be established requiring disclosure of terms and conditions on gift cards and gift certificates.

Mr. Speaker, today's Bill also includes provisions that relate to the investigation and enforcement of the provisions of the Act as set out and penalties for non-compliance with the Act. The amendments to the Act are intended to harmonize Saskatchewan legislation with that of other Canadian jurisdictions. Mr. Speaker, in developing this legislation, we have consulted with business and consumer groups. The submissions provided by these groups have greatly contributed to the development of this Bill.

Mr. Speaker, I am pleased to move second reading of The Consumer Protection Act, 2008.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The minister has moved second reading of Bill No. 12, The Consumer Protection Amendment Act, 2008. Is the Assembly ready for the question? I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Thank you, Mr. Speaker. I listened carefully to the words of the current Minister of Justice in explaining and promoting the legislation which was drafted by the Department of Justice when I was minister, under my direction. And of course I wouldn't want to disagree with anything that the minister said. I would have said the same thing in promotion of the legislation which was drafted under my direction.

Of course, Mr. Speaker, we support the principles behind the amendments proposed by the government, as originally to be proposed by the NDP government, Mr. Speaker. This legislation is again recognition that sometimes technology moves quicker than the legislature can respond. And as the minister said, sometimes an industry becomes, I think he referred to, a multi-billion-dollar industry before the legislature can respond to the concerns, the legitimate concerns that consumers have about a new product such as gift cards.

Gift cards have been out there for a while. It's taken a while for us to respond. Legislation was drafted by the previous government, is now responsibly being brought forward by the current government. And again I say no . . . how could I have possibly, Mr. Speaker, any concern about the principles, the intent of the legislation, the purpose of the legislation. I have indeed none, as you might expect.

However the work that was to be done in consulting with stakeholders and people involved in this industry and people who might be affected by this legislation as to unforeseen consequences — which we must always be concerned about when making legislative change — of course was not done by

the previous government that had drafted the legislation. That work was not done.

Whether that work has been done by this government over the winter, we don't know, Mr. Speaker, but there are questions that may very well arise in respect to details on the effect of this legislation and, as I said, concern about unforeseen consequences.

I also would trust that the minister would be willing to respond in committee to questions about what he intends to put in regulations around limitations. He always asked for those when he was Justice critic, and I don't think he should have any reason to not provide them when he is Minister of Justice and able to provide them. So I expect some co-operation on that front and just give him a warning that those questions will be asked, Mr. Speaker, because the Justice critic, unlike the Minister of Justice, has a record on wanting those answers to be provided to the committee. With all those qualifications and provisions, those conclude my remarks on this legislation for the moment, Mr. Speaker.

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

**Mr. Nilson:** — Thank you, Mr. Speaker. The current Minister of Justice has the benefit of having two former ministers of Justice to give him advice as he proceeds with all of his legislation. And this particular legislation is good consumer legislation that deals with a present problem, but it does have in it a number of areas where there need to be created regulations that will respond to issues as they arise.

And, Mr. Speaker, it will be our intention as the loyal opposition to ask all the questions about the intended regulations. And we will have I think some very good questions, but we also will have strong support for the concept behind this particular aspect of The Consumer Protection Act. So with that, Mr. Speaker, I move that we send this to the committee. Thanks.

**The Speaker:** — The Assembly I take it is ready for the question.

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion by the minister that Bill No. 12, The Consumer Protection Amendment Act, 2008 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

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

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — I designate that Bill No. 12, The Consumer Protection Amendment Act, 2008 be referred to the

Intergovernmental Affairs and Justice Committee.

**The Speaker:** — This Bill stands referred to the Standing Committee on Intergovernmental Affairs and Justice.

**Bill No. 13 — The Teachers' Life Insurance (Government Contributory) Amendment Act, 2008**

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

**Hon. Mr. Krawetz:** — Thank you very much, Mr. Speaker. Mr. Speaker, I rise today to move second reading of Bill No. 13, The Teachers' Life Insurance (Government Contributory) Amendment Act. I am pleased to outline today for all members the background and changes to the Act that are included in this Bill.

Mr. Speaker, I would like to speak briefly about what led to the proposed changes to this Act. As members may know, the teachers' life insurance Act is a negotiable item under the provincial collective bargaining agreement between boards of education, the Government of Saskatchewan, and the teachers of Saskatchewan.

In August 2007, a new collective agreement between the boards, the government, and the teachers of Saskatchewan was ratified. As a result of the new collective agreement, changes to The Teachers' Life Insurance (Government Contributory) Act are required.

The amendments proposed will extend the ability of teachers receiving pension from the teachers' superannuation plan or the Saskatchewan teachers retirement plan to continue group life insurance coverage from age 75 to 85.

It will allow up to 100 retired teachers to continue their life insurance through the plan to age 85 at the member's expense. This provision will be implemented on September 1, 2008, because the collective agreement was not ratified in time for the change to be effective in 2007. Consultations regarding the proposed amendments took place between the parties at the collective bargaining table.

Mr. Speaker, as this was an item agreed to as part of the collective agreement, the Saskatchewan Teachers' Federation and the Saskatchewan School Boards Association are fully supportive of the amendment. Therefore, Mr. Speaker, I am pleased to move that Bill No. 13, The Teachers' Life Insurance (Government Contributory) Amendment Act, 2008 be now read a second time.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Minister of Education has moved that Bill No. 13, the Teachers' Life Insurance (Government Contributory) Amendment Act, 2008 be now read a second time. Is the Assembly ready for the question? I recognize the member from Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker, thank you for the opportunity to rise to speak to Bill 13, the teachers' life insurance amendment Act, 2008. As the minister identified, this was a result of a collective bargaining process that was in place

while we were in government.

It's a Bill that was worked on for some time, and absolutely we are supportive of a Bill that's arrived out of collective bargaining while we were in government. And we are pleased to see a Bill coming forward that enhances the coverage possible for teachers as they move forward in their late years in life.

Enough words for now, we'll have more words within committee. I move that this Bill be referred to committee.

**The Speaker:** — The Assembly is ready for the question? The question before the Assembly is the motion by the minister that Bill No. 13, The Teachers' Life Insurance (Government Contributory) Amendment Act, 2008 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed

**The Speaker:** — Carried.

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

**The Speaker:** — To which committee shall this Bill be referred?

**Hon. Mr. Krawetz:** — Mr. Speaker, I designate that Bill No. 13, The Teachers' Life Insurance (Government Contributory) Amendment Act, 2008 be referred to the Human Services Committee.

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

**Bill No. 18 — The Public Service Amendment Act, 2008**

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

**Hon. Mr. Elhard:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of Bill No. 18, An Act to amend The Public Service Act, 1998.

We support a professional public service for the province of Saskatchewan — one that provides excellent programs, policies, and services for the people of our province. The Public Service Act is the legislation designated to maintain the independent, qualified, and professional public service that is so vital for the smooth functioning of government and building a more prosperous province and a better life for all people in Saskatchewan.

The amendments we are considering today, Mr. Speaker, are minor changes to make this legislation clearer so that it continues to ensure effective, consistent process. Mr. Speaker, while the vast majority of public servants are hardworking, committed, and effective employees, there are rare occasions when there are exceptions, and ministries must consider discipline. On these rare occasions, we want to be sure that those instances are handled appropriately.

The first change makes it clear the deputy minister's authority

to suspend an employee extends to all staff, not just permanent staff. And the second change expands the alternatives available to the public service commissioners in adjudicating appeals of layoff or suspension for out-of-scope staff. Previously the commissioners were limited to upholding or overturning the deputy minister's decisions in such matters.

Mr. Speaker, the public service commissioners are an independent body whose authority is established in The Public Service Act, 1998. They represent the public interest in human resource management in the public service. And I would like to thank them and congratulate them on the role they play in continuing to ensure that Saskatchewan has the finest public service in the nation.

Mr. Speaker, I am pleased to now move second reading of An Act to amend The Public Service Act, 1998.

**The Speaker:** — The Minister of Highways has moved that Bill No. 18, The Public Services Amendment Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion? I recognize the member from Regina Dewdney.

**Mr. Yates:** — Thank you very much, Mr. Speaker. I'm extremely pleased this afternoon to stand and make brief comments on this Bill.

Mr. Speaker, this Bill does essentially two things, and the minister has outlined what those two things are. It in essence establishes and allows the same treatment to be for all classes of employees that would be employed under the Government of Saskatchewan. And it in fact then allows for, in those situations where there may be some consideration of what alternatives that the commission would have in dealing with an unfortunate situation, Mr. Speaker, it gives them more latitude and more abilities to provide a more suitable solution, Mr. Speaker.

Both of these particular changes are overdue, good changes, Mr. Speaker. So at this time I would move that this Bill be referred to committee.

[15:00]

**The Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion by the minister that Bill No. 18, The Public Service Amendment Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

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

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister of Government Services.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Speaker. I

designate that Bill No. 18, The Public Service Amendment Act, 2008 be referred to the Crown and Central Agencies Committee.

**The Speaker:** — The Bill stands referred to the Standing Committee on Crown and Central Agencies.

**Bill No. 11 — The Enforcement of Canadian Judgments Amendment Act, 2008/Loi de 2008 modifiant la Loi de 2002 sur l'exécution des jugements canadiens**

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

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I rise today to move second reading of The Enforcement of Canadian Judgments Amendment Act, 2008. Mr. Speaker, the amendments to The Enforcement of Canadian Judgments Act, 2002 introduced today will provide for special rules for enforcement of Canadian civil protection orders in Saskatchewan.

A Canadian civil protection order will be defined in this Bill to mean orders that are made in any other Canadian jurisdiction that prohibit a broad range of activities. These may range from communication to actual contact where it is being used by one individual to intimidate, threaten, or coerce or otherwise harass another individual.

Mr. Speaker, under this Bill the Canadian civil protection order is deemed to be an order of the Saskatchewan Court of Queen's Bench that is fully enforceable in Saskatchewan in the same manner as an order of that court. The Bill further provides that such an order can be enforced by law enforcement agencies in the same manner as a local court order whether or not that order has been registered in Saskatchewan.

Mr. Speaker, previously the concern had been identified by the Uniform Law Conference of Canada that law enforcement agencies may be reluctant to enforce these types of orders where they are not certain that they have been properly registered in the new enforcement jurisdiction. With these changes, law enforcement agencies will have clear authority to proceed with enforcing a protection order regardless of where it originated from.

To further facilitate enforcement, this Bill also provides for good faith liability protection for law enforcement agencies that take steps to enforce an order pursuant to this Act. Mr. Speaker, this Bill provides that a Canadian civil protection order may still be registered in the same manner as any other Canadian judgment if the enforcing party chooses to do so. Finally, it also provides that these amendments will apply to all Canadian civil protection orders that are already in effect when the Bill comes into force in addition to any future Canadian civil protection orders.

Mr. Speaker, this government is taking this step at the recommendation of the Uniform Law Conference of Canada in an effort to ensure that the Canadian civil protection orders will receive immediate and full effect and enforcement in the province of Saskatchewan regardless of where they originate from. Where an individual is subject to a peace bond, emergency intervention order under domestic violence



legislation, or any other restraining order, it is our view that these orders should take immediate effect to ensure the safety of all our citizens.

Mr. Speaker, I move second reading of an Act to amend The Enforcement of Canadian Judgments Act, 2002.

**The Speaker:** — The Minister of Justice has moved second reading of Bill No. 11, The Enforcement of Canadian Judgments Act, 2002. Is the Assembly ready for the question? I recognize the member from Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Speaker. This legislation is good legislation that has been worked on for a number of years. As the minister has outlined, in Canada we have the advantage of having something called the Uniform Law Conference, a place where people get together and look at federal and provincial laws and make sure that they match and mesh so that the effect of, in this case, Canadian judgments can be common right across the country.

And, Mr. Speaker, it has long been the tradition in Saskatchewan that we provide leadership in this particular work, and we also in turn make sure that we move forward with the recommendations from that particular committee. And this legislation comes from that source, along with the good work of the people here in our Department of Justice, and so on that basis, Mr. Speaker, I move that we forward this to the committee.

**The Speaker:** — The Assembly is ready for question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is the motion by the minister that Bill No. 11, The Enforcement of Canadian Judgments Amendment Act, 2008 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

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

**The Speaker:** — To which committee shall this Bill be referred?

**Hon. Mr. Morgan:** — Mr. Speaker, I designate that Bill No. 11, The Enforcement of Canadian Judgments Amendment Act, 2008 be transferred to the Intergovernmental Affairs and Justice Committee.

**The Speaker:** — The Bill stands referred to the Standing Committee on Intergovernmental Affairs and Justice.

#### **Bill No. 14 — The Saskatchewan Association of School Business Officials Repeal Act**

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

**Hon. Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of Bill No. 14, The Saskatchewan Association of School Business Officials Repeal Act.

Mr. Speaker, I would like to speak briefly about the history of The Saskatchewan Association of School Business Officials Act and why we are introducing a Bill to repeal it.

Mr. Speaker, the Act was first enacted in the 1940s to regulate the chief financial officer position in Saskatchewan school divisions. As members recall, these positions were often referred to as treasurer or secretary treasurer in the past. Currently we may know these professionals by the title of superintendent of finance or by some other variation of a board of education's choosing.

The current Act is unusual for professional regulatory legislation in that it regulates a position rather than a profession. And those holding the position do not share a common educational qualification. With the restructuring of 119 school divisions into 28 school divisions, the potential membership of SASBO [Saskatchewan Association of School Business Officials] was significantly reduced affecting the financial viability of the association. With the repeal of this Act, the association will be changing over to a non-profit corporation. This will allow them to expand their membership to include other financial and administrative positions in the education sector and grow as an advisory organization.

The association supports the repealing of the legislation. In fact, Mr. Speaker, in a survey of the association's executive and membership, 89 per cent were in favour of repealing the Act. This legislative change will help strengthen the role of the Saskatchewan Association of School Business Officials. It will allow the association to better ensure the financial viability of the association and better reflect their role as an advisory and advocacy organization. It will also bring our legislation in line with other jurisdictions in Canada.

As members know, SASBO is a key stakeholder in the education sector. The association serves an important role in advising school divisions and the ministry on financial and administrative changes that may be contemplated. The Saskatchewan School Boards Association and the ministry will continue to rely on the association for advice on issues in the education sector. The ministry has been working with the association since 2006 on the necessary changes. They have developed transition plans, and we expect that the repeal of this Act will be enacted this fall.

I would like to express my appreciation to the association's representatives for their assistance and co-operation. I am pleased to move therefore that Bill No. 14, the repeal of The Saskatchewan Association of School Business Officials Act be now read a second time.

**The Speaker:** — The Minister of Education has moved that Bill No. 14, The Saskatchewan Association of School Business Officials Repeal Act be now read a second time. Is the Assembly ready for the question? I recognize the member from Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. It is my pleasure to speak to Bill No. 14, the Saskatchewan association of school board officials repeal Act. SASBO has long been important to education within Saskatchewan. We most definitely find value in their advocacy and in their voice. Their viability is very important to us as New Democrats and I believe as legislators across the board in this House.

As the minister alluded to, this has been worked towards for some time. It serves as a structural change. It serves as a name change, and it is supported as I understand through SASBO themselves. It allows SASBO to continue to grow its membership, ensure their financial stability or strength, and continues to allow them to offer a strong and important voice to education within our province.

A few other words on this will follow within committee, but I do move that this Bill be referred to committee at this point.

**The Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The question before the Assembly is a motion by the minister that Bill No. 14, The Saskatchewan Association of School Business Officials Repeal Act be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

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

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister of Education.

**Hon. Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I designate that Bill No. 14, The Saskatchewan Association of School Business Officials Repeal Act be referred to the Human Services Committee.

**The Speaker:** — This Bill stands referred to the Standing Committee on Human Services. I recognize the Minister Responsible for Government Services.

**Hon. Mr. D'Autremont:** — Thank you, Mr. Speaker. Mr. Speaker, to facilitate hearings of the standing committees later on today, I move that we adjourn this House.

**The Speaker:** — The minister has moved this House do adjourn. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried. This Assembly stands adjourned until tomorrow at 10 a.m. to facilitate the work of standing committees.

[The Assembly adjourned at 15:13.]



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