



SECOND SESSION - TWENTY-SIXTH LEGISLATURE

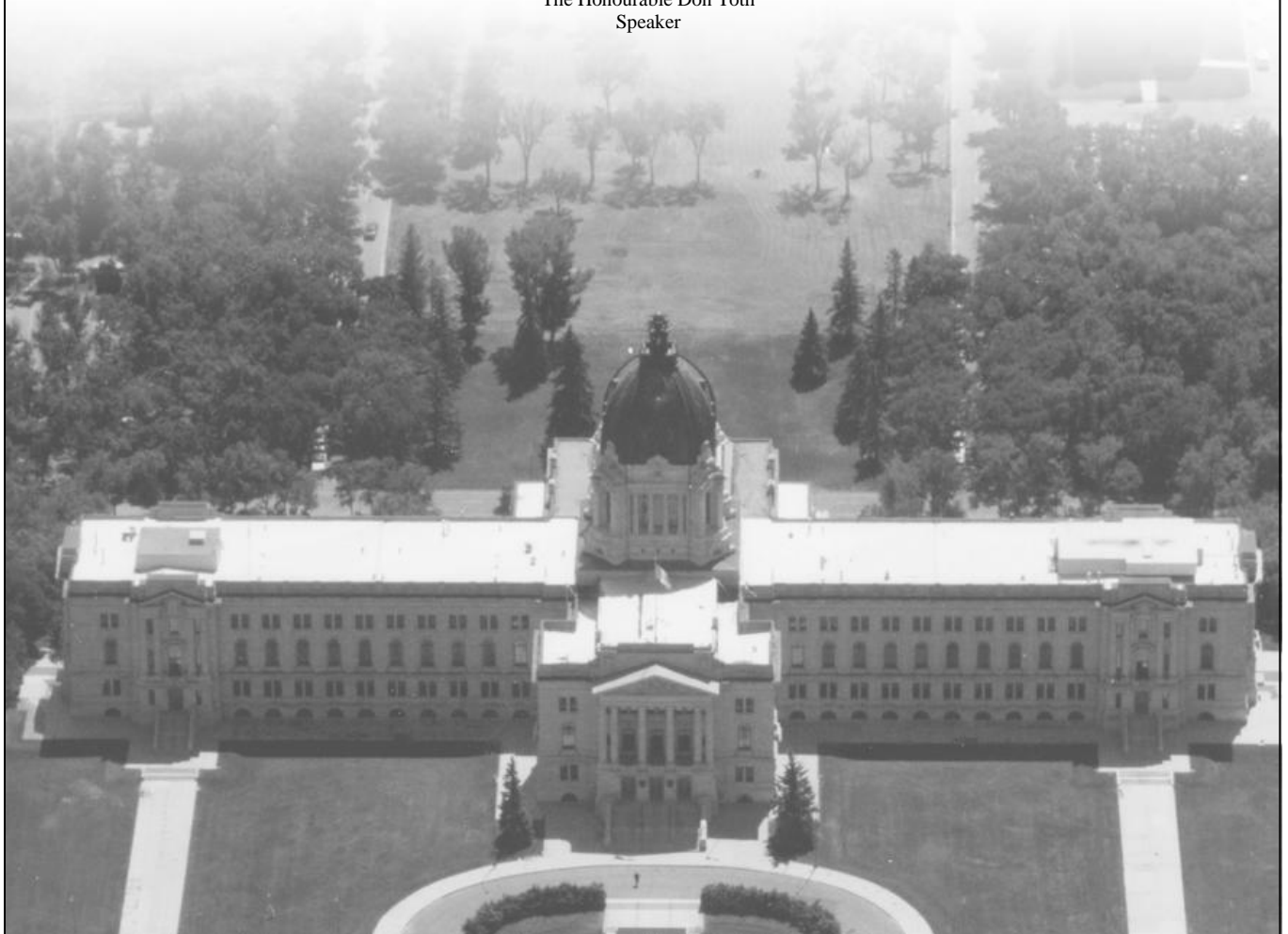
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(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

Name of Member	Political Affiliation	Constituency
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
Vermette, Doyle	NDP	Cumberland
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

[The Assembly met at 13:30.]

[Prayers]

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

The Speaker: — I recognize the Minister Responsible for Advanced Education, Employment and Labour.

Hon. Mr. Norris: — Mr. Speaker, to you and through you to the Assembly, it is my pleasure to introduce representatives in your gallery from the Saskatchewan Coalition for Tobacco Reduction, the Canadian Cancer Society, Heart and Stroke Foundation, and Dutch Industries.

These individuals are joining us for today's announcements of a province-wide smoking ban. Please join me in welcoming them to their legislature, Mr. Speaker.

Hon. Members: — Hear, hear!

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

Mr. Iwanchuk: — Mr. Speaker, on behalf of the official opposition, I too want to welcome these people to our gallery and look forward to meeting with them. Thank you, Mr. Speaker.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cut Knife-Turtleford.

Mr. Chisholm: — Thank you, Mr. Speaker. To you and through you to this Assembly, it is my honour to introduce three guests seated in your gallery. Mr. Speaker, I would like to acknowledge Alex Fletcher, my nephew; Virginie Lavallée-Picard — how was that? Alex and Virginie are en route from Victoria to Montreal where they will be furthering their education. Alex and Virginie are graduates of Lester B. Pearson College of the Pacific in Victoria and the College of the Atlantic in Ann Arbor, Maine.

They recently returned from a whirlwind tour recruiting for their alma mater in Maine that took them to, among other places, India, Singapore, Hong Kong, Norway, Italy, Bosnia, Germany, Wales, and yes, to Maidstone, Saskatchewan. This past Friday they visited the Alberta legislature, and this morning we had the opportunity to attend our Agribition. Accompanying Alex and Virginie is their doting aunt, and incidentally my wife, Heather. I would ask that we all join together in welcoming these guests to our legislature.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Yorkton.

Mr. Ottenbreit: — Mr. Speaker, to you and through you and to all the members of the Assembly, I would like to introduce two

very special friends of mine from Yorkton, formerly of Rosetown — Clairon and Joanne Seib. You want to give us just a little wave there, Clairon and Joanne? They're constituents; they're very good friends. Joanne's a nurse, a health care worker as well as a corrections worker. And Clairon is a very accomplished aircraft maintenance engineer, commercial helicopter and fixed-wing pilot, and is very active in aerial applicating and fire suppression with single-engine air tankers.

So I'd like to ask everybody to welcome them to this Assembly. Thank you very much.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Thank you. Mr. Speaker, there are a number of special guests in your gallery that I have the great pleasure of introducing to you and then through you to all of my colleagues in this Legislative Assembly.

We'll start in the Melfort area of the province, Mr. Speaker, more specifically from the community of Pathlow which unfortunately fewer and fewer people are aware of because the landmarks are disappearing — except for the Hindley family, a very noted landmark from that particular area, the family of Everett Hindley who's my assistant and is stuck with me as we travel the province of Saskatchewan and have for a number of years. Everett's family includes his father, Tom; his mom, Pat; sisters, Melissa and Erica; and his niece, baby Elizabeth. And I would just want to welcome them here to their Legislative Assembly today.

Hon. Members: — Hear, hear!

Hon. Mr. Wall: — While I'm on my feet, Mr. Speaker, if I may, some very close friends are here from Swift Current, Saskatchewan. My three-time campaign manager in our local constituency, Bryon Campbell, has joined us today. Bryon was here on a medical appointment and everything went very well. I'm told the doctor said they don't want to see him again, and it isn't for any other reason than I don't think they need to see him for some time. So that's very good news. And joining him today is his good friend and my good friend from Swift Current as well, a long-time business person from Swift Current, Gerry Salter. Welcome them as well to their Legislative Assembly, Mr. Speaker.

Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cannington.

Hon. Mr. D'Autremont: — Thank you, Mr. Speaker. To you and through you to the Assembly, I would like to introduce, seated in your gallery, members of Alzheimer Society of Saskatchewan. And I would ask that when I name them that they stand and remain standing, please — Vivienne Hauck, president; Edie Laidlaw, board member; Sandra Weekley, board member; Don and Connie St. Onge, members; Joanne Michael, program services manager; Joanne Bracken, executive director.

Ladies and gentlemen, these people work very hard to create

awareness in the province, to support the sufferers of Alzheimer's and their caregivers, and to promote research in Alzheimer's. They deserve our admiration and appreciation. I would ask everyone in the Assembly to please welcome them to their Assembly today.

Hon. Members: — Hear, hear!

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

Ms. Junor: — Thank you, Mr. Speaker. I too would like to welcome the members from the Alzheimer Society. I know myself and many other member of the Assembly have had personal experiences in their families with Alzheimer's and understand the work that you do and the value that that work serves the people of Saskatchewan. And I too would like to welcome you to the Assembly today and look forward to a reception at 5.

Hon. Members: — Hear, hear!

PRESENTING PETITIONS

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

Mr. Furber: — Thank you, Mr. Speaker. I'm pleased to rise today to present a petition in support of new child care spaces. And I'll read the petition as follows:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to immediately add at least 1,000 new child care spaces in Saskatchewan.

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

Mr. Speaker, I so present. Thank you.

Some Hon. Members: — Hear, hear!

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

Mr. Iwanchuk: — Mr. Speaker, I rise to present petitions on behalf of residents of Saskatchewan concerned about the minimum wage and the effect of the cost of living. And the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to commit to indexing Saskatchewan minimum wage to ensure that the standard of living of minimum wage earners is maintained in the face of the cost of living increases.

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

Petitions are signed by people of Saskatoon. Thank you.

Some Hon. Members: — Hear, hear!

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

Mr. Forbes: — Thank you very much, Mr. Speaker. I rise to present a petition in support of affordable housing for Saskatchewan seniors. I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to act as quickly as possible to expand affordable housing options for Saskatchewan's senior citizens.

I do so present. Thank you.

Some Hon. Members: — Hear, hear!

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

Mr. Broten: — Thank you, Mr. Speaker. I stand today to present a petition concerning the high cost of post-secondary education. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to increase funding for post-secondary students and help to alleviate the large financial burden placed on students for pursuing a post-secondary education at a Saskatchewan institution.

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

Mr. Speaker, this petition was circulated by the Canadian Federation of Students, the University of Regina Students' Union, the University of Saskatchewan Students' Union, and the First Nations University of Canada Student Association. I so present.

Some Hon. Members: — Hear, hear!

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

Mr. Wotherspoon: — Thank you, Mr. Speaker. I rise to present petitions on behalf of concerned citizens in business who would like to see a reduction in the education portion of property taxes. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Legislative Assembly may be pleased to cause the government to stop withholding and to provide significant, sustainable, long-term property tax relief to property owners by 2009 through significantly increasing the provincial portion of education funding.

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

These are signed by concerned citizens of Regina and Pilot Butte.

Some Hon. Members: — Hear, hear!

STATEMENTS BY MEMBERS

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

**International Day for the Elimination of Violence
Against Women**

Ms. Schriemer: — Thank you. Thank you, Mr. Speaker. Today is the UN [United Nations] designated day for the elimination of violence against women.

They report on their website at least one out of three women around the world has been beaten, coerced into sex, or otherwise abused in their lifetime. Concerning spousal abuse, on average, a woman is beaten 13 times before reporting the abuse. Mr. Speaker, violence exists everywhere. The victims however are mostly women and children.

I have seen violence, Mr. Speaker. I have seen women cut, bleeding, sitting and crying on their kitchen floor. I have also seen the four-year-old girl wearing only her underwear, cowering and shivering in the corner of a stone basement.

The short-term effects — the bleeding, the bruising, the broken bones — Mr. Speaker, the injuries do not end there. Life-changing psychological effects take their toll on these victims. Physical disabilities, substance abuse, mental health issues, relationship difficulties, and trust issues are a few of these long-term effects.

This is a societal issue and it exists in our Saskatchewan. We need an interagency response and a commitment from all citizens to become understanding, compassionate, and stop labelling. Thank you.

Some Hon. Members: — Hear, hear!

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

Ms. Higgins: — Thank you, Mr. Speaker. Today, Mr. Speaker, November 25, is recognized as the International Day for the Elimination of Violence Against Women. The day was designated in 1999 at the United Nations General Assembly. At that time the United Nations invited governments, international organization, and NGOs [non-governmental organization] to raise public awareness of the problem as an international observance.

Violence against women and girls is a problem of pandemic proportions. According to the World Health Organization, at least one out of every three women across the world has been beaten, coerced into sex, or otherwise been abused in her lifetime, and usually by someone known to her. The United Nations Development Fund for Women says, and I quote:

This is perhaps the most pervasive human rights violation that we know today. It devalues life, fractures communities, and stalls development.

Violence against women continues throughout the world and is a major impediment to achieving gender equality. Sadly this

happens in our communities and our neighbourhoods.

Thankfully such organizations such as a transition house exist to provide women and their children a safe haven from abusive domestic situations. Unfortunately for various reasons many women are not able to seek the refuge of safe houses, and therefore suffer through the realities of life they know.

Mr. Speaker, I ask all members to join me in recognizing the importance of the International Day for the Elimination of Violence Against Women, and to today commit to continue the fight for the achievement of gender equality and an end to the violence. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cannington.

Alzheimer Awareness Reception

Hon. Mr. D'Autremont: — Thank you, Mr. Speaker. Tonight I have the honour of co-hosting an Alzheimer's awareness reception here in the building. The Minister of Health and I have worked closely with the Alzheimer Society to make this event a reality.

Staff and volunteers of the society work hard year-round promoting awareness about timely diagnosis, proper treatment, and support for those affected by this disease. Last year the society celebrated 25 years of service to this province.

Over 18,000 people in Saskatchewan suffer from Alzheimer's or related dementia. By 2031, Canada's biggest demographic group, the baby boomers, will move into the high-risk age group for this disease.

I know first-hand the burden this disease places on family and friends. I know because my mother had Alzheimer's.

The program and services offered by the society offer help and hope to caregivers and sufferers alike. These initiatives include presentations on understanding Alzheimer's disease all across Saskatchewan, support for caregivers in 40 communities across the province, the development of an enhanced care program to develop guidelines for care.

I am happy to see by the RSVP list that many members from both sides of this Assembly will be in attendance tonight. I invite all members to join me in recognizing the critical work of the Alzheimer Society and the importance of raising awareness about the impact of this disease. Thank you.

Some Hon. Members: — Hear, hear!

[13:45]

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

An Honourable Calling

Mr. McCall: — Thank you, Mr. Speaker. I want to highlight for the Assembly a special event taking place tonight in the fair

constituency of Elphinstone-Centre. I am speaking of the launch for the book tour of *An Honourable Calling*, the political memoirs of Allan Emrys Blakeney.

Mr. Blakeney served as a CCF-NDP [Co-operative Commonwealth Federation—New Democratic Party] MLA [Member of the Legislative Assembly] from 1960 to 1988, most of that time for the constituency of Elphinstone, I am very proud to say, Mr. Speaker. He served with distinction in the cabinets of Tommy Douglas and Woodrow Lloyd and was the premier of Saskatchewan from 1971 to 1982.

Blakeney played a pivotal role in the shaping of modern Canada. He was there in the thick of things at the birth of and the battle for medicare. He was there at the patriation of the Canadian Constitution and he was there when Saskatchewan fought to get a fair share from the wealth of natural resource development. And Allan Blakeney was there helping Saskatchewan to punch above its weight in its dealings with the likes of Pierre Trudeau, Jean Chrétien, René Lévesque, Bill Davis, and Peter Lougheed. And Allan Blakeney will be there tonight, Mr. Speaker, still vigorous in thought, ready to make yet another great contribution to public life in Saskatchewan and Canada.

The title, *An Honourable Calling*, is well chosen not just because Allan Blakeney subscribed to the belief that political life was indeed an honourable calling. Rather it's because Allan Blakeney in his life and work brought abundant honour to the calling of politics.

On behalf of the official opposition, Mr. Speaker, I offer congratulations to Allan Blakeney on the launch of his political memoirs and I know that many of us in this Assembly, particularly Mr. Blakeney's home MLA, the member for Meewasin, look forward to seeing Allan and Anne Blakeney tonight at the launch. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

Festival of Trees Supports Moose Jaw Union Hospital

Mr. Michelson: — Well thank you, Mr. Speaker. Congratulations to the Moose Jaw Health Foundation for what could be described as the Moose Jaw social event of the year. On Saturday evening, the citizens of Moose Jaw demonstrated their support and their huge generosity at the annual Festival of Trees in support of the Union Hospital. During this gala event of dining and dancing, a live auction, and cash donations, the 400 people in attendance raised over \$225,000.

The Festival of Trees is a huge undertaking by the Health Foundation and a huge success toward health care, demonstrating the community's commitment to the Union Hospital. The \$225,000 will be directed toward the renovations and revitalization of the intensive care unit. Each and every dollar will go toward the construction of critical care rooms that will help patients on their road to recovery. The funds raised by the Festival of Trees will go a long way in supporting the upgrades of the intensive care unit.

Words are hard to find that would adequately describe the pride of the community for the efforts toward this cause. Thank you and congratulations to the Moose Jaw Health Foundation for the success of the event, and grateful appreciation to the businesses and the citizens who supported the cause so generously. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

High School Students Raise Addictions Awareness

Mr. Furber: — Mr. Speaker, on Tuesday, November 19, Prince Albertans participated in an addictions awareness walk to raise awareness of addictions in Prince Albert. Most of those who walked did so on behalf of someone close to them who has struggled with drug and alcohol addiction.

Students from Wesmor Community High School, located in Prince Albert Northcote, also took part in the walk. Mr. Speaker, these students understand the importance of recognizing the impact of drugs on our communities. They have formed a club which is an offshoot of SADD [Students Against Drinking and Driving]. The club is also called SADD, but stands for Students Against Destructive Decisions. One of these members walked in memory of her cousin who had been drinking one night and was pushed off a bridge.

Mr. Speaker, there are many shocking stories of addictions, and these young students deserve an enormous amount of credit for doing all they can to prevent others from becoming addicted. The addictions awareness walk ended at the gym at the Margo Fournier Centre where several information displays were set up by community agencies.

Mr. Speaker, I ask that all members join with me in extending our gratitude to the organizers of the addictions awareness walk in Prince Albert, to the community agencies that set up the educational booths, and to the students from Students Against Destructive Decisions for their part in raising addictions awareness and preventions in our community. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Wood River.

Saskatchewan Shines

Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, Saskatchewan continues to shine despite the economic downturn across Canada and around the world.

Two new reports show that between September '07 and September '08 Saskatchewan recorded the largest decrease in Canada in the number of people collecting EI [employment insurance] benefits and that we recorded the second highest increase in retail sales. Between September '07 and September '08, the number of people in Saskatchewan collecting EI went down by 8.5 per cent while the national average went up 3.9 per cent. Over the same period of time, we recorded the second highest retail sales increase in Canada.

Under this government, Mr. Speaker, there is confidence in the Saskatchewan economy, but we have only begun. In the new year, our record investment in infrastructure will climb to 1.5 billion, allowing us to continue to address the 16-year-old infrastructure deficit we inherited.

Earlier this fall our government announced historic tax cuts and debt reduction. We have introduced measures such as the first increase in 16 years to the seniors' income plan and the new low-income tax credit to ensure we meet the needs of society's most vulnerable. We have set aside 2 billion as a fiscal insurance policy in these uncertain economic times. We will continue to take action to make Saskatchewan stronger, to create a better life for everyone in this great province. Thank you.

Some Hon. Members: — Hear, hear!

QUESTION PERIOD

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

Greenhouse Gas Emissions

Ms. Morin: — Mr. Speaker, the former NDP [New Democratic Party] government made a commitment to stabilizing greenhouse gas emissions by 2010, reducing absolute emissions by 32 per cent from 2004 levels by 2020. This would have been the largest per capita reduction in Canada.

Mr. Speaker, the Sask Party promised that they would meet our targets. It's right there on page 38 of their election platform. But the Premier has more or less admitted that the Sask Party will be unable to meet those targets. Mr. Speaker, to the Minister of Environment: why is the Sask Party breaking its promise to meet the NDP's greenhouse gas reduction targets?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister Responsible for the Environment.

Hon. Ms. Heppner: — Mr. Speaker, it's great to see the member opposite on her feet. The NDP have had a chance over the last year to ask 832 questions. They've asked seven on climate change. And for something that was supposed to be such a massive priority for the NDP, they certainly aren't devoting a whole lot of time to it.

But on the member's question I would say that, Mr. Speaker, I find it interesting that the NDP are asking this question when they're very . . .

The Speaker: — I think members would like to hear the answer. I recognize the Minister of the Environment. Order. Minister of the Environment.

Hon. Ms. Heppner: — Thank you, Mr. Speaker. I find it interesting the member is asking that question when she said just this last April 22, and I quote, "I would say the federal targets are something that they [us] should clearly be adopting." And as we all know, the federal targets are not the same as the

provincial targets. They changed their position almost a year ago, so I think it's a little hypocritical for them to be asking this question today.

Some Hon. Members: — Hear, hear!

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

Ms. Morin: — A real answer would be most welcome, Mr. Speaker.

Mr. Speaker, the Sask Party axed the Green Future Fund the former NDP government established to help meet those targets. No matter what they say, that's why they won't meet them. And now they're scrambling to come up with an alternative. And what is their alternative? A levy that according to October 24, *Prince Albert Herald*, quote ". . . would be like a tax on emissions." In other words, a carbon tax — an idea they mocked just weeks ago during a federal election campaign.

Mr. Speaker, to the minister: why did she cut the \$320 million the former NDP government set aside to meet our emission targets if their only alternative is an idea the Sask Party said would be harmful to Saskatchewan?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister Responsible for the Environment.

Hon. Ms. Heppner: — Mr. Speaker, in actuality what the NDP had set aside was \$7.5 million. In the last budget, we actually increased that by 10, to a total of \$17.5 million. The 320 was nothing more than a press release; it was not allocated.

But as to believing the effectiveness of NDP positions on climate change, if the member opposite hasn't noticed, we've actually put a freeze on the green initiatives funding that was set up by the NDP.

We were a little concerned that perhaps it wasn't set up correctly and that there may be some issues with it, so we had an independent review done. And it came back, Mr. Speaker, that the NDP's approach to this — to the green initiatives fund — lacked quantitative effectiveness, lacked measurability. It had weak objectives. It ignored the largest emitters which are oil and gas and SaskPower. It had a lack of clear priorities. It had a lack of focus on environmental objectives. The NDP plan was unlikely to achieve the government's objectives. And the NDP failed to look at nuclear power as an alternative for our province, Mr. Speaker.

The NDP have absolutely no credibility on this file. We will not take any lessons from them.

Some Hon. Members: — Hear, hear!

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

Ms. Morin: — Again, Mr. Speaker, we're still waiting for the answer to the first question.

Mr. Speaker, on October 23, the minister claimed, quote “We’ve said all along there would be off-set fees if organizations weren’t able to reach their targets.” But of course that’s not the whole story.

Apparently the Premier did share his plan with a business audience in Banff on September 26 in the middle of the federal election campaign according to Reuters. Meanwhile here in Saskatchewan, the Sask Party went out of its way to criticize carbon taxes in its effort to defend the minister’s former boss, Stephen Harper.

Mr. Speaker, to the minister: why did the Premier spend the entire federal election campaign trying to convince Saskatchewan voters that carbon taxes were bad while telling people in Alberta something entirely different?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister Responsible for the Environment.

Hon. Ms. Heppner: — Thank you, Mr. Speaker. We’ve already established that the NDP are fully in support of the federal climate change targets, and I would request some clarification on two other aspects of the federal plan. We know that the federal draft regulations for climate change outline a cap and trade program. The Throne Speech recently has also outlined a plan for a North American cap and trade system, something that our party is not in favour of. We want to keep that money in Saskatchewan.

However, Mr. Speaker, I would point out during the last federal election the NDP platform for Saskatchewan has a lovely picture of Jack Layton and the member of the now opposition on the front cover, so I would imagine he endorses, his party endorses what’s contained in here. And what’s contained in there says, and I quote, “We will put a price on carbon through a ‘cap-and-trade’ carbon pricing system . . .”

So perhaps the member opposite could explain why she’s in favour of shipping wealth out of our province instead of a made-in-Saskatchewan plan.

Some Hon. Members: — Hear, hear!

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

Ms. Morin: — Mr. Speaker, it took the Premier 24 hours to decide he didn’t like the Prime Minister’s new cap and trade plan despite criticizing the idea during the recent federal election. And why did he criticize it in the first place? To help Stephen Harper. He talked out of both sides of his mouth on carbon tax — again, to help Stephen Harper. It’s clear that, as with so many things, the Sask Party makes decisions about environmental policy based on what helps their Tory cousins in Ottawa. An actual plan to reduce greenhouse gas emissions seems to be more of an afterthought.

To the minister: will we see her plan to reduce greenhouse gas emissions any time soon, or does the Premier need to check with Ottawa first?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister Responsible for the Environment.

Hon. Ms. Heppner: — Well, Mr. Speaker, I have to say that’s a very interesting premise to a question: that we’re supporting the federal Conservative Party by coming out against their cap and trade proposal.

And the last time I checked, the NDP in this province are the only ones in favour of a cap and trade proposal, which is on exactly the same page as the federal Conservatives. So if she’s worried about what our plan is, I can tell you this, Mr. Speaker: it’s not the NDP plan.

Some Hon. Members: — Hear, hear!

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

Support for Child Care

Ms. Higgins: — Well, Mr. Speaker, the lack of affordable available child care is affecting the ability of Saskatchewan people and Saskatchewan families from entering the workforce or continuing their educational training. Last spring the Premier referred to an additional \$31 million that he received from his federal cousins in Ottawa for child care as new and unique money for Saskatchewan. He again referred to the money just in comments at the end of last week.

To the Premier: Saskatchewan families are waiting. When will he actually quit talking about the money and put in place some new child care spaces?

Some Hon. Members: — Hear, hear!

[14:00]

The Speaker: — I recognize the Minister of Education.

Hon. Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, it’s clear across the province that we as a new government were able to inject \$1.7 million of new funding to create 500 new child care spaces. Mr. Speaker, that will move us from a number of 9,900 child care spaces to 10,400. And as I’ve indicated to the members opposite in this Legislative Assembly, that is a terrible statistic for the province of Saskatchewan. When we compare it to British Columbia, Alberta, Manitoba, based on population sizes, that’s a horrible number. That’s a legacy, Mr. Speaker, that’s a legacy of the NDP. For 16 years we managed to move to a grand total of 9,900 seats.

Mr. Speaker, in the first year we have added 500 seats. And, Mr. Speaker, we recognize that for the province to be able to attract people, for the province to be able to have especially women continue with their education, we must add more spaces. And we’re going to be concerned about that, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

Ms. Higgins: — Well, Mr. Speaker, when this NDP government had the money in the bank, we made substantial improvements to child care. Mr. Speaker, the record speaks for itself of over 1,000 child care seats created, spaces created in our last term of government.

Mr. Speaker, my question for the minister is: on October 2008, the Speech from the Throne of the Sask Party government announced an additional investment of 1.7 million for child care — he just referred to it. To the Minister of Education: is this truly additional money, or is he just reannouncing last spring's budget?

Some Hon. Members: — Hear, hear!

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

Hon. Mr. Krawetz: — Mr. Speaker, the government was instituting a lot of programs, and there are two amounts of 1.7 million. They happen to be the same numbers. As I indicated, 1.7 million was necessary to fund 500 new additional spaces. In April 2008 this government also committed to a 4 per cent wage lift for early childhood care workers. And in fact, Mr. Speaker, that cost 1.7 million as well. So those are the numbers. And I've explained that to the member opposite in estimates, Mr. Speaker.

Mr. Speaker, I want to tell the public of the province of Saskatchewan exactly how some people are looking at this. The person is Rebecca Anderson from Hazlet. She's the program director for the early learning child centre. And she says this, and I quote:

I think it is something we are going to see more and more of. Part of the reason we got our spaces is that the government has prioritized four areas, and one of these areas is rural communities, so that helps.

Some Hon. Members: — Hear, hear!

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

Ms. Higgins: — Well, Mr. Speaker, wait-lists are growing across the province. We can look at a wait-list at one centre in Saskatoon of over 400. Estevan child care, there are 66 spaces and 135 on the wait-list.

Mr. Speaker, let me get this straight. The Saskatchewan Party government called the 1.7 million an additional investment in the Throne Speech, but it was really a re-announcement from this spring's budget which the minister agreed to in committee the other night. Wait-lists are growing, families are waiting. Why is this minister trying to mislead the public into believing he's investing new money in child care when he's simply re-announcing money from the spring budget? How many times is he going to re-announce the same amount of money and do nothing?

Some Hon. Members: — Hear, hear!

The Speaker: — Before . . . Order. Before . . . Order. Before I recognize the minister, I want to remind members to be careful in how they direct their questions to other members. I recognize the Minister of Education.

Hon. Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, we were very pleased to see the federal government announce the continuation of the \$7.5 million for this year's funding, in fact with an escalator clause. And I was happy to report to the member opposite that in fact the '08-09 fiscal year, we have received \$7.725 million from the federal government to assist in actually developing new child care seats, Mr. Speaker.

The members opposite, the NDP, talk about their growth and that their rate of adding 1,000 child care spaces over four years was a tremendous growth. Mr. Speaker, we've added 500 in one year, and we're going to continue to have to add more, Mr. Speaker, because, Mr. Speaker, this is a growing province; we are attracting a lot of new families.

Mr. Speaker, when I had the opportunity to be in Ukraine, I listened to people who are thinking about coming to Saskatchewan, and they're wanting to make sure that there is, that there is quality daycare. And to achieve that, Mr. Speaker, we're going to have to add more seats. We're going to have a growing province, and we're going to have a growing population, and we're going to have a growing number of young children requiring child care, Mr. Speaker.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cumberland.

Support for Northern Communities

Mr. Vermette: — Mr. Speaker, northern workers, northern businesses should benefit from the wealth created in the North. But the first year of this government has been hard on northern people. At a time when northern resources are in demand, this government has cut funding to northern skills training by one-third.

Mr. Speaker, to the Minister Responsible for Northern Affairs: why did this government cut funding for northern skills training in the middle of a labour shortage?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Mr. Speaker, I'll take notice of the question.

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Mr. Speaker, the Sask Party likes to talk about other increase in training spaces, but their answers show that they just don't understand the North. The fact is they cut funding that would have ensured northern workers benefit from the wealth created.

Mr. Speaker, to the previous . . . The previous government set aside funding for a number of highway projects important to northern Saskatchewan. The projects included funding for Highway 123 to Cumberland House and the road paving project in Pelican Narrows. But the Sask Party has been dragging their feet on following through on these projects — may be their plan to re-announce them like they've done with child care.

To the Minister of Highways: why is he playing politics with highway projects that are important to the safety and the economic well-being of northern communities?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister of Highways.

Hon. Mr. Elhard: — Mr. Speaker, I'm very pleased to be able to stand in my place today to answer the very first question asked of my ministry since we formed government over a year ago. I think this would indicate, Mr. Speaker, I think this would indicate, Mr. Speaker, the very serious intent and concern with which that former group of men and women who served as government now have on the issue of topics . . . on the topic of highways.

Mr. Speaker, highways are a very important part of our lifeblood. They will form a very important part of our economic success. What we were left with, Mr. Speaker, was a legacy . . .

The Speaker: — Order. I just want to remind members that every time the Speaker stands up, it's less time for questions. So I recognize the Minister of Highways.

Hon. Mr. Elhard: — Thank you, Mr. Speaker. What we had from the previous men and women who served as the government of this province was a lot of talk about northern highways and not a lot of action. They had what they called a northern economic infrastructure program that they said they would fund to the tune of \$67 million. Mr. Speaker, there wasn't a nickel of that money put aside for highways in northern Saskatchewan. They were making that expenditure contingent on getting federal participation. The request for participation from the federal government never happened.

Mr. Speaker, we are looking very seriously at the infrastructure requirements of the North. I just took a tour a couple of weeks ago of all of the northern part of the province. We see what the need is, and we're going to be addressing it very effectively in the near future.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Mr. Speaker, the point is this project was already announced, and the money was set aside. The minister didn't need to rummage for money in his sock drawer. The money was there.

The Speaker: — Order. Order. Order. The member has a right to place his question and be heard. I recognize the member from Cumberland.

Mr. Vermette: — Another important issue in the North is affordable housing. The Minister of Social Services has been asked all session when she intends to dedicate new money to affordable housing. Last week she told my colleague that some of the government's infrastructure money would be used for housing, but she has yet to make that announcement.

Mr. Speaker, to the Minister of Social Services: when will she announce new money for affordable housing? And how many new housing units will be built in the North?

Some Hon. Members: — Hear, hear!

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

Hon. Ms. Harpauer: — Mr. Speaker, thank you for that question. I have said a number of times that we have over \$16 million in different stages of progress in housing — projects that are just about complete, projects that are in construction, and projects that are in the planning stage. In particular the projects that are in the planning stage, waiting for decisions by First Nation and Métis leaders, is the First Nation and Métis trust, Mr. Speaker. And that money is . . . We're listening to the advisement of First Nations and the Métis Nation leaders as to where they figure is the best place to place that money.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Mr. Speaker, during the recent by-election campaign in my constituency, a lot of people talked to me about the need for better access to addiction treatment in the North.

It has become pretty clear throughout my questions here today that this government does not understand the needs for the services in the North. But maybe I'll have better luck with the Minister of Health.

Mr. Speaker, to the Minister of Health: what is this government's plan for increased access to addiction treatment in northern communities?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Thank you very much for that question, Mr. Speaker. Certainly when we look across the province, it's not only in the northern part of the province as we look across the whole province, there are definitely some gaps when it comes to addiction services and supplies that are offered.

We are looking at that, and certainly through the Legislative Secretary that was appointed to me to be working on that file, she's been doing a lot of work on that file and has found very interesting findings — a number of things that should have been done over the last number of years that haven't been done that have put us in this position. We look forward to that report in the very near future that will certainly guide us on the decisions that need to be made that will help some of the most vulnerable

people in our society.

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the member from Nutana.

Crop Insurance

Ms. Atkinson: — Thank you very much, Mr. Speaker. Mr. Speaker, the Minister of Agriculture is on record as saying that the biggest concern he's heard in regards to crop insurance is that premiums are too high for the quality of insurance producers receive. The Sask Party now has the 16 recommendations from the crop insurance review, and can the minister guarantee Saskatchewan producers that their premiums will be lower in the 2008-09 crop year?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Well, Mr. Speaker, to the member opposite, I cannot make that guarantee because, number one, what we're doing is trying to repair and improve the programs from all the damage done under the NDP.

One of the main suggestions that came out of the Meyers Norris Penny review was to reinstate spot loss hail. The key word there is reinstate. Because remembering, Mr. Speaker, it was that NDP opposition that cut spot loss hail from the crop insurance program. It was that previous government that raised premiums and cut coverage for a number of years. In fact if I remember right, Mr. Speaker, one year premiums went up on the average of 52 per cent. If the member is talking about us doing something like that, no we aren't; but can I commit to not raising them at all, no I can't. We raised them a bit this year but we also improved the coverage dramatically.

Some Hon. Members: — Hear, hear!

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

Ms. Atkinson: — Mr. Speaker, six crop insurance employees with over 100 years of combined experience were fired by the Sask Party government in July, more than two months before the crop insurance report was presented to the minister. The minister said at the time, and I quote, "I think we felt having some new people in place . . . would make it easier to put in place the changes we want to bring in."

Now the question is: how did the minister know in July, two months prior to receiving the report recommending changes to crop insurance, that it would be easier to implement the recommendations without these six employees? And can the minister tell the public what is the total cost of the severance packages that have been paid out to the six employees that had over 100 years of experience working in the public service?

Some Hon. Members: — Hear, hear!

[14:15]

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Well, Mr. Speaker, to the member opposite, they'll know that producers all across this province were very upset when they cut things like spot loss hail. They were very upset after 2002 when they raised the premiums dramatically for a number of years in a row. Producers across this province were very upset with that NDP government when they cut coverage for crop insurance. And they showed that dissatisfaction by the numbers that were taking crop insurance and the number of producers that actually dropped crop insurance, when really they needed to have that risk coverage but didn't think they could afford it for the coverage they got.

So, Mr. Speaker, once again, what we're doing is cleaning up a mess left by that government for 16 years of neglect in rural Saskatchewan and to ag producers right across this province, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

Relocation Costs

Ms. Atkinson: — Well, Mr. Speaker, once again the taxpayers of our province are left on the hook for the Sask Party's cold-hearted, self-serving actions. But there's more to this story, Mr. Speaker. Not only did the minister axe six employees with over 100 years of experience; he brought in a new general manager from Alberta. Well last week we learned that it cost the public \$35,000 to move someone down the road to Regina from Brandon, Manitoba.

Can the minister illuminate the House and tell us what does it cost the people of this province to bring in a new general manager from Alberta to Melville when we had six employees with a combined experience of over 100 years serving the public in our province?

Some Hon. Members: — Hear, hear!

The Speaker: — I recognize the Deputy Premier.

Hon. Mr. Krawetz: — Mr. Speaker, the relocation policy that was established by the NDP under the Public Service Commission talks about the reasonable expenses that will be paid.

They are: search for accommodation for employee and spouse, five nights; travel to new work location; temporary accommodation and meals for 30 days; moving expenses via a commercial mover; real estate and legal fees on sale and purchase of home; rent or lease of discharge fees equivalent to one month's rent; and incidental expenses of \$500. Mr. Speaker, this is the policy of the Public Service Commission that was put in place by the NDP.

Mr. Speaker, I also want the people of Saskatchewan to understand, under the NDP from 1992 to 2006 — every year, Mr. Speaker — there are a number of people who are dismissed without cause; dismissed for the reasons of replacing them,

according to Dwain Lingenfelter and Roy Romanow, that you needed to ensure that government could carry out their goal. Mr. Speaker, over those years, 645 employees were released by the NDP without cause.

Some Hon. Members: — Hear, hear!

The Speaker: — Order. I'll ask members to come to order.

MINISTERIAL STATEMENTS

The Speaker: — I recognize the Minister Responsible for Advanced Education, Employment and Labour.

Workplace Smoking Ban

Hon. Mr. Norris: — Thank you, Mr. Speaker. Mr. Speaker, our government believes in protecting and promoting the health and safety of Saskatchewan workers and the people of our province. To this end we are implementing a province-wide workplace smoking ban on May 31, 2009. The ban ensures that residents will not be exposed to second-hand smoke as a result of their employment and thereby contribute to our overall goal of a stronger Saskatchewan and a better life.

Increasingly information is not only available, but well-known, on the dangers of second-hand smoke. Second-hand smoke has been linked to a number of illnesses that include respiratory diseases such as asthma, cancer, and heart disease, to name but a few. More than 37,000 people will die this year in Canada due to smoking — 1,000 in Saskatchewan alone. As well, thousands of Canadians die each year from second-hand smoke. This is not acceptable — not when we know the many harmful effects of smoking.

In April of this year, our government conducted consultations regarding a proposed workplace smoking ban. Mr. Speaker, from these consultations, general support for a ban was at 89 per cent. Although some restrictions to workplace smoking have been in effect since 1996, smoking remains permitted within certain designated smoking areas. As a result, Saskatchewan fell behind most Canadian jurisdictions in this area.

The workplace smoking ban prohibits smoking in all enclosed places of employment including buildings, vehicles, and other enclosed structures and underground mines, with the following exceptions: exception no. (1) traditional First Nation and Métis spiritual and cultural ceremonies; (2) designated smoking rooms in long-term care homes for residents and visitors that are allowed by the Ministry of Health's tobacco control legislation; (3) areas of underground mines that are located more than 10 metres from other workers; and finally, some self-employed businesses, vehicles, and camp living accommodations with permission and when others are not present.

As I've said, Mr. Speaker, workplace smoking bans now exist in most jurisdictions in Canada and in many other countries. Mr. Speaker, Saskatchewan's ban reflects best practices from other jurisdictions within Canada and around the world that have prohibited smoking in the workplace. Thank you, Mr. Speaker.

Some Hon. Members: — Hear, hear!

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

Mr. Iwanchuk: — Mr. Speaker, I thank the minister for providing me a copy of his notes. Mr. Speaker, we commend the work being done by the department in this area, and we should all work towards making our workplaces as safe as possible.

We have recognized the link between second-hand smoke and respiratory diseases such as asthma, cancer, and heart disease. And, Mr. Speaker, we are in favour of the changes mentioned by the minister.

There are a few exceptions and for those, Mr. Speaker, we will be monitoring those and looking at also some of the limitations in the regulations that are there. And, Mr. Speaker, we will also be keeping a mindful eye on the advances in research in this area into the future.

Mr. Speaker, this is important work. It's important work because it is for the safety of the workers of Saskatchewan. Thank you very much.

Some Hon. Members: — Hear, hear!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

Mr. Taylor: — To present a report, Mr. Speaker.

The Speaker: — I recognize the member from The Battlefords.

Standing Committee on House Services

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

I am instructed by the Standing Committee on House Services to report that it has considered certain estimates and to present its fifth report. I move:

That the fifth report of the Standing Committee on House Services be now concurred in.

The Speaker: — Members will come to order. The member from The Battlefords has moved:

That the fifth report of the Standing Committee on House Services be now concurred in.

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

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 65 — *The Seizure of Criminal Property 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 Seizure of Criminal Property Act, 2008*. Under the existing seizure of criminal property Act, property that is either the proceeds of unlawful activity or that is being actively used for an unlawful activity is in theory subject to forfeiture by order of the court. However since coming into force in 2005, the current legislation has rarely been used by the chiefs of police as originally intended. Our legislation, with the support of dedicated funding for a provincially led process, is intended to ensure that the Act will be used as a civil method to access proceeds of crime.

Mr. Speaker, the biggest change that this Bill will provide is that the Crown will be able to bring applications for forfeiture under the Act rather than asking the chiefs of police to do so. This will reflect a significant change in the level of government support and a commitment to the civil forfeiture process. To assist with this change, two new positions — director and asset manager — will be created to ensure that the Act will be used actively as an effective and efficient tool against organized crime.

This Bill also provides for new interim orders regarding property that is or may become property that is the subject of a forfeiture application. This will be done to identify the extent of such property and to ensure that this property does not disappear or become devalued prior to the application for forfeiture being heard.

Mr. Speaker, the new Bill also includes the following technical improvements to the process for the seizure of property. Firstly, it will define proceeds of unlawful activity to include increases of property value or decreases in debt. Secondly, providing that the director may claim costs and expenses with respect to proceedings leading up to and including the forfeiture application. Thirdly, providing for interim protection orders to avoid loss of property or devaluation of property. And fourthly, creating a new legal presumption that certain property is the proceeds of unlawful activity. Where a person participated in an unlawful activity which led to the acquisition of that property or an increase in its value, the presumption will exist.

Mr. Speaker, *The Seizure of Criminal Property Act, 2008* provides the liquidation and forfeiture proceeds for all seizures of criminal property would now occur under this legislation, a single centralized process for the seizure and sale of the following: first, property seized under this Bill; secondly, property seized under the Criminal Code of Canada; and thirdly, property seized under provincially administered legislation or programs.

Once seized and liquidated under this new process, funds generated through the seizure and sale of property will first be used to cover the expenses incurred through the seizure and sale process. The surplus then will be split evenly between the police operation and the Victims Fund for distribution under that process. This will allow the monies garnered through this

process to directly benefit the ongoing crime prevention operation of the police and to benefit victims of crime.

Mr. Speaker, with this new Bill we are improving an Act that wasn't used, and we are consolidating all types of seizures of criminal property under one streamlined process to the benefit of police operation and the victims of crime.

Mr. Speaker, it is my great privilege to move second reading of *The Seizure of Criminal Property Act, 2008*.

Some Hon. Members: — Hear, hear!

The Speaker: — It has been moved by the Minister of Justice that Bill No. 65, *The Seizure of Criminal Property Act, 2008* be now read the second time. Is the Assembly ready for the question? I recognize the Opposition House Leader.

Mr. Taylor: — Thank you very much, Mr. Speaker. It's my pleasure today to stand and speak on Bill No. 65, *The Seizure of Criminal Property Act, 2008* presented by the Minister of Justice. Mr. Speaker, we have had the second reading introduction, explanation from the minister just moments ago. So, Mr. Speaker, I am happy to be able to say a few words here as we start to take a look at this piece of legislation.

Mr. Speaker, it is very interesting to note that there is in existence a seizure of criminal property Act, Mr. Speaker, introduced by this government not that long ago, Mr. Speaker. And the interesting part of course is that matters that the government is choosing to address could easily have been done by amendments to that Act or, Mr. Speaker, even to changes in policy and not necessarily needing a specific change in the Act.

But what we have here is, number one, a lack of recognition that an Act exists, Mr. Speaker — other than the fact that there is a repeal clause at the end of the legislation that the government is proposing — and then, Mr. Speaker, a number of changes. Primarily it's changes in emphasis, Mr. Speaker, one of those of course being that in fact the power of the police chiefs is being removed in this Act, Mr. Speaker. That could have been done by amendments, and I think the government is choosing to reissue the Act, Mr. Speaker, instead of providing an amendment, just not to draw attention to that simple fact. But, Mr. Speaker, I don't expect that the police chiefs who haven't used this power, Mr. Speaker, will be objecting.

That having been said, government always has the power to redirect the division of proceeds from the process of forfeiture of property and the seizure of criminal property.

[14:30]

So, Mr. Speaker, I think that we're going to have to take a very close look at the legislation that the government has presented — a close look that compares it to the existing Act that the government wishes to repeal, and determine exactly what changes have been made, where the new emphasis is going to be on the legislation. And perhaps more importantly, Mr. Speaker, consult with those affected by this change in emphasis or policy to ensure that in fact we do have stakeholders or those who are most affected by this, their consensus, Mr. Speaker, to proceed.

By and large, Mr. Speaker, the Act as it stands appears to be very similar to the Act which is currently in place, Mr. Speaker, an Act that was brought forward by the former New Democratic Party government, and an Act that received a considerable amount of support from communities across Saskatchewan, including the policing community.

So as I said, Mr. Speaker, there is a desire to ensure that the Act does what the government wishes it to do, that in fact we understand the comparison between the two pieces of legislation, and more importantly, Mr. Speaker, that there is a consensus of opinion to proceed with the changes that are being proposed.

So, Mr. Speaker, at this time I would like to move that debate on Bill No. 65, *The Seizure of Criminal Property Act* be now adjourned.

The Speaker: — The member from The Battlefords has moved adjournment of debate on Bill No. 65, *The Seizure of Criminal Property Act, 2008*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried.

Bill No. 66 — *The Witness Protection Act*

The Speaker: — I recognize the Minister Responsible for Corrections, Public Safety and Policing.

Hon. Mr. Hickie: — Mr. Speaker, I rise today to move second reading of *The Witness Protection Act, 2008*. Mr. Speaker, this Bill provides the legislative framework for supporting witnesses, their associates, and their family members who have been threatened or intimidated during a criminal proceeding. It will complement the efforts of police in combatting organized crime and gang activity in this province.

Passage of this Bill will ensure that testimony is available to the courts to secure convictions against organized crime figures and gang members. This Bill will address the need to support witnesses not covered under the federal witness protection program so that more individuals requiring less extreme protective measures have their own measures of added security.

Mr. Speaker, right now the federal *Witness Protection Program Act*, which is administered by the RCMP [Royal Canadian Mounted Police], does not meet the needs of some witnesses for protection that is less extreme. What this government's proposing is the assurance that all of our citizens who choose to come forward with testimony against individuals accused of a crime receive protective services.

With this Bill, we hope to achieve a more comprehensive web of protection for witnesses who may not otherwise provide testimony for fear of retribution. Passage of this Bill will enable the province to provide short-term protection for witnesses, their associates, and their family members, until the threat no longer exists. Provisions for protection contemplated under this Bill may include escorts or may include short-term stays in a safe place until the threat is passed. These are the circumstances

that are most frequent when witnesses require protection and ones that are not now covered.

Mr. Speaker, this Bill provides that when police and Crown prosecutors identify that a witness may be at risk, an assessment of that individual's or his or her associates' threat risk may be made by an official appointed by the minister to direct the program.

Subsequent to that assessment, the Bill additionally provides for an approval committee comprised of three appointed representatives to review the applications for protection made by provincial officials. These provisions may also direct the work of the committee in determining whether a witness is eligible to receive protection services including the nature of the protection services, whether any associates of the witness require protection services, the length of time the protection services are to be provided, and the terms of any required protection agreements.

Mr. Speaker, this Bill also provides that a protected person will have a part in determining what protection arrangements he or she agrees to. As well the Bill makes provision for those providing protection services to witnesses and their associates. In short it requires that those providing those services must do so at the direction of the program director.

Passage of the Bill will provide for the security of witnesses and their associates in another way. It limits disclosure of information related to the witnesses that may reveal his or her identity or whereabouts before, during, and after trial proceedings take place.

Finally, this Bill provides for the ability of the province to protect our citizens and assist law enforcement agencies in cases where witness protection is required. Mr. Speaker, passage of this Bill represents a significant enhancement of this government's capacity to keep Saskatchewan's communities safe.

Mr. Speaker, the opposition is going to say that this is not a new idea, that they actually came up with the program, that they were in fact getting around to it, Mr. Speaker. Well, Mr. Speaker, an idea is nothing until it is put into action which is what this legislation does. After only one year in office, we have got around to what the NDP had 16 years to do, and that is to protect the safety of our citizens.

Mr. Speaker, the crime stats over the past decade speak for themselves. We know according to the Canadian Centre for Justice Statistics that Saskatchewan has had the highest violent crime rate of any province. In fact over a 10-year period while the national rate declined 5 per cent, Saskatchewan's rate skyrocketed 48 per cent. We have led across the board — highest violent crime record, highest sexual assault and assault rates in the country, the highest youth crime rates, and the highest impaired driving rates in Canada. Saskatoon and Regina were the two worst ranked among census metropolitan areas for crime rates according to the . . . [inaudible] . . . crime stats in Canada for 2006 and 2007. This is the NDP legacy, Mr. Speaker.

So now that they might say they were going to get around to

this, in fact, in fact on September 12, 2007, just days before the election writ was dropped, the NDP issued a news release touting their high-risk witness management program — a program that had no legislative support, a program with no framework. This program now has a legal authority to operate. What this government has done is make the program operational. We have done more than announce a program that consisted of a press release on the eve of an election and a budget line item. This Act is more than an idea. This Act is a reality.

Mr. Speaker, it is my privilege to move second reading of *The Witness Protection Act*, 2008.

Some Hon. Members: — Hear, hear!

The Speaker: — The Minister Responsible for Corrections, Public Safety and Policing has moved that Bill No. 66, *The Witness Protection Act* be now read a second time. Is the Assembly ready for the question? I recognize the member from The Battlefords.

Mr. Taylor: — Thank you very much, Mr. Speaker. It's my privilege and pleasure to stand to talk on Bill No. 66, *The Witness Protection Act*. Mr. Speaker, the Act has just been introduced for the second time, and I am pleased to stand today to do the second reading introductory remarks on behalf of the opposition.

Mr. Speaker, of course I listened very carefully to the Minister of Corrections, Public Safety and Policing in his introduction of the legislation. And, Mr. Speaker, I am pleased to note that he acknowledges that this program has in fact been in place for the last year. It has been funded by the previous government, and, Mr. Speaker, it has been administered for the last year. And the minister, Mr. Speaker, acknowledges of course that he has been the minister responsible for that program for the last year.

So, Mr. Speaker, what we've got here is a piece of legislation that appears to have been designed simply to give the minister an opportunity to stand at a news conference to say that this government has done . . .

The Speaker: — I recognize the member from The Battlefords.

Mr. Taylor: — Thank you, Mr. Speaker. I need now to remember at which point in my sentence my microphone went off here, Mr. Speaker. So now maybe I'll just start all over again.

As I was saying, Mr. Speaker, it does appear that the legislation in front of us — given that the minister acknowledges that this program previously existed and that he is the minister responsible for the program, Mr. Speaker — it would appear that the legislation being addressed today, being introduced for second reading, was in fact written simply to ensure that the member, the minister, had an opportunity at a news conference to announce that he knows that the program exists, Mr. Speaker.

Just to establish a point here, Mr. Speaker, and I listened carefully to the minister in where he was talking about stats that exist under a New Democratic Party government, Mr. Speaker. There are lots of stats, Mr. Speaker, across the board that the

opposition is very proud of when we were in government, Mr. Speaker.

But I want to just quote from a news release, Mr. Speaker, and I don't doubt for a minute, as has happened on other occasions, Mr. Speaker, that when I read something onto the record, members opposite might want to cheer and clap on occasion. I think we would be prepared to acknowledge that, Mr. Speaker. But this is a copy of a news release, Mr. Speaker. I just want to put it onto the record. The news release is entitled, "High Risk Witness Management Program Announced." It's "A new program to help police protect witnesses has been established in Saskatchewan."

Mr. Speaker, the Minister of Justice is quoted:

Witness intimidation is a powerful tool used by organized crime groups and gangs to undermine successful prosecutions . . . This new program will ensure that Saskatchewan continues to be inhospitable to organized crime and gang activity.

Unquote from the Minister of Justice. The news release goes on:

The High Risk Witness Management Program will help police services protect witnesses who do not meet program criteria for the RCMP National Source Witness Protection Program.

It will also enhance the ability of the justice system to secure critical evidence in the prosecution of serious offences, often involving gangs and criminal organizations.

The investment in the program [is] what remains of the fiscal year 2007-08 will be \$80,000 and then funding will be \$320,000 annually. The program will be staffed by . . . [a] program officer and . . . [a] support person within the department of Justice.

Mr. Speaker, almost word for word with some of the comments that the Minister of Corrections, Public Safety and Policing just made in this House, Mr. Speaker. But this news release is dated September 12, 2007. This news release, Mr. Speaker, the minister of Justice quoted is the member from Saskatoon Meewasin who was then the New Democratic Party government minister of Justice.

Mr. Speaker, there's no question, no question at all when we review this legislation, Mr. Speaker, that we see an awful lot of what had been developed under our term in government, that had been put in place during a New Democratic Party term in government and, Mr. Speaker, which we would firmly acknowledge was a program that was necessary, Mr. Speaker, and a program that received funding and support through the government and the Ministry of Justice, the old Department of Justice, Mr. Speaker.

So, Mr. Speaker, while we are debating this Bill, Mr. Speaker, of course we have to take a look at the language that exists within the Bill to ensure that it establishes, to ensure that it establishes, that the legislation establishes all of the elements

that existed in the program that the minister has been administering over the course of the last year and, Mr. Speaker, to ensure that over the experience that has existed during the last year, Mr. Speaker, that we're able to use that experience to evaluate, Mr. Speaker, how the program has met the needs of the people who actually required or needed the program, Mr. Speaker.

So we have lots of work that we need to do, and I know, Mr. Speaker, there are other members on this side of the House that would very much like to speak on this Bill. And it does appear that members of the government want to speak on this Bill. I will be anxious to listen to their remarks on second reading of this Bill, Mr. Speaker. I sense however, Mr. Speaker, that we won't hear any speeches from members opposite on second reading. However I want them to know that we on this side are most anxious to hear everything that they have to say, Mr. Speaker, and said in a way that gets recorded in *Hansard*, Mr. Speaker, as opposed to just said in, sort of, the heat of debates here in this Chamber.

[14:45]

But, Mr. Speaker, I believe very strongly that the legislation in front of us is addressing needs that exist within the province of Saskatchewan. And, Mr. Speaker, it does what the minister indicates, is that it puts into law a program that previously existed and was serving needs within the people of Saskatchewan.

Mr. Speaker, at the end of the day, we may be on the same page with regards to the language that is used in the legislation. But in the meantime, Mr. Speaker, we're going to need to review the Bill. And, Mr. Speaker, there are members on this side of the legislature who wish to speak on the record, having their remarks recorded in *Hansard* with regards to this legislation.

So that having been said, Mr. Speaker, I would like to move that debate on Bill No. 66, *The Witness Protection Act* be now adjourned.

The Speaker: — The member from The Battlefords has moved that debate on Bill No. 66, *The Witness Protection Act* be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 64

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hutchinson that **Bill No. 64** — *The Northern Municipalities Amendment Act, 2008 (No. 2)* be now read a second time.]

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Thank you, Mr. Speaker. It's with pleasure I get to stand here and speak to this Bill No. 64, the amendment to the municipal northern Act.

I'd like to share some of the concerns that I may have heard with this Act, and I want to share with Mr. Speaker some of the concerns I've heard from some of the mayors and some of the Métis leaders.

There could be some issues, and actually they're reviewing this right now, and I've asked that they share those concerns they have with me. And if they go through them and they find that this Act doesn't cause them any concern or grief, you know, I would definitely want to support this Act. But there's definitely a lot of questions that they have, and I think they're trying to work through answering those.

There's a meeting scheduled for this Friday that I've been asked to attend. And they will be going over the changes that they want to make to this Act, and we'll have an opportunity to definitely see how they feel about it. And if it's going to impact them and if it's a tool that will be useful in the communities in the North, then definitely I would support this. And I can't see why anybody would not support it if the mayors and the North is supporting it.

The Métis nation also had some concerns. And we'll have to see just exactly what their concerns are. And if they're okay with it after they review it, then by all means I think this thing could, you know, go through easy. But those questions have to be answered.

I think like anything else, it's a tool that they will give them an opportunity to use. And definitely that tool would give them an opportunity to be equal with the rest of the province that are using the assessment tool that has been provided. And I think some of the concerns, originally when this Act was passed, had some concerns from some of the northern leadership about the duty to consult.

And I believe that's why the previous government held on pushing the northern Act. And I think they've had an opportunity now to talk. and they've had meetings with officials from the northern municipal departments. And I think they'll follow up with those questions that they have to them and make sure that there are no concerns. And if there are concerns, hopefully they can work through them.

At this point, Mr. Speaker, I don't think some of these issues in here will deal with our housing and our roads and different things up there, but I think this Act would have some tools to assist the municipal governments in doing their assessment. I guess that it's an Act that definitely will have a lot of impact and could have a lot of impact in northern communities, and hopefully has no impact . . . And if there is going to be any impact on the trappers and cabins and stuff like that, that those issues will be addressed before it's passed. And when I go back to the North and find out from some of the community leaders and the different ones that have concerns with it, there are no concerns and this thing looks like it's a tool that's going to be used, then that'll be, Mr. Speaker, very wonderful and good for the North. It gives them a tool.

So with this change to the legislation, I believe it will give us a level playing field. If it doesn't interfere, and if all the parties are happy with it, and there's no concerns, it definitely . . . [inaudible interjection] . . . Oh definitely a cost and stuff like that. There's that to bring up. But at this point we want to make sure that everybody's comfortable and that the duty to consult has been done with northerners, and to make sure that this Bill doesn't hurt them or harm them, it's good legislation that will be useful, then I would see that there's no reason why we wouldn't support this.

But again I want to be very clear. The northern people and the good people in northern Saskatchewan have to make sure that this Bill would not harm them. If they have concerns, they have to have the opportunity to express themselves and to bring that forward here, Mr. Speaker. And I want to make sure when I meet with them Friday and as we go on, if there's any concerns, that they notify me and let me know. And I will do all I can as a representative, and as well as the opposition here would do to deal with the issues that they may arise from what they feel is not supporting them in this Bill. But if it is a good Bill and they're okay with it, then I think it's definitely going to give them a level playing tool as a tool to do their assessment.

So at this point I want to get back to the community and to the North on Friday and have those meetings and follow up. And if everything goes good and our northern people are comfortable with this and the leadership, they feel like they've been consulted, the Métis feel like they have no issues with this, I can't see why, you know, we wouldn't support this. It's good for the North, but I just want to make sure again that northern people and the people are comfortable and have a good understanding of this, that we're doing our job.

And thank you for your comments, you know, hearing every now and then the encouragement to go on. I appreciate that, Mr. Speaker. And I will try to do my best to represent the people of the North, make sure that their issues . . . And when they bring issues and they surface them, that they're dealt with, and that this legislation hears them and truly understands them, that some of the issues are there.

And there's many issues; we know that. And some of those issues will be addressed and hopefully with the different ministries and departments, and I know this legislation may not help them. It may help them with dealing with some of the other issues we have to deal with in the North, and I hope it does. And if it doesn't, well I guess we'll have to bring in Acts that will help them and bring concerns.

Definitely that's the job of this House. And I, you know, want to definitely, Mr. Speaker, want to acknowledge all the hard work that's gone in by the ministries to deal with some of the concerns that northern leaders had. And our departments are going to work with them and making sure they're comfortable with it. I want to also acknowledge that work of the departments and the ministries that are working with the leaders — not only the municipal leaders, but the Métis — to make sure their information is there and they're comfortable with that.

And like I said, I want to get to back, Mr. Speaker, to my community and find out, meet with the leaderships. I know there's a group from all the North getting together on Friday.

And they'll come up with any concerns, and if not, this thing will be really easy, and it should flow and come through here. It should pass. But at this point, Mr. Speaker, I guess I would like to adjourn debate of Bill 64.

The Speaker: — The member from Cumberland has moved adjournment of debate on Bill No. 64, *The Northern Municipalities Amendment Act, 2008 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried.

Bill No. 58

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Gantfoer that **Bill No. 58 — *The Income Tax Amendment Act, 2008 (No. 2)*** be now read a second time.]

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

Mr. Broten: — Thank you, Mr. Speaker. As always, it is a pleasure to stand today and speak to Bill No. 58, *An Act to amend The Income Tax Act*.

Mr. Speaker, when looking at any changes to an existing Act, it's always important to review the proposed changes thoroughly and to examine whether or not the changes that are proposed are indeed what is best for the province and to ensure that the changes cover everything that needs to occur.

In reading the minister's opening remarks in bringing forward this Bill, the minister in his preamble to this talked about a number of government priorities that the Sask Party government is focusing on. And to those that sit in this House regularly, and perhaps those that watch at home and those that follow the news, people are aware of what these priorities are. The priorities of tax relief, infrastructure, and debt relief — those are three areas where many efforts have been focused.

And I found the minister's comments at the beginning of his remarks to be quite interesting because it's part of a larger process that we're seeing take place from the other side, Mr. Speaker. Part of a larger process where, in my opinion, the complete story, Mr. Speaker, all of the facts are not necessarily being shared with the Saskatchewan people as frequently and as openly as they could be in many circumstances.

Mr. Speaker, it's really part of a revisionist history that I'm seeing the other side conduct, Mr. Speaker. A history that they are trying to rewrite through two means: either through the might of their legislative majority, Mr. Speaker, that's the one approach. Or through the process of repetition of saying something over and over and over, Mr. Speaker, in hoping that people won't actually look at the facts for themselves — in hoping, Mr. Speaker, that people won't look at the full story, in hoping that people won't vet their comments to ensure that they are indeed as factual as they ought to be.

So, Mr. Speaker, in these three items that I mentioned, I think

it's important to set the record straight, set the record straight to show what has been occurring in this province for some time. The opposite side speaks as though these three items, focusing on these three items were invented by them. But in my opinion, Mr. Speaker, nothing could be further from the truth. I think if you look at the track record of the previous NDP government, you will see significant action in these three areas that has occurred over the past years.

On the issue of debt repayment, Mr. Speaker, in the last term of the NDP government, over 1 billion of debt was repaid. And, Mr. Speaker, it's important to note also that this continual repayment of debt occurred at a time when commodity prices were not where they have been over the past couple of years, Mr. Speaker. I know when I've spoken to people in my constituency about this issue of debt repayment, it is an approach of government that does have fairly broad support by public.

And I know when speaking to people of all political stripes, what I have heard, Mr. Speaker, on this issue of debt repayment and the ability now that the sitting government has to knock off significant chunks of the existing debt, what I have heard from individuals of all political stripes, Mr. Speaker, is that it is only fitting, it is only fitting that the debt that was racked up by the Tories of the past would be paid off by the Tories of the present, Mr. Speaker. It's only fitting that the people who created the debt are those that also pay off the debt. That's very important to remember.

And that's one aspect, Mr. Speaker, that as the Sask Party government is engaged in its efforts to revise history, to revise what actually occurred, they are overlooking this, Mr. Speaker. They're overlooking how this debt came to be. They're overlooking how the province ended up in the state that it is in.

The second area, Mr. Speaker, was the area of lowering taxes. And I think this is another area, Mr. Speaker, where we've seen steady and continual changes in the right direction by the previous NDP government, Mr. Speaker, whether that was reducing PST [provincial sales tax], whether that was income tax changes, whether that was property tax changes, or whether, Mr. Speaker, that was engaging in a historic business tax review and implementation — one of the most significant implementations of a business tax changes in the history of the province. That too, Mr. Speaker, is an area or changes that the Sask Party government now just tries to sweep under the carpet, tries to pretend that it never happened, Mr. Speaker, tries to pretend that they invented the notion of lowering taxes. Well, Mr. Speaker, nothing could be further from the actual reality and on that point, Mr. Speaker, I want to set the record straight.

[15:00]

Another area, Mr. Speaker, we have addressed debt repayment. And I have shown how that's been an ongoing thing over many years. Lowering taxes, I've shown how that was an ongoing thing over many years. The other area is infrastructure, Mr. Speaker. Again on the issue of infrastructure, another area where over the past years, prior to the existing government, there had been steady and significant and groundbreaking investments made in infrastructure.

Whether the examples are the synchrotron, whether it's the Petroleum Technology Research Centre, whether it's VIDO [Vaccine and Infectious Disease Organization] and InterVac [international vaccine centre], Mr. Speaker, whether it's in various highways, hospitals, schools, or universities, Mr. Speaker, there's a long track record and history of significant investments in infrastructure.

So, Mr. Speaker, now for the Sask Party government to go around and suggest that they invented these three approaches, the approaches of debt repayment, lowering taxes, and infrastructure, I am left scratching my head, as are, Mr. Speaker, the many, many people in Saskatchewan. They do not understand how they could be making such a claim.

So, Mr. Speaker, we have touched on how the Sask Party government inherited a track record of debt repayment, of lowering taxes, and infrastructure. It's also very important, Mr. Speaker, to mention that they also inherited one of the strongest economies in Canada and a huge surplus, Mr. Speaker. And that's an important point. When Tories leave government, Mr. Speaker, they leave a huge debt, they leave a deficit, they leave problems for people. And that simply was not the case when the Sask Party government took over control.

So, Mr. Speaker, going back to the initial comments of the Finance minister in introducing Bill 58, *An Act to amend The Income Tax Act*, he also talked about how, over the summer, Mr. Speaker, the Sask Party MLAs were instructed, they had their marching orders to go out and listen to people and see what feedback you receive.

And, Mr. Speaker, I don't doubt that among some of those comments that were made that there were comments made about debt repayment, lowering taxes, and infrastructure. Why am I not surprised, Mr. Speaker? Because that's been going on for a long time. People understand that those are good things.

But I think the difference, Mr. Speaker, what happened over the summer when the Sask Party went out, well let's see what the result was according to the minister's statement. This is from his remarks introducing this Bill on November 17 from *Hansard*. In the bottom of the second paragraph he states, "As it turns out, the people of Saskatchewan and the Government of Saskatchewan are in agreement on the priorities."

Mr. Speaker, I'm surprised he could say this with a straight face. Why am I surprised? Because, Mr. Speaker, I would suggest that the whole process was simply about optics. It was simply about presenting to the people a facade of openness, a facade of listening to the concerns of people.

But, Mr. Speaker, I am certain that the news release, when they talked about the results — I believe it was at a caucus retreat in P.A. [Prince Albert] National Park, a very beautiful location — I would not be surprised, Mr. Speaker, if that news release had been drafted weeks, if not months, before the feedback from the MLAs was actually given to the leader of the party and reported to caucus. Why, Mr. Speaker? Because it was a scripted event. It was a charade, in my opinion. I do not believe, Mr. Speaker, that it was a genuine effort to reach out and to hear what the people of Saskatchewan wanted the government to hear.

Why do I say that, Mr. Speaker? Because I know, I know for a fact, Mr. Speaker, that many of the issues that are facing Saskatchewan families right now, Mr. Speaker, I know . . . I know many people — I could name them off now — I know many people that passed on feedback to the Sask Party government about immediate concerns that they had. These weren't concerns that they made up and I know this is not one or two select people. I know there were many, many, many people, Mr. Speaker, providing this feedback to the Sask Party government.

I know people brought up Station 20 West and the mean-spirited decision to cut the funding for Station 20 West. I know for a fact many, many people brought that issue up with government. But do we hear anything about it, Mr. Speaker? No. All we saw was a stubborn determinedness to follow the course that they had set even though they know they made the wrong decision on that decision.

I know, Mr. Speaker, that people were talking about the need for child care spaces. I know they were talking about the immediate action required to ensure that there are enough child care spaces. But, Mr. Speaker, what have we seen? We've seen re-announcements of existing funding, Mr. Speaker. Hardly immediate action.

I know, Mr. Speaker, that as we're approaching winter, many people have a concern about utility rates. Many people have a concern about paying their bills at the end of the month in the areas of heating, in the areas of electricity.

I know, Mr. Speaker, that many people spoke to the Sask Party and stated that they wanted strong corporations to ensure that through the strong corporations they were able to continue to receive the lowest cost utility bundle in Canada. But sadly, Mr. Speaker, what we've seen on that front is the complete opposite.

Now don't take my work for it, Mr. Speaker. I'd urge you to read some of the editorials in the papers that we have in the province. Remarks to the effect — I don't have the exact quotes with me — but remarks to the effect suggesting that this was not about the best business sense, the selling of Crown assets. This was not about setting the Crowns up to be in a position where they are strong in the years to come. This was not about Crown corporations being able to provide real benefits to Saskatchewan people, Mr. Speaker. The furthest thing from what is the reality, Mr. Speaker. This was about an ideological agenda, Mr. Speaker, to undercut the long-term viability of the Crown corporations, Mr. Speaker, nothing more.

It's the initial steps, Mr. Speaker, it's the decisions being made now in order to make the future argument that Crown corporations are not necessary and that Crown corporations do not bring real benefits to Saskatchewan people. That is the reality, Mr. Speaker. That is what people on the street are saying, Mr. Speaker. But sadly, Mr. Speaker, that is not the information that the Sask Party chose to listen to when the Finance minister made his remarks in the Act, talking about listening genuinely and sincerely to what the people of Saskatchewan wanted.

They chose or they were instructed — I don't know which one,

Mr. Speaker — but they chose, they had selective hearing. They only chose the things, Mr. Speaker, that matched up with their paradigm and their world view. If it didn't fit what they believed, what they thought was true, regardless as to whether or not it was the proper thing for the province, regardless as to whether or not it's what people were telling them, they chose to report only what they wanted to hear or what they were told to hear, Mr. Speaker. And that's how, Mr. Speaker, we get to the situation now of Bill No. 58.

Mr. Speaker, as blind as the Sask Party government is to the immediate needs of Saskatchewan people, whether that's accessibility to post-secondary education, whether that's affordability issues in areas of home heating, whether that is affordable car insurance through SGI [Saskatchewan Government Insurance] and other services through Crown corporations, Mr. Speaker, they chose to be blind to those issues. And they chose to be blind to those issues just as, Mr. Speaker, they're equally blind to the past.

Mr. Speaker, I would suggest that the Sask Party government is equally blind to the past. And this ties into the revisionist history that we've been seeing from the other side, either through the legislative majority or through their continual, constant act of just saying the same information, cherry-picking this and that, not providing all the facts, saying it over and over in their hope that people would believe. But, Mr. Speaker, I know that Saskatchewan people are aware of their intention to rewrite history, and I know they're looking at the bigger story.

Mr. Speaker, it's important to look at the past because out of the past actions of what happened under the previous Devine government and the Romanow government and the Calvert government, we can understand how we are in a position now where tax cuts are possible. We can understand how a Sask Party government about a year ago was able to inherit the billions of dollars it did. We can understand how the province, through the work of government but more importantly, Mr. Speaker, through the work of hard-working Saskatchewan people and the many sacrifices that Saskatchewan people had to make to climb out of the hole that was left by them by the Devine government.

I was . . . Well I wasn't surprised, sadly, Mr. Speaker, today. I wasn't surprised, Mr. Speaker, to hear the Agriculture minister in his response to some questions. And this is a mantra that we hear from all the Sask Party MLAs and ministers because they've been given their marching orders. They know what they're supposed to say. And they are in many ways, Mr. Speaker, good puppets. You can pull the cord on the back and you can expect one of three phrases to come out of their mouth. And sure enough, Mr. Speaker, we heard one of those lines from the Agriculture minister today. And again the Minister of Agriculture, one of his responses to questions that was posed to him today, he talked about cleaning up a mess, Mr. Speaker. He talked about cleaning up a mess.

Well I've heard some members on the other side remark about my newness to this Assembly and perhaps my age and whether or not I was around during the Devine era. And, Mr. Speaker, I was around. I do admit I was not paying as close attention to politics as I do now, but my elementary school years were good ones, Mr. Speaker. And fortunately through the great

educational system we have in the province, I was able to learn how to read. And, Mr. Speaker, the ability to read is a very important thing. And it's something, Mr. Speaker, that I would encourage the members on the opposite side to do. They should spend a little more time, instead of simply taking their instructions on what to say in every situation, Mr. Speaker, I would urge the members to go back and look what has happened over the past years. Look at the books. Do some reading and figure out what actually happened.

And I think if they . . . [inaudible interjection] . . . Well the minister from Rosemont has commented that perhaps they should brush up on math skills as well. And I won't make any comment on that about today. I'll leave that for his speech when he addresses this piece of legislation.

But, Mr. Speaker, as I went back, Mr. Speaker, and did some reading, I learned a few things, and a few things, Mr. Speaker, that do not jibe with what the Minister of Agriculture was saying today. A few things, Mr. Speaker, that are in no way consistent with this mantra that we've been hearing from the opposite side about cleaning up a mess. It just does not make any sense to me, Mr. Speaker. And you might ask, why?

Well I went back, Mr. Speaker, and I looked at the credit history of the province because the credit history of the province is one way that we can look at the province over a period of time and see what happened during different decades, different breakdowns over the years, Mr. Speaker . . . [inaudible interjection] . . . And while the member from Weyburn-Big Muddy wants me to go to 1905, and well that will be another speech as well, perhaps after the member from Rosemont. But I will start in 1982, Mr. Speaker, and that was the era of the Devine government.

So from 1982 to 1992, what did we see happen in the area of credit readings? Well, Mr. Speaker, I had heard this but when I read it, I saw it to be true — 15 downgrades, consistent; 15 downgrades every time. Every time, Mr. Speaker, the outside, the third party verification sources looked at our province, saw what was happen during the Devine era of Tory rule, the era when many members of the opposite side sat as members or were political staffers within that government, what did we see? We saw 15 downgrades — 15.

Now if the Minister of Agriculture had made the comments he made today about cleaning up a mess in following that era of government, those comments would be very appropriate, Mr. Speaker. I would slam my hand on the desk. I would clap and I would say, hear, hear. There is a mess to clean up. Things are brutal. I can't believe there's been 15 downgrades in the credit rating over that period from '82 to '92. Shocking.

So as I did more reading, Mr. Speaker, I wanted to know what happened during the next period, and this was the Romanow period from '92 to 2001. Well after 15 downgrades, Mr. Speaker, I would agree that there was a mess to clean up. I would agree that things were pretty ugly. I would agree that we were close to losing the keys on the house, on the proverbial house, Mr. Speaker. But again through the hard, hard work of Saskatchewan people, of the sacrifices they made because they knew the horrible situation that they were put into by the Devine Tories, Mr. Speaker, through the sacrifices of the

Saskatchewan people and the leadership from the NDP governments of the time, there were 10 upgrades.

[15:15]

So what we saw, Mr. Speaker, was a complete and absolute about-face, a reversal of what had been happening for the years prior, Mr. Speaker. Now I would suggest that that is cleaning up a mess, Mr. Speaker, cleaning up a mess, Mr. Speaker, that the Minister of Agriculture would know nothing about because all the Minister of Agriculture inherited, Mr. Speaker, was billions of dollars of surplus and a cooking economy, Mr. Speaker. That's what he inherited — the complete opposite, Mr. Speaker, of what the Romanow government inherited.

Well, Mr. Speaker, the Romanow government period ended, and then we saw the Calvert government, so I was curious. At this point would we see a reversal, would we see a turning back to the dark days of the Devine Conservative government, the government that many members on that side sat in, were closely tied to, worked in political campaigns, worked in this building, had a very, very close relationship to? Well, Mr. Speaker, under the Calvert government, thankfully on this side, what we saw was a continuation in the right direction, Mr. Speaker. We saw a continuation; we saw six more upgrades.

Mr. Speaker, that makes 10 upgrades under the Romanow government plus the six upgrades in the Calvert government. I'll add it up for the members opposite. That's 16 straight upgrades, Mr. Speaker, from S & P [Standard & Poor's], Moody's, DBRS [Dominion Bond Rating Service Ltd.], and CBRS [Canadian Bond Rating Services]. That's significant, Mr. Speaker.

So as I did my research, as I did my reading, I could not understand how the Minister of Agriculture could stand today and talk about cleaning up a mess. It was not consistent with what the facts demonstrated, in my opinion.

So, Mr. Speaker, this ties back to my earlier comments about the revisionist history that we're seeing on the other side. It ties into the comments about why now today, Mr. Speaker, we are in a position where we're able to continue with the trajectory where there have been tax cuts in a variety of sectors over the past years, Mr. Speaker.

We've seen the other side try to say over and over again this mantra or through their legislative majority, Mr. Speaker, try to get the message out there that things were left stark. Well, Mr. Speaker, I know when I talk about the financial situation, the province being stark as it was suggested about a year ago, with constituents and with people on the street, there's chuckles all around, Mr. Speaker. People can't quite believe that that statement was made.

And, Mr. Speaker, that was very early into the administration of this Sask Party government. But, Mr. Speaker, it was some foreshadowing. It was an indicator of what would come in the coming months. And what we've seen, Mr. Speaker, is a continuation of what the members opposite have been told to do. They've been told you've got three lines; these are the three lines that you say in any given situation. If someone comes and pulls the cord on your back, I want you to spit out one of these

three lines, Mr. Speaker. And that's what they've been doing consistently.

But, Mr. Speaker, it's important to set the record straight to demonstrate that stark perhaps is not the best word to describe the province. And I think most people would see that that is to be the case.

Well, Mr. Speaker, I know on this Bill No. 58, *An Act to amend The Income Tax Act*, I know there are many other members on this side who would like to carry on and ask some more questions that have been raised by this proposed legislation, ask some more questions about the many, many situations, Mr. Speaker, where what the Sask Party government is saying does not match reality in any way, Mr. Speaker. I know there are many more members who want to join the debate on this one. So at this time, Mr. Speaker, I would move that we adjourn debate on this Bill. Thank you.

Some Hon. Members: — Hear, hear!

The Speaker: — The member from Saskatoon Massey Place has moved that Bill No. 58, *The Income Tax Amendment Act 2008 (No. 2)* be now adjourned. Is it the pleasure of the Assembly to adopt the motion? Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed. Carried.

Bill No. 43

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 43 — *The Trespass to Property Act*** be now read a second time.]

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

Ms. Morin: — I haven't moved to Saskatoon yet. Good afternoon. Thank you, Mr. Speaker. It's my pleasure to speak to Bill No. 43, *The Trespass to Property Act*. Mr. Speaker, the theoretical principle behind *The Trespass to Property Act* proposed by the Sask Party government is one that is potentially dangerously blind to the socio-economic reality of the day-to-day living in an advanced society such as Saskatchewan.

Reviewing the form and content of this proposed legislation, it is clear that this Bill is based on the traditional notions of property and accordingly seeks to affirm the right of property owners without in any real way addressing the needs and rights of the general population to have access and to use property in an age and time where a large portion of private spaces are largely publicly used.

The Sask Party legislation is so broad and so potentially dangerous in its application precisely because it seeks to apply — wrongly, I would also submit — the same principle of trespassing that applies to private residents to publicly used property. Unlike the social and economic character of publicly used property, a private dwelling or residence is obviously a place where privacy is paramount and the nature of expression

of that ownership oft differs.

When members of the public use amenities in shopping malls, walk in a street or on a sidewalk or form an assembly in front of a legislature, there exists no discernible challenge to their property title and possessions or inappropriate breach of privacy.

When someone enters the premises of a private dwelling, they are appropriately viewed by the law as likely challenging ownership and infringing on the privacy of the individual. Whereas the law, at least before the advent of this legislation, does not view the youth standing outside a shopping mall's front door or a group of citizens assembling at the front of the Legislative Building in the same way. But with the Sask Party's trespass to property Act, it has the potential to drastically change.

When someone enters the property of a private dwelling, they understand and recognize that this is the exclusive property of the individual. The same consideration however should not, in my view, be taken when looking at the Legislative Building or the local shopping mall.

If you enter the premises of a private dwelling, the law already recognizes that by the very virtue of ownership, any unjustified or unwanted entry is considered a trespass even technically if no damage occurs. Through the Sask Party's trespass property Act however, this blind principle could be applied to spaces considered more public than private due to its common use even though it may be under private, government, or government-related title.

The traditional principle of trespass is not a friendly one. It makes supreme the rights of the property owner and, as a result, does not even contemplate the needs or potential rights of the general population. Yet this is the principle the Sask Party government wants strengthened and expanded to cover everything, but referring to section 15(a) vacant Crown and agricultural land; (b) Crown resource land; (c) park land as defined in *The Parks Act*; or (d) any other Crown land or category of other Crown land that is prescribed in the regulations.

Mr. Speaker, let's explore the spirit and force of the Sask Party's trespassing Bill by considering a hypothetical example.

In the constituency of Regina Walsh Acres resides an elderly gentleman that diligently and passionately cares for his yard. From time to time, there's a stir in the neighbourhood over his lawn. You see, the single mother down the street has two school age children who are not always, admittedly, considerate especially when they drive over this man's lawn with their bicycles. Despite his repeated warnings, these two young girls tend to gravitate to this local green oasis.

Under this Sask Party legislation, the gentleman who owns the lawn is encouraged to press trespassing on these young girls. I see no age limit in the Act. And as would be argued successfully by the property owner, the girls now deemed trespassers were told that they were not in certain terms welcome. Consequently they would very reasonably fit the label of trespasser and be eligible for a fine of up to \$2,000.

And what should happen if they cannot pay their fines? Well reading the legislation, I suppose jail would be one of these alternatives. That is what happens if someone is charged with a fine and is delinquent in payment. My sincere hope is that in the words of Joni Mitchell quote "Not if local justice has . . . [at least] one good eye" would this happen.

Mr. Speaker, in no way is this an exaggeration. I couldn't utter something so profoundly undemocratic and ridiculous be it not for the Sask Party's attempts at passing this particular piece of legislation in this province without the clarifications that it needs. We are still waiting to see what truly lies ahead for the working people of this province since the passage of Bills 5 and 6.

Mr. Speaker, we live in a society which has at its very foundations the holding of private property that take the form of a house or office tower to spaces that appear more public in terms of looks, character, and use. Amidst this reality, the Sask Party's trespassing Bill seeks to treat all of these areas, with exception to those specifically exempt in section 15, the same as a private dwelling or at least to the same degree.

Among the most prominent example would be a shopping mall which by its very nature, purpose, and design is open to the public. It has roads, sidewalks, parking lots, and other amenities that resemble a more public space rather than a private dwelling. Within this privately owned mall, there exists a number of vendors that carry out businesses offering a variety of goods and services. In order for these private enterprises to be successful, the mall invites the public. Unlike the trespassing scenario on the premises of a private dwelling, there is no clear and immediate threat to the mall owner's title or to his or her privacy when members of the public come and go from these areas. Indeed the individual vendors depend on mall traffic.

Moreover, legislation such as *The Saskatchewan Human Rights Code* prevents the mall owner and his or her agents from discriminating or denying entry on the basis of race, colour, national origin, or sexual orientation. But the Sask Party is now asking members of the legislature to support Bill No. 43, *The Trespass to Property Act*, that is determined to potentially sanction the arbitrary exclusion of people just by virtue of ownership and not the conduct or character of the individual in question.

Yes, according to this Act it would be permissible for the owner of a mall or the owner's agents to stop anyone from entering the premises without the further clarification that's needed. Whether that person is wearing a hat or seniors gather as a group for coffee, this legislation potentially sees fit to deny citizens the ability to access this space by enabling the owner to charge trespassing.

I stand opposed to such a blind application of a doctrine that is so totally devoid of any reasoning and legitimizes a clear abuse of property ownership where public access and generally considered public spaces are concerned. This type of application is so outdated, so unnecessary, and so excessive in its privilege to the owners of property because it denies the need to have public spaces. And it also, I would submit, denies through its potential application the ability of citizens to enjoy their fundamental freedoms of expression, association, and

peaceful assembly.

We live in a society that has an economy that is principally based on private ownership, and concurrently we have expectations and rights as citizens to a public commons, a space or aspects of our lives that have remained in the public domain or through common use considered collective property. With the Sask Party government's trespass to property Act, this balance could decisively come to an end as it seeks to provide sweeping protection to property owners with no real consideration of the general public.

The general public should not, as the Sask Party's trespass to property Act does, be viewed by the law as a bunch of trespassers. They have a privilege, I would argue, as citizens of this province to peaceful assembly, expression, and association. They also have a right to access public spaces. Such a privilege should not be able to be revoked by mere whim, by stiff fines, but rather on specific grounds related to unacceptable uses of property, clear unlawful behaviour such as the destruction of property. And on that occasion, those citizens have the Charter right to receive counsel and fair treatment under the law.

It has been part of the Sask Party's rather ambiguous explanation as to the intention and motivation of this trespassing legislation as a first in this province that other jurisdictions in Canada have similar petty trespassing legislation. While I acknowledge this evidence, I would point out that the legislation varies in terms of fines, definition of Crown lands and spaces, and moreover a clear exclusion of minors from charge of trespassing.

Concurrently, the Sask Party's trespass to property Act has among the highest fines in the country, very few exclusions to trespassing that they place under Crown land, and subsequently a disproportionately great deal of authority given to cabinet, and no exemption for minors, whereas jurisdictions like Prince Edward Island in their trespass to property Act, identify that no child under the age of 12 may be persecuted for trespassing.

Of further interest to the Assembly, I believe, is a brief mention of the recommendations made by the commission established in Ontario several years ago to assess the outcomes of their trespassing legislation. The commission titled, task force on the law concerning trespass to publicly-used property as it affects youth and minors concluded that the trespassing legislation had a negative impact on youth. In his recommendations, Commissioner Raj Anand specifically mentioned that property owners, not alleged trespassers, should bear the onus of showing why he or she should not be permitted access to the property.

Under the Sask Party's trespass to property Act, the onus remains on the trespasser, and even then the onus relates specifically to title and not necessarily just the exercise of charter rights. Section 7 reads:

It is a defence for a person charged with an offence pursuant to section 3 or 5 to prove, on the balance of probabilities, that he or she reasonably believed that he or she had title to or an interest in the premises that entitled the person to enter in or on the premises or to engage in the activity complained of.

Accordingly, Mr. Speaker, the individual's conduct is not the main question as the property owner can on whom deny a person access. The only successful defence of trespassing would be that (a) you reasonably believe that you had legal reason to be there, (b) that you had permission from the occupier or someone authorized by the occupier, or (c) you failed to understand the sign forbidding or prohibiting activity or even entering the premises in the first place.

[15:30]

As an elected member of this Assembly, I require clarification that this does not ultimately provide the owners of property, and by extension the Sask Party government, the arbitrary, repressive means to bar citizens from public areas, legislation that has the potential to classify conduct that is legal now in a free and democratic society to be considered trespassing.

Mr. Speaker, when you think of all the significant and meaningful progress that has been made in this Chamber by MLAs committed to evolving the political, social, and economic instruments of democracy to help those around us live better, more fully human lives, you cannot help but question the Sask Party's legislation.

I recall in particular the Saskatchewan Bill of Rights which reaffirmed liberty and freedoms, medicare which gave Saskatchewan people the right and freedom to receive the care they need, and *The Crown Corporations Public Ownership Act* that gave Saskatchewan people the security to economic well-being and freedom of self-determination.

It was through the ethic of consultation, transparency, and — as Woodrow Lloyd used to remark — quote “our Saskatchewan habit of getting our feet under the table and talking together, thinking together, and planning together” that successive Saskatchewan governments worked to strengthen and grow communities that in turn shaped this province.

In this same Chamber, the Saskatchewan Party government is potentially asking MLAs to once again deny rights and privileges to the citizens of this province. They are asking us to sanction yet another piece of legislation that avoided public consultation, that was generated in their back rooms and could be negative for the working people and producers of this province, legislation that seems anti-democratic in nature as it seems to potentially seek to provide the Saskatchewan community and its people of the very rights and freedoms they have worked so long and hard to achieve in order to be at the best.

Mr. Speaker, this Bill has potential damage and unintentional consequences, shall I say, that could be arrived from this Bill.

And at this time I'd like to move adjournment of this debate so that other members of my caucus also have the ability to express their concerns about this Bill going forward as well. Thank you.

Some Hon. Members: — Hear, hear!

The Acting Speaker (Mr. McMillan): — It has been moved by the member for Regina Walsh Acres that we adjourn the

debate. Is it the pleasure of the Assembly?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — Motion carried.

Bill No. 63

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 63 — *The Saskatchewan Housing Corporation Amendment Act, 2008*** be now read a second time.]

The Acting Speaker (Mr. McMillan): — I recognize the member for Prince Albert Northcote.

Mr. Furber: — Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill No. 63, *The Saskatchewan Housing Corporation Amendment Act, 2008*. It's become sort of a pattern with this government that when they don't have a policy or have no idea how to run something, they'll appoint a board. And so I guess that's what they're doing here with Enterprise Saskatchewan.

They have no idea how to run the economy. They use all the New Democratic policies that were in place from the previous government, and so they appoint a board of about 160 people. And I think they should have added about another 1,600 because they're completely devoid of ideas on that side on how to do it. But, you know, interestingly the first recommendation that came out of the board was denied.

And strange to see that they've got the Premier on one hand making one comment, the minister on another hand making another comment, and the Minister of Enterprise Saskatchewan making other comment. And I guess we see the Deputy Premier won in this case because they're choosing to do nothing, just in a different way.

So here we go, Bill 63, they're going to add four members to a board. And you know truthfully, it's a good idea. It's a good idea because they're devoid of ideas so they should get them from somebody.

To quote the minister, quote, “Mr. Speaker, our government believes that available and affordable housing is necessary for sustained economic growth in this province.” Strange for a party that had not one housing platform plank in their election platform. Devoid, absolutely devoid of housing policy. And so now I guess we should appoint a board a year after we're elected so we can do something on the housing front. Outrageous. And we've got a need for housing and social affordable housing and student housing in Saskatchewan, and so we'll appoint a board and maybe we'll get some ideas.

Now Prince Albert, a prime example of where we have housing shortages, we've got a population where social and affordable housing is a necessity. And we've got, you know, some projects that were under way previously and paid for by the former government and have been worked on for years. And there's been one announcement in Prince Albert since this government was elected, and nothing coming down the pipe either. So in Prince Albert the only announcements that have been made by

this government were announcements that were funded by the previous government and the work had already been done.

We've got editorial boards in Estevan and Weyburn screaming for housing. The economy's booming because of policies put in place by the former government. And these areas of the province have huge economic activity, thus need for increased workers, thus housing needs for these workers. And what's this government done? Not a thing — nothing. And so I find it strange that after a year, the only movement we have on housing is to add four more people to a board. It's unfortunate, but not all that surprising.

So additionally I read the speech from the minister responsible, and she says that there's a task force with input from approximately 138 sources. They presented their report and outlined 36 recommendations. So again, if you don't have a housing policy, if you have no idea about housing, you should ask somebody else. And at least they're smart enough to admit that and to follow through with that.

So what have they done? They say, in her speech, we acted quickly to deliver on several of those recommendations. Well what is several? What were the recommendations that were acted on, and how many more will be un-acted on? Thirty-six in total and how many have they acted on — one or two. It's a sad story that they've got to tell on this issue.

Now we have housing authorities in and around the province, and they've been widely ignored, their advice has been widely ignored. And I hope that in the case of these members of this board, of these four people, some of them would have sat on a housing authority at some point so that they could provide some input.

Now you know largely we support these changes because they will add advice from the public, which the government needs. They've spent a year in office and have yet to announce one of their own housing projects — \$3 billion surplus, not one housing project to announce that wasn't funded previously. So it's unfortunate and sad for the people involved that need social and affordable housing and student housing.

And speaking of student housing, the minister's unaware that she's responsible for student housing in this province. She'd like to pass it off on somebody else. But allow me, if I could, to read from *The Saskatchewan Housing Corporation Act*.

Student housing

19(1) The corporation may encourage the construction of student housing or the acquisition of existing buildings and their conversion to student housing in areas where a need can be established for the purpose of providing adequate housing for students.

Adequate housing for students — it's written right here. To continue:

In addition to the powers conferred upon the corporation by section 15, the corporation may:

(a) approve the making of an application for a loan from

the federal corporation by a municipality, or an agency thereof, a hospital, The University of Saskatchewan, The University of Regina, a school board, conseil scolaire, or other educational institution, a co-operative association or a charitable corporation.

So you see it's plain that either one of the universities, any school board is able to access student housing under this Act. And yet the minister has no idea that she's responsible for student housing in this province.

And so I find it an unfortunate circumstance that we find ourselves in, in this case. And so I appreciate that the members opposite have chosen to increase the board from one member to five, and I'm sure the rest of the province will appreciate it as well because there'll be some ideas coming forward on housing now. And because I assume that there are a number of other colleagues on our side of the House who have some knowledge and input and ideas on housing and would like also to join in this debate, I move that this Bill is adjourned. Thank you.

The Acting Speaker (Mr. McMillan): — The member for Prince Albert Northcote has made a motion to adjourn debate on this Bill. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — It is agreed. Carried.

Bill No. 50

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 50** — *The Missing Persons and Presumption of Death Act* be now read a second time.]

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

Mr. Yates: — Thank you very much, Mr. Deputy Speaker. I'm very pleased this afternoon to rise and speak on this very important piece of legislation. Mr. Speaker, *The Missing Persons and Presumption of Death Act* is a very important piece of legislation. It's a new Act and it is important to those families and those individuals who have over their lifetime had the unfortunate circumstances of having to deal with a missing individual, Mr. Speaker. And we need to spend some time looking at this piece of legislation in detail, Mr. Speaker, because of the nature of the legislation, and we need to ensure that it accomplishes exactly what the legislation is intended to do and nothing more and nothing less, Mr. Speaker.

In putting this Bill together, Mr. Speaker, we are pleased that the government is respecting and responding to the recommendations of the provincial partnership committee on missing persons. Mr. Speaker, that's a group of individuals from across the province that have been tasked with making recommendations to the government in order to put forward meaningful changes, Mr. Speaker, to ensure that families that are facing this situation, Mr. Speaker, have the opportunity to have conclusion, to draw to an end this very unfortunate situation.

Mr. Speaker, I'd like to point out that that committee was established under the previous government — has been in place for some time, Mr. Speaker — with the sole intent of bringing forward recommendations that we would see in either an amendment to the present absentee Act or, Mr. Speaker, a new Act that in fact brings closure and comfort to those family members. And we're pleased that the government has brought forward this Act. We're pleased that they've had the opportunity to look at the recommendations from the committee put in place for this purpose over the last few years, Mr. Speaker.

Estate matters, as all members of this Assembly would know, are often very complicated issues, and any steps we can take to reduce those complications are beneficial to families, Mr. Speaker, and beneficial to our judicial system. And for the advantage of the people of Saskatchewan, this piece of legislation is very important.

Mr. Speaker, I want to spend a few minutes talking about some of the provisions in this piece of legislation and what it's designed to accomplish. Mr. Speaker, this piece of legislation will update the province's antiquated legislation, Mr. Speaker, that has been in place for some time. And these particular changes and the recommendations from this committee, this work started some time ago as well, Mr. Speaker, through the committee that was established by the previous minister of Justice under the former government.

But, Mr. Speaker, it will deal with the aspects of personal property of missing persons, and it will also create a presumption of debt provision to address the concerns raised by the provincial partnership committee on missing persons, Mr. Speaker. Families of missing persons have raised concerns regarding the lack of clear process, Mr. Speaker. And that clear process affects their families every day. They're not only having to deal with the loss of one of their loved ones, a very important person in their life, Mr. Speaker, but they're also having to deal with a number of processes that, Mr. Speaker, were not meeting their needs.

[15:45]

So the previous government, in looking at how to fix those needs for the people who have dealt with this, Mr. Speaker, sought the input from individuals who have dealt with these issues, Mr. Speaker, individuals who have dealt with families with these issues, Mr. Speaker, and the result is of course the piece of legislation we see today.

Mr. Speaker, that lack of clear process with respect to an interim authority to act and the ability to obtain information often made it difficult for family members. And, Mr. Speaker, I ask we examine this legislation in more detail. We are looking to see that those issues are clearly dealt with in this legislation, that families no longer have to have those same concerns that they've had prior to this legislation, Mr. Speaker.

Families have also had difficulty dealing with the day-to-day affairs of missing persons, Mr. Speaker, and the declaration of a person as missing, Mr. Speaker, and later the presumption of death. Mr. Speaker, these concerns and these needs raised by family members who have had to deal with these tragic

circumstances, Mr. Speaker, were raised with the previous government. The previous government acted by putting in place a committee to deal with this, Mr. Speaker, and today we see the result of the actions of that committee in a series of recommendations that have come forward in the legislation, Mr. Speaker, which was an act of co-operation between the people with missing persons, the last government, and this government in following forward and bringing forward the legislation to ensure that those families' concerns and needs are dealt with, Mr. Speaker.

And as I said earlier, we are thankful and appreciate the fact that they carried through with this process and brought forward a new piece of legislation that is dealing with the recommendations and concerns of those families, Mr. Speaker. It's not, Mr. Speaker, just the matter of the families having to deal with the loss of that significant individual in their lives but having to deal with the complicated processes that often left them with questions unanswered, Mr. Speaker, and with the inability to deal with the day-to-day circumstances they had to deal with in dealing with property and lives of those individuals affected by that missing person, Mr. Speaker.

Mr. Speaker, the declaration of a person that is missing and the appointment of a property guardian and the management of the missing person's estate, Mr. Speaker, are much clearer in this piece of legislation than it would have been in the past. And the intent of putting the committee together, Mr. Speaker, and asking those learned individuals who have had to deal with these situations what needed to be changed, was to accomplish this Act, Mr. Speaker. It was about trying to accomplish exactly what we hope this legislation, at the end of the day, Mr. Speaker, has accomplished.

Now, Mr. Speaker, this is very complicated legislation. It will take a period of time of in-depth examination and analysis by the members in opposition, Mr. Speaker, but also some additional consultation with the committee and others to ensure that in fact what they actually wanted and needed to have changed, Mr. Speaker—to make their lives less complicated, to make the transition from the missing person to the presumption of death, Mr. Speaker, more easily obtained, Mr. Speaker, so that families have less . . . are not traumatized several times in the process, Mr. Speaker.

Mr. Speaker, the Act will establish clear provisions with respect to the appointment process with relatives and the public guardian and trustee over the property of a missing person, Mr. Speaker, and how that trustee and guardian must act in relation to respecting that property, Mr. Speaker. It also gives the opportunity for individuals to object, to object on how that is being handled, Mr. Speaker, by any one individual or public trustee by a family member.

The new provisions will allow the court to place conditions and restrictions upon the appointment of a property guardian which will allow the public trustee and public guardian to have some say, Mr. Speaker. It will require the property guardian to file an inventory and provide a yearly accounting for those items that are within a property guardian's purview and responsibility.

It will also allow for the removal of the property guardian if the property guardian isn't acting appropriately in carrying out their

duties, Mr. Speaker. If that property guardian isn't acting in the best interest of the missing person, Mr. Speaker, and the family, then in fact that guardian could be removed from his duties, Mr. Speaker.

Mr. Speaker, the Bill clarifies the role of the public guardian, trustee and the management of the estate and the missing person, so it puts clear provisions and restrictions around which the public guardian must act, Mr. Speaker, in order to fulfill those duties as laid out within the legislation and act in the best interest of both the family and, Mr. Speaker, the missing individual.

The Bill will create clear presumption of death provisions that allow for the family of the missing person and the court to more effectively deal with the estate over the long term, Mr. Speaker. One of the most difficult decisions that is ever made by a family, Mr. Speaker, is to accept the fact that that missing individual, Mr. Speaker, has in fact deceased, Mr. Speaker.

And it wasn't clear in the past, the transition from the declaration of a missing person to the presumption of death, Mr. Speaker. This creates an effective process, Mr. Speaker, and clear provisions to allow this to occur in a way that is far more acceptable to the family, Mr. Speaker. Now, Mr. Speaker, this is an important aspect, Mr. Speaker, as in the past that was much more difficult. And as we move forward with this particular piece of legislation, Mr. Speaker, it's absolutely, absolutely important, Mr. Speaker, that we don't put families through any more ordeal or trauma than they need to in order to deal with this very important issue in their lives, Mr. Speaker.

It's important that families feel supported, Mr. Speaker, and that they feel that the processes that the government and the courts go through, Mr. Speaker, is transparent, easily understood, Mr. Speaker, and works in the interest of the missing person and family members that are having to deal with this tragic situation, Mr. Speaker. And we hope that this legislation does that for them, Mr. Speaker.

But in looking at this legislation, Mr. Speaker, it is complicated, as all estate legislation is and the division of property legislation is, Mr. Speaker. So we need to examine it in great deal to ensure that the rights of both the missing person and family members are protected.

Mr. Speaker, it also deals with how property may be returned to a person presumed to be dead if he or she is later found to be alive, Mr. Speaker. If for some reason an individual has been presumed dead, Mr. Speaker, and, Mr. Speaker, that person is later found to be alive, Mr. Speaker — perhaps is in a hospital or has had amnesia, didn't know who they were, Mr. Speaker, and they weren't able to be found, Mr. Speaker, and they surface again some time later, Mr. Speaker — it deals with how that individual can have their property returned to them, Mr. Speaker, and how they can be made whole. Mr. Speaker, that's also a very important provision in this piece of legislation.

Mr. Speaker, this particular piece of legislation will ensure that families of missing people are able to address on the interim their concerns, Mr. Speaker, and deal with the ongoing concerns that they will have in an effective, timely manner. And, Mr. Speaker, during this very difficult time for families,

Mr. Speaker, we want to have processes that are as easily understood and easily put into practice as we can, Mr. Speaker, because these families are already dealing with a very difficult situation.

Mr. Speaker, the members opposite are interested in this legislation as well. Many of them are giving me advice as to I should be talking longer and in more detail on this legislation, Mr. Speaker. They want more detail, more depth, so that they truly have the opportunity to understand what the piece of legislation they put forward is all about, Mr. Speaker.

But, Mr. Speaker, although this legislation is complicated, as all legislation dealing with matters of estates are, Mr. Speaker, this is without doubt an improvement. And this improvement was necessary. And we do appreciate, Mr. Speaker, that this improvement has been brought forward.

But, Mr. Speaker, we need to ensure — as we do as the official opposition with every piece of legislation — this in fact accomplishes what was intended to be accomplished. And, Mr. Speaker, that requires us to talk to a number of stakeholders, Mr. Speaker, to ensure that the concerns they raised were actually listened to, Mr. Speaker, and that those concerns are reflected in the legislation as we see before us, Mr. Speaker. Because, Mr. Speaker, legislation can sometimes have consequences that are unseen or unforeseen consequences, Mr. Speaker. And we need to ensure that in our examination of this that it does what is intended to do, but doesn't in fact do things that it was not intended to do, Mr. Speaker.

Now, Mr. Speaker, we've had a piece of legislation in place for many years that this is replacing. Mr. Speaker, this on the surface appears to be a significant improvement. Once again I would like to thank the members for taking the time to work with the committee that was established by the previous government that dealt with the issue of missing persons, and in fact hope that they have incorporated all the recommendations from that committee in this particular piece of legislation, Mr. Speaker. And in working with those individuals, Mr. Speaker, they obviously, as did the previous government, seek their knowledge for a reason because these people have had to deal with the current legislation and the current difficulties that families have experienced, Mr. Speaker.

But, Mr. Speaker, I think most importantly this piece of legislation is a step forward. It was identified by the previous government and moved on by the previous Minister of Justice. Again, Mr. Speaker, after the election, Mr. Speaker, a new government's put in place. They saw the wisdom of continuing on with this, the fine work that had been started by the previous government, Mr. Speaker. And as a result, we have today a piece of legislation before us, Mr. Speaker.

And this particular piece of legislation, Mr. Speaker, although desired by I think all members of the House, needs to be examined, Mr. Speaker, in detail. We will attempt to do that over the next several months, Mr. Speaker. We will attempt to speak to a number of the stakeholders throughout the province, Mr. Speaker, to talk to families who have had input, Mr. Speaker. And, Mr. Speaker, reflect — in our final comments on this piece of legislation, as we move it through the various stages the legislation has to go through, Mr. Speaker — that

information, that reflection of family members and stakeholders, Mr. Speaker, in our considerations.

Mr. Speaker, with that, I would move that we adjourn debate on this Bill at this time.

The Acting Speaker (Mr. McMillan): — The member for Regina Dewdney has moved adjourned debate on this Bill. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — Carried.

Bill No. 51

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 51 — *The Provincial Court Amendment Act, 2008*** be now read a second time.]

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

Mr. Yates: — Thank you, Mr. Speaker. Mr. Speaker, once again this is legislation that is very similar that was in works while the previous government was in place. The previous government started working on this issue, and we're pleased to see that at least some aspect of the legislation is carried forward with the new government, Mr. Speaker.

While in principle we support elements of this legislation in general, we are not ruling out amendments to this particular piece of legislation, as it does contain some clauses that had not been discussed while it was under consideration by the previous government, Mr. Speaker.

Mr. Speaker, I want to talk about one particular provision in this legislation, Mr. Speaker, that does not seem to make a great deal of sense on the one hand. It allows for . . . The Bill gives the Judicial Council the jurisdiction to continue for a two-year period, after a judge has retired or resigned, for them to investigate a judge that is either retired or resigned, Mr. Speaker. Now we question fundamentally the point of having the ability to, after a judge is retired or resigned, to carry out an investigation against the judge, Mr. Speaker, when there is no . . . At the end of the investigation, Mr. Speaker, regardless of what the findings are, Mr. Speaker, there's no ability, Mr. Speaker, there's no penalty. There's no ability to hold that particular judge accountable for anything he may have done, Mr. Speaker.

So what is the wisdom in carrying out an expensive investigation after the judge has left — either retired or resigned, Mr. Speaker — if there is no ability, Mr. Speaker, to carry out any sanction or penalty? Mr. Speaker, common sense needs to apply as we put forward legislation as well, Mr. Speaker. And to have a provision that would not be used, Mr. Speaker, because it does not have the ability to do any more than what's already happened, Mr. Speaker, to remove the judge from his position as a judge, Mr. Speaker, and the judge has already resigned or retired, Mr. Speaker. Why would we have a provision that would carry out an expensive

investigation but in fact would have no ability to change any outcome, Mr. Speaker?

[16:00]

So putting that particular provision in the legislation we question, Mr. Speaker. We don't think that it makes sense. It doesn't make common sense to the average person to spend taxpayers' dollars, Mr. Speaker, investigating an incident where there is no penalty, when there is no outcome to that investigation, Mr. Speaker, and there is no ability to hold any accountability even at the conclusion of that investigation, Mr. Speaker.

I have to point out that if it were matters of criminal issues, Mr. Speaker, then the investigation would still go on by the police; it wouldn't go on by a judicial council, Mr. Speaker. And there would be accountability. But we're talking about the authority of a judicial council to investigate a judge, Mr. Speaker, and in doing so then remove that judge from the bench, Mr. Speaker.

But in this case, the person's already moved from the bench. They've either retired or resigned, Mr. Speaker. And in carrying out an investigation that has no ability to put forward any penalty, Mr. Speaker, or to change any outcome, Mr. Speaker, it makes no sense.

It is mentioned, Mr. Speaker, clearly by the current Minister of Justice that they didn't in any way want to affect the person's pension, Mr. Speaker, which would've been the only way to deal with the person in a monetary sense, Mr. Speaker, that they could enforce. And without adding new provisions of penalty to deal with a situation like this after a judge has resigned or retired, Mr. Speaker, it makes little or no sense to proceed with that provision in the legislation, Mr. Speaker.

But having said that, Mr. Speaker, it would never be used. Because I think the Judicial Council, Mr. Speaker, would be wiser than to carry out an investigation that has no ability to bring out any end, Mr. Speaker, to change anything or to bring forward any penalty, Mr. Speaker. Why would they want to do that? Why would they want to put their time forward when there is really nothing that the outcome would change, Mr. Speaker?

Mr. Speaker, so that particular provision causes us some concerns, Mr. Speaker, and that particular provision, Mr. Speaker, doesn't make sense to many members.

Mr. Speaker, the fact that the legislation provides no sanctions beyond removal from the bench and therefore accomplishes nothing, Mr. Speaker, means that the investigation has little or no real substance, Mr. Speaker, in terms of disciplining any judges found guilty of any form of misconduct. And without that, Mr. Speaker, it does perhaps take away from the real authority of the Judicial Council in dealing with a judge, Mr. Speaker.

To put them in a situation of deciding to investigate or not to investigate somebody when they can have no avenue of penalty, Mr. Speaker, puts them in a situation which I don't think we should be putting them in in legislation, Mr. Speaker, having to make the decision whether or not to investigate a peer. Even if

the peer had been involved in misconduct, Mr. Speaker, if he's no longer on the bench, Mr. Speaker, if he's resigned or retired, why would the council want in fact to hold an investigation, Mr. Speaker, knowing at the end of that investigation there is no consequence, there is no penalty, Mr. Speaker, and therefore not likely to have a great deal of impact, Mr. Speaker?

Mr. Speaker, clarity is of utmost importance when it comes to dealing with pensions, Mr. Speaker, and relating to provisions relating to pensions, benefits, and remuneration, Mr. Speaker. And, Mr. Speaker, we hope that this Bill in fact does provide some of that clarity that is, Mr. Speaker, sought after by both judges in our province, Mr. Speaker, and in fact, very clearly the provisions of law and how they apply to judges, Mr. Speaker.

We see, Mr. Speaker, that judges, like everyone else in the province, are subject to *The Family Property Act* that divides the pension or annuity or retirement benefit, Mr. Speaker, as part of that division of property, Mr. Speaker. It gives entitlement to a pension, annuity, or retirement benefit, including the entitlement of a spouse to a pension, annuity, or retirement benefit on the death of a judge, Mr. Speaker. These are changes that are supported, Mr. Speaker, and we believe are necessary to be clear and to be clarified in this particular piece of legislation, Mr. Speaker.

Mr. Speaker, retired judges and former judges are often included in the definition of a judge, as they have entitlements to retirement benefits, Mr. Speaker. So there's some clarification, Mr. Speaker, as to what benefits retired judges have, Mr. Speaker. And all these changes are beneficial to, Mr. Speaker, provide clarity as we move forward, Mr. Speaker.

Mr. Speaker, it requires that judges' allocation of their entire benefit entitlement cannot be reduced below the lesser of 50 per cent of the commuted value of the total of the pension, Mr. Speaker, if there is a division of *The Family Property Act*, Mr. Speaker.

And Mr. Speaker, this piece of legislation provides many other what we would see as largely housekeeping changes to bring this Bill to conform with other current pieces of legislation that are available to us, Mr. Speaker, within the province of Saskatchewan.

Mr. Speaker, while there are many aspects of this Bill we do support, Mr. Speaker, as I indicated earlier there are aspects of this Bill that we currently don't support, Mr. Speaker. And, Mr. Speaker, whether we will make amendments or oppose this Bill simply on those particular changes are issues we need to examine. The fact that you put forward a provision that really has no teeth, Mr. Speaker, in dealing with retired or resigned judges, Mr. Speaker, raises some concerns.

The members opposite are encouraging me to continue in more detail on this particular piece of legislation, Mr. Speaker. They want to hear more about the legislation they brought forward. Maybe many of them perhaps didn't read it, Mr. Speaker. But, Mr. Speaker, at this time because we have many, many other important pieces of legislation to deal with today, Mr. Speaker, I would move that we adjourn debate on Bill No. 51, *The Provincial Court Amendment Act*.

The Acting Speaker (Mr. McMillan): — The member for Dewdney has moved to adjourn debate on this Bill. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — Carried.

Bill No. 52

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 52 — *The Trustee Act, 2008*** be now read a second time.]

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

Mr. Quennell: — Mr. Speaker, I notice that some members have entered the Chamber who were previously absent, and I don't imagine for a moment that they have come to hear debate on *The Trustee Act*, particularly, Mr. Speaker, the contribution made to *The Trustee Act* by a lawyer, Mr. Speaker.

But although the area may seem dry and the legislation uninteresting to most people, Mr. Speaker, this is an example of legislation that most people probably never much give a thought to, unless they become a trustee or perhaps when they're creating a trust by writing a will, come under its application. And it's the type of legislation that is ... [inaudible] ... fundamentally important to how our society functions, how people carry out their duties to each other, Mr. Speaker, but because it doesn't deal with anything exciting — fortunately, in most cases — it may seem dry to many, Mr. Speaker.

And in the minister's second reading speech, he did make some commentary about the language that is in the current Act that may be a little bit more clear, a little more understandable in the Bill that's being proposed than the legislation that's being changed, if the legislation's indeed changed following debate and discussion by this legislature.

Mr. Speaker, George Bernard Shaw once said that "all professions are a conspiracy against the laity," and I think he probably included lawyers amongst those professions in conspiracy against the laity, as well as others. I don't, as would surprise no one here, subscribe to that particular belief myself. Speaking in defence of the legal profession if not any of the others, the rule of law is a pillar of our democracy, pillar of healthy democracy, as is independent courts, and as is an independent legal profession, an independent bar, Mr. Speaker.

And I have heard some suggest that the incomprehensibility of legislation like the current trustee Act, and perhaps even the Bill proposed from the government, that that incomprehensibility is part of this conspiracy against the laity. That lawyers have an interest in people not understanding the law, even laws that apply to them so often as *The Trustee Act* does when people are carrying out their duties to beneficiaries of trusts, their duties to their fellow citizens, and sometimes their duties to people closest to them, when they are carrying out those responsibilities, Mr. Speaker.

When confronted with the accusation that legislation is not

easily understood, Mr. Speaker, and that accusation is made fairly common about legislation, the answer on the part of lawyers and the answer on the part of legislators might very well be as well, Mr. Speaker, is that legislation is not drafted to be easily understood. Legislation is drafted so as not to be easily misunderstood.

And, Mr. Speaker, as society changes and as practices change and as it becomes worthwhile to consider providing new powers, different powers, adjusting to changes in society, changes to the common law, and changes to language, then it becomes clear that some legislation is not only not easily understood by those that it affects, but not easily interpreted by those legal advisers entrusted with providing guidance to people who are needing the legislation as guidance in carrying out their duties to each other.

I think this shows the value of law reform commissions in this particular case, in suggesting ways in which legislation can be updated, in which the language in the legislation can be updated and practices can evolve with new changes in our economy, new changes in our society, and new ways of speaking about our responsibilities and duties that are no longer reflected in legislation that maybe has its origins 100 years ago as is the case with our trustee legislation, which arguably can use some amendment in respect not only to the powers and duties of trustees and manners of dealing with trustees but also in its very language itself.

But, Mr. Speaker, the minister gave me the opportunity to speak about a matter that I thought I would never have a chance to speak of once I graduated from law school, and that is the rule against perpetuities, which law students struggle to understand and then, having become lawyers, find absolutely no reason to ever deal with again in their entire careers. And the rule against perpetuities is being removed from the trustee legislation by this Bill, Mr. Speaker, and on the recommendation of the legal community that deals with trusts.

But, Mr. Speaker, I have to say that the rule against perpetuities has actually found its way into popular culture in at least one instance that I can think of. There is a movie, Mr. Speaker, called *Body Heat*. The movie itself has a great deal of appeal on a number of levels. It's a film noir, Mr. Speaker. Kathleen Turner is a femme fatale. William Hurt plays a lawyer who ends up in prison, so there's something for everybody in this movie, Mr. Speaker.

And for wills and estates and trust lawyers, there is a very creative use of the rule against perpetuities in a crucial plot twist in the movie, Mr. Speaker. And those people who have seen and enjoyed *Body Heat* may have missed the role the rule against perpetuities plays in that movie, and I highly recommend renting *Body Heat* and watching for that particular use of the rule against perpetuities because it does point out the dangerous effects that arcane, complex, and outdated rules can have if they are primarily as pitfalls along the way and not actually of any assistance to people who are administering estates, setting up trusts, and such, Mr. Speaker.

And I guess I'll thank the minister for that because I don't think I would have had a chance to say anything useful or creative about the rule against perpetuities in my entire career as a

lawyer or a legislator without his reference to it in his second reading speech, Mr. Speaker.

Now as I think has become very clear from my remarks, the opposition has no difficulty with the principles involved in this legislation. There may be some work needed in committee to make sure that there are no unintended consequences of what the government is proposing. Having taken this opportunity as a legislature to move this legislation forward, to advance its language, to expand some of the powers, and make more precise some of the duties of trustees, we want to make sure we get the job right, Mr. Speaker. I don't want to be speaking about *Body Heat* and the rule against perpetuities again next year.

But so that work can be done in committee, Mr. Speaker, I will allow it to move there. I don't think there's any members who are interested in speaking to the second reading debate other than myself now. And with that, Mr. Speaker, I will conclude my remarks. Thank you.

Some Hon. Members: — Hear, hear!

[16:15]

The Acting Speaker (Mr. McMillan): — The question before the Assembly is a motion by the member for Meewasin that Bill No. 52, *The Trustee Act, 2008* be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — Carried.

Clerk Assistant (Committees): — Second reading of this Bill.

The Acting Speaker (Mr. McMillan): — To which committee shall this Bill be referred? I recognize the Government House Leader.

Hon. Mr. Gantefoer: — Thank you, Mr. Deputy Speaker. To the intergovernmental committee.

The Acting Speaker (Mr. McMillan): — This Bill now stands referred to the intergovernmental committee.

Bill No. 56

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 56 — *The Trustee Consequential Amendments Act, 2008/Loi de 2008 portant modifications corrélatives à la loi intitulée *The Trustee Act, 2008**** be now read a second time.]

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

Mr. Quennell: — Well, Mr. Speaker, on the Bill that is a companion piece to the Bill that just went to committee, Mr. Speaker, I don't have any movie reviews.

This is legislation that of course is necessary because of consequences to other legislation resulting from *The Trustee Act* amendments that have now gone to committee, a Bill that is

far-reaching in its effect on a number of matters. We've heard debate this afternoon on the missing persons legislation, and trusteeship comes in there. It comes in, in any case, where for whatever reasons — either because of death or disappearance, incapacity — somebody has to care for somebody else's property. And there is a number of pieces of legislation, Mr. Speaker, in the province of Saskatchewan that deal with the issues that give rise to trusteeship.

And therefore there are consequences to amending that legislation and particularly far-reaching amendments in respect to duties, powers, responsibilities of trustees, and in changing the language and updating the language to correspond with changes in language in society, in economy, and changes that have been brought about to become a law, either responding to or acknowledging those changes, Mr. Speaker. And for those reasons, the two pieces obviously fit together. It would make little sense to send one out for examination to the committee and not the other, Mr. Speaker. And for that reason, I think the debate in this Chamber on this legislation is over upon me concluding my remarks, which I have now done.

The Acting Speaker (Mr. McMillan): — The question before the Assembly is a motion by the member from Meewasin that Bill No. 56, *The Trustee Consequential Amendments Act, 2008* be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. McMillan): — Carried.

Clerk Assistant (Committees): — Second reading of this Bill.

The Acting Speaker (Mr. McMillan): — To which committee shall this Bill be referred? I recognize the Government House Leader.

Hon. Mr. Gantfoer: — Mr. Deputy Speaker, to the Standing Committee on Intergovernmental Affairs.

The Acting Speaker (Mr. McMillan): — This Bill stands referred to the Standing Committee on Intergovernmental Affairs.

Bill No. 57

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cheveldayoff that **Bill No. 57 — *The Land Titles Amendment Act, 2008*** be now read a second time.]

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

Mr. Yates: — Thank you very much, Mr. Deputy Speaker. I'd like to start my remarks this afternoon on Bill No. 57, *The Land Titles Amendment Act*, by stating, Mr. Speaker, that over the last number of years since we began the modernization process of our land titles system, I don't think we've had a single sitting of the legislature where we haven't seen some changes made to *The Land Titles Act*, Mr. Speaker.

We went through probably the most significant modernization

of land titles system in the country, Mr. Speaker, and it's very complicated legislation, Mr. Speaker, and as a result I think each of the last six or seven years, Mr. Speaker, we have seen before us an amendment to *The Land Titles Act*, Mr. Speaker. And, Mr. Speaker, that's good.

Each time as the system's utilized by landowners, Mr. Speaker, real estate agents, lawyers, Mr. Speaker, we find small problems in the system which we move forward to correct. When you move from basically a paper-based system to what I think can arguably be said one of the most modern land titles registry systems in the country, Mr. Speaker, or anywhere for that matter, we're bound to have, as we move forward with that modernization, issues that come up, issues that need to be addressed on an annual basis.

And, Mr. Speaker, we've all sat through many, many changes over the last number of years as the land titles system has been modernized. Each year we've seen improvements. And, Mr. Speaker, we commend, Mr. Speaker, the government for bringing forward again, once again this year, more changes that help improve the system, Mr. Speaker.

The old system, as we all know, was ponderous and difficult to use, often took periods of time that were weeks if not months in backlog, Mr. Speaker. Today the new system is much quicker, much more readily and easily used by both the legal profession, Mr. Speaker, and by individual owners, Mr. Speaker.

Today many of the processes can be done online by any Saskatchewan citizen. And, Mr. Speaker, all you have to do is go online, Mr. Speaker, pay your fee with a credit card, Mr. Speaker, and you can in fact obtain information, get titles, do your own transactions online, Mr. Speaker. And that's a significant improvement from the day when individuals had to travel to one of the seven or eight land registry offices in the province. In some cases, Mr. Speaker, people had to travel significant distances and perhaps several hours, Mr. Speaker, in travelling, Mr. Speaker, carrying out their jobs with the land titles system, Mr. Speaker, registry system.

We're pleased that the changes made this particular year seem to once again improve the system, Mr. Speaker. And so we all recognize, I think, in this Chamber the importance of the new modern Information Services Corporation delivery of this system, Mr. Speaker. And I think that we all recognize the value to Saskatchewan citizens. And, Mr. Speaker, I would predict that over the next half a dozen years at least, we're going to continue to see annually a land titles amendment Act that in fact continues to tweak the system to make it, Mr. Speaker, that much better each year.

Mr. Speaker, one of the things that is addressed this particular year is to help address the issue of fraud in land sales, Mr. Speaker. Although it's extremely rare in Saskatchewan, Mr. Speaker, if you were one of those individuals who have lost title to your property through fraud, Mr. Speaker, it's very, very significant. Mr. Speaker, I understand that we've only had two reported cases over the last 30 years, but those are two very important cases to those individuals. And if we in fact can put additional precautions into a registry system such that fraud is much more difficult or impossible, Mr. Speaker, it's well worth doing.

Mr. Speaker, the amendments expand the assurance provisions of the Act to provide additional protection to title owners as well as to mortgagees suffering losses as a result of a fraud, Mr. Speaker. And that is very, very important.

Mr. Speaker, the majority of changes throughout this legislation are designed to improve the functionality of the system, to make it more user-friendly, to fix those loopholes that perhaps were missed in an original design, in original legislation, Mr. Speaker, and to continue to make the system better for all people in the province of Saskatchewan.

Mr. Speaker, the legislation relates to the registry of grants and will provide the information setting out what the original grant was from the Crown, Mr. Speaker. So as we move forward, we're seeing various improvements, Mr. Speaker, as we proceed with updating this system.

Mr. Speaker, it's raised the continued question about how we move forward in the province as we deal with unpatented and ungranted lands in this province, Mr. Speaker, which are largely in northern Saskatchewan, Mr. Speaker, but are throughout the province, but specifically, largely in northern Saskatchewan. And this legislation will allow for the compensation for appropriate extra costs if they relate to a problem with the title involved, Mr. Speaker, and including the use of fraud.

Mr. Speaker, one very positive point of this legislation is that there are quite a number of places where present rules that are located in regulations — in other words they are easy to change by the government without being brought and debated in this House — are in fact being recognized by officials who are dealing with this Act every day, should be included in the Act, and they're moving things that were previously in regulations into the Act themselves, Mr. Speaker. So that when those changes are here, they're more transparent to all members of the legislature and to the public, Mr. Speaker.

In general these are very good changes, Mr. Speaker. This is legislation we support. We have supported over the years the various changes to this legislation, Mr. Speaker. We will support these changes, Mr. Speaker. We do need to take some time though to examine them in more detail to ensure they do what they're intended to do, Mr. Speaker, and don't unintentionally do something that they're not intended to do, Mr. Speaker.

Mr. Speaker, because of the complexity of land titles legislation, it takes examination in great detail, Mr. Speaker, and we will take the opportunity to do that over the next few months.

Mr. Speaker, as I said before, we congratulate the government on continuing to ensure that this system works for the people of Saskatchewan, works in the best interests of the people of Saskatchewan, Mr. Speaker. And, Mr. Speaker, for the reasons that we need to do a more detailed examination and greater detailed examination of these particular changes to ensure that they accomplish what they're designed to do, Mr. Speaker, I would move that we adjourn debate on this piece of legislation at this time.

The Speaker: — The member from Regina Dewdney has

moved adjournment of debate on Bill No. 57, *The Land Titles Amendment Act, 2008*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 59

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 59** — *The Election Amendment Act, 2008* be now read a second time.]

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

Ms. Higgins: — Thank you very much, Mr. Speaker. It's a pleasure to rise and make comments on *The Election Act*, the Act to amend *The Election Act, 1996*. Mr. Speaker, what I've done for the last couple days is really had a look at the Bill as it was tabled in the House, gone through each of the new sections and the changes.

I've also gone through the explanation. The explanatory notes accompany Bills, as you are well aware, when changes are tabled in the House, to get a good idea and a good understanding of what the changes are and what they actually do. And, Mr. Speaker, always when you read the Bills, you need to be able to put it into context as to where it fits within the actual legislation, look at what it's replacing and what changes are proposed in the Bill.

Mr. Speaker, what I've also done over the past couple of days and today is look at the second reading speech of the minister when he presented the legislation and also the second reading speeches of my colleagues to see what their comments are. And, Mr. Speaker, on first glance you would almost think, well this is pretty good, and it fits with the government's initiative to put in set election dates which needs to have a little more to it than just . . . you can't just declare set election dates and everything runs along fine. We also have a number of other issues that need to be addressed.

So when you look through this, it talks about the amount of advertising that can be done and what restrictions are on those and also, working backwards from the set election dates, to calculate dates that need to be in place for what the ministries can do, what advertising the Crowns can do and what they can't.

[16:30]

But, Mr. Speaker, when you go through, when you go through all of the information that's there — the second reading speeches, the actual Bill, and the explanatory notes — well at first glance, you might have thought this was a good idea. When you look at all of the information and all of the detail — or should I say, the lack of detail — that is contained within the Bill, really what it gets down to is what you might have thought was not bad to begin with really is replaced with, the only comment is fluff. It really does absolutely nothing.

And we can go through it section by section, Mr. Speaker, and I would love to have the opportunity to do that. And when you look at . . . First and foremost, it talks about 30 days prior to the issuance of an election writ “. . . no Government ministry shall advertise in any manner with respect to the activities of the ministry.” But it is allowable subject only to emergency or compelling public safety information. So then I went back to the Bill, and I thought, well is there definitions for what’s compelling public safety information, what’s an emergency? I looked for any type of definition as to what’s there, and there’s nothing in the Bill.

So then we looked farther, Mr. Speaker, and it speaks about the 120 days prior to the issuance of the writ for a fixed date general election: “. . . no Government ministry shall spend . . . more than its average monthly amount for advertising.” Well we’re going back over three months, and, Mr. Speaker, this is very easy to work around. All you have to do is crank up your spending for advertising prior to that date to increase your average and to have anything that you might like to do purely in the name of an emergency or compelling public safety information fall within the limits.

Mr. Speaker, the Bill and . . . Actually the second reading speeches talked about or spoke to the issue of providing fairness of the electoral process. Well it’s fine to talk about fairness, and it’s fine to lay down some of these parameters and priorities in what the Bill supposedly restricts. But, Mr. Speaker, there is absolutely no penalties or recourse if any of this legislation is broken.

And when we get into the bigger picture, we can look at past experience federally with fixed election dates. And we know that even though the Prime Minister broke his own law, called an election early for what it looks like now, pure chance of avoiding some issues of falling economy through having to deal with that in the Parliament of Canada, he chose to go with an early election. And while we didn’t see any discussion during the election or prior to the election about deficits . . . In fact, the Prime Minister made comments about, there was no way they’d be going into a deficit. And then within a week of the election being over, all of a sudden we’re hearing discussions of a deficit.

So you know when he was manipulating his own legislation to actually avoid making some tough decisions as government, Mr. Speaker, when you look at this, you think, what precludes that from happening here in Saskatchewan? We have the fixed election dates. Can they be manipulated and played with for purely political purposes? So when we look at this with the advertising and the restrictions, supposed restrictions that are put in place, there’s absolutely no consequence if it’s broken.

And there’s one part in here, and I have to look through my notes, but it speaks to — I think it’s in the explanatory notes — and it speaks to solemn declarations that must be made. Talks about:

Every person in Saskatchewan in charge of a broadcasting undertaking . . . or an undertaking that publishes in a newspaper, magazine or periodical in Saskatchewan shall file with the Chief Electoral Officer a solemn declaration setting out:

whether or not information mentioned in this section has been published or broadcast . . .

if any information has been published or broadcast, the name of the Government . . . [department] that requested the publication and the details of the publication.

So these solemn declarations mentioned in this subsection must be filed within two months of the polling day for the election.

But what’s the consequence if any of these are contravened? Who does the calculation of what the average is? How long after an election are we going to see the actual details of what the calculations of the average monthly total for advertising has been — what it should have been, what it shouldn’t have been? How long is it going to take before we see a calculation once the solemn declarations are actually submitted to the Chief Electoral Officer?

Mr. Speaker, to some people they may be able to stand up and say that this somehow meets a type of election commitment that they made, but when we really get down to the nitty-gritty of it, it really doesn’t mean anything. It has no substance to it and, Mr. Speaker, if the government is actually legitimately looking at any type of electoral reform, there are many other things they can do that wouldn’t have the comment of fluff attached to them.

Mr. Speaker, this is purely rhetoric, and it really isn’t anything substantial that I can see. And, Mr. Speaker, I’ve gone through it all. I’ve read it all, tried to figure what’s the issues — no consequence, no definitions attached to the Bill. But, Mr. Speaker, I will commit, before I totally disagree with the Bill, I will give it further review and I will allow my colleagues to be able to stand and make comments on the issues that they feel are there or are missing within the legislation itself.

But, Mr. Speaker, there are many, many questions when it comes to this Bill: what it addresses but more importantly what it ignores. And if it actually achieves what the government is saying that it achieves, that just causes rise to many more questions. So, Mr. Speaker, what I would do now is adjourn debate so my colleagues will be able to comment further on the legislation.

Some Hon. Members: — Hear, hear!

The Speaker: — The member from Moose Jaw Wakamow has moved adjournment of debate on Bill No. 59, *The Election Amendment Act, 2008*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed.

Bill No. 61

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hutchinson that **Bill No. 61** — *The Local Government Election Amendment Act, 2008* 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 know one way to get applause in this House is to say that I'm going to make some very brief remarks with respect to this Bill.

Mr. Speaker, in case the public has forgotten, the Bill that's before us is to make some amendments to *The Local Government Election Act*. *The Local Government Election Act* provides a legal framework to enable all local governments — whether it's cities, towns, villages, northern municipalities, rural municipalities, and also school boards to hold their elections. We could understand there needs to be some rules and regulations with respect to these elections, and these rules and regulations spring from *The Local Government Election Act*. And what the government is proposing to do is to make some amendments to that Act. Now the minister, in moving the Bill, indicated that these would be minor, but I'm not so sure.

One of the changes that the minister is proposing is to allow, in the event of a by-election for mayor or reeve — a mayor in the case of a urban municipality, a reeve in the case of rural municipality — would enable councillors to run for the vacant position of mayor or reeve without stepping down from the seat they now hold.

In general elections, one cannot run for both offices at the same time, but the minister says that there's a concern that's been expressed that if a number of councillors want to run for mayor, then their seats would have to become vacant in order for them to do that. Then you would have to have further elections to fill those vacant seats, and if enough councillors ran, then you would have a council that would not be able to constitute a quorum to conduct business.

So it's an issue that, as explained, certainly could become a real issue, but we'll want to know from the minister as to whether or not this has in fact happened in municipalities and to what extent this is a real issue in Saskatchewan. And is it something that needs to be applied to all municipalities? Is it more of a concern, say in smaller municipalities, in smaller urban municipalities, in rural municipalities? Is it a concern for example with respect to our cities? And those are the kinds of questions that we'll be wanting to put to the minister at the appropriate time.

One of the other changes that, on the face of it, we have absolutely no concern with is a proposal by the city of Saskatoon. Now the city of Saskatoon has a bylaw that require campaign contributions to be disclosed. So if someone's running for councillor, someone's running for mayor, the city of Saskatoon takes the position — pursuant to changes that were made before in the local government Act — that those who run should disclose contributions from whatever source. The question of where the money comes from to enable people to run in municipal elections is a real issue, especially when we look at zoning and planning issues in our larger cities, so I think the city of Saskatoon has acted wisely, given the enabling clauses in the local government Act to put in place then some requirement that campaign contributions be disclosed.

But there is no real follow-up. And we're pleased to see from

them now some suggestion as to what needs to be done if a candidate doesn't disclose this information, because there's no real effective way of monitoring that. So there's no real way to ensure compliance of that bylaw in Saskatoon so they're asking for an amendment that would allow them to withhold the candidate's deposit.

When a person runs for office in our municipalities, and especially in our cities, there's some requirement that they put a deposit down to indicate that they're serious about running. It's not a huge sum but nevertheless would be some hundreds of dollars or \$100 or so, so as to ensure that you're not just doing this on a whim; that you are taking it seriously. Saskatoon is saying we should withhold candidates' deposits, returning those deposits to people that run until and unless they've complied with the stipulation and the bylaws for the reporting of campaign contributions.

Whether or not that will be effective is a good question, but I think we'll have to continue to work with municipalities to go forward to get a better sense from them as to whether or not this particular amendment will help them to do that, or whether further changes will be required down the road.

One of the other requirements in this legislation is a request by rural municipalities that they also be allowed to adopt or to put into place voters lists. It's not unusual for urban municipalities to develop voters lists to get a register, if you like, of those who are eligible to vote so that when you go to vote it's much easier than having to go through a whole identification process or a cumbersome identification process. And now a number of rural municipalities are also asking for that.

I can understand why. We have had some controversial elections in some rural municipalities in Saskatchewan. I think the notion of a voters list to clearly determine upfront who may or may not be eligible would be welcomed by those municipalities as a way of reducing some of the conflicts that we've seen in the past.

[16:45]

Probably the most controversial item that has concerned municipalities is not in fact something that's contained in the Bill. The minister indicates that the provincial government is not proceeding with a request from municipalities to move from a three-year term for urban and northern municipal and school board officials, because at this point those locally elected officials from urban municipalities, northern municipalities, and school boards are elected for a three-year term.

Rural municipalities operate differently and their people are elected for two-year terms, but now the associations and those that are responsible from some of the urban municipalities primarily are requesting that we go from a three-year term to a four-year term. And they point out the fact that when people are elected to the provincial legislature, it's done for a four-year term, and they say, why should it be any differently for urban municipalities? And that's a valid question.

And it's interesting the minister, in his remarks, in speaking to this when he moved the Bill, stated that, while there was support from the municipal and education sector, other

stakeholders expressed concern. And I think we'll want to know as to who these other stakeholders are, that those stakeholders would be in a position to trump what I see as a collective decision by municipalities and education authorities to extend that term. And who is it that is so opposed to changing it from a three- to a four-year term, but that would then prevent the government from moving ahead on that?

It's interesting that the minister would now express, how shall I say, hesitation about moving in that direction when certainly he, as a member of Regina City Council, would've taken the position that we ought to be moving to a four-year term, but now is saying that we ought not to do that. So the question is, who is it that's able to convince the provincial government to not now proceed to a four-year term for municipalities? So we'll want to know about that at the appropriate time.

We note, Mr. Speaker, that the minister and the government conducted extensive consultation with all of the organizations that represent municipalities, not just the organizations that represent the elected officials, such as Saskatchewan Urban Municipalities Association, Saskatchewan Association of Rural Municipalities, but also with the associations that represent the officials that work for those local governments, such as the Association of City Clerks, the Urban Municipal Administrators Association, and the Rural Municipal Administrators' Association, and so on.

So there has been extensive consultation on some of these items that are now coming forward and items that are not, according to the government, now coming forward. And we're pleased to see that that extensive consultation is taking place. But I point this out, that it has been extensive and that we, as an opposition, would not be doing our job if we did not ourselves undertake some consultative process to ensure that these are the right issues that need to be dealt with at this time.

So now it's our turn to consult, Mr. Speaker. And pending that, I will at this point move to adjourn debate in this matter.

The Speaker: — The member from Regina Douglas Park has moved adjournment of debate on Bill No. 61, *The Local Government Election Amendment Act, 2008*.

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

Some Hon. Members: — Agreed.

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

Hon. Mr. Gantefoer: — Thank you, Mr. Speaker. In order to allow the work of the Standing Committee on the Economy, I move that this House do now adjourn.

The Speaker: — The Government House Leader has moved that this House do now adjourn in order to facilitate the working of committees.

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

Some Hon. Members: — Agreed.

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

[The Assembly adjourned at 16:49.]

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Minister Responsible for Saskatchewan
Crop Insurance Corporation

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Minister of Energy and Resources
Minister Responsible for Intergovernmental Affairs

Hon. Ken CHEVELDAYOFF
Minister of Crown Corporations

Hon. Dan D'Autremont
Minister of Government Services
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Minister Responsible for Capital City Commission