



THIRD SESSION - TWENTY-SIXTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
The Honourable Don Toth  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

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Bradshaw, Fred	SP	Carrot River Valley
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Junor, Judy	NDP	Saskatoon Eastview
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McMorris, Hon. Don	SP	Indian Head-Milestone
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Nilson, John	NDP	Regina Lakeview
Norris, Hon. Rob	SP	Saskatoon Greystone
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Schriemer, Joceline	SP	Saskatoon Sutherland
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Tell, Hon. Christine	SP	Regina Wascana Plains
Toth, Hon. Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation 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 resumed at 19:00.]

EVENING SITTING

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

**Bill No. 97 — *The Agri-Food Amendment Act, 2009***  
(continued)

**The Speaker:** — Being now 7 p.m., the debate will resume on the adjourned motions on Bill No. 97. I recognize the member from Regina Northeast.

**Mr. Harper:** — Thank you, Mr. Speaker. Thank you, Mr. Speaker. And I thank the members for giving me the opportunity to continue making a few remarks on this particular Bill. It's certainly a pleasure and an opportunity and a privilege to be able to stand in this House and to participate in a debate, particularly a debate on this particular Bill, the Bill 97, *An Act to Amend the Agri-Food Act, 2004, to repeal The Cattle Marketing Deductions Act, 1998 and The Cattle Marketing Deductions Regulations, 2004 and to make consequential amendments to The Department of Agriculture, Food and Rural Revitalization Act.*

And, Mr. Speaker, it's certainly a pleasure for me to have the opportunity to continue on with a few of my remarks that I had the opportunity to enter into this debate earlier this afternoon. First of all, Mr. Speaker, I want to make it absolutely clear that I'm not drawing into question in any manner, shape, or form the character or the intentions of the Saskatchewan Cattlemen's Association in any of my remarks. And I hope I didn't leave that impression anywhere because as far as I know, from those people who I've talked to who have a working knowledge of the association, it's a fine association and does a good job of representing its members.

My only question is, Mr. Speaker, of the government is how the government went about selecting this particular organization to do the work of what was previously done by the government or done by the Department of Agriculture and its collection of the check-off fees which have been . . . A process has been going on for a while in this province, and as the check-off fees is based on \$1 of a non-refundable check-off fee on a national levy and \$2 of a refundable check-off fee as a provincial level.

So, Mr. Speaker, I want to make it absolutely clear that I'm not questioning the character. I'm not questioning the motives. I'm not questioning anything as far as any negative aspersions upon the organization of the Saskatchewan Cattlemen's Association.

I am wondering, though, why the government decided to go in this particular direction, and I am wondering why the government selected this organization over other organizations. I'm wondering what the process was that made a determination by the government to go in this particular direction. I am wondering why the government felt the need to go in this direction in the first place.

What was the downfall or the shortfall of the old system where the Department of Agriculture collected these fees on an ongoing basis and held them in a fund that was disbursed only after the government received direction from the board that governed the operation of the fees? And that board, of course, was made up of livestock producers right across this great province, from every corner of the province, and certainly were people who were experienced in the industry and people who had hands-on experience in the industry and were able to give credible advice to the department. And it has worked very, very well in the past.

I certainly have not had the experience of having any producers bring to my attention any of the shortfalls that they recognized in the old system and were suggesting that the old system should be replaced. It's not something that was certainly high on the farmers' want list when it comes to this government and this government's attention as far as the agriculture industry is concerned. So I'm wondering why the government has decided to introduce this Bill in the first place and to make some drastic changes, drastic changes to the way the check-off fees are being handled and the way that they are being processed, I guess you would say, and the effects that they might have.

Mr. Speaker, the system of collecting these fees is fairly simple. It's a check-off system. It's a system that is done at the local auction mart when the animals are sold through the auction ring. And it's done on a basis of \$1, on a national fee of \$1 per head will be collected, and the provincial government body has added to that a \$2 levy which is refundable. If the producer wishes, they can write in to the department and request to have that money refunded.

Quite frankly, Mr. Speaker, I don't think that too many producers have done that because they see the value in this check-off. And they see the value in this money being used to protect their industry, to be reinvested in their industry, to be directed to programs and directed in ways that will certainly support their industry and cause the industry to be stable, cause the industry to have the ability to grow, cause the industry to continue to be strong and hopefully develop into a very prosperous industry because it is a very important part of our economy, certainly a very important part of the rural economy, a very important part of the economy in many of our small towns across this great province.

But it contributes in a big, big way to the much larger picture, the provincial economy, and it contributes in a very, very, big way to ensure that these economies stay strong. When the economies stay strong, people in this great province of ours benefit from it. So you can see, Mr. Speaker, it is important. It's an important decision to be made. And how these fees are to be handled and how they are to be spent to ensure that they are spent in a way that will bring the most benefit to the industry, the most benefit to those producers within that industry to ensure that we have a strong and viable industry, not only in the present time but into the foreseeable future, that's important, Mr. Speaker. It's important to have a strong industry and to be able to demonstrate that the industry is strong in order to be able to attract people to the industry.

As we know, Mr. Speaker, time goes on and we all move along

in the march of time. And with that comes the opportunity for some of us who are getting up in age, if we're involved in the agriculture industry, if we're involved in the livestock industry, to perhaps look at the opportunity to sell our operation to someone else who may be looking to expand their operation. Or perhaps we can look at our family members, maybe we have family members who wish to get in the industry. And we can have the opportunity to pass some of this stuff on, to give them a leg up, the starting process to get into the industry, which is always very valuable. I think for anybody that's starting out in the industry, if you can have some assistance, it certainly improves their chances of success.

And in today's world, I don't think it matters whether you're in the livestock industry or an agriculture industry in particular, but I think probably anywhere, the more assistance that you can get when you're first starting out, the greater likelihood you are of being able to achieve success in your operation. So there needs to be the ability to attract young people to the industry in order to have a strong and vibrant and . . .

**The Speaker:** — Order. Order. I just want to remind the member that the debate here centres around a levy, a check-off, and who is collecting it. And so to bring that to the member's attention, it has nothing to do with transfer of assets. I recognize the member from Regina Northeast.

**Mr. Harper:** —Thank you, Mr. Speaker, and that is exactly the crutch of my comments, is that the levies that are being collected on an ongoing basis and have been in the past are a very important part of ensuring that we have a strong industry in this province and an important part of ensuring that the industry continues and remains strong. And in order to have a strong industry, you need to have the assurance that the funds that are being spent to support that industry are being spent in the right way and that these funds that are collected through the check-offs are supporting an industry that is viable and is strong and is able to attract young people to that industry.

And a part of that process will be the transfer of assets to a younger person to be able to be a part of that industry and to be a part of the continuing to have livestock moving through our system that will continue to have check-offs. That check-off will then be able to be reinvested in the industry, be able to support that industry.

It's sort of a package that has to be considered. What's certainly good for the livestock industry is in turn good for the agricultural industry. What's good for the livestock industry and in turn good for the agricultural industry is good for the Saskatchewan economy. And that economy of course is not only a rural economy where agriculture is so very important, but it's also an important aspect of the provincial economy.

So to ensure that we have a wise expenditure of those fees that are being collected on an ongoing basis, whether they be the national levy or whether they be the provincial levy, they are all pooled together, or at least in the past they've all been pooled together into a fund that was held by the Department of Agriculture, a revolving fund. That was held by the Department of Agriculture and would be expended only, only after those who were overseeing that fund — and it was an advisory board that was made up of producers from all across this great

province of ours — they would offer good quality advice to the department as to how to expend these funds to best meet the needs of the industry to ensure that the industry would continue to be a strong and growing industry.

And, Mr. Speaker, that may be available under the new system. That may be exactly what's going to happen under this new system; it's just that we don't have any assurance of that. We don't have any assurance that the government has put into place those regulations and those guidelines to ensure that we will be able to have good quality advisors advising the fund managers under the new system that's being proposed by the government, the fund managers to ensure that the decisions made, are they made in the best interest of the industry and made in the best interests of the producer. It may be so. It may be so.

It's just this government hasn't been able to provide us with that information. It certainly does not exist in the Act. It certainly does not exist anywhere in the comments by the minister in the introduction of the Bill, and it certainly does not exist anywhere in the notes that supported this Bill that was provided to us by the government.

So I then have to ask a question of the government, is why not? I mean if you're comfortable with your proposal — and I would assume you are, you're making it — if you're comfortable with your proposal, then why wouldn't you provide the supporting documentation that would satisfy the questions that not only are we asking, but are being asked by those producers across this province who are aware these changes are happening?

And, Mr. Speaker, I want to make it clear that I haven't had the chance to do an extensive amount of research on this, simply because I haven't had the time. But what I have been able to do is to talk to some producers across this province. And some who are aware of it say, yes they think it might be all right. It could even be a good idea. And then there are others who are saying, well I don't know. I liked the way it was in the past. I don't think we need to change it. But there's a whole lot of producers out there that had absolutely no idea that this was happening. They had no idea this was happening.

So, Mr. Speaker, this is why it is so important, it is so important that we ensure that there's a mechanism in place under this new proposal of the government that will first of all inform those producers out there that there are changes happening to the system, to the system of handling of the check-offs that happen as they sell their products through the livestock marketing, but ensure that the producers are comfortable with the understanding that they will — regardless of whether they are a member of that organization or not — that they will have ability to have input into and influence on the decisions being made as to the expenditure of those funds from the check-offs.

I think the bottom line is that most members and livestock producers out there want to ensure that their money is being spent wisely and the money is being spent in a manner which will benefit the industry and which will benefit the producers. So, Mr. Speaker, I think that those are some of the key components to the issues that we may have — we in the opposition have — with this particular piece of legislation.

And, Mr. Speaker, it's just a few simple questions I think the

government has to answer would bring a lot of, perhaps, relief to producers out there. One of those questions would be, how much of the money is going to be going to the day-to-day operations of the Cattlemen's Association? Or any? I don't know that any will. We don't know that there's been an arrangement with them that they get a percentage, you know, a percentage for handling the fund, or if they're doing it without any fee being exchanged. We don't know those things. Those are some of the questions that the government should be willing to answer and answer readily.

Another question, what is the Saskatchewan Cattlemen's Association doing with these funds now and into the future? What is the plans for these funds? What do they plan to do with the funds? How do they plan to spend the money and on what mechanisms would they spend that money on to support the livestock industry? What programs? What ways would that money be invested in the livestock industry that would enhance the industry and would support the producers within? How much money will be allocated for research and development within the industry?

[19:15]

Those are the simple questions, Mr. Speaker, that are very, very important to be asked and, more importantly, to be answered, both by the government and by the association because that's the cattle producers' money. The producers out there, that's their money. And it's being checked off. And they're willingly donating that money or giving that money without any reservation, but they would like to know how that money is being spent. They would like to know, is some of that money going to be going into research and development? Because as you know, the success of any industry is being prepared to meet the challenges of the future, and in order to do that you must keep up to date with research and development.

So, Mr. Speaker, there are any number of questions that need to be asked. And I'm sure that as time goes on here, we'll certainly continue to ask the questions. I'm just not sure, Mr. Speaker, that we're going to be able to get the answers from this government because I would have hoped that if this government felt comfortable in this Bill, then they would have provided us with that information initially.

So with that, Mr. Speaker, I think that I've pretty well been able to touch on a few of the issues that come to mind when I look at this Bill at a first glance. And, Mr. Speaker, I want to thank you and the indulgence of the members of the House, and that will conclude my remarks on this particular Bill. Thank you.

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

**Mr. Trew:** — I thank you, Mr. Speaker. You know, I listened very intently to my seatmate's discussion of Bill No. 97, and I must say I have nothing but the greatest admiration for the job that my seatmate did in discussing Bill No. 97, which is *An Act to amend The Agri-Food Act, 2004*. I have seldom seen a more stellar job of explaining what a Bill might do, of raising the questions. But it's interesting, Mr. Speaker, there's some questions that I have that were not raised in this speech. And I want to point out that's sure not to denigrate my seatmate for

the terrific, terrific job that he did.

What we're up to, what we're about tonight is a discussion of Bill No. 97 which is *An Act to amend The Agri-Food Act, 2004, to repeal The Cattle Marketing Deductions Act, 1998 and The Cattle Marketing Deductions Regulations, 2004 and to make consequential amendments to The Department of Agriculture, Food and Rural Revitalization Act*. Mr. Speaker, this, just by its title, this Act touches on a fair amount of mostly rural Saskatchewan but of bureaucracy and rural Saskatchewan. It certainly affects cattle marketing, livestock — the entire industry.

This is an industry with one incredibly proud past. You know, in many ways the relatively modern Saskatchewan that we know came about with the plow. But before the plow came the cattle. Before the plow came, we had livestock. We had operations like the Matador ranch, which the very farm I grew up on came from that great Matador ranch — the Matador ranch which originated in Texas and worked its way north. The summer ranch was partially on what became the Beechy co-op farm land. And of course the winter range was as far south as Texas.

Mr. Speaker, livestock have been a mainstay of agriculture. Certainly at the time that I was on a farm, most farmers had mixed farms. In fact not only did they have livestock and produce grain, but in those days many had hogs and chickens and really, really were diversified.

I know farming has changed, and I'm not wishing those days back other than it would be nice to be significantly younger and have it all to do over again. But that would be the only possible reason that I would wish those days back. They were good days, but we're also in good days, and I think that the better days are yet to come. And I am absolutely confident, Mr. Speaker, that agriculture's going to be a huge part of the future of rural Saskatchewan.

There's some question around crop production and the viability of ongoing use of fossil fuels both to run equipment and the use of fossil fuels in the manufacture and placement of fertilizers. And I'm not trying to comment on that other than to state the obvious, and that is, this land was grazing land before our generations got there, and there's a very good chance that it'll be grazing land in the future. Again I'm not trying to predict whether we're talking a very few short years or whether we're talking many more years than that. But clearly livestock are going to be very important and growingly important to that rural Saskatchewan.

So Bill 97 which seems fairly innocuous . . . It seems on the surface like, you know, it's about setting up, how do we handle a, call it a 2 or a \$3 levy because I know there's the federal \$1 that's included in there and that gets passed on. But how do we collect and deal with the \$2 levy? And what does it do? But it's \$2 per marketed animal — livestock.

And, Mr. Speaker, there was rules that we were fairly comfortable with, knowing how this levy was collected, where it went, and how it was spent in the interests of livestock production, livestock marketing, livestock research and development — all of those things that are so necessary in a

vibrant livestock industry. We knew what the rules were and we are, quite frankly, on this side just a little bit skeptical.

I want to point out that the minister's speech was incredibly short on this Bill. I want to point out that I go through the explanatory notes and frankly I find them wanting. We're not certain what exactly the rules are. And I want to say, Mr. Speaker, that there is some significant reason for skepticism on this side. I simply point out we're a week away from budget.

And I say this only to make one point. Eleven months ago we were told that we were going to get \$1.9 billion from potash by the Minister of Finance in the Sask Party government. Last week we found out that there was a cheque being cut to the potash corporations for \$204 million. Not 1.9 billion in, but 204 back to them. I've never seen the largest single revenue source of the provincial government out by more than 110 per cent, more than 110 per cent. And that's what happened.

So when we hear any discussion of dollars or numbers, we wonder, has the due diligence taken place? And what are the rules, Mr. Speaker, for the expenditure of \$2? Because surely the \$2 per animal isn't just going into somebody's bank account and never to see the light of day, never to be spent, and hopefully spent for a good cause — spent for research and development of livestock, for keeping a very strong look on markets worldwide.

I know one of the things that I heard earlier today, my seatmate was talking about expanding economies around the world and how as economies grow and the local populations or the population of that country get wealthier, they tend to move from rice to potatoes. They move from chicken to pork and ultimately they introduce beef. And the greater the income, the greater proportion of beef. And then eventually we get too chunky and we revert back to chicken. But that's not the problem that most of the world has. They don't have, most of the world doesn't have the North American weight gain problem that many of us have. So beef will be a welcome addition to their diets.

And there's every reason, Mr. Speaker, to urge that it be Saskatchewan beef wherever it's possible. We've got a land mass that is just phenomenal in size. As we all know, there is much land that is suitable for livestock, raising livestock, that much of that land is not suitable for growing crops. But in addition, there is land that's being cropped right now that arguably would be serving a better use in a vibrant livestock industry. But to get there, we need to grow that livestock industry. We need to make it ever more viable, ever better.

And by ever more viable, ever better, of course, what am I talking about? I'm talking about dollars into the pockets of livestock producers. Money talks, and if they can make money, they will raise the livestock. This is precisely why we're seeing Saskatchewan's livestock herd going down dramatically in Saskatchewan. The money isn't there.

Mr. Speaker, a couple of years ago, I had two cousins that had taken over my uncle's herd when they bought him out . . .

**The Speaker:** — Order. Order. The Bill before us is *The Agri-Food Amendment Act*, which is strictly dealing with levies

and how they will be collected and who's responsible. And I ask the member to address the legislation or the Bill before us. Thank you. I recognize the member from Regina Coronation Park.

**Mr. Trew:** — Thank you very much, Mr. Speaker. The levy, of course, for livestock producers, the levy that we're talking about is one that has to be put to good use. This is a levy that is very . . . this Bill is very, very short on specifics about how that levy is going to be used.

This is in no small measure what our objection is. It's clear where the \$2 is going to go. What is absolutely missing is, how does that money then come out? How does that money get spent? That I have not been able to ascertain, Mr. Speaker. And that, I submit to you, sir, that the livestock producers of Saskatchewan have every right to know. How is that levy going to be spent and what is it going to be spent on? That's the thrust of my concern with this Bill.

We've already seen when it comes to financial matters questionable math by the Sask Party government, questionable math. Mr. Speaker, we see and we hear Sask Party members get on their feet day after day and tell us how good things are on the farm, how good things are in Saskatchewan.

Well Mr. Speaker, I've got before me a magazine called *action!* and it's from the Saskatchewan Chamber of Commerce, their news magazine. And when it's talking here about Saskatchewan farm cash receipts — this is incidentally a magazine that if it wasn't in yesterday's mail, it was in today's mail; it's that hot off the press, Mr. Speaker — Saskatchewan's farm cash receipts, it shows in the years 2008, 2009 that the crop production is level. Level. It shows with respect to livestock, down. Down. It shows with respect to program payments — these are program payments like crop insurance, like the agri-support that come from the provincial and the federal government, government program payments — with respect to program payments, it shows that from 2001 right through 2007 it never dipped below a billion dollars a year, farm support.

Well what happened in 2007? The Sask Party got elected. What does this graph in the Saskatchewan Chamber of Commerce magazine show, Mr. Speaker? It shows program . . .

[Interjections]

[19:30]

**The Speaker:** — Order. Order. Order. Order. I think the Bill is straightforward and the Bill is very simple, as you've indicated. But some of your arguments most recently have had nothing brought to my attention, anything that would resemble the levies that are being requested or the payments of them, who's going to manage those levies. So I'd ask the member to confine his comments to Bill No. 97. The member from Regina Coronation Park.

**Mr. Trew:** — So thank you, Mr. Speaker. So Bill No. 97 which is *The Agri-Food Amendment Act, 2009*, now that's the short title for the much longer name. I've already said it once and I'm not going to waste your time or anyone else's repeating that title at this moment, although it's tempting.

Mr. Speaker, this Bill allows for the Saskatchewan Cattlemen's Association to collect the \$1 non-refundable national levy collected on cattle sold at market, and it also allows the \$2 refundable provincial levy collected on cattle sold at market. And it's primarily the \$2 levy that we're concerned with because the \$1 levy, as I read this Bill No. 97, Mr. Speaker, the \$1 national levy flows through. I believe it to be fairly straightforward that that dollar does not stay here; it flows through for the national purposes that it was set up for. I never set it up, but I presume that it's a reasonable levy or the Minister of Agriculture and the government would have had something to say about that.

So this \$2 refundable provincial levy is what we're talking about and, Mr. Speaker, it's fairly clear that \$2 is going to be collected from every animal that's sold in Saskatchewan. It's fairly clear. This legislation is fairly clear on that. I submit what is not clear is what then happens to that \$2. And I'm trying as best I can to raise legitimate concerns about what that \$2 is used for, whether it's research and development, whether it's finding new markets, whether it's dealing with mad cow disease in some way. What are they using the \$2 for and what triggers any, any expenditure from that fund that presumably, presumably is controlled by the Saskatchewan Cattlemen's Association?

And my question would be is it the executive of the Cattlemen's Association only that determine how this money is going to be spent? Or does it go to the annual meeting for approval before it's spent? I don't have the answers, Mr. Speaker. I just don't have the answers. I'm not casting any negative aspersions on the Saskatchewan Cattlemen's Association. They were, well it says they were consulted and agreed to this, so presumably they can handle what's going on. But what Her Majesty's Loyal Opposition has every reasonable need to know is what triggers the expenditures. Who controls it and what's it spent for?

Mad cow disease has cost hundreds of millions of dollars to the livestock industry, not only in Saskatchewan, but right across Canada. It's a worldwide problem. Mad cow disease is a worldwide concern. Mr. Speaker, we need to have some assurance that this \$2 levy that is being collected under Bill No. 97, *The Agri-Food Amendment Act, 2009*, just like to know where is that money to go.

You know, it used to be that the government had an appointed board that consisted of a number of livestock producers, and it would take applications and channel the money out from the revolving fund that previously was held in trust by the Department of Agriculture. And it was an audited fund, and every dollar that was collected presumably would find its way back into the industry. But it had a clear board that oversaw the expenditures out of the revolving fund in the Department of Agriculture.

The funds went mostly into research for the livestock industry, mostly into research. I can't say that it all went into research, that some of it didn't go into marketing, but I can tell you that my information is most of it went into research.

So Bill 97 is changing the rules maybe — maybe — but we're not sure. We're not sure. It's changing the rules maybe with respect to how the money . . . Well it's changed in that we know

that the government-appointed board no longer is going to control the expenditures of that \$2 levy. But we just don't know who for sure is, and we don't know what control the producers ultimately have, Mr. Speaker.

So we are aware that some producers don't like this new legislation. Some producers do not like it. We're also aware that some producers are very much in favour of this Bill 97, *The Agri-Food Amendment Act, 2009*. I further submit that whether producers, livestock producers are in favour or opposed to this Bill, I submit to you and to this Assembly that those livestock producers all want the very best for the livestock industry. They want it to succeed. They want it to thrive.

They want it so that my grandchildren on the farm raising livestock can continue to raise livestock. And I hear skeptical heckles, Mr. Speaker. I can tell you that they're just loving the raising of livestock, and I can tell you that my two older grandchildren are 4-H members and are very, very proud of that.

So, Mr. Speaker, Mr. Speaker, I ask for leave to introduce a guest.

**The Speaker:** — The member has asked for leave to introduce a guest. Is leave granted?

**Some Hon. Members:** — Agreed.

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

#### INTRODUCTION OF GUESTS

**Mr. Trew:** — I thank you, Mr. Speaker. I thank all hon. members. It's unusual for someone who's speaking to ask leave to introduce guests so that they can get a break from their speaking.

But in your gallery, Mr. Speaker, is actually a very good friend of mine. We call each other best friends. Fred Kress is there. Fred is my constituency assistant and doing a terrific job there.

Perhaps of more importance in this legislature, Fred is one of four people challenging for the nomination in the constituency of Regina Coronation Park for the New Democratic Party. And ask me which candidate is my favourite, and I'll tell you all of them are. All of them are. All of them will make very good MLAs [Member of the Legislative Assembly].

Mr. Speaker, I ask all hon. members to help me in welcoming my best friend, Fred Kress, to the Legislative Assembly. And now if I may continue, before I was so rudely interrupted for that introduction. No, I say that tongue-in-cheek.

#### ADJOURNED DEBATES

#### SECOND READINGS

#### Bill No. 97 — *The Agri-Food Amendment Act, 2009* (continued)

**Mr. Trew:** — Mr. Speaker, the Saskatchewan Cattlemen's

Association is presumably controlling these funds in the future. How much money is there going to be collected? And how much of that money is going to go to research and development within the industry? Is it a set amount? Is it two-thirds or three-quarters, you know, 75 per cent of the \$2 allocation that's being collected under Bill 97, *The Agri-Food Amendment Act, 2009*? Or is it some other . . . This is one of our concerns, that there may be no guidelines. We have no notion of there being any guidelines, any generally accepted thing that the money can be spent on.

And we do know that as whole herds are being dispersed, there's a lot of money comes in; \$2 a head, there's a significant chunk of change that's going to come in. And we just would very much like to see that spent on research and development. And I mentioned marketing; marketing's a very good use of that fund as well.

But I wonder how much of the money might legitimately go into the day-to-day operation and marketing for the Cattlemen's Association. I'm simply asking what the rules are allowing. And we don't know that; we don't know how much money will go to the day-to-day operation, and the legislation is absolutely silent on it. I read carefully the minister's speech introducing the Bill. This is an opportunity in the minister's reading to explain what the Bill is proposed to do. And I pointed out we find that speech lacking in content and it leaves us with some real questions.

Mr. Speaker, we don't know if other cattle organizations who aren't part of the Saskatchewan Cattlemen's Association, we don't know if they're going to benefit directly or even indirectly from these levies. We don't know if the, for instance, the Stock Grower's Association is going to receive any money from those levies to use for operation or marketing, as I understand that they did with the old system, Mr. Speaker.

So clearly we're on topic with the \$2 levy that Bill 97 is allowing. I just spent a fair amount of time talking about the \$2 levy and how it might be spent. We don't know, Mr. Speaker, if there's an advantage in having the Saskatchewan Cattlemen's Association act as the self-regulating body, or is it simply shifting who's responsible? What's the advantage of this new proposal, the proposed legislation under Bill 97? What's the change?

Or is it, Mr. Speaker, like the best example that I can come up with is the long-gun registry where a national government said, we have a problem; we must do something. And so they did something, had nothing to do with banks being robbed in Toronto or anywhere else. It just had everything to do with reacting and doing something.

And we're not sure if that isn't kind of what this Bill 97 is about is just, well we have to do something so here it is. Here's Bill 97. Here is *An Act to amend the Agri-Food Act, 2004, to repeal The Cattle Marketing Deductions Act, 1998 and The Cattle Marketing Deductions Regulations, 2004 and to make consequential amendments to The Department of Agriculture, Food and Rural Revitalization Act.*

Previously there was a deduction of \$2 per head. Under this new Act there's a deduction of \$2 a head. Previously the rules

were very clear as to how the money would be disbursed, how that \$2 would amass into a sum of money that was held in trust by the Department of Agriculture. There was an oversight body, primarily of livestock producers, that would make recommendations on how that money could be spent on research and development of the livestock industry.

It begs the question, Mr. Speaker, what needed to be fixed? What was the problem with the way it had been operating? I'm not for a minute trying to pretend that things were perfect. There may well be some legitimate reason that something needed to be fixed, but that reason doesn't leap to our attention. It certainly didn't leap to our attention as we read the minister's statement, as we read the explanatory notes, or as we read Bill 97 itself. Mr. Speaker, none of the answers are clear in that, and you'd think that with three and more opportunities to get it right, that it would be a little clearer to the public. It would be a little clearer what it is that this Bill is all about.

[19:45]

Mr. Speaker, I've asked before who in the Saskatchewan cattle association will be determining where and when these funds will be allocated, but I'm not even sure that I know . . . I think this is a fairly newly minted organization and, Mr. Speaker, I'm not sure what the board makeup is or what sort of an electoral system they go through. And it may be an absolutely stellar electoral system, but again it's not leaving out at us what that is.

You know, all fees and levies charged for licensing and for registration and for inspection used to go into that revolving fund and then be disbursed from that. This Bill 97 seems to me has the potential, the potential, of separating the livestock industry and picking one winner. And potentially, potentially — not sure that it's doing it — but potentially, Mr. Speaker, picking some losers, picking some livestock producers that are going to be left out.

I do understand that there are some — a minority, I believe — in the Stock Growers Association that don't like this. Are there other livestock producers' organizations in the province that have also, for whatever reason, chosen to be left out? So is this Bill 97 an Act of picking winners and losers? Is it an Act of being exclusionary? Or is it an Act that is trying to be more inclusive, perhaps, than the old Act was? Don't have the answer — don't have the answer, but that's what we're trying to find out, Mr. Speaker.

We know that the Department of Agriculture had the revolving fund that handled the \$2 levy out of livestock sales. But we know that they, in that same fund, when things like the Saskatchewan poultry producers . . . They also pay fees and levies into that same revolving fund and Saskatchewan Egg Producers also pay into that. We're not sure what those two organizations might think of these changes. We're not at all sure that making any fund smaller by segregating it out will somehow benefit anyone who contributes into the fund. Again we're not sure that there isn't some advantages, but they're certainly not spoken to in the explanatory notes. They certainly were not spoken to in the minister's remarks as he was introducing this Bill.

Mr. Speaker, I'm wondering if this will open up other



organizations. Other producer organizations may want to also be self-regulating. And I'm not sure what the government's approach would be if that's the case, whether they would just say, oh good, oh good, or whether they would actually consult with everyone who might be involved and genuinely try and figure out what is best for the province of Saskatchewan.

So, Mr. Speaker, we've got Bill 97 that's coming at a time when livestock producers' income is down, coming at a time when many, many things say that the provincial economy is heading into some difficulty. And the question is, why would we suddenly be focused on Bill No. 97, which is *An Act to amend The Agri-Food Act*, when there are other things that clearly should be commanding a lot more of this Assembly's time and the government's time and our time? We deal with whatever is put on our plate. That's what we're tasked with dealing with, whatever is brought forward.

And the question would be, why this Act? Why not deal with some of the real pressing issues? As I pointed out, Mr. Speaker, this Act is largely about a \$2 levy per animal that's marketed in Saskatchewan that used to go into the Department of Agriculture revolving fund, the \$2 levy. And now the \$2 levy is going into a different fund that is controlled by the Saskatchewan Cattlemen's Association. Thank you . . . [inaudible interjection] . . . Oh, oh good. Oh good. Mr. Speaker, clearly have a lot more to say on this Bill, having now got the regulations on *The Agri-Food Act, 2004* and I've got to figure out what some of the changes are in that Act as it relates to Bill No. 97.

It's, you know, *The Agri-Food Regulations, 2004*. The Act in the interpretation it says, these regulations. Act means *The Agri-Food Act, 2004*. Mr. Speaker, I'm not even going to go into that particular book other than to point out, Mr. Speaker, that this Act affects an awful lot in Saskatchewan.

What we're absolutely certain of, absolutely certain of is that we don't trust the Sask Party with respect to how they're spending money. We're absolutely certain that this Bill doesn't say where that \$2 levy is going to go. We're absolutely certain of that, Mr. Speaker. We're absolutely certain. This is short on specifics. It's asking for a change that's going to affect some of my family, going to affect cattle livestock producers throughout the province of Saskatchewan. We think that they have every reasonable right to have some of those answers before we get a Bill jammed down our throats.

The agriculture and livestock production has got just a terrific future. Terrific future, Mr. Speaker, and it's a future that needs to have a number of things helping it along. It needs research and development into the livestock industry. It needs marketing. It clearly needs standards set — grading of beef, standards of how that beef is going to be handled, how it's going . . . the rules around slaughter, the rules around refrigeration, freshness, how you label cuts. It needs all of that so that we can continue to enjoy significant consumer confidence. And indeed as the years go by, Mr. Speaker, consumer confidence seems to be even more important not only in the livestock industry but in all agriculture products, all agriculture production.

We see a real move away from the use of chemicals. We see a move away from the use of antibiotics with respect to livestock.

And this means a whole new way of raising livestock, and some of the \$2 levy should be spent on research to help support that. Some of that should be, so we're not just into some monolithic way of raising livestock, some of the money should be spent into making sure that the livestock industry enjoys consumer confidence and has a future.

And you know, Mr. Speaker, it's even possible — it's possible, just possible — that Saskatchewan might enjoy a huge advantage in the production of organic livestock. This advantage, if I can describe it, comes from having vast amounts of land. We're blessed with more acres per capita than virtually anywhere in the world. We have all kinds of opportunity to look at unique ways of raising livestock, unique ways of marketing livestock. And for that to happen, some of that \$2 money, that \$2 levy could be spent on to research and development of organic livestock and really helping our producers to make their mark in that field.

Mr. Speaker, some of that money maybe should be spent on 4-H because 4-H'ers are a significant part of the future of the livestock industry. Many, many young producers, that's how they cut their teeth in the industry — grooming and showing their calves, whether it's a heifer or a steer or both. If you get old, once you get a certain age you can actually show both. Mr. Speaker, there's wonderful things that can be learned in 4-H and, you know, perhaps that's a place that there may be some room for some support out of this \$2 marketing levy. Maybe, maybe there's room for some support there.

Livestock, the industry, there's mixed views whether the livestock industry, Mr. Speaker, had to be into trouble because of mad cow. It's a case of how do you handle livestock right from arguably before birth. But we only control birth right through to the, ultimately, the kitchen table or the table — the marketing, birth to slaughter to table. Now should some of the research and development money not go into finding ways to make sure that livestock are registered, make sure that producers can have a reasonable, a reasonable safety assurance that when they buy a bred cow that this cow doesn't come from potential mad cow stock? This is some of the things that can really happen under this, under this Bill 97 and the \$2 levy. But we need to know some of those answers.

What about labelling a product? What about inspection of livestock? Mr. Speaker, how do producers, how do producers control that levy? What do they have? Do they have a direct vote, and is it a direct vote online? Is it a direct vote they have to go to an annual meeting or a monthly meeting? Or do they elect a board of directors? Do they elect a relatively small advisory group or a large advisory group? How many people would be involved?

And are there any outside of livestock producers that would be involved in this? Is there outside — outside, I'll call it, expertise? I'm not sure that's entirely what you need, but certainly we need some expertise in marketing. We would need some expertise in safety. How is this controlled, Mr. Speaker? How is the \$2 levy that's proposed under this Bill, how is that controlled? Mr. Speaker, this Bill repeals subsection, under *The Agri-Food Act, 2004*, subsection 4(1) is changed:

**by repealing “and” after clause (c); and**

by adding the following after clause (c):

“authorize the development commission to collect a national levy, that is non-refundable, in accordance with any agreement made pursuant to section 35; and.”

I'm fairly comfortable that that simply changes which Act that \$1 national levy falls under. And a little later in the Bill, it describes how that \$1 will flow through. Section 3 of Bill 97 repeals special statute 1998, C-3.1. *The Cattle Marketing Deductions Act, 1998* is repealed.

[20:00]

Well that was an Act that allowed for the deductions, the \$2 deduction, and it allowed it to go into the agriculture revolving fund, Mr. Speaker. And of course it's repealed because it's being replaced with a much less defined place, a much less clear place for that \$2 levee to go. And that's what our concern is.

There is a provision in this Bill, Mr. Speaker, under Clause 5 transitional and it's winding up of the Cattle Marketing Deductions Fund. And in this section, the:

“**former fund**” means the Cattle Marketing Deductions Fund continued pursuant to section 6 of *The Cattle Marketing Deductions Act, 1998* as that Act existed on the day before the coming into force of this Act;

So clearly it's dealing with some transition and it describes what the former fund is.

And then (b) of clause 5 in this Act, (b) is:

“**Saskatchewan Cattlemen's Association**” means the Saskatchewan Cattlemen's Association established pursuant to section 7 of *The Cattle Development Plan Regulations*.

And it goes on:

On the day on which this Act comes into force:

(a) the assets and liabilities of the former fund [meaning the Cattle Marketing Deductions Fund], are transferred to and become the assets and liabilities of the Saskatchewan Cattlemen's Association; and

(b) the former fund is wound-up.

So it's clear that the former fund disappears, and it's clear that the Saskatchewan Cattlemen's Association takes over the assets and the liabilities. The Act then goes on:

Notwithstanding the winding-up of the former fund pursuant to subsection (2), the Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall audit the accounts and financial statements of the former fund for the period commencing on April 1, 2009 and ending on the day on which this Act comes into force.

So it says, it's a formal way, Mr. Speaker, of saying that the

Department of Agriculture fund that has been in place for years and is audited every year has to have an audit that shows when it's wrapped up. It simply makes it very crystal clear that that audit takes place right until the fund absolutely no longer exists, and it's crystal clear that that fund has met all of the legal requirements of this legislature and of the government.

(4) Notwithstanding the winding-up of the former fund pursuant to subsection (2), the Ministry of Agriculture shall, in accordance with *The Tabling of Documents Act, 1991*, submit to the Minister of Agriculture a report on the activities of the former fund and a financial statement showing the business of the former fund for the period commencing on April 1, 2009 and ending on the day on which this Act comes into force.

So the ministry has to inform the minister what has transpired in that former fund, the fund that . . . the revolving fund of the Department of Agriculture, his ministry.

(5) The financial statement mentioned in subsection (4) is to be in a form required by Treasury Board.

And that's just so it's usable by government in its standard format.

(6) In accordance with *The Tabling of Documents Act, 1991*, the Minister of Agriculture shall lay before the Legislative Assembly the report and financial statement received by the minister pursuant to subsection (4).

Okay so that'll be tabled in the legislature. Mr. Speaker, this Bill is quite clear on what happens with the old fund, the old fund, the revolving fund that was held in the Department of Agriculture that had clear rules on how the \$2 assessment was collected and how it was spent on marketing research, research and development. Mr. Speaker, the old rules were crystal clear, and I can understand them just as surely as I'm standing here and trying to speak to Bill No. 97.

This Bill No. 97 does not make the new rules clear at all. Not at all, Mr. Speaker. And I've read through the explanatory notes, I've read them carefully four separate times. And it just is not clear to me what is happening with respect to the \$2 levy. It's not clear to me the makeup of the Cattlemen's Association group that is going to be in charge of the \$2 levy. It is not clear to me what that \$2 levy can be used for. It is not clear to me that the intention is to continue to spend it as it has been in the past, nor is it clear that the intent is to change the way it's been spent in the past. It's just gone. It's just not clear at all, Mr. Speaker.

And we think that the government should introduce legislation that identifies a problem, identifies a solution, or proposes a solution and tries to marry the two and say, here is the problem. Here is how we're going to fix it. This is our proposal for how to fix it. And then the opposition's got a relatively easy time. We either agree, yes, there's a problem there and you've got a solution that's viable; or there's a problem there, and you don't have a solution that's viable; or any other machination that we might come up with. But in this case we have no identified problem, no identified problem with the old system at all.

It sounded, in the explanatory notes, like the government

proposed the change, not a change coming at the request of the Cattlemen's Association. They were consulted, it says, and agreed to the change.

But it doesn't say they asked for the change. I'm just totally unaware of any hue and cry to change a revolving fund that was administered by livestock producers in the main, that was a safe repository for that \$2 collection. And it safely revolved it around so that the money came in, and when it built up to enough money to do something, there was a proposal that would be brought forward to the directors of that fund, many of whom were livestock producers under the Act. And they'd make a decision: yea or nay; spend it or don't. And it was spent on research and development of the livestock industry. It seemed pretty reasonable, seems to me to be pretty clear.

Again I want to be crystal clear. I'm not trying to cast aspersions on anyone that's being asked to do something now in the change. I am casting aspersions on the government. I am saying they should not have brought forward legislation in such a cloudy manner. They should not have brought forward legislation, Mr. Speaker, that is just nowhere explaining what happens to the \$2 levy, nowhere explaining that there has to be an elected board, and if so, here's the makeup. Nowhere does it explain what the intended use of that \$2 deduction per livestock, per animal that's marketed, nowhere does the legislation say it should be spent on this or that, or here's the options, here's the range. It doesn't say, here's the group, here's the makeup of the group that's going to make the decision.

Mr. Speaker, we're asked — like we're asked all too often by the Sask Party members opposite, the government — we're asked to accept this in blind faith, that somehow Bill 97 and the way that it's handling that \$2 deduction is going to be better than an old way that I have no evidence wasn't working well, no evidence at all. I've been only . . . Now I'm fairly new here, as you know. I've only been here 24 years, but I've yet to hear a single producer complain to me about the way the old levy worked.

None of us want to pay a levy. You know, if I can keep \$2 in my pocket or have to pay it as a levy for some transaction, I'd sooner keep the \$2 in my pocket. But even that was so relatively small that I just, frankly, never heard concerns raised about it. So, Mr. Speaker, Bill 97, there are clearly problems with it.

We have an industry that just has a tremendous future, a tremendous future. I think that the future of livestock, if they do their research and development . . . I talked a bit earlier about perhaps going into organic livestock. Because the situation is if you go into the corn belt in the States where there's heavier population closer to a larger market, a larger eating-of-beef market, they don't have the land to separate livestock. They don't have the ability to raise livestock in large numbers or in significant numbers without using medicine.

That's just the way that things have evolved. And many will argue that our livestock are much healthier because of warble control — and, you know, I just pulled that one out of the hat — but many, the multitude of medications that are now available to handle diseases and problems with our livestock. So we're able to, with an injection or with in some cases a

hormone, we're able to help our livestock thrive and gain weight better and arguably be healthier in the short term. Their inevitable fate is, or almost inevitable, is we're taking them to market.

But, Mr. Speaker, this \$2 levy that is being handled under the Bill 97 by the Saskatchewan Cattlemen's Association, some of that could be spent on research and development into organic ranching, organic farming. Saskatchewan just has this tremendous, tremendous opportunity to get into that.

Diseases that will attack livestock when they're clustered together, when they're grouped . . . You look at a perfect example, Mr. Speaker, is feedlots. They just know that in the large feedlots there's a death rate that simply happens no matter how carefully they manage the animals. They also know that, in many of them, they feed the medication to them in the feed every day to try and keep their immune system up, temporarily at least, so that they can get to a marketable weight and go off to slaughter. I suspect somewhere along the way some research and development money was spent developing that very system, Mr. Speaker. And people did so in good faith, I'm sure, because at the end of the day, why would somebody own a feedlot? They own a feedlot because they want to make some money. And how do you make money?

You take livestock feeders. You feed whatever you happen to be feeding. I know it isn't just whatever is on hand; it's whatever you happen to be feeding. If you're in the corn belt of the States, you're feeding corn. If you're here, you are likely feeding barley or oats. But typically it's barley in Western Canada, and it may be something else too. But it would have been research money that was spent, some of it out of this revolving Department of Agriculture fund that developed that system.

Well this same fund could be used to develop a very sustainable niche market for Saskatchewan producers, a market that many producers would welcome or some producers would welcome. And you know, you can even thrive once you get adapted to the organic way of farming.

[20:15]

Mr. Speaker, Bill 97 raises questions at a time when livestock prices are down, at a time when government support is clearly down. It's half what it was in the first seven years of this decade, and it's now half of that. Clearly, farm gate receipts might be in some difficulty.

Clearly we need to have a better system that helps sustain agriculture, that helps sustain livestock production, that helps us find ways of raising livestock, of maintaining a record of that production, of making sure that we know the genetics of the livestock that we're raising so that we can create consumer confidence right around the world.

Most important at home, but it's important that we're able to demonstrate to other markets — primarily the United States, but clearly the Asian market — we need to be able to show, Mr. Speaker, that our livestock are BSE [bovine spongiform encephalopathy]-free, are mad cow disease-free. We need to show that our livestock are raised appropriately and that if

you're buying Saskatchewan beef, you're buying absolutely top-quality beef. You can just take it from the grocery counter, and you can put it on your stove, in your frying pan, in your barbecue, whatever. Whatever . . .

Quorum, Mr. Speaker. Quorum. I call quorum.

**The Speaker:** — The member has called quorum. I'd ask the sergeant to secure the doors.

Order. Order. Unfortunately when I, when the Speaker called quorum, the Speaker asked for the doors to be secured. And unfortunately, miscommunication has not allowed that to happen. But certainly there were enough members in here with quorum, but not enough . . . not all the members that were here currently at this time. So I'd like the members to be aware of the fact that when quorum is called . . . unfortunately, we missed, we missed communication. But I know that there were more than 15 members in the House.

I recognize the member from Regina Coronation Park.

**Mr. Trew:** — Mr. Speaker, I called quorum. Members of the opposition left. I was the only member on this side. I called quorum. I pointed to the door, to you, sir. At that moment, one person came in. Subsequently there's been a total of 15, 15 government members came in after quorum is called.

I ask you to conduct the vote and you will see, sir, that they are one member short. You take 15 off, I absolutely swear to you . . . and you should have been counting too. Fifteen members . . .

[Interjections]

**The Speaker:** — Order. Order. I think the member is calling into question the quorum that was called and the Speaker's ruling in this matter. The Speaker did count. The Speaker was aware who was in the Assembly at the time.

And unfortunately, I will acknowledge the fact that we had more members come in the door after quorum was called and there was a miscommunication in that regards. But there were 16 members including the speaker in the Chamber — including the speaker and the Speaker of the Assembly. And the member will know that quorum the Speaker has counted, plus the member on his feet.

I recognize the member from Regina Coronation Park.

**Mr. Trew:** — Well, Mr. Speaker, thank you. Bill No. 97 is *An Act to amend The Agri-Food Act, 2004, to repeal The Cattle Marketing Deductions Act, 1998 and The Cattle Marketing Deductions Regulations, 2004 and to make consequential amendments to The Department of Agriculture, Food and Rural Revitalization Act.*

Mr. Speaker, we're talking about an Act that takes a levy of \$2 per animal that previously went into the Department of Agriculture into a revolving fund. And it was crystal clear what the rules were on how that money would be spent, how that \$2 would be spent, as it was crystal clear how the \$1 levy that went to the national organization would be spent. Mr. Speaker, this

Bill doesn't change the \$1 federal levy, but it does change the \$2 levy from very clear rules on who governed it, how it was spent. And it was governed by a majority of livestock producers who would make advice to the Ministry of Agriculture, and then the monies were disbursed for research and development in livestock production, Mr. Speaker.

What is not clear now is what happens to the \$2. We know that the Saskatchewan Cattlemen's Association will collect both the \$1 non-refundable national levy collected on cattle sold at market and the \$2 refundable provincial levy that was previously went into the Department of Agriculture revolving fund. Now it's going to the Saskatchewan Cattlemen's Association. And, you know, a fine organization. I'm not casting aspersions.

What's the problem, Mr. Speaker, is in this Bill we don't know the makeup of the Saskatchewan Cattlemen's Association. We don't know what their election process is. Is it they get elected once every 10 years? You know, and maybe that's acceptable. We just don't know. It's not at all clear. It's a relatively new organization. The rules of what they spend that \$2 on are absolutely nowhere in the legislation. It can be used for the day-to-day operation of the Cattlemen's Association. And you know, Mr. Speaker, maybe that's a good use for it. Maybe there's a good argument to be made that that should be what it's used for. But that argument doesn't leap out as an argument of ready faith on our part.

Mr. Speaker, we know that research and development is critically important in the livestock industry. We know that, when it comes to money, they missed by \$2.1 billion on potash revenues last year. I mean missed, missed on their biggest single revenue stream in the province by 110 per cent, more than 110 per cent. And now they're asking us in a leap of faith to accept that this change is also innocuous.

And when it comes to money, we just simply don't trust the Sask Party government. Their record is abysmal when it comes to how they handle money. When they say one thing, my first inclination is to say, no. Even though it's been many years since I visited Missouri, in many ways I'm think I'm from the show me state. I say, show me, because I just have not been able to trust their record in terms of what they've said and what they've delivered for a good long time, Mr. Speaker. And I don't think that organizations like the First Nations University would be able to trust them either. I don't think that . . . Well there's just lots of things that are real problematic.

This Bill No. 97 really raises questions on how the money can be spent. How are producers involved? What say do they have? Livestock producers, Mr. Speaker, should have a very heavy advisory role in this, arguably should control the fund. But the rules should be very clear as to how we're changing that \$2 levy. It should be clear that that \$2 levy is going into research and development. It should be clear that it's perhaps going into some research on other ways of enhancing livestock production.

Mr. Speaker, I wish, I wish, I wish it were different. I wish that in introducing this legislation, the explanatory notes would've explained. I wish that the introductory speech made by the minister would have explained better. I wish for all of those things because, you know, this Bill might just absolutely fill the

bill, so to speak — no pun intended.

But what's absolutely missing is any notion that there was a problem before and that there was anything to be fixed. And I've always thought that our job was to fix problems. Our job was to see where there's irritants and try and remove those irritants if that's the reasonable thing to do. I'm not sure that there was an irritant. I'm not sure that you could have a much more transparent system than having livestock producers in charge of the advisory group that says how this \$2 levy would be spent. I'm not sure that you could have a much better or safer place to put that \$2 levy than into the Department of Agriculture revolving fund — audited regularly, audited every single year, reported on.

The problems escape me. If there's a difference in point of view of how the money, this \$2 levy should be spent, then I would argue that the government should have said, we don't like the way it was spent because research and development isn't effective. They should have said that. They should have said, we want to spend it on pizza and beer or whatever it is they want to spend it on, whatever the good project of the day is. But they should say where the money is going to, why it's going to be changed. And we're just absolutely in absence of this.

Mr. Speaker, I'm going to close where I began, and that is by saying that the livestock industry is going to be here long after we're gone, all of us. The livestock industry, the livestock industry has a great future in Saskatchewan and it's going to be an integral part of the future of our province. We're going to be producing livestock as long as anybody is producing livestock.

Our challenge is to try and create the best environment possible, from a legislative perspective, the best environment that will enhance livestock production, will enhance the ability of livestock producers to do what they do best — produce livestock that are marketable, livestock that are in demand, livestock that enjoy consumer confidence that it's as good a beef or better beef than anything you can buy anywhere in the world. You get Saskatchewan beef and you've got great, great beef. That's what we need to focus our attention on. We need to focus our attention on the things that will really make a difference. We need to focus our attention on things that can help the livestock producers.

We need to focus on things that will end the exit of livestock producers from that industry — the exit that's happened from some of our neighbours, some of our relatives, and some of our friends; an exit that is taking place because the price of beef is down, the return for livestock producers is down. We need to spend \$2 wisely and we need to know where it's going to be spent.

Mr. Speaker, I hope that we can get some answers on Bill 97 and I hope that they're forthcoming fairly quickly. Mr. Speaker, with that, I move to adjourn debate on Bill 97, the Act to amend *The Agri-Food Act*.

**The Speaker:** — The member from Regina Coronation Park has moved adjournment of debate on Bill No. 97, *The Agri-Food Amendment Act, 2009*. Is it the pleasure of the Assembly to adopt the motion?

[20:30]

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 118

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Bjornerud that **Bill No. 118 — *The Milk Control Repeal Act*** be now read a second time.]

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

**Mr. Yates:** — Thank you very much, Mr. Speaker. I'm extremely pleased this evening to enter into debate on a piece of legislation, a repeal of a piece of legislation that served the province of Saskatchewan in one form or another since the 1930s. And, Mr. Speaker, the Milk Control Board has a very long history, an important history in the development of the agricultural industry in the province of Saskatchewan.

The Milk Control Board, Mr. Speaker, was first developed and came into life in about 1930, in the early 1930s, Mr. Speaker. And as all members of this Assembly would be well aware, we have seen many, many changes in the milk industry in the province of Saskatchewan since the 1930s, Mr. Speaker. When this board came into place, the dairy industry would have been largely a series of family farms providing additional milk to a broader industry, Mr. Speaker. Today the dairy industry as we know it is not based on family farms but rather large dairy farms that produce literally hundreds of litres of milk a day.

Now, Mr. Speaker, the original desire to have a Milk Control Board came about as a result of a formation of a co-operative of a number of dairy producers in the early 1930s and a desire to work together to provide in the province a co-operative creamery to help to provide for the distribution, Mr. Speaker, and quality assurance of the products being provided to the people of Saskatchewan — in its day a very, very admirable desire and challenge that the producers in our province moved forward with in a co-operative fashion. Out of that came a Milk Control Board which would work on the quality control of milk and distribution in the province of Saskatchewan.

And, Mr. Speaker, over the last some 70 to just about 80 years now, we've seen a significant number of changes as the industry has progressed both technologically-wise as well as, Mr. Speaker, in the quality controls and assurances, the packaging and supply of milk products and its distribution to the people of Saskatchewan and across Western Canada.

Now, Mr. Speaker, one of the key things I'd like to talk about is, in the minister's speech about repealing *The Milk Control Act* and moving the system of market control for milk in the province of Saskatchewan to *The Agri-Food Act*, the minister doesn't give us a great deal of detail why he feels it's necessary to make this change at this time or why it is necessary at all to make the particular change. Now, Mr. Speaker, it may not be a negative change to either the industry or to the producers in the province or, for that matter, consumers.

But, Mr. Speaker, what we don't find in the minister's second reading is something we're finding all too often today in second readings about changes being made, is too little detail. The minister's not telling us what in fact their desire is to make the change, and why. So it leaves us asking questions as to why the government of the day or the minister's making the particular change, without trying to pass at this point any question as to whether it's good or bad. We just have insufficient information as to why the industry and others would like to see the change today, if in fact it's industry-driven and driven by the producers and the, Mr. Speaker, the producers and the current refineries in the province of Saskatchewan or Western Canada, Mr. Speaker.

Mr. Speaker, we have the minister telling us that the Milk Control Board will be repealed and it will fall under the new marketing board, will fall under *The Agri-Food Act*. And as many of the members in the Chamber will know and understand, *The Agri-Food Act* has many producer-controlled marketing boards. They each have different parameters, different controls within them, but they're each designed to try to help the industry to be able to market its product in an orderly way and provide for a benefit to Saskatchewan producers and consumers. Mr. Speaker, we haven't, Mr. Speaker, heard the minister outline for us why . . . One of the members opposite was trying to give me a little advice on this Bill, maybe a little more information, but I didn't hear him. If he could repeat it, it would probably be helpful.

Mr. Speaker, we hear from the minister. He does say that the dairy farmers were in fact consulted, Saputo was consulted, the current Milk Control Board was consulted, as well as bulk transporters, consumers and — consumer associations; pardon me — retailers and the hotel and hospitality industry.

But, Mr. Speaker, since they were consulted through direct correspondence, which again doesn't tell me anything, does this mean that they were sent the letters saying it was being done, and that's their consultation? The minister has failed in his second reading speech to give us enough detail to understand what the direction for the change is. And, Mr. Speaker, without that it is necessary for us to do considerable consultation of our own with various stakeholders in order to try to ascertain or determine whether or not this is actually wanted by the industry, whether the industry actually is pushing for this or not.

Mr. Speaker, it's somewhat disappointing that when we have a second reading speech from a minister we have a total of about 120 words, 130 words in total description of what he's intending to do. And in that 120, 130 words he tells us no more than that he's repealing an Act and having to fall under *The Agri-Food Act*. Not telling us why, not telling us who asked for it, not telling what the benefits to the people of the province of Saskatchewan are, what benefits to the producers. Mr. Speaker, it leaves an awful lot of questions unanswered as to what the true intent of the Bill is. Mr. Speaker, without that, it leaves us having to ask many questions as to what is the driving factor behind these changes.

Mr. Speaker, former members of the board, some of the most recent members of the board have talked about the effect of the Milk Control Board and its positive influence on the province of Saskatchewan, producers and the retail and wholesale industry in the province of Saskatchewan. And if in its current

form it's having such a positive impact, what were the actual reasons for driving this particular change, Mr. Speaker?

Mr. Speaker, former members of the board are saying the board was most effective over the years because, unlike most other provinces, our Milk Control Board and our design of the board had representation from non-producer sectors on the board present at the table for decision making so that those, the consumers and the representatives of consumers of milk products in the province of Saskatchewan, had some say.

That was seen by many across the country, across Canada and other jurisdictions, as a very strong point in the composition of the Milk Control Board in Saskatchewan and a very strong reason why we had a government-run Milk Control Board and not a strictly producer-controlled board. Mr. Speaker, this was seen as a strength in Saskatchewan and a weakness in other jurisdictions where they had only producer-controlled marketing boards.

Now, Mr. Speaker, with that as a primary concern and that being evident to many in the province as pointed out by former members of the board and some members of both the hospitality industry and the consumer industry associations, what was driving a change today that actually would take those representatives off the board and make it totally industry-driven, Mr. Speaker, producer-driven?

It wasn't clear in the minister's second reading speech. It's not clear in any of the information that's been provided to us to date. And, Mr. Speaker, that is one of the many questions we would have about this particular piece of legislation. Having said that, we don't have adequate information at this point to say it's necessarily negative either. As members on both sides . . . As I said a few minutes ago, many of our agricultural industries are in fact controlled under *The Agri-Food Act*, and they do have self-controlled marketing boards, producer marketing boards that are effective.

Now it may be the time and place that in fact that the appropriate step is to move the function of the Milk Control Board into a marketing board under *The Agri-Food Act*, but I'd have to say, Mr. Speaker, that the minister did not make that case in his second reading speech. In fact he gave us very little information.

And it's rather disappointing when ministers have the opportunity to tell the people of Saskatchewan, they had the opportunity to tell the people of Saskatchewan why a change in legislation is important, what the impact would be on the industry, what the impact would be on the people of the province of Saskatchewan. I find it disappointing that the minister didn't take the opportunity to provide that detailed information and at least a few minutes of clarification as to why this particular Bill is coming forward at this time and in its particular form.

Having said that, Mr. Speaker, I'd like to take some time to talk about what the Milk Control Board's function is or was in the province of Saskatchewan and what the Milk Control Board's responsibility was on behalf of both producers, consumers, consumer associations, the hospitality industry, and in general, Mr. Speaker, the people of Saskatchewan.

Most people would know that milk has always been a staple in most families over the last 100 or more years in this province. In the 1930s when this board was originally put together, as I indicated earlier, milk collection was often done farm by farm with somebody coming out and picking up milk cans of excess milk off the family farms. It was then collected and sent into the creamery collectively.

Today of course that isn't the case. The individual separators that used to sit at family farms aren't used in the same manner today. It's not the method of milk production or collection, Mr. Speaker, but it's still the Milk Control Board function to provide a quality product, Mr. Speaker, one that has both quality assurance and controls, Mr. Speaker, prior to being sold to the general public. It's absolutely important to the health and well-being of Saskatchewan residents.

And, Mr. Speaker, we all have a desire, I would think, to ensure that the products that are being sold on the store shelves in our communities are safe for our children, safe for our families, Mr. Speaker. And that was a very important function that the Milk Control Board played on behalf of the producers in the province of Saskatchewan, and consumers. And, Mr. Speaker, over the years I'd have to say that this function changed. As it would as the industry developed and changed, it would change as well.

But, Mr. Speaker, most important is the actual direction that was put forward when the actual Milk Control Board was designed, when the producers decided they wanted to collectively get together in a co-operative fashion to collect their milk and process their milk jointly through a co-operative creamery system and provide better quality controls for all the people in the province of Saskatchewan. I think that was a good idea. And in the 1930s that occurred.

But, Mr. Speaker, over the years we have seen changes to the industry but they've all been able to be done under the former Milk Control Board's structure. Now as I said a few minutes ago, in the second reading speech of the minister, it was quite unfortunate that he didn't give us more actual information as to why at this time it was the direction of either the producers or whatever the driving force behind the change that saw the repeal on the Milk Control Board moving to a marketing board, I indicated before, we have under *The Agri-Food Act*.

It might well be the appropriate step to make at this period of time in the industry, but the minister never took the time to actually clarify why he would want this to be undertaken at this time, to the members of this Assembly, or quite frankly to the people of the province of Saskatchewan.

Mr. Speaker, I'd like to just point out a few things that have been brought to my attention in regards to the dairy industry in the province of Saskatchewan. In 1948 the Saskatchewan dairy industry produced 24 million kilograms of milk fat, but by 2008, Mr. Speaker, we were down to 8.6 million kilograms, Mr. Speaker. So we're just about a third of our production today that we were in 1948. So, Mr. Speaker, we've seen a significant reduction in the milk products, milk fat that's actually produced in the province of Saskatchewan over the last about 50 years, Mr. Speaker, just over 50 . . . or 60 years — pardon me, Mr. Speaker.

[20:45]

On the other hand, over the same period of time in the province of British Columbia we've seen an increase from 10.4 million kilograms to 24.8 million kilograms — an increase of more than 100 and about 20 per cent, Mr. Speaker. So on one hand we've seen a significant reduction within the province of Saskatchewan, and on the other hand a significant increase in the province of British Columbia.

And as all members I think would understand, the quota system for milk across Canada is determined through a national board, Mr. Speaker. It's not controlled provincially. But, Mr. Speaker, it is quite alarming that in a province that's known for its agricultural strength, for our agricultural ingenuity and technology development and really leaders in the agricultural industry in North America, if not in the world, that we would see a decrease in our dairy production output over the last number of years, the last 60 years, instead of an increase, Mr. Speaker. Because all the inputs that would be needed to actually grow the dairy industry in Saskatchewan that were there in the 1940s, 1948, would be there and even, Mr. Speaker, I would argue that it would even be enhanced or better today than they were in the 1940s. And, Mr. Speaker, it is shameful that we actually have seen a decrease in the production in Saskatchewan.

Mr. Speaker, there's a number of serious questions that were asked about the industry as changes were being contemplated, as I understand it. Mr. Speaker, there were considerations what a new board's responsibilities would be and what structure would be required to meet those responsibilities, Mr. Speaker. And there must be a number of issues that had to be clearly resolved which we don't have an indication from the minister that those have been resolved or considered in the design and development of the new marketing board, and whether or not that those issues in fact have been resolved to ensure the safety of the milk production in the province of Saskatchewan for consumers.

And, Mr. Speaker, I'm not saying they aren't because they may well have been done. But what I'm saying is that we haven't had that indication from the minister. We haven't had in his second reading speech. We had a mere about 120 words which told us virtually nothing about why or what this change was intended to bring about.

So, Mr. Speaker, some of the concerns that the new board would have to be capable of dealing with and had to be considered, I'm told, are whether it was to remain the Milk Control Board or for that matter under *The Agri-Food Act* as a stand-alone marketing board or whether or not the regulations and enforcement was well enough defined to include things like bacterial counts, somatic cell counts, adulteration and antibiotic tests, and other standards that needed to be considered in the quality of the milk in the province of Saskatchewan, Mr. Speaker, and whether the board had adequate controls, regulations, and authorities to ensure that those standards were maintained in a transition period and long term, Mr. Speaker.

Those were concerns that were raised, that needed to be taken into consideration. And the minister gave us no indication whatsoever that during this period of transition or change that

those types of considerations that were raised were in fact going to be dealt with. Now, Mr. Speaker, I don't by any means want to raise a fear and say they weren't dealt with. I'm simply saying we weren't given that indication and that would have been very helpful coming into the second reading speech from the minister.

In a haste to do a very short second reading speech, Mr. Speaker, we've seen in the last year second reading speeches giving very little information to the people of Saskatchewan, very little information to the Official Opposition to know whether or not what is being brought forward is in the public interest. Mr. Speaker, we all wish to pass appropriate legislation and regulations that are in the public interest. But it would be very helpful if ministers of the Crown would in fact in their second reading speeches provide greater clarity, more information, Mr. Speaker, as to what they're trying to accomplish.

Rather than having a 40-second or 30-second second reading speeches, Mr. Speaker, to simply move a Bill, it would be nice to see a minister tell the people of Saskatchewan why the legislation's required, Mr. Speaker; what it's meant to accomplish; that the, in cases of legislation involving food, Mr. Speaker, that the proper controls and authorities are put in place to determine quality, Mr. Speaker. All these things weren't provided by the minister in his 40-second little speech telling us he's moving a Bill forward.

Mr. Speaker, it's disappointing. If ministers could just take the time to inform the public, to inform the opposition, then, Mr. Speaker, legislation likely would move forward much quicker. We'd be able to talk about the Bill with some assurances from the minister that in fact he'd done his job, he'd done his research, that he'd put adequate steps, protections in place to ensure the standards continue, Mr. Speaker.

But we're not getting that. We're not getting that from ministers of the Crown, Mr. Speaker. And I hope that the ministers are listening because they could do a few things by adding a couple of minutes more to their second reading speeches that would help move legislation forward, would help inform the public of Saskatchewan, and I think, Mr. Speaker, provide for better understanding of what the government's agenda is.

And, Mr. Speaker, I'm not saying, as I said earlier, that the changes are wrong, not necessary. I'm saying that they're not giving us enough information to determine that.

So, Mr. Speaker, I hope that the Government House Leader and the government leadership are listening to this and in future we will see second reading speeches with more detail, willing to tell the people of Saskatchewan what they're trying to accomplish and why. I think that's to all our benefit. The people of Saskatchewan who have the opportunity and stakeholders who have the opportunity to go on to *Hansard* and see what the minister's saying then can see what's intended. And I think that's extremely good for the people of the province of Saskatchewan. And it makes it much, much better from the point of view of understanding whether the public policy objectives are being met.

Mr. Speaker, a number of questions were asked about this

particular piece of legislation and, I think, need to have some clarification. And again I wish you would have been able to have that clarification in the second reading speech.

But, Mr. Speaker, one of the fundamental questions that's of concern to former board members and those who are involved in the milk ... or pardon me, in the dairy industry in Saskatchewan was, how would the board interact with the Canadian Dairy Commission, the Canadian milk supply management committee, and the several Western milk pool committees which all have a role in determining the quota system of milk delivery in each of the provinces, but also in the national delivery system in ensuring that there's quality control to the milk that's delivered to our homes, to our businesses, and to in fact the hospitality industry and others in Saskatchewan and across Canada. They use milk products.

Mr. Speaker, a good question. A very good question. It's unfortunate that in the second reading speech provided we didn't get any clarification of these types of issues. It must be recognized I think, by both the government and the people of the province of Saskatchewan ourselves, that the organization of the dairy industry is much different than the ag and poultry industries, meat industries at the national level for that matter, and the other industries covered by *The Agri-Food Act*. They're not the same.

And there's many, many producer groups that are covered under *The Agri-Food Act* and they each have a different set of rules. Well, Mr. Speaker, we needed to understand in the repeal of *The Milk Control Act* whether or not in the new agri-food Act that there is going to be the appropriate control of standards in the Act and in the direction given to the new board that's controlled by the new marketing board, Mr. Speaker, to ensure the quality for both the industry and for the people of Saskatchewan. And as we said earlier, it may well be there. We just simply have heard very little from the minister at all about these things.

There was questions about who would make the final decisions at the CMSMC [Canadian milk supply management committee], the Canadian Dairy Commission, Mr. Speaker, and the Canadian milk supply management committee, the Western Milk Pool, Mr. Speaker. The meetings on price and quota issues, who would make the final decision between the various players? It's not laid out. It's not clear. So what are the expectations of the new board? This has been a problem for both BC [British Columbia] and Alberta boards as their decisions are subject to their superboard approval and in some cases by the minister.

So, Mr. Speaker, without a clear understanding how the new marketing board would work and what role the minister would play and what role the Western Milk Pool board would play and what role the Canadian Dairy Commission would play and what role the Canadian milk supply management committee would play, Mr. Speaker, without some clarity of those issues, the role of the board is somewhat difficult to understand. And have we taken the steps to understand and put in place rules and regulations to ensure clarity of decision making to avoid some of the problems that have been seen in Alberta and British Columbia?



And if we're going to really take the opportunity to move forward in a new direction, we may as well do it right from the very beginning. We may as well take the time to ensure that we get it right to start with. And maybe we have. As I said earlier, maybe we have but simply we don't have enough information to determine if that in fact has occurred.

Now I know the minister would like . . . And I'm hoping the minister is listening, and in future when he brings forward a Bill, will provide us more information, a little longer second reading speeches, a little more detail.

Mr. Speaker, one of the questions that is important to be considered is, who's responsible for the coordination of the milk component and quality among the board? A milk analysis lab, the truckers, and the processing plants must be established for timely milk pay and penalty application. It all has to be established. And who is responsible for that within the board's structure?

Would there be a real reduction in cost in the new structure? One of the things that is anticipated is the new structure would reduce actual cost and cost to both the producers and, Mr. Speaker, ultimately to the consumers. But what steps have actually been taken to ensure that there actually will be a reduction in cost to the producers?

Mr. Speaker, how would the necessary audit and regulatory issues be carried out? What regulations are going to be put in place to ensure that in fact the quality standards are assured and that we can guarantee that on a regular basis we have a quality product with consistent basis for pay, Mr. Speaker? This requires coordination with the Western Milk Pool, Mr. Speaker, with the national board, the Canadian Dairy Commission, Mr. Speaker. And how does that fit in, in the structure of a new marketing board? And are adequate authorities there in the regulations to ensure moving forward with this?

Mr. Speaker, these are all things we haven't seen. They're all things that really are genuine concerns to a seamless transition to a new structure to ensure that we continue to have and deliver in this province what our producers want, a high-quality product that we have among the best dairy industry, if not the very best dairy industry in Canada, Mr. Speaker. That's a desire I'm sure of our producers in the province of Saskatchewan and I'm also very sure it's a desire of the marketing Canadian Dairy Commission and the Western marketing pool.

How can the Minister of Agriculture staff acquire and maintain . . . How can we maintain an expertise in the Ministry of Agriculture and a high level of understanding of the dairy industry as we move ourselves further away from the structures of the dairy industry to ensure that we have an oversight capacity to make sure that what was intended by moving the structure to the marketing board is actually carried out?

One of the functions of having the Milk Control Board was that there was a connection between the current marketing structure and the quality control structures and the Department of Agriculture in the province of Saskatchewan so we had that skill pool within the Department of Agriculture, an important thing to have.

And, Mr. Speaker, last but not least, of some of the major questions that people had about this were, how can representations from all segments of the production side be ensured that 25 per cent of the provincial milk is produced by Hutterite colonies, Mr. Speaker? There are very specialized breeding stock farms supplying the national and international market. And they may feel that they're not fully represented in a marketing board where they were previously represented, Mr. Speaker, on the Milk Control Board. They had a say and they had input, Mr. Speaker. So how can the Hutterite colonies, Mr. Speaker, who produce about 25 per cent of all the milk in the province of Saskatchewan, and international and national farm supplying market companies in fact have a say, Mr. Speaker?

So, Mr. Speaker, there's been a number of concerns raised about whether or not we have been given adequate information by the minister in his second reading speech. Now having said that, Mr. Speaker, the answer is and the question really is, is why in the second reading speech did the minister not give us more information?

Now whenever a minister doesn't give us adequate information to determine what the public policy direction he is trying to undertake is, and what the desired outcome is, and what is his motivation for the desired change, Mr. Speaker, then it leaves you to wonder why the change. Why are you going through a change that the minister isn't willing to tell you why you're doing it, isn't willing to provide you adequate information as to . . . or assurances during the transition and during the change that it's good for the people of the province of Saskatchewan, good for the industry itself, and good for all the subsidiary industries and individuals who are involved in either trucking the product, Mr. Speaker, or processing the product, Mr. Speaker.

[21:00]

The minister told us none of that. So when the minister doesn't tell you anything about what he's trying to accomplish and why, then you just naturally start to ask some questions. Why weren't we told those things? Was it simply the minister only wanted to spend 40 seconds on his second reading speech? Was it a matter of not wanting to give the information? Was it a matter of simple, shall I say, work ethic in not wanting to take the time to write a longer speech?

Those are all things that I would hope that, Mr. Speaker, was in fact he was just busy and couldn't take the time necessarily to give an adequate second reading speech. Because, Mr. Speaker, spending that extra few minutes and providing the information both to members of the opposition and to the people of the province of Saskatchewan, first clears up a lot of unanswered questions, a lot of uncertainties, but also drives, Mr. Speaker, some certainty to why the government would want to undertake this change.

And in the undertaking of this change, is it good for the people of the province of Saskatchewan? But most importantly, is it good for the industry? Is it good for the producers? I can't say no, but I can't say yes, Mr. Speaker. So having not been given adequate information to make those determinations, Mr. Speaker, it leaves you with a number of questions.

We do know that over the years that the Milk Control Board was considered to have done a very good job dealing with all the people in the industry, right from producers to retailers. The Milk Control Board went an additional step further than what is done in other jurisdictions in that it dealt with not only the producers but, Mr. Speaker, all the way right to the retailers. So it had in its composition of the board, representatives from the producers, representatives from the transportation industry, representatives from the retailers, Mr. Speaker. So there were steps taken to ensure that all those who had a valid interest in the . . . from the production of the milk on the farm, shall I say, from the cow to the store, Mr. Speaker, the Milk Control Board tried to include representatives from all those that had a concern in it on the board.

So that the cow to the carton, the cow to the home, Mr. Speaker, however we want to portray that, but people actually who had a concern about the quality of the milk, the delivery of the product right from the farm to the house had some say. And I think that is important. And, Mr. Speaker, I think that came about partly as a result of, Mr. Speaker, the fact that the original Milk Control Board came out of the formation of a co-operative, a number of producers, a number of farmers who got together and said, look, we want to do something better for our industry in the province and something better for the people of Saskatchewan. And I think that's a goal in which we would all share.

But, Mr. Speaker, why a marketing board and why now? It's a simple question. Why the change now? What drove that change? We don't have that answer, Mr. Speaker. I don't know. We're told from even former board members we're not sure why now and why the change. It would have been nice to have some of that included in the second reading speech, and I understand . . . I see some of the ministers opposite listening very carefully, and hopefully we'll see some more detailed, more, shall I say, more detailed, more inclusive second reading speeches.

Now, Mr. Speaker, the members opposite, government ministers, many of second reading speeches are less than a minute. If they took 5 or 10 minutes out of the hours of debate that can be included on a Bill, we'd actually be very appreciative. If they wanted to take 20 minutes even to explain a Bill well so that the people of Saskatchewan understood exactly what they were trying to accomplish, what the Bill the included, and why it should be moved forward at this time.

Mr. Speaker, it's not a surprise that there are other jurisdictions, other provinces that have marketing control boards much to the same composition, direction of the board here in Saskatchewan. But they have experienced some problems and weaknesses that I would hope that if we're coming to this new structure at a later date that we could try to ensure that we didn't go through some of the same growing pains that they did and ensure seamless transition in such a way that the producers in the province of Saskatchewan and consumers were both protected.

Mr. Speaker, all the stakeholders needed to be consulted. Again the minister indicated a number of stakeholders had been consulted, but he said, through correspondence, Mr. Speaker. So we don't know if that's a letter sent by the minister to somebody saying to industry associations or producers that it's

going to happen on this date. Or was it meaningful consultations where somebody actually went out and talked to people about the proposed changes? And do they want them? Are they good? And should they move ahead?

It may well have been extensive consultations. It may well have been driven totally by the industry and perhaps by all the stakeholders. But, Mr. Speaker, we weren't told that. It would have been nice to have been informed, one way or the other. Mr. Speaker, in fact we're hearing that the consultations were very narrow and only a small group of producers actually drove this change with very little broader consultation. But, Mr. Speaker, I don't know.

And as we're saying, Mr. Speaker, if the minister had laid out in more detail what process he used, we'd understand it fully. He didn't do that. And I just hope in future pieces of legislation that the Minister of Agriculture puts forward that we will have the opportunity to hear a little more detail about exactly why he's bringing forward legislation and what its impact is on the people of the province of Saskatchewan and upon the families of our province.

Mr. Speaker, this Act really does nothing more than repeal *The Milk Control Act* and introduces a new marketing board under *The Agri-Food Act*, but it gives us no detail, Mr. Speaker. So in the second reading speech of the minister, he could have provided us some detail. Mr. Speaker, as I look at the second reading speech of the minister, it's some four paragraphs, about 120 words. And, Mr. Speaker, if I read the whole thing it tells me the great sum of nothing, Mr. Speaker. And I would really have appreciated, as I think the people of the province of Saskatchewan who are today looking at this change and trying to analyze whether it's beneficial or not would have appreciated, a little greater input from the minister.

Mr. Speaker, being a minister of the Crown is about being accountable to the people of the province and providing them the information they need to analyze and make decisions whether or not what is being done by their government is in their best interest. So, Mr. Speaker, I hope that in future we can get a little more detail on some of these Bills to help all of us, the people of Saskatchewan, to have the opportunity to make much better choices and decisions.

Mr. Speaker, there are always issues of accountability and transparency in marketing boards or, for that matter, any structure. Mr. Speaker, there is the transferring of the assets and liabilities of the Milk Control Board, contracts and personal property to the new marketing board. And any of these that are not fully transferred becomes the property of the government.

Mr. Speaker, the minister could have taken the opportunity to give us a little detail as to what the structure of the new board would be, what would happen with the assets of the Milk Control Board and so on and so forth. Absolutely none of that included in the second reading speech, Mr. Speaker. And when some of these things aren't included, when you give simply just a 120-word, 40-second thing on passing legislation, doing away with one structure and putting another one in place without any greater detail than that, then you wonder why. And as I said before, Mr. Speaker, it could be simply a matter of not wanting to go to that detail. It could be that but it also could be just as

easy as trying to hide something in the transaction, Mr. Speaker. So we would hope that we would see, as time goes on, a little more detail, a little more information about some of the Bills that are being brought forward.

Mr. Speaker, the agricultural sector in Saskatchewan is a very important part of our economy. It can be said to be the pillar of our financial history, Mr. Speaker. Saskatchewan at one time was largely an agrarian province, Mr. Speaker. Agriculture was the number one industry, Mr. Speaker. Today it is still a very, very large part of our province, Mr. Speaker. So all legislation that's dealing with the agricultural industry in our province, Mr. Speaker, is important to the people of this province and important to us all.

Now, Mr. Speaker, I see some of the members over there laughing a little bit, Mr. Speaker. I don't know that as I question, sort of, I question basically, Mr. Speaker, the lack of information provided in their second reading speech, they're making me . . . they're making fun of the fact that agriculture is such an important . . . plays such an important role in the province of Saskatchewan. The difficulty is, Mr. Speaker, the individual that's making fun of it I believe's a farmer and I think has spent most of his life as a farmer in this province, Mr. Speaker, and still is a farmer and should fully understand the importance of agriculture to our province, as I'm sure he does, as I'm sure he does, Mr. Speaker.

And I'm sure that he should share the same, he should share the same concerns about the development and the sustainability of the agricultural sector in our province and the farming community in our province, Mr. Speaker, that we all do. Because, Mr. Speaker, none of us are far from the farm. And none of us have ever . . . In a province where we have the most arable land in Canada, farming has played such an important role in the development and sustainability of our province over time, Mr. Speaker . . . [inaudible interjection] . . . How many acres in the province? Six hundred and forty, Mr. Speaker. But that's not a question . . . [inaudible interjection] . . . Sorry. In a section, pardon me, Mr. Speaker. The member asked me a question and I gave him the answer. But there is more than 640 acres in the province, Mr. Speaker. I agree. But there are 640 acres in a section, Mr. Speaker.

Mr. Speaker, it is important that as we consider agricultural legislation in this province, that we take it seriously. It's important that we take the time to review it carefully, Mr. Speaker. It is very important that we talk to the stakeholders who have a vested interest in the assurance that this legislation meets the needs of the people of the province of Saskatchewan. And, Mr. Speaker, as I indicated a few minutes ago, that would have been much easier had we had a more detailed second reading speech.

But, Mr. Speaker, in the absence of that more detailed second reading speech, we could perhaps ask the minister to send over, you know, a little information as to why this change was necessary, maybe a position paper, Mr. Speaker — something to indicate why this particular change at this particular time and why that change is in the best interest of the people of the province of Saskatchewan.

Now, Mr. Speaker, we've got members throwing agriculture

questions back across the floor to see whether members on each side know that, Mr. Speaker. It seems to be about a tie right now. And the members on the government side might be losing an answer, maybe losing and falling behind just a little bit. But, Mr. Speaker that is very difficult.

Now, Mr. Speaker, we are currently talking about an Act to repeal the Milk Control Board in the province of Saskatchewan and, in fact, then move it to a marketing board under *The Agri-Food Act*. Now, Mr. Speaker, I've had over the years a time to work quite extensively with *The Agri-Food Act* and its development as a member of the government previously, and working through the legislation in various sectors as they've fallen under the marketing board structure under the umbrella of *The Agri-Food Act*, Mr. Speaker. And I have learned a number of things that I think are incredibly important: that each of the marketing boards is different, each of the agriculture industries that the marketing boards cover is different, and the needs of each of those boards is quite different.

[21:15]

Now, Mr. Speaker, we're now at a point where, in looking at this particular piece of legislation, we need to ask a fundamental question: was the board asking for this change? Was the industry asking for this change? And if they were, Mr. Speaker, why wasn't that indicated by the minister? Why in his second reading speech didn't he tell us what the industry wanted to accomplish and why? Simple, very simple questions.

It wouldn't take a relatively long period of time to do that. And I know there's a couple of very senior cabinet ministers over there nodding their heads, agreeing that that probably wouldn't have been a bad idea, you know. Well maybe they were falling asleep, but I think, I think they were listening carefully and trying to anticipate what they could do to improve their second reading speeches. And in particular one or two of them might take the time to work with the Minister of Agriculture to improve his second reading speeches, including more detail.

Now having said that, I'm sure the Minister of Agriculture would like to have provided us the detail that would have been necessary to fully understand this particular piece of legislation and in future will endeavour to ensure that, as much as possible, there's thorough answers to the basic questions that would be anticipated, bringing forward such legislation.

Now, Mr. Speaker, at this time I would like to just talk for a few minutes about the AgriStability Act in which the legislation's going to fall under. And if my colleague would just hand me the legislation there, Mr. Speaker, it'd be easier just to have a brief discussion about it.

Mr. Speaker, the agri-stability Act, 2004 which the . . . oh pardon me, *The Agri-Food Act, 2004*, which the new marketing board will fall under, is a piece of legislation that is about the formation of marketing boards for various agricultural sectors in the province of Saskatchewan. And, Mr. Speaker, it lays out very clearly a number of key elements as most Bills do.

Mr. Speaker, it talks about the development of the commissions, the development of boards, what role they play. There is powers that may be granted to any of the agencies or

boards and what those powers are, rules regarding the licensing and suspension of licences of the various boards. It deals with the agency is a corporation and each board is in fact . . . each agency is a corporation. It is not an agent of the Crown, Mr. Speaker. And it goes on to deal with a number of powers and general rules about the composition of the marketing boards.

Mr. Speaker, this legislation was put in by the former government. When this legislation was put in place in 2004, I had the opportunity to sit on a committee that reviewed all the legislation that went through the previous government, called the legislative instruments committee, and spent considerable time looking at this legislation's composition, its powers, and what it was intended to do. And, Mr. Speaker, I could speak for some time in great detail about this legislation and provide an update to the people of Saskatchewan about the powers and information that's contained within this legislation.

And, Mr. Speaker, I think it would be good for the people of the province of Saskatchewan to understand that with the repeal of the Milk Control Board and its transfer to a marketing board under *The Agri-Food Act*, that this piece of legislation will be the governing legislation for the new milk marketing board.

And, Mr. Speaker, within that, the control of the milk marketing board are responsibilities that members of the province of Saskatchewan . . . or people of the province of Saskatchewan may not well be aware of. But it's important to understand that when we're moving in a new direction here, in fact that the new marketing board will fall under an established piece of legislation, a piece of legislation that's worked relatively well for a number of marketing boards in the province of Saskatchewan, that we can anticipate will work well for the marketing . . . the new milk marketing board in the province of Saskatchewan, Mr. Speaker, and that there is regulatory oversight and control by the Ministry of Agriculture, that there is oversight and control of the decision making and the outcomes of the marketing board.

Now having said that, it doesn't mean that the government is actually interfering and meddling in the day-to-day operations of these marketing boards, because that's not the intent whatsoever. But what it does, Mr. Speaker, provide oversight if there is a problem within the marketing board or an unforeseen circumstance develops. Mr. Speaker, there is parameters established to actually deal with those problems within this legislation.

Now, Mr. Speaker, it's interesting that there is a . . . Instead of regulations that's actually put in place for each of the marketing boards, Mr. Speaker, and currently under *The Agri-Food Act*, we have marketing boards dealing with a number of things — *The Alfalfa Seed Development Plan Regulations*, Mr. Speaker, so they deal with alfalfa seeds, the beekeepers development plan, Mr. Speaker — all these regulations fit within *The Agri-Food Act*. The canary seed development plan, Mr. Speaker, the canola development plan, Mr. Speaker, *The Cattle Development Plan Regulations*. So, Mr. Speaker, each of these marketing boards and each of these marketing agencies in the province of Saskatchewan is controlled, in fact, by this legislation and by a series of regulations, Mr. Speaker, that are in fact controlled with specifics of that industry — *The Commercial Egg Marketing Plan Regulations*, Mr. Speaker.

So now we will have a new set of regulations, Mr. Speaker, dealing with the milk marketing plan regulations, Mr. Speaker. Now when those regulations come forward, Mr. Speaker, we'll want to examine those regulations in some detail as well because those regulations will present the detailed rules of how the marketing board will operate. And it will include the detailed rules in which the members of the board will be accountable to both their producers and to other stakeholders as well as to the people of the province of Saskatchewan and to the ministry itself.

Now, Mr. Speaker, it's interesting to see today that the government has decided to move to a marketing board, but we yet have not seen or heard of any regulatory regulations coming forward, Mr. Speaker, under *The Agri-Food Act* that would in fact put in place a new marketing board. And it's my understanding — if the minister was here he could perhaps clarify; if the minister is here he could perhaps clarify — but my understanding is that the Milk Control Board has already wrapped up its function and in fact we are operating today with a marketing board in place without yet regulations in place. I'm not sure of that, but that's the information that has been provided today. It would be something that again I would have like to have heard in the second reading speech, because if that transition has already moved forward to a step in which we can see and expect some smoothness and clarity in that transaction, I think it's to all our benefit.

Mr. Speaker, we have an industry today that's about one-third the size it was in 1948, that we hope, as the official opposition, will actually grow and that we will see a larger share of the quota for milk products in Canada come from the province of Saskatchewan. We have more arable land than anywhere else in Canada in this province, Mr. Speaker, and we definitely have the capacity to expand our dairy production in the province of Saskatchewan. And, Mr. Speaker, we are a province where our agricultural producers are among the most innovative and creative anywhere in the world. They have been able to meet challenges head-on and improve our industry on a continual basis.

Mr. Speaker, we would hope that the new structure and marketing board will have as one of its goals to undertake an improvement of the industry in the province of Saskatchewan, an expansion of the industry, a growth of the industry, so that more Saskatchewan farmers and producers can grow and thrive and in fact benefit the people of the province of Saskatchewan. I think we all have a shared desire to see growth and expansion in all the industries in the province of Saskatchewan, a vibrant future for the agricultural sector, and in fact progress towards a more vibrant and expanded dairy industry in the province of Saskatchewan.

Hopefully if we could regain some of the market share we lost from 1948 . . . As I indicated earlier we had about 24.8 million kilograms of milk fat produced in the province of Saskatchewan in 1948. Today we're just a little over 8 million, so we're about a third of what we were. It would be great if we could actually, through marketing structures and quota development, Mr. Speaker, expand our market share in the province considerably. And if that is possible to do, we'd be much better off and we would see an enhanced industry in the province of Saskatchewan.

Mr. Speaker, *The Agri-Food Act* and *The Agri-Food Regulations, 2004*, the new governing structure at the milk control industry in Saskatchewan is important to the people of Saskatchewan. It's absolutely important that we have a vibrant, thriving industry, Mr. Speaker, one that's controlled and inclusive of the stakeholders in the province, Mr. Speaker.

And we all hope that the ministry and the government is working closely with the industry to ensure that their needs are met, to help them try to expand their quota in the province of Saskatchewan, to help them try to thrive and make positive inroads towards that expansion in a way that helps make their operations more sustainable, but also helps, Mr. Speaker, continue to grow what is a very important industry in our province which is our dairy industry, which is a very important part of our overall agricultural structure in the province, Mr. Speaker.

And as you would know, and I'm sure many members in this House will know, agriculture has played such a very important and vital role in the development and history and sustainability of our province. And, Mr. Speaker, without that role being played over the years across the many communities and farms of this province, Mr. Speaker, we clearly wouldn't have some of the infrastructure and industry we have across the province. We wouldn't be situated to be one of the leading producers of grains and oilseeds in the world, Mr. Speaker. And we wouldn't have the amount of development and research that's done to improve our agricultural sector around the world if we didn't have such a vibrant agricultural industry in the province of Saskatchewan.

So, Mr. Speaker, although I would have liked to have a great deal more detail in the second reading speech, I think that it's important to allow some of my colleagues the opportunity tonight to speak to a number of Bills that they would like to speak to. And for that reason, Mr. Speaker, at this time I would like to adjourn debate on Bill No. 118, *An Act to repeal The Milk Control Act, 1992*.

**The Acting Speaker (Mr. Elhard):** — It has been moved by the member from Regina Dewdney that debate be adjourned on Bill No. 118, *The Milk Control Repeal Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Elhard):** — Carried.

### Bill No. 126

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Heppner that **Bill No. 126 — *The Management and Reduction of Greenhouse Gases Act*** be now read a second a time.]

**The Acting Speaker (Mr. Elhard):** — I recognize the member from Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. It's my pleasure to rise tonight to speak about Bill 126, *An Act respecting the Management and Reduction of Greenhouse Gases and Adaption to Climate Change*. And I would note that

this is a variation or an amended version of Bill No. 95, which was introduced in the last session of the legislature.

Now I'm going to start out my talk a little bit differently when I talk about this Bill because I just received some mail from the Saskatchewan Chamber of Commerce, and it proudly advertises a 2010 state of the province address by the Premier tomorrow in Saskatoon. And I'm just rising to provide a little bit of advice. Because when I see the topic that the Premier's going to talk about, I note that on page 20 where the ad is, he's talking about exports, revenues are growing and there's lots of positive things happening. But on page I think it's 14 or 15 of this exact magazine, they sort of go a little different direction. And basically on . . . No, it's on page 11. The magazine itself says:

#### International Merchandise Trade

Driven by declines in both volume and price, the value of merchandise exports fell by 26% in 2009, erasing most of the . . . increase in . . . [the previous year].

So, Mr. Speaker, we've got a very interesting one.

[21:30]

But the reason I raise this particular magazine is that it does have a rant that the chamber of commerce often puts in their magazine, and the rant this month is about environmental reform and change management. And I think it's a reference to Bill 126 that we're looking at tonight, and also another Bill relating to the environmental management.

But I just want to read one quote from this particular article because I think the Premier may want to address this tomorrow when he's speaking to the business people of Saskatchewan. And here I will read from page 16:

Effective change management involves dynamic and strong communication with stakeholders. In business, communicating changes to external clients is critical to a seamless (or at least less bumpy) transition both for the business and its clients. However, it seems that the Saskatchewan Ministry of Environment has missed the boat on this one.

Mr. Speaker, I think that's the theme as it relates to this Bill 126 as well.

When I listen to the speech by the minister and then we read her comments in the second reading speech, there is not sufficient information there to understand exactly what the purpose of this legislation is. And it's unfortunate that there appears to be a general trend among the ministers to forget the role of the second reading speech, which is to explain to the public. But more importantly, to some of my former colleagues as lawyers and also judges in Saskatchewan, the second reading speech sets out some of the policy and some of the rationale for legislation.

And when that information is not laid out very clearly, that causes problems, not this year, not next year, but maybe five years from now when somebody is trying to interpret legislation and make some sense of it for use at another time. This is especially crucial when we talk about legislation like this

legislation, which talks about the management and reduction of greenhouse gases and adaptation to climate change. Because this legislation is not easy legislation, it's legislation that's trying to make rules and set out parameters in an area that is continuing to evolve.

And when there is not a clear leadership on how this information is going forward, it causes problems. I think that's the source of the rant from the Saskatchewan Chamber of Commerce, that when there's a lack of leadership, there's a difficulty for everybody in trying to deal with the issues that are involved.

Now in this particular legislation there's an attempt to do a number of different things. And I will spend some time trying to understand what that is and try to set out what's there. But before I start going into that particular task, I want to point out that when I looked at the legislation one of the things that was especially troubling about the legislation was the number of clauses, the number of words, the number of things that are in the Act that are to be defined subsequently by the minister, by the Lieutenant Governor in Council, by it's not entirely clear who sometimes. But it's most everything that's in this Act is subject to some kind of change at a later point. And it's quite fascinating to see that legislation that is as crucial as this is will end up without anybody really knowing what the legislation means until the regulations are brought forward.

And even at that point, there will be opportunities for the legislation to be changed with very little advice or consultation or discussion within the community. And I think that's why the words from the Saskatchewan Chamber of Commerce about environmental legislation in Saskatchewan generally is very important because everybody's trying to comply with the rules. They want clear rules so that they know how they can develop their business, how they can invest the money, often hard-earned money, that they have in any particular project that they're working on.

And if the legislation is designed and written in a way where regulations, for example, under section 83(1)(a), allow the Lieutenant Governor in Council to define, enlarge, or restrict "the meaning of any word or expression used in this Act but not defined in this Act," it ends up with some things that, you know, you'll never know exactly what the rules are. And when you read through the legislation, there are time and time again where you use the words prescribing, where you use the words that it's going to be defined, you use many words where you just don't really have a clue what the rules are going to be.

And so, Mr. Speaker, we're into a new generation of legislation where the minister gives a very short explanation bringing it forward. Maybe because she doesn't know exactly what is here, but I think maybe more importantly because she doesn't necessarily want to define what she's introduced.

And if we put this in a timeline, we know that this legislation was introduced at a point before the Copenhagen conference, so there would be some piece of paper that Saskatchewan would have when our people were at the particular conference, and also at a time before the federal government had really done any definition or provided any leadership on this. And also before the United States had made any specific direction, which I think

maybe is still the case. Now I know there've been some pieces of information filed by the supposed January 31st, 2010 deadline, but clearly the information that's come from Saskatchewan is very different from what was there two years ago in the election platform. And it seems to be changing on the go.

And, Mr. Speaker, I would say this legislation allows for a change-on-the-go policy to exist as we move forward as well. And I don't think that's fair to business people. I don't think that's fair to the public. I don't think it's fair to the staff within the department who are supposed to be trying to administer this.

And I think that everybody should sit down and try to figure out something that has some clear, substantial information, perhaps after consultation with the chamber of commerce, with other representatives of business, with representatives from some of the non-governmental organizations that are very involved in this, with discussion with the government caucus, with discussion with the opposition caucus because this legislation, we know, has crucial importance as we move forward. We're talking about large expenditures of money, but more importantly we're talking about the future of our children and grandchildren and about the future of our province.

Now, Mr. Speaker, let's take a little bit of a look at the legislation and see if we can understand the format of the legislation such as it is laid out here. And also maybe point out some of those areas where basically it's to be defined.

And we know that there are quite a number of terms that are to be subsequently defined. One that's been added since last session is on page 2 where they add the word "code". And I thought this was kind of an interesting definition because it says:

"code" means the code adopted by the Lieutenant Governor in Council in the regulations.

So it appears that the code is actually the core of the Bill, but we don't know what that is. We don't know where and how it's going to be defined. We know that there's a similar code in the other environmental legislation that the chamber of commerce is upset about and they, in actual fact, make a comment. And this is referring to the other environmental Act that says:

As part of the new environmental model for Saskatchewan, an Advisory Committee for development of a new Saskatchewan Environmental Code will be established to clarify the details, yet government has not been forthcoming with how this committee will be initially established and supported by industry.

End of quotation on page 16 of the chamber of commerce magazine. Mr. Speaker, the same criticism applies to this legislation. There is going to be a climate change advisory council, but when you look at their role, it doesn't seem to have anything to do with trying to define this code. And in fact the only place you can find a reference to the code is when you look into the regulatory powers given to cabinet.

And basically there it sets out the fact that cabinet can set up a regulation adopting a code. But then once again it goes into this

total definition, by I guess committee or whatever, but definition by cabinet of all of the terms that are in that. Then it's got a curious other paragraph here which says, "The code may contain all or any of the following provisions:" So this is on page 38, it's section 83(2). So it says:

The code may contain all or any of the following provisions:

- (a) provisions respecting any matter, activity or thing that is governed by this Act [that is] prescribed in the regulations;
- (b) provisions determining any criteria, terms, conditions or requirements that must be met in order to carry out any activity governed by this Act and set out in the code.

Well we know that the code isn't defined. It's going to be coming from somewhere, maybe like Moses going to the Mount Sinai and getting it delivered or maybe it comes from some other place, I'm not quite sure. But and then there is this section:

- (c) provisions adopting a standard, including a standard developed or established by the minister . . ."

So here we have the minister defining this. But she can define it once, but it can be amended from time to time or otherwise. And then section:

- (d) provisions requiring a person to provide the minister with a notice before engaging in activities regulated by this Act and to prescribe the information that must be contained in that notice.

So Mr. Speaker, before we even start looking at the legislation, we see that the key parts of it are still to be defined and still to come from the minister, from cabinet, from somewhere. Maybe from Mount Sinai, we don't know. But it's going to be legislation that's not yet defined.

Now I'm not quite sure if this legislation has precedent in this legislature. But it appears to me that when a minister brings forward something to the legislature, it should have definition. It should have some idea for us as legislators what's intended to be done. And it should have sufficient information for business, for the public, for various other groups that are especially interested in this topic to at least understand what the rules are going to be and where they're going to go.

And I know that often the place where that is set out is in the second reading speech of the minister. That's not here, Mr. Speaker. And it may be that there's some rule whereby the minister can get to work and come back with another second reading speech which is a second version, maybe a more expanded version that would actually give us the information that we need because this kind of legislation is crucial for the further development of this province, for our economy, and for what happens. It's also very important as we work together with other provinces, with the federal government, and with other governments around the world.

[21:45]

Now legislation has got some particular basis here. It once again sets out that cabinet can establish a number of the emission baselines and targets. So practically, the legislation has an enabler for cabinet to set something which then they can subsequently change and amend, as we've already heard.

It seems to me, Mr. Speaker, that when the Sask Party ran in the last election, they had some pretty clear goals and pretty clear things that they said in their platform as it relates to this particular subject. Those things are not in this legislation. In fact, the legislation itself says:

#### **Greenhouse gas emission baseline**

**4** The Lieutenant Governor in Council may establish a greenhouse gas emission baseline for Saskatchewan for a year selected by the Lieutenant Governor in Council.

Now if we went back and looked at the platform, we could fill all that in and it would be very clear what this legislation was about, and we would have some clear rules for everybody who's involved. Now practically, we know that's a problem because between the time this Bill was introduced a few months ago and now, that particular line has been changed. And we know that there's going to be some other changes and adjustments because we don't think that there's clear leadership from the government on what they're going to do in this particular area.

If you go and look at section 5, it's the same kind of thing. I mean it's basically setting out a formula where, you know, X plus Y equals Z, and put anything you want in X, Y, and Z and see what happens. I don't think that's appropriate type of legislation, Mr. Speaker, that should be brought forward in this House. What we need is for people who are working in the government to actually sit down, do their work, and then take a position, show some leadership, and set it out in the legislation. Mr. Speaker, this legislation doesn't have that.

Now I'm not quite certain exactly what we can do about it. I suppose we can look at it and try to propose amendments that puts in the Act the words that we've heard in election campaigns, that we've heard in speeches, that we've heard many places. That's maybe one way to do it. It's not necessarily a very logical way to do it. It's not a way that is normally done by a group that seems to want to try to show their leadership on a particular topic. But, you know, maybe a way of using some binder twine and chewing gum to put a Bill together that might work.

Now you go on to the next section about reports, section 6, and basically it says the minister shall monitor compliance of the targets that have been established. Well we know that the targets are in the previous paragraphs, and they're still sort of out there somewhere or coming from Mount Sinai, or we don't know where they're coming from. And basically it goes on to say that the minister can "... use any indicators that the minister considers relevant in preparation of a report."

Well I'm not quite sure if you can be as — wow, I don't know what's the word — mushy or fuzzy or unclear as this particular legislation appears to be. And so then you go in and this report,

based on a whole bunch of things that we don't really know, can be filed.

Now I'm not sure how you can even compare what that report is or whether it complies with anything when you don't have those rules set out in the legislation. There are many other places where we have some pretty clear rules and a judge can give an opinion on whether the rules are in compliance, other members of the legislature can give their opinions about that. You can actually vote on something. But so far this Bill has got a lot of difficulty, and I think there'll be many, many questions that we have as we move forward with this particular one.

Now then we get into part III of this: the responsibilities and powers of the minister. And we know that this section was changed slightly from the last Bill and the slight addition — which I'll have some more to say about later — is section 8, which gives the Lieutenant Governor in Council the ability to enter into agreements with almost, well with, I think, probably with anything that pretty well exists in the world. But I've got some comments on that, and I'll save those for a little bit later.

But basically under the powers and responsibilities of the minister, we know that the minister, which presumably here is the Minister of Environment:

... is responsible for all matters not by a law assigned to any other minister or government agency respecting greenhouse gas emissions, climate change, and adaptation to climate change.

Now this is a very interesting clause just in itself because the Minister of Environment will be given certain powers, but if the Minister of Energy happens to have a power that conflicts, it looks as if these rules and the responsibility of the Minister of Environment would be overridden by that other minister. If there's a Minister of Agriculture has got some powers that relate to these particular concerns, those would all be in priority to the Minister of Environment.

And it looks as if this clause has been set up in a way that puts this issue of management and reduction of greenhouse gases and adaptation to climate change as subordinate to other ministerial roles. I think if the intent of the legislation was to place a high priority on this, this clause would be written differently.

So then you go and you look and see, well what are the powers that the minister has to carry out the responsibilities? And, you know, some of the clauses are the logical ones. They include guiding, promoting, coordinating, adopting policies, doing those kinds of things, also undertaking planning and research and making forecasts, those kinds of things.

But then we get into some other interesting areas. So we end up the minister's got the power to "install, operate and maintain, or cause to be installed, operated or maintained, devices to measure greenhouse gases." Well that sounds like an appropriate task, also the ability to monitor effectively greenhouse gas emissions, climate change, and adaptation to climate change, and then it has the role of education, providing information to the public. But also then we go through all of these different things which we would expect in this legislation,

and they seem to be quite clear as to how this is to be done.

But then you get to section (i), where you get to the actual registry or the information around offset credits and some of these things, and once again we get into a situation where the minister is going to be defining all of this, and we don't quite know what that definition is going to be or how those rules will be created. And it appears to me, Mr. Speaker, that one of the reasons that people want some clear rules in this area is so that they can be certain, when they invest their money, that they are going in the right direction, that they're doing the right thing. And any time you have uncertainty and lack of clarity, we know that that costs the economy a lot of money. And so, Mr. Speaker, it gives a lot of flexibility to the minister, probably lots of flexibility to the cabinet, but I think it may be to the detriment of our Saskatchewan economy.

Now there are other powers that are set out here which effectively follow on with the enforcement of these ill-defined, well, undefined terms and conditions. And so it's a bit hard to comment on these things until we actually see the regulations or what other form of instrument they use to define what's going to happen here.

But practically, this is the heart of what many people in the community and in business are concerned about, is if in fact there are — what are they called? — pre-certified investments around some of these issues, if there are in fact rules and regulations around regulation of CO<sub>2</sub>, what is it that these rules are going to be and how are they going to be used? And once again the minister's given the power to define all of these protocols, but we don't really see exactly how any of these things are going to be done.

Now if in fact that the legislation is defined in a way that doesn't tell us where or what the ultimate purpose is, and the second reading speech doesn't give us that information, I think it may be prudent that the legislation is withdrawn until such time as that information is available because this is a crucial issue for the province, it's a crucial issue for some of our most important industries, and it's a crucial issue for many people who may or may not want to invest in some of these particular certificates or whatever else that's here.

Now the minister also has the power to appoint enforcement officers, and I think that that's an appropriate clause, but it all relies on having a code and having rules. Now it's interesting, the introduction of the power to enter into agreements that was added since last May or June. And if we look at section 8, we see that the cabinet, the Lieutenant Governor in Council can, for the purposes of furthering the minister's powers and responsibilities under this Act, which as we already know, we don't really know what they are, but basically the minister can be authorized to enter into agreements on behalf of the Government of Saskatchewan. And effectively we know these agreements may commit the tax dollars of the people of Saskatchewan as we enter into the agreements.

Now clearly, entering into an agreement with the Government of Canada, we know how that's done. We know how it can be maybe done with governments of other provinces or territories. But then we get into a whole issue of Saskatchewan entering into agreements with other countries or states or divisions of



other countries, or any ministry or agent or official of a government of another country; and then finally, “any person, agency, board, commission, organization, association, institution, or body,” I think that’s drafting language to say you can enter into an agreement with anybody. And we don’t necessarily know what that means. But what we do know is that one of the developing areas of great interest around the world is the whole issue of how agreements are negotiated between businesses and Western countries and provinces and, for example, Chinese, state-owned enterprises.

[22:00]

And I just got a copy, I guess it’s last year, of *The International Lawyer*, which comes out of the section of international law of the American Bar Association. And they get into a very interesting discussion about negotiations between westerners, and they include Western businesses and Western governments and Chinese, state-owned enterprises. And, Mr. Speaker, this type of legislation is enabling the entering into of agreements with particular agencies like the state-owned enterprises in China. And we end up in getting into a whole other area where I’m not sure we necessarily have all of the understanding or the expertise to get involved.

And I think it’s especially difficult when the legislation that backs up what we’re trying to do here is so lacking in clarity. And I was looking at this article and some advice that was here, and I thought, well this is kind of an interesting bit of advice. It applies, I think probably, to business negotiation we’d have in Canada as well, but they said it’s especially true. And I’ll read a quote that basically describes a person named Mr. Fang who establishes the Chinese business cultural framework for negotiation with Western businesses. And he says it consists of three distinctive and interrelated components.

You know, one of them is the People’s Republic of China condition, one is Confucianism, and one is Chinese stratagems. And these writers who are trying to put this into language that we could understand describe it as follows, and I quote from page 1304 of *The International Lawyer*, volume 42, no. 4:

The Chinese business culture framework suggests that the Chinese negotiators have a “three-in-one” negotiating style; they negotiate like “bureaucrats,” “gentlemen,” and “strategists.” Trust is a prime indicator showing which role the Chinese are going to play. When mutual trust between the business partners is high, the Chinese will negotiate as “gentlemen;” when it is low, they will negotiate as strategists! The People’s Republic of China negotiators [will] also negotiate as “bureaucrats,” particularly so when the political wind blows.

Mr. Speaker, I had to chuckle when I read that because as a bureaucrat trying to negotiate with the province of Saskatchewan, one would go and look and see if the legislation . . . which actually gives the authority for the negotiation. And once again I go back to the lack of clarity in this legislation which I think would cause difficulty for our negotiators, let alone somebody else trying to figure out whether who they were dealing with had the power to do what they were supposed to be doing.

So, Mr. Speaker, my suggestion is that there may be some more work that needs to be done on this kind of legislation as we go forward to try to get some clarity and get some sense in how it’s supposed to be done.

Now let’s proceed with the legislation. The next part of the legislation says that there’s going to be a climate change advisory council established, and it sets out the normal rules about how you would do that. But it’s not clear from the second reading speech, it’s not clear from anything I’ve seen from the minister or the ministry as to who this advisory council would be. And I know that, once again, that was the criticism coming from the Saskatchewan Chamber of Commerce.

This all is laid out and presented to us and there’s no consultation about exactly what this means or where it’s going to go. And so it made . . . And you know, I think it’s probably a good idea, this kind of a council. But there’s been a missing of the boat, as the Chamber of Commerce said in the communication about how this is going to go forward, in this legislation in the same way as it has been in the other legislation.

Part V of the legislation says there’s going to be an office of climate change established. This is established right within the ministry and it sets out the rules about how that’s done. That seems to be relatively clear, what that’s going to be. I think it’s something that is once again a good idea. It probably replaces some things that were removed or eliminated quite recently. But I think I’d give that one the benefit of the doubt because it clearly will end up having some precedents from the previous government as to how to operate and actually probably can do some good work.

So then you get into the part IV which is the “Regulated Emitters and Greenhouse Gas Emission Reduction Programs.” And this is an area where once again there’s a lot of definition by the minister, definition that isn’t entirely clear where that is. But it does, I think, follow on some information that is a little bit easier to understand.

But then we get into a whole issue around carbon compliance payment, is the description here. And that I think gets to the heart of what this particular legislation is going to try to do. We know that in our neighbouring province of Alberta they have collected quite a bit of money like this. It’s unclear exactly whether it’s the right amount. It’s also unclear how this fits into a national or international strategy.

What we do know is that the advice coming out of various national and international law firms dealing with this kind of legislation — because once again it’s legislation that can implement some major costs for businesses — but the advice that’s coming from law firms and other advisers is that unfortunately, without clear results coming from the Copenhagen conference and from similar meetings like that, what we’re going to be dealing with is a patchwork quilt right around the world of legislation like this legislation that’s here.

And so one of the difficulties that we will have in Saskatchewan is, how does our system fit with our neighbours to the east and to the west and also down into the States? Where do our programs fit in, in that whole situation? And once again, we

don't have very clear leadership on this as to what is intended or what kind of cost it's going to entail for the businesses in our province.

Now we know that the discussion for quite a number of years has been that if there is a payment like this related to carbon that the money would be paid into some kind of a fund that would be controlled in Saskatchewan and used in Saskatchewan. I think the next section tries to set out that kind of a fund and do it in a way that would allow this money to be gathered and used here. And this is a concept that's been around for quite a few years. It appears to set out how that is being done. But once again, it's based on a rather elusive foundation and it maybe will be able to work once all the rules are set. But at this stage we don't have enough that would allow this matter to go forward.

One of the interesting concepts that was in the second reading speech of the minister was the fact that this fund was clearly going to be controlled outside the government. And that's the way the legislation appears to create the fund and we will practically see and monitor to make sure that the funds are used specifically for this purpose. We know that the previous government had a fund in place that was going to allow for the kinds of things that are mentioned here, but that fund has been dissipated and we think gone into some other purpose. Or we're not quite sure where it's gone. We know that there's a little bit of the money that was set aside three years ago that was used for green policy, but very little of the original amount of the fund.

Now there's also a intention, it appears here, to set up a climate research and development fund and this is, I think once again, a good idea. Clearly the issue there will be what kind of funds will be made available to make sure that this fund continues in existence. And it once again is to be a fund that's outside of the Crown. And I think that it can serve a good purpose. But once again it's in how it's implemented and how the resources are provided to it, and I think that that's something that we're going to have to watch very carefully. It is an area where there could have been more clarity or definition or description in the second reading speech from the minister, but it wasn't there.

Also there's something set up — it's intended to be set up — called the Saskatchewan climate change foundation which is a not-for-profit corporation, and this is to be set up as a charitable foundation. And it's not entirely certain what the purpose of this is, but I assume it's to receive funds that maybe would have a charitable status, but also that it could be used to promote and deal with climate change issues. So there's some mechanism here that would allow for that.

Then as well there's the ability under this legislation to set up another corporation which is a not a charitable corporation, and it clearly has the ability to get involved in quite a number of activities including carbon capture and storage, energy conservation, dealing with low-emitting technologies and processes, adaptation to climate change, biodiversity, water conservation. So it appears that it's a corporation that would be of a broader nature, but not a charitable kind of corporation.

We don't really have any detail on what is intended there. It appears that it overlaps with some existing corporations that we

have like the Saskatchewan watershed corporation, so maybe the idea is that some of that kind of activity would be expanded into this, but once again we don't have very much clarity about that. So a big part of the legislation in fact actually creates all of these other funds and other things. But once again I go back to my original point that the initial definition of what we're doing here is lacking in clarity, and that then causes a bit of consternation as one reviews the whole Act.

So we have some pieces that . . . or some corporations that are being set up to do a number of different things and provide information to the public. We don't quite know how they're going to be established. We don't know who's going to be providing advice as to how they're being established. But if in fact we had some clarity around the goals, some leadership around the goals of the whole legislation itself, some of these other pieces may be easier to accept and to explain.

[22:15]

Now when we get into part VIII, we get into a whole section which in many ways is the part that's probably going to have the most review by the legal profession, and that relates to administration, inspection, and enforcement. It appears that there will be substantial penalties or fines that will attach if people do not comply with this legislation. And these fines will come in quite a number of areas. They can relate to the kinds of information that people provide, compliance as to all of the different monitoring devices, those kinds of things. And it's pretty broad language that effectively creates offences that will be enforced by the minister or by . . . well which means the Minister of Environment.

And it allows for, in addition to some of the penalties that are right in the legislation, it also allows for applying to a judge of the court for even greater ability to enforce the rules that are here. I think that this is a particular area that should be of concern to us as legislators, that all of these compliance parts are built on a base of lack of clarity as we start out the legislation. And it's going to cause difficulty for everybody if we don't have some clear leadership, some clear rules, as we begin or as we are involved in this legislation from the start.

Now as we go through that whole section, there's all kinds of special powers that are available, including seizure, ability to enter on to land, and ability to get copies of all the records that are needed. And then when you get into the actual penalty part, there are fines up to \$1 million. So in fact this is pretty serious business if there's any contravention of the regulations or the code or anything else that's here.

So once again you say, well the rules are pretty clear; they're pretty exacting when you look at how the penalties are set out. But when you actually look at what's the core or what's the heart of the legislation, all that's left to regulation which is in fact cabinet creating the rules. Or it's even less clear: it's left up to the minister creating the rules. And the penalties can be quite severe, the costs can be quite extensive, and it can put a major damper on the economic activity in the province, especially those businesses which exist in the province.

It's not entirely clear how this affects SaskPower and SaskEnergy. I assume that they would be bound by this

legislation. If that's the case, there may be some major penalties that would be payable by the customers of SaskPower who also happen to be taxpayers and citizens of Saskatchewan. So I think that this is an area that would need further clarity from the minister — although this also may be an area where the rules don't apply because the power of the Minister of Environment, as I pointed out earlier, is subservient to powers of other ministers. So it may be that the Minister of SaskPower and the Minister of SaskEnergy would have some kind of an exemption from the legislation. If that is in fact the intention, I think we should be told about that before we actually pass this legislation, or at least we should know what the rules are as it relates to that particular situation.

Now as we move forward with this legislation, I think that quite a number of the people in my caucus are going to be wanting to speak to the legislation because of the number of industries that are affected and because of the number of the people in the community that are affected by how we set out the rules for management and reduction of greenhouse gases. We have an opportunity in this province to provide leadership, not just in Canada but in the world, around what we do for the environment. And it's been substantially problematic to make a transition from the kind of coal-fired electrical power that we have in our province to new forms of electrical power. And we know that there are a number of things that can be done.

But this kind of legislation, with its lack of clarity about the rules as we move forward, doesn't make matters easier. It complicates them. And I think that if there were clear rules, possibly clear ways that there would be a transition to use of more other forms of power, this kind of legislation could be of great assistance. But the way it's worded now, it doesn't provide that assistance. And it would have been possible, even with the mushy words that we have here in some of the key parts of this Bill, for the minister to set out a plan, for her to set out some goals of what we're going to do so that we actually knew what we were dealing with.

And I'm not certain whether amendments will be brought forward at a later point in the process which clarify some of these things or, as has been done with some other pieces of legislation, proposed regulations will be presented before the Bill is dealt with in committee so that questions can be asked about the Bill using the information from the kinds of regulations that are intended to be passed.

If they're not, it would be my suggestion that it may be appropriate for this Bill to be withdrawn and then worked again to set out with greater clarity what the targets are, what the goals are. And given the comments from the chamber of commerce, it may be prudent that the Ministry of Environment perhaps catch the boat and get involved with consultation with people in industry who are concerned about this.

And I know that it's always interesting to look at suggestions that come from business. And I know that the author of the particular piece in the Saskatchewan Chamber of Commerce newsmagazine for this quarter did try to lay out for government some advice. And so I think it's important to set out this advice. And what they say is that basically when businesses are going to make major changes, they spend a lot of time and effort in the education and consultation part because they know that if

you're going to lead change, you have to be part of it. And I'll just read a couple of paragraphs here from page 17 from this magazine:

Government needs to open their playbook on 'How to Manage Change'. Leading organizations understand this well and ensure extensive communication occurs with stakeholders outside of their organizations. Leading organizations create plans and execute them well to maximize the success with which change is implemented.

Here are a few of many of the things they do:

1. They understand that their stakeholders react differently to change given their resource capacity levels;
2. They understand that stakeholders have fundamental needs that have to be met (i.e., frequent communication, detailed information, understanding of internal changes to the business that could affect them);
3. They are clear about what stakeholders can expect given what is realistically possible;
4. They address stakeholders' fears to build a level of trust; and
5. They ensure that the resources and supporting systems that stakeholders require during and after changes are implemented are in place.

And then it goes on:

There are many unanswered questions, yet the business community is expected to 'trust' government to find economic, efficient and effective solutions for environmental protection.

And I guess basically the message is, there isn't trust in this government in how they bring forward Bills like this one. And I think that my comments over the last while have identified the kinds of issues that business, through the Saskatchewan Chamber of Commerce, are talking about, which is, talk with us, understand our business, understand what we're trying to do so that we can help you create rules, regulations, good public policy that will serve the needs of the people Saskatchewan, but will also serve the economic needs of some of the major businesses in the province and also serve the community needs of all of the people of the province who are concerned about climate change.

And, Mr. Speaker, last spring I had a chance to talk a bit about this particular topic. And one of the themes in my speech last spring was the fact that at the federal level in Canada the leadership was lacking as we move forward in this particular area, and that that seems to be the situation that we have on a provincial level as well. It's almost — well it's about — nine months since I gave that speech. Quite a number of things have happened. The promises of the Sask Party government in the election have been diminished a couple of times at least, and now they don't show up in the legislation.

We end up with legislation that lacks clarity. It doesn't provide

the information that's needed. We have the chamber of commerce and the people in the business community of Saskatchewan saying quite directly, look, talk to us. Work with us so that we can get something that will be in place. They say also very directly that the Sask Party government has missed the boat in this area and that there's some things that they need to do.

On this side of the House, Mr. Speaker, we know that legislation, as it relates to greenhouse gases and climate change, is crucial for the economy to continue to grow here in Saskatchewan. And any time we have something which creates further uncertainty, we know that that costs businesses money. We know that it perhaps prevents businesses from establishing here. And we make some strong suggestions that this Bill either should be pulled or fixed.

And I know that there are many, many people who will want to add their concerns as we move forward with this particular legislation. Mr. Speaker, when one is working at something as tricky — if I can put it that way — but also as in the core of what's important in the economy, one needs to spend a lot of time working on it and working with everybody in the community. It appears that that hasn't been done here in a way that gets at the solution that we need here in Saskatchewan.

We're, I think, quite justly proud in Saskatchewan of the kind of work that we've been able to do in a whole number of policy areas and, Mr. Speaker, we have the ability to work in this area as well. Let us work together.

**The Speaker:** — It being the hour of adjournment, this Assembly stands adjourned until tomorrow afternoon at 1:30 p.m.

[The Assembly adjourned at 22:30.]

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