



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



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[The Assembly resumed at 19:00.]

EVENING SITTING

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

**Bill No. 112 — *The Justices of the Peace Amendment Act, 2009/Loi de 2009 modifiant la Loi de 1988 sur les juges de paix***  
(continued)

**The Acting Speaker (Mr. Elhard):** — Order. The debate continues on Bill No. 112, *The Justices of the Peace Amendment Act, 2009*. The floor belongs to the member from Regina Elphinstone-Centre.

**Mr. McCall:** — Why thank you for the floor, Mr. Chair. It's good to be back to debate on Bill No. 112, *An Act to amend The Justices of the Peace Act, 1988 and to make consequential amendments to certain Acts*.

Again the Bill as we see it seeks to change the mandatory age of retirement from 65 to 70. We would be interested to get further detail on the constitutionality of that. If 65 is deemed to be something of an arbitrary retirement date in the context of broader moves around removal of mandatory retirement ages, if that is true for the age 65, we would be interested to see if there are any arguments applicable to the age of 70.

In terms of broadening the pool otherwise in terms of people that are not in a conflict of interest but are practising lawyers, we'll be interested to see how that actually impacts the pool of available candidates coming online for the eligibility for Justice of the Peace positions. The other changes subsequent to the clarifying the different categories, clarifying authority, clarifying the legal authority under which the justices of the peace derive their ability to pursue their job, the subsequent housekeeping amendments that are necessary in the train of this Bill, we think those are relatively straightforward.

Finally of course the question of changing language to make it more gender inclusive, we think that's only as it should be in terms of individuals being able to look into the legislation. I'm certain we've had a number of very able female justices of the peace over the years. They should be able to look into this legislation and see themselves reflected back in terms of a more inclusive language, not exclusive, gender-exclusive language.

So there are a number of things that we find to be of interest in this Bill, Mr. Chair. There's some things that we hope are clarified as this debate proceeds. And I know that other of my colleagues would like to participate in this debate, so at this time I would move adjournment of debates on Bill 112. Thank you, Mr. Chair.

**The Acting Speaker (Mr. Elhard):** — The member for Regina Elphinstone-Centre has moved adjournment of debate on Bill No. 112, *The Justices of the Peace Amendment Act, 2009*. Is it

the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

**Bill No. 113**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 113 — *The Justices of the Peace Consequential Amendments Act, 2009*** be now read a second time].

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

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. This Bill tonight, *The Justices of the Peace Amendment Act* or consequential amendment Act, relates to a number of changes that are required in other pieces of legislation as we move forward with the Bill that my colleague was just talking about at length. And it's important to know that when a piece of legislation is passed, it often has effects in quite a few places that are not entirely obvious, and I think that that's what this particular Bill is about. It relates to some of the proposals that have been put forward around the description of the role of the justices of the peace and then also the supervising or presiding Justice of the Peace who was, in effect, the manager of the justices of the peace. And when that particular administrative organization was adjusted to have this whole role of the Justice of the Peace more closely integrated with the Provincial Court, then a number of changes have been proposed.

And it's those particular changes that we're looking at tonight to see where there will be effects in other pieces of legislation. And I would say, based on my experience, that it's always the best effort. People try to figure out all the places where the changes should take place, but probably next year or the year after we'll be seeing some subsequent consequential amendments that relate to the particular administrative change for the justices of the peace.

So what is this administrative change? Well basically it's a change of getting rid of the presiding Justice of the Peace and to turn that role over to a judge of the Provincial Court. And it's something that makes sense in one way as it relates to the status of the justices of the peace and the important role that they play within the whole, especially criminal, justice system. And what we're effectively saying is that, as a community, we want to make sure that the justices of the peace have an appropriate role in the community, that it's properly supervised, and that it's integrated within the Provincial Court of Saskatchewan.

Now we all know in Saskatchewan we have a number of court systems, but our basic people's court is the Provincial Court. And they end up sitting in various communities across the province. Sometimes it's in school gymnasiums, or other times it's in the town hall. But most of the places in the province, we do actually have a provincial courthouse. We know that they're working on a new building, for example, in Meadow Lake right now. But it's continually a question of making sure that we have the right structure, right place for the Provincial Court.

With that broad people's court, we then also have . . . And those judges are all appointed by the provincial government on the recommendation of the Minister of Justice to the cabinet. And so those people have ended up being some very capable lawyers from across the province that are serving in that role.

At the same time we also have the Court of Queen's Bench of Saskatchewan, which is a court that has original jurisdiction or it has jurisdiction across the province. But those judges are appointed federally, and those salaries are paid for federally even though once again it's administered within the provincial system.

And then finally we have above that the Saskatchewan Court of Appeal, which are justices that are located in Saskatoon and Regina primarily who then deal with cases that come from Provincial Court or the Court of Queen's Bench.

The ultimate court of appeal in Canada now, and has been since the early '50s, is the Supreme Court of Canada. Before that, matters would go to the Supreme Court and then from there on to the Privy Council in London. That's no longer the case. It's also interesting to observe the judicial history taking place in Great Britain right now as they have ended up changing the Privy Council or the group of people, the justices that were located in the House of Lords, and have slowly evolved into a system of appeal courts which is much more similar to what we have in Canada. And they actually, I know, have observed what we've done here, what's happened in the United States, what's happened in Australia, as they move forward with their judicial system.

But it's important to understand this particular legislation in light of all of that because what is being done, as I understand it here, is that the justices of the peace and their supervision are now being directly incorporated by legislation into the Provincial Court structure. And this allows for more accountability, but also it allows for better education of the people who do this work and it allows for greater confidence of the public in the process that takes place.

So what do these justices of the peace do? Well an ordinary person most often would have contact with a Justice of the Peace if they're picked up on a Friday night and taken to jail and there's a debate about whether they should actually spend the whole weekend there or whether they should be released with a promise that they would appear in court on Monday. And that role of deciding whether a person was a risk to the community or if they had somebody to take care of them, if there was problem with their sense of basically being probably sober, that job is given to the justices of the peace.

Justices of the peace, then, end up being a face of the justice system that's often there in the middle of the night or in a situation where people who aren't used to being in contact with the criminal justice system are having to deal with these people. So it's important that they are well-trained people, well-respected people. And I know that the task in the justice system has been to make sure that we can get the right people to do that role. Sometimes they're retired schoolteachers or sometimes retired lawyers — I think some of the rules have been changed to allow for that — but also local people that are respected in the community.

So you end up having this legislation that makes some of these adjustments. And this particular piece then deals with the consequential amendments to other pieces of legislation where a presiding Justice of the Peace was designated as a person to do a particular job.

And so if we look at the Bill itself, the section no. 2 talks about amending another piece of legislation called *The Emergency Protection for Victims of Child Sexual Abuse and Exploitation Act*. And it's amended by taking out this word presiding but then saying that the role that had previously been held by the presiding Justice of the Peace would be held by the chief judge and basically allows for this legislation to continue.

I think we all know this legislation came out of the all-party committee that looked at the whole issue of victims of child sexual abuse and exploitation, and it's clear that everybody wants to make sure that this legislation is in place and is in a situation where it can be used appropriately. And once again, this is a good example of a place where a Justice of the Peace should be somebody who is highly respected in the local community and is somebody who has sufficient training to be able to deal with some very difficult issues, some very tough issues. And so this kind of amendment fits with this concept of making an accountable system, making a respected system for the justices of the peace. Now as we look at that particular legislation, there are some remedies that can be quite traumatic, and once again that fact of having a respected local person able to operate very quickly.

One of the issues that comes up across Saskatchewan is the recruitment of the people to serve as justices of the peace. Many of us have seen the advertisements in newspapers and other places, advertising for the job, and people do apply. People are suggested to apply. And part of the reason to keep doing that is to get the best people possible to do the work. In some communities, this is not as simple because they're not, the communities aren't that large, but they may be many kilometres away from other larger centres of population. And so we know that some of the challenges of finding people in some of these smaller communities means that there's continually advertising, but also there'll be some method of local recruitment to find people who can serve this particular role.

[19:15]

But once again, the goal is to get justices of the peace who are well respected in the local community, give them the appropriate training, and then make sure that they will be able to fulfill the role in the community.

A further factor that's arisen over the years relates to the appropriate compensation of these people who are effectively on call when they're on . . . You know, they end up being on call, but they're often subject to being awoken in the middle of the night to go out and do some of this work. And some of the traditional methods of remuneration have not been sufficient to keep people doing this work. And I know that that's a problem that is being looked at on an ongoing basis.

I hope that some of these legislative changes and some of the administrative things that are happening here with having the Chief Justice of the Provincial Court being involved in the

administration may allow for some of those remuneration issues to be addressed as well. And I'm concerned that some of those issues will be dealt with even though there's a general sense that we're feeling this week that there's not much money to do anything. This is an area where appropriate compensation needs to be paid to make sure that people are available to do this important work.

Now the next clause in this Bill is a clause related to *The Homesteads Act*. And basically in that legislation it's obvious that there needed to be . . . It was something that was picked up by some of the legislative draftspeople, and they needed to make sure that the legislation from 1988 was actually incorporated into this particular legislation, but to make sure that a Justice of the Peace appointed properly under *The Justices of the Peace Act* is got a role within *The Homesteads Act*.

And as we know, the particular home protection legislation we have in Saskatchewan is actually known quite widely around the world because it was brought in in the '30s when many primarily Eastern Canadian banks tried to take away people's homes and they were . . . People sought a made-in-Saskatchewan solution to protect homes.

Now it's interesting that with the financial crisis in the United States over the last two or three years there has been some discussion about looking at the kind of legislation we have in Saskatchewan and the development of that legislation as a method of responding to the loss of homes by people in the United States in the financial crisis. And it's always interesting what kinds of things other jurisdictions can learn from our jurisdiction here in Saskatchewan.

It's pretty clear that the solution that we came up with in the '30s to deal with the clear unfairness that we saw in many of our local communities has meant that this kind of legislation stays in Saskatchewan and is continued to be enhanced and developed. And I think this particular amendment under this legislation deals with making sure that those protections that we've held to be part of our law for many, many years will not be abrogated in any way.

So then we go on to the next section, which is section 4, and basically this deals with *The Local Government Election Act*, and it puts in a clause that allows for a matter to be dealt with by a Justice of the Peace, notary public, or Commissioner for Oaths. And once again, it's to make sure the language in this legislation fits with the language in *The Justices of the Peace Amendment Act* and *The Justices of the Peace Consequential Amendment Act* — the one we're talking about right now.

It also allows for the fact that affidavits under that particular legislation as it relates to local government elections can be sworn in front of a Justice of the Peace and, once again, making it clear about the role that a Justice of the Peace has.

So here we're talking about something that's completely outside the criminal justice system, where most citizens run into justices of the peace, that's talking about making sure there are fair elections or if there are particular problems, that the matters can be dealt with through the affidavits which may be developed or taken before a Justice of the Peace. So once again,

it's making sure that this important rule or this important role with in a local community is supported and is basically done in a way that will garner respect from the people in the community and also that allows for an accountability as these matters are being dealt with.

So then you go on into the next Bill that's being changed, and that's in clause 5, and that's *The Summary Offences Procedure Act, 1990*. And once again, we're taking out the word presiding because that role no longer exists within the Act. It's been taken over by Chief Justice of the Provincial Court and basically saying that justices of the peace can handle many of the steps under *The Summary Offences Procedure Act*.

Now *The Summary Offences Procedure Act* is that place where most of the provincial-penalty-type or criminal-type legislation is located, and it's everything from environmental issues to parking kinds of issues or speeding and other areas like that. And so we want to make sure that that legislation is absolutely clear and so there will be changes there.

Then it's kind of interesting that the next changes are in clause 6 and 7 and they relate to . . . clause 6, *The University of Regina Act* where there was a role for a presiding Justice of the Peace. Now we're going to remove that word and just have Justice of the Peace, same way in *The University of Saskatchewan Act*. And so basically there's a role there once again for a Justice of the Peace who is administered through the Provincial Court system with the Chief Justice of the Provincial Court, but there's a role in both the University of Saskatchewan and the University of Regina where a Justice of the Peace can be somebody who does particular tasks that are designated to them under the legislation.

So once again, it's sort of a broad-ranging change that is taking place in legislation, and so we have what seems to be a relatively inconsequential Act or a small Act which is affecting a broad number of places in the legislation.

Now the final area or the final Bill that's affected by this particular legislation is *The Victims of Domestic Violence Act*, and once again the word presiding is taken out as it relates to Justice of the Peace because that role no longer exists, and it then says that a Justice of the Peace can do this. But the key part here is that the chief judge of the Provincial Court will be the one that's assigning people to deal with applications under the domestic violence Act.

And we know that this particular legislation which was developed over a number of years has been of great assistance in dealing with some very difficult cases within the community. And so once again, it affirms the fact that justices of the peace are respected people who have key roles in what happens in a local community, and therefore it's absolutely necessary that we get the right people doing the job, that we get them the appropriate training and that we make sure that the legislation that relates to them and to their roles is entirely accurate.

Now it's interesting to look at this change that we're doing here and put it in a context of what's happened here on the Prairies over the last 140 years because one of the things that my colleague was talking about in the legislation which was the Bill just prior to this one, related to *The Justices of the Peace*

Act . . . it relates to, you know, how the case was or how the system was developed. And we also have, in this particular session of the legislature, amendments to *The Queen's Bench Act* that relate to when the law of England was brought into Saskatchewan, and that's fairly crucial.

Last year I was given a book by the University of Alberta Press, their publisher, called *The Alberta Supreme Court at 100: History and Authority*. And it's interesting to look at this particular book because it talks about the formative years of the courts and justices and justices of the peace in Saskatchewan and Alberta prior to 1905. And so basically our Court of Queen's Bench in Saskatchewan, Court of Appeal, the Supreme Court in Alberta, and Court of Queen's Bench in Alberta all had its origins in the North-West Territories when judges were first appointed in 1876. And this was following the surrender of the Royal Charter of 1670 of the Hudson's Bay Company to the British Crown in 1869, and then the subsequent transfer of all that Hudson Bay land to the Dominion of Canada in 1870. And we all know those dates and the things that happened around there because they're crucial in the history of Saskatchewan. They're crucial in the history of Manitoba, crucial in the history of Alberta.

We know that 1870 and the time of this transfer, that's when Louis Riel started talking about a nation in the West. And we know the things that happened there. But effectively the first judges that were appointed by the Lieutenant Governor of the Territories in that time were stipendiary magistrates. In other words, they were paid a fee for doing the job each time a case came up. In other words, there probably weren't that many cases, so they weren't on a full-time salary. But the interesting thing is that they applied the law of England as of July 15th, 1870, according to the English *Judicature Act, 1873*. And so this law basically fell on some of the RCMP [Royal Canadian Mounted Police] because you can see the years — 1874. That's an important time obviously for the establishment of the Royal Canadian Mounted Police or North West Mounted Police as they were at that point.

So basically Colonel Macleod, who is the founder of Fort Macleod, ended up being the first judge in the southern part of Alberta, the district of Bow River, and he eventually then became a judge, southern Alberta, and then eventually a member of the territorial Supreme Court. So it meant that these judges that were appointed in Alberta and Saskatchewan, the North-West Territories, and if you look on the maps you can see that it included the northern part of Manitoba, the northern part of Ontario, all the way up to the Arctic Ocean. These people were appointed, and their job was to preside over the most modern law in the world at that point, which was the British law under the English *Judicature Act of 1873*. And so effectively they then came into a role of administering law and equity according to this British law in North America, which ended up then being the most modern law around.

And so what happened was that they tried to copy what was going on in the High Court of Justice, in the new English High Court. And so effectively what happened was that they used the English law that was there prior to 1870 but which was effectively the law here, but they also looked at the law that was developed since 1870. But because they were here in the West and on the prairies they were able to say, let's take the best

ideas from other parts of Canada, from the United States. And then also we end up . . . [inaudible interjection] . . . I think if the members opposite would listen, they would understand how important this is to the history of why the kind of changes we're making in this particular legislation, following a long tradition of making sure that the Justice officials that we have — whether they're judges or justices of the peace — are respected by the community, that they are trained, that they know what they are doing, and that they are appropriately remunerated.

[19:30]

But the interesting thing is that we have a long history now, 140 years of our local people being appointed to be judges, justices of the peace and applying the law, the best law in the world at that time which was the English law under the British *Judicature Act*, but then also taking precedents from other places. And the real important part is that they had a strong sense of the local custom that was here on the Prairies.

And this, this is one of the areas where our law has developed, but it has a lot more development to go because what was I think forgotten originally when these people were appointed to do these various roles is that at the same time we were also treaty people. We were also people who were subject to the treaties, to the agreements between the Crown and the First Nations that were located here. We also had issues around how to deal with the Métis Nation and the customs and the ways that they had developed things. And so, what has happened with our law here on the Prairies — Manitoba, Saskatchewan and Alberta especially — is that our legislation has attempted to adopt and deal with issues in a way that reflects how we live here. But we have a long way to go.

This particular amendment tonight to this legislation actually relates to this long process of keeping up with changing the administration of how we deal with people through the justice system, especially through the criminal justice system, in a way that reflects this long history of how our courts work. And so basically the goal in the 1870s was to seek out and apply "the customs of the country" in a diverse pioneer society. The goal in 2010 is the same goal: to make sure that our law and our legislation reflects the kinds of issues that are there in the community and continues with the respect for the individuals who are going to do the job that we have in this particular legislation.

And, Mr. Speaker, it's a fascinating lesson in history to think about. In Saskatchewan, the place where at first were the most lawyers — and it's unfortunate that the member from Moosomin isn't hearing this directly — but basically in Moosomin was the place where the territorial court was first set up, and it was a man named Wetmore. So we know there's a street in town called Wetmore Street. Well that's named after Eugene Ludlow Wetmore, who was this justice. And at a certain point in Saskatchewan, there weren't lawyers anywhere except in Moosomin, and there were quite a number of law offices there because that was where the railway had come that far. And as the railway moved further across, more lawyers and more law offices were set up across the province.

But, Mr. Deputy Speaker, it's important when we look at legislative changes that we try to make sure we understand why

we're doing particular things and why suggestions will come forward from our legislative draftspeople and our advisers within government to make changes that seem relatively simple and obvious. But they come out of a long tradition of making sure that our rules will work, that our rules will mesh with what the local community thinks as it relates to how they're being treated by the justice system, but especially the criminal justice system — that system which can take away one's liberty.

So, Mr. Speaker, this particular consequential amendment Act affects quite a few important areas. But it does, I think, in a way that is understandable, and once again is in a way that follows the long tradition of making appropriate adjustments in legislation so that it does in fact serve people in the best way possible. So with that, Mr. Speaker, I think I will close my remarks.

**The Acting Speaker (Mr. Elhard):** — The question before the Assembly is the motion by the minister that Bill No. 113, *The Justices of the Peace Consequential Amendments Act, 2009* now be read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

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

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

**Hon. Mr. Harrison:** — Thank you, Mr. Speaker. I designate that Bill No. 113, *The Justices of the Peace Consequential Amendments Act* be referred to the Standing Committee on Intergovernmental Affairs and Justice.

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

#### Bill No. 104

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 104 — *The Summary Offences Procedure Amendment Act, 2009 (No. 2)*** be now read a second time.]

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

**Mr. Iwanchuk:** — Thank you, Mr. Deputy Speaker. I rise to make a few comments on *An Act to amend The Summary Offences Procedure Act, 1990*.

Mr. Deputy Speaker, I would first like to begin my comments in going over the Bill so that we can have an understanding of the amendments that are taking place, the importance of those amendments, and the necessity. I will also have questions in terms of people consulted and how thorough we have gone over this legislation, whether any amendments are further needed or

if in fact the Bill can stand as it is.

Now the short title of the Bill is the summary offences procedure amendment Act, 2009. And then it goes on to section 2: "*The Summary Offences Procedure Act* is amended in the manner set forth in this Act." Now the amendment:

#### Section 8 amended

**3(1) Subsection 8(1) is amended in the portion preceding clause (a) by striking out "subsection (2)" and substituting "subsections (2) and (3)".**

Now, Mr. Deputy Speaker, this Act goes to discussing in terms of the summons and how they are served. So the first amendment there of substance is (2), that's under section 8 is amended. And (2) is replacing, (2) and (3) are substituting for (2). And so:

#### (2) The following subsections are added after subsection 8(2):

"(3) Subject to the regulation, when a summons or offence notice issued pursuant to this Act cannot reasonably be served in accordance with subsection (1) at the time of the offence on a defendant who is an individual, the summons or offence notice may be served on that individual by mail, in the manner prescribed in the regulations, addressed to the last known address of that person.

And then:

"(4) A summons or offence notice sent by mail in accordance with subsection (3) is deemed to have been served at the time prescribed in the regulations".

Now in an attempt of this Act to deal with the serving of summons and changing to service by mail, perhaps before under law where it was very important to have individuals served individually, we are shifting to service by mail. And again so the first section deals with that as it will be outlined that we are going to be dealing with in "**Section 55 is amended by adding the following clause . . .**" lists out further how this is to be done, and that this can now be done under regulations is a departure from what has existed, Mr. Deputy Chair.

Now there is a new section 15.1 is added after section 15, and that is an application for a hearing, Mr. Deputy Speaker. And that is speaking directly about, for example, since where convictions come to the attention of the offender and where they can appear by themselves, where the offender has perhaps not . . . can say has not heard of the summons. So section 15.1:

(1) If not more than 15 days have elapsed since the conviction first came to the attention of the offender, the offender may appear in person or by agent before a justice to request a hearing on the grounds that the offender did not have an opportunity:

(a) to dispute the charge; [not having that in our system to be heard] or

(b) to appear in person or by agent at the trial.

Now again, here then, part 2 of that is:

If an offender makes an appearance . . . the justice shall, if the justice is satisfied after hearing any evidence of the offender that the offender did not have the opportunity to dispute the charge or appear in person or by agent of the trial and that would be equitable to do so.

Now again, here, and I'll be getting into all these in a bit more detail, Mr. Deputy Speaker, but just to go over quickly. Then it outlines in terms of what the justice may do:

set aside the conviction; and

either:

[the justice in these cases has an option] give the defendant a notice of trial; or  
enter a conviction and permit the defendant to make submissions respecting the penalty”

The final section in this Bill and perhaps the important section is amended, and that is:

**Section 55 is amended by adding the following clause after clause (p):**

“(p.01) for the purposes of subsections 8(3) and (4), respecting the service of a summons or offence notice issued pursuant to this Act including:

Again here, outlining the manner in which the service will be made, and that's:

prescribing the manner of service by mail;

prescribing the circumstances in which service may be made on an individual by mail;

prescribing the manner of proving service; and

prescribing the time at which a summons or offence notice is deemed . . . ”

Now again here, what we are going into, we're going into an area where this will have to be spelt out clearly, Mr. Deputy Speaker. And the intent that if we have arrived, if in fact that this is what we are going to be doing, then we need some clarity in terms of what this is going to mean for service. The section 55 brings forward a number of questions that we will have to deal with — prescribing the manner of service by mail, the circumstances in which service may be made on an individual, further prescribing the manner of proving service, and a very important issue in prescribing the time in which a summons or offence notice is deemed to have been served. So all very important questions on what we will be doing.

And I'll be returning to the sections a bit later, but I thought it would be of some value to get a feel for what offences that we will be now mailing to offenders, and the summons in terms of the summary offences Act, and what that might include. And

I'd like to read that as well into the record, Mr. Deputy Speaker. Now again the summary offences Act, 1990 deals with procedures for charging individuals with provincial offences and offences against . . . For example, municipal bylaws including bylaws of the Wascana Centre Authority, the Meewasin Valley Authority in my own Saskatoon, and the Wakamow Valley Authority, the University of Regina, and the University of Saskatchewan.

Now this Act also prescribes the course of powers, the duties respecting provincial offences which generally follow the summary convictions, provisions of the Criminal Code, and the enforcement of fines resulting from these convictions, Mr. Deputy Speaker.

[19:45]

Now the most common offences that we're going to run into under this Act relate to driving. And now, however, many Saskatchewan statutes of summary offences provisions, again statutes dealing with the sale and use of alcohol, fishing, Mr. Deputy Speaker, hunting, and the use of provincial park facilities, and environmental safety again fall under these offences. So we have to get a good understanding of what offences we would be dealing with here to see if in fact the concerns we're attempting to address or the solutions we're putting forward meet the level of what the offences are, and to better understand the area in which we are dealing with.

Now again, here our proceedings under the Act may begin by issuing the alleged offender a summary offence ticket. And, Mr. Deputy Speaker, we . . . [inaudible] . . . to send either a summons ticket or an offence notice ticket. Now instead of the normal court process, a defendant who has been served with a summons or an offence notice and who wishes to plead guilty may deliver the summons or offence notice and the amount of the fine specified before the date and place specified. So for these individuals obviously, Mr. Deputy Speaker, we're not going to need to mail anything here.

But offences that go to trial are under the jurisdiction of the judge of the Provincial Court or the presiding Justice of the Peace. Now again here, Mr. Deputy Speaker, where the penalty on conviction of a summary offence is a fine, the person is given the option of choosing to participate in the fine option program — a program that was put into place, perhaps a good program where individuals are allowed to work off their fines. Now again under this program, an offender who is convicted and sentenced to a fine may work off any part of the fine. So we have a number of programs where people find themselves doing things to improve our communities and we have accepted this as a way of treating these offences, Mr. Deputy Speaker. And for the most part the feedback has been good and we continue with that.

Now for example, Mr. Deputy Speaker, a person convicted of a driving offence who has defaulted on paying the fine imposed will be unable to renew his or her driver's licence until the fine is paid. And now the Minister of Justice may file the conviction with the Court of Queen's Bench to make a judgment enforcing an order such as that.

Now, Mr. Deputy Speaker, where the default is against a



corporation, now the justice there may issue a warrant of distress to any sheriff, bailiff, or peace officer to seize items belonging to the corporation to satisfy the outstanding fines.

Now just going on in terms of what justices are also permitted to do to order restitution as a sentence for provincial fines, now at the sentencing of an offender, “. . . the justice may order the offender to pay as restitution all or part of the cost of restoring or replacing property damaged, lost or destroyed as a result of the . . . offence.” And now the restitution order may be ordered in addition to any other penalty imposed on the offender.

Now again as I was talking about amendments, this Act . . . [inaudible] . . . to enforce parking law bylaws. Again these were some other changes that were done and that was done in January 1, 2006. And these amendments, and this again is what happened in 2006 to parking bylaw fines, allow parking summons to be served by mail. So in 2006 we opened up to do that, provided a default conviction can occur where a person does not respond in any way to a summons and provided that a lien can be registered against a vehicle owned by a person with an outstanding parking fine and set out the procedure to be followed before a person can be incarcerated for an outstanding parking fine.

So, Mr. Deputy Speaker, in some ways we have gone into the area of sending out parking summons to be served by mail and we are moving now into other summary offences and having to deal with the entire issue of how we are to serve people, in terms of how will we know that they are served, working out details on that, what will be the proper forms of service on individuals. And hopefully at the end of the day, Mr. Deputy Speaker, we can free up, free up our law enforcement officers to be doing more of the work that we find of priority in terms of . . . as opposed to chasing down people to serve them summons.

Now the minister went on to say — and if I may as well — that this was about service of tickets by mail where they cannot be reasonably served. So the minister added a further thing where you could not perhaps in some cases serve a summons immediately, perhaps things had not come to that where decisions could be made. There were issues around where tickets, where mistakes were made and tickets would have to be . . .

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

**Mr. Ottenbreit:** — Ask leave to introduce guests, Mr. Deputy Speaker.

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

**Some Hon. Members:** — Agreed.

#### INTRODUCTION OF GUESTS

**Mr. Ottenbreit:** — Thank you, Mr. Deputy Speaker. To you and through you to all the members of the Assembly, I'd like to introduce two people we've met a number of times from the Discovery Learning Foundation, Mr. Jamie Hopkins from Regina — just give us a wave, Jamie — and Mr. Greg Hodgson from Oxbow. I'd ask all members to welcome them to their

Assembly.

**The Acting Speaker (Mr. Elhard):** — Thank you. And I recognize the member from Saskatoon Fairview.

#### ADJOURNED DEBATES

#### SECOND READINGS

#### **Bill No. 104 — *The Summary Offences Procedure Amendment Act, 2009 (No. 2)*** (continued)

**Mr. Iwanchuk:** — Thank you, Mr. Deputy Speaker. And I welcome the two individuals as well to our Legislative Assembly.

Mr. Deputy Speaker, what we are then looking at and what our concerns would be, would be that in fact the things that are outlined by the minister are in fact addressed in this Bill. So in terms of the minister talking about, where the minister gave some examples of:

. . . where charges cannot be laid for a moving traffic offence until accident reconstruction has been done; where a citizen complains that an offence has occurred and the police investigate the matter before issuing a ticket; where a mistake on a ticket [which I spoke of earlier] means it must be withdrawn and reissued; and also for abandoned vehicle[s] . . .

And then the minister also goes on to talk about that this would be addressing areas of:

Many hunting, fishing, and parks offences require additional investigation after initial observation of the situation by a peace officer or complaint from a member of the public.

Our role then here is to look at and look at the Act and find out whether in fact these concerns are being addressed, not only as section 55 as outlined in the method, but whether we can in each of these . . . whether it makes sense that, whether it makes sense in the way that the changes have been made, that they will address those issues that the minister has said.

Now the minister, also perhaps if I could at this time add in that what his thoughts were in terms of some of the other rationale for the Bill, and that is the on the spot service will continue to be used in most cases, which we are accustomed to and which is the practice.

But now again here he said:

But in situations where a ticket cannot reasonably be served at time of the offence, peace officers must find and serve the ticket on the person charged who may live in another part of the province or, in fact, another province or country.

He talks about police officers sending people:

. . . where the offence occurred must send the ticket to

enforcement personnel in the place where the person being charged with the offence resides so the person can be found and, in fact, personally served . . .

And again, the issue here was time-consuming and can be expensive in the case of hunting and fishing, where in a lot of cases, Mr. Deputy Speaker, people come to our province to enjoy what we have here are out-of-province and out-of-country offenders.

The issue that the minister raises are points that we are all aware of and we should . . . The issue becomes as to whether the amendments and whether the things that we are requesting in the Bill do that. And secondly, Mr. Deputy Speaker, the issue is, are we — because as is important in terms of due process — will these be addressed in an appropriate manner so in fact we are not creating other problems?

We have reason to believe that, as I spoke earlier, that amendments made to parking bylaws, for example, which came into force in 2006 allowing parking summons to be served by mail whether we have . . . We can learn from those.

And I guess what is missing here a bit is the background material for any of the studies to say that in fact we will be protecting because in our system it is important in all instances that due process before the law be carried forward. But I think, as legislators, it is also our duty to make sure that that happens in a way that, Mr. Deputy Speaker, that it's done in an objective manner and that it is perhaps done not in the heat of the moment when we have some particular individual case before us, but in a time where we can sit back, contemplate this, and have good debate on it so that we know we do the best for the residents of Saskatchewan.

So the concerns raised, we have . . . The minister also pointed out that this is a request from the Saskatchewan Association of Chiefs of Police and that there be consideration for this. And, Mr. Deputy Speaker, this is an important group and obviously we have started this process and then it is up to us to make sure that it does address all of those things.

We have as a responsibility, as I've said, under section 55, we have to be careful that we do get these things right, that we get prescribed the manner of service by mail, that we get that right, prescribing the circumstances in which service must be made. And again we're moving here into an area of regulations which, as we know, regulations that we don't have those before us to outline as to how these will be done, Mr. Deputy Speaker. It is important that we understand those, that we understand what is being done because the law is a delicate balance at times and we always . . . It is important that we protect the rights of our citizens of this province and that we get it right, and that we get it right because again it is very easy for us to say that it will save us time. It does all the right things for the . . . as requested by the police chiefs. It saves us some money and if we can direct our resources in a better way, I think we should all be in favour of that.

The issues then, once having said that, which we can all agree, then the hard work begins, Mr. Deputy Speaker, of going through the Act or through new legislation which addresses this because we have a long history of proper service, people being

told in a certain manner, and we hold those kind of rights dear and near to us.

But, Mr. Deputy Speaker, change, change is what in fact this legislature is about. We are always, we're always here about change. We're always here to make life better for the people of Saskatchewan. That is our role which each one of us comes here to do, to serve the people of Saskatchewan. And we must look at being ever watchful. And we meet with the people of Saskatchewan and when we hear of issues like this, it is our right, in fact it is our duty to address these issues and take them forward.

And so the minister has outlined in some of his statements what he is doing. I wish there would've been a bit more in the background information in terms of what his thoughts might have been in terms of section 55 — very important because we are moving into new areas. But I guess if all that we have is what he has said, we have to take him at his word. But it is a concern for me to simply say that we should accept section 55, you know, without a little more background description. Perhaps he could have gone on in his speech to outline those areas for us.

Because it is important when we deal with the law and that balancing act which I spoke of which is so important for us, so important for us to understand that our rights . . . Because even if two people are done injury by this, Mr. Deputy Speaker, that is what our system is based on. It is based not on that we are running in some way perhaps as a poll or, as that government is so wont, to go on polls and govern that way.

[20:00]

What is important here is we're talking about individual rights. And by it's very nature individual rights lead us to that it's usually one or two people, Mr. Deputy Speaker, that are impacted by laws, particularly laws and rights in the courts — one or two people that are impacted by that. And it's left to us, Mr. Deputy Speaker, to do the due diligence on the Bills so that in fact the appropriate considerations have been given to the Bills.

This is not as simple as trying to see what the flavour of the day is. It's not as simple as trying to see in fact, even, Mr. Deputy Speaker, where the majority is on these issues. What is important here is that we get the rights right. That we get it right because we live in . . . And that is why, perhaps, why our country, our democracy is held up as a model around the world, because we have taken the time exactly on these issues that other people would simply ram through and just go and write those up. We in fact take the time to look at these.

And these are not allowed to simply go by because it is the flavour of the day or flavour of the month or it seems to be that the majority of people today are in favour of this because this makes some sense. We have a higher calling, Mr. Deputy Speaker. That calling is to look at each individual piece of legislation, to go through it thoroughly, to understand that ours is the job, Mr. Deputy Speaker, of protecting the individual rights. That is our duty, Mr. Deputy Speaker, and we take that role seriously when we address this.

Now I said I was going to, and perhaps now to go through each clause of the Bill, the Bill 104, *An Act to amend the Summary Offences Procedure Act*. Again, I put into the record the amendments under Section 8 as amended: “**3(1) Subsection 8(1) . . . in the portion preceding clause (a) by striking out “subsection (2)”**”. And so we’re replacing two sections where there was one.

Now again where they talk:

Subject to the regulations, when a summons or offence notice issued pursuant to this Act cannot reasonably be served in accordance with subsection (1) at the time of the offence on a defendant who is an individual, the summons or offence notice may be served on that individual by mail, in the manner prescribed in the regulations, addressed to the last known address of that person.

It is exactly in this part that we perhaps could have gotten, perhaps the minister could have shone some light on the regulations that he was intending: the manner in which the service would be done, how it would be done, the issues of how would you prove service, in fact so that we do not . . . Further what we’re trying to in fact make, ease up, service. In one part, we in fact find ourselves into difficulties in the court system because in fact there’s issues around rights and service, and where people are aware that they are being charged. And these are important issues because in our society we should be very concerned about when we are charged, how we are charged, and that we thoroughly understand it.

And, Mr. Deputy Speaker, one of the important things is that we have the right to be heard in court. And I notice the Bill attempts to do those things. It attempts to address them. Does it do a sufficient job? Does it address those issues? Those are things that we will have to continue to talk about and look at. And again, I say it was unfortunate that the minister didn’t provide a bit more insight into what the thinking was here, that we can simply either negatively imply that the regulations will in some way not address those or that we would have to accept simply, particularly that minister’s say-so that all will be well because there would be regulations passed to address these concerns.

So, Mr. Deputy Speaker, this section is very important. And then again for just the other section that’s there:

“(4) A summons or offence . . . sent by mail in accordance with subsection (3) is deemed to have been served at the time prescribed in the regulations”.

And I can only say again the regulations that this attempts to address, we have not seen those regulations. Regulations we know can be changed without being brought into this legislature where we have the right to debate the Bills.

So we can talk about in terms of beliefs that we have that we share, in terms of rights of individuals, in terms of due process, but to get down to the . . . As they say, the devil is in the details, Mr. Deputy Speaker. We need to understand what the details are so that we can properly debate and discuss this with all people in the province.

Again the issue around this Bill, the issue that it’ll be less time consuming, that we will be able to make better use of valuable resources, I think we all here can agree on that, that that is our role — that we continually look for how to best avail ourselves of the valuable resources that we use. And I know whether that, Mr. Deputy Speaker, whether that be whichever party goes to the doorstep when we talk to our constituents, we probably all are here to try and do our best job.

Where the difference is, is how we use the valuable resources and how we talk to our constituents, talk to the people of Saskatchewan as to how we can improve this province, how we make it better for all the citizens in this province — and those are lofty goals that we all aspire to. Oftentimes the difference is in how we deliver the services, how we prioritize the services. But that is for the electorate to decide at the time of election, when we put forward our positions, when we put forward our beliefs and our policies before the electorate to do that.

And one of the, one of the very important policies is always around laws and around rights and perhaps even more so . . . Even though sometimes political parties take advantage of that and might use that and come off in terms of talking about being tough on crime or all of that — and those are popular, popular things; at times they have their popularity; they come and go as perhaps waves come and go — but, Mr. Deputy Speaker, the important part is, at the end of the day, at the end of the day, what wins is that we develop a system that we can be proud of and that supports our democratic ideals that we have.

And that is why, as I said previously, why our country is held as a model around the world in terms of that because we take the time to work on those rights. And it is often to our detriment when we do go and follow perhaps what, as I talked before, perhaps you know, it’s popular to in some instances to be tough on crime or that without . . . But a thorough examination of the issues. What we need to do is to understand what we are doing and to balance those rights. And that takes, that takes courage, Mr. Deputy Speaker, sometimes to say, that that is the right way we should go because the future is there. Because it is always popular to use our resources right and to save money and time. And I agree with that as well. The issue though is, sometimes where we save money, it ends up being to our own detriment and to the detriment of the people of this province.

So the issue here around section . . . The amendments in section 8 is a reference to regulations. And in terms of service, and if we can feel, if I may say so, if we can feel comforted in some way or be convinced in some way that in fact the service and people’s rights at the end of the day will be protected because we can serve them through the mail and those are . . . And there’s enough in there where people are not going to be coming back to us and saying, well you’re saving some time here, but here’s what the impact is on me. And we cannot foresee some of those things, Mr. Deputy Speaker, of what may happen to people once we embark on this little adventure in terms of service.

And it would be good to see what is meant by approving service, what would that mean. Here’s how you would prove service; here’s what you would have to do to have been served. Those are important issues and I think perhaps maybe should have been included in here as opposed to leaving it to

regulations because it sure would have put us at rest, at least for myself, put me not to have to raise a lot of the questions that I'm here raising tonight, if I could understand what the meaning was. Because I can read into those, whether I do it negatively or positively, I can read in and satisfy myself, Mr. Deputy Speaker, in the language that's here.

But we are all different, Mr. Deputy Speaker. We are all different and it would take some less and some more to satisfy people. We know that that cuts across party lines because in fact issues like these are about rights. And we want to have that because we want to have a court system that is fair, and it's not only perceived as fair, Mr. Deputy Speaker, but in fact it is fair. And that is important to us and should be of utmost importance to us as legislators and is important to the people of Saskatchewan.

So, Mr. Deputy Speaker, the second is a new section in the Bill and that is section 15.1. The following section is added after section 15. And this is application for a hearing so the issue then came through obviously when the people drafting the legislation thought about people not receiving a summons. What would happen if a person was not to receive that, even though after all the times we have attempted to do it right under regulations, there was still recognition. And I think this goes to my point in my argument that even after we have tried, even the people who drafted the Bill recognized that not all may go as it should.

So they put in section 15.1, if I can read this:

If not more than 15 days have elapsed since the conviction first came to the attention of the offender, the offender may appear in person or by agent before a justice to request a hearing on the grounds that the offender did not have an opportunity:

to dispute the charge; or

to appear in person or by agent at the trial.

[Now] If an offender makes an appearance pursuant to subsection (1), the justice shall, if the justice is satisfied after hearing any evidence of the offender that the offender did not have an opportunity to dispute the charge or appear in person or by agent at the trial and that it would be equitable to do so:

set aside the conviction; and

either:

give the defendant a notice of trial; or

enter a conviction and permit the offender to make submissions respecting the penalty”.

A number of issues that arise here. Again, is that section, how open is that to interpretation? How open is that to abuse? And how much protection is there for both us and for the people who are charged, Mr. Deputy Speaker?

So we have in section 8 amended, we have the issue about where people can't be reasonably served at the time of the offence, and there's regulations about how they can be served by mail. We have concerns that people are not served and then what justices would have the right to do. So again we are now, as this Act by its very nature, expanding and in fact opening up different clauses, how we see how changes impact different sections of the Act and other things that we perhaps today might not be aware of, Mr. Deputy Speaker.

So we come to section 55 is amended here again by adding the following clause after (p):

“(p.01) for the purposes of subsections 8(3) and (4), respecting the service of a summons or offence notice issued pursuant to this Act . . .”

And, Mr. Deputy Speaker, I've gone over the section 8 amendments and what those in fact would mean: “for the purposes of subsections 8(3) and (4), respecting the service of a summons or offence notice issued pursuant to this Act . . .”

And then again what they are including, Mr. Deputy Speaker:

(i) prescribing the manner of service by mail;

(ii) prescribing the circumstances in which service may be made on an individual by mail.

For example, if you were charged with an offence, how would that work? How would that work? So if I could just . . . So we could all understand this, this is “. . . respecting the service of a summons or offence notice issued pursuant to the Act including . . .” So this would be very important in terms of outlining the ways in which the service would be done, the circumstances, and providing the manner of approving service. Now this is very important because not only are we talking about service by mail, but we're talking about what circumstances would lead to this.

[20:15]

Again, so if we had arguments outside of . . . if some service was done outside of those circumstances, what would that mean and what are those? And perhaps the minister could have provided a bit more briefing, more detail what those actually would be. What would they include and how would, in fact, some of these work or not work? And if that work was done, it would be appropriate for them to do that because I think we all would like to know, if we were served with a summons and it came in mail, and we would like to know why and was it done properly and what are our actions. And this leads to all sorts of questions, if you're in fact served with a summons, that we would want to know what has occurred, what is happening, what do we do after we're served with a summons. Is it clear to everyone what you would do?

And then prescribing the circumstances, now the circumstances under which this would be allowed, would you simply . . . If it was an error that you got served the summons, would you understand what the circumstances under which you could not be served by a summons? To the average individual in Saskatchewan, what does that mean? Does that mean that on

any given case that this is what would be happening, or how would it work?

Again one of the important issues of approving service, again there was issues here around the last known address of the person. People are quite mobile; addresses are difficult. What particular concerns will these raise? And then again prescribing the time in which a summons or offence notice is deemed to have been served . . . [inaudible interjection] . . . Thank you, Mr. Deputy Speaker. I notice there was some agreement to you being in the Chair there.

Mr. Deputy Speaker, so in total I think, if I could summarize this Act and our concerns would be . . . And I have gone over the summary offences. And it's of interest because I think the summary . . . and how would the service be made because there are very . . . summary offences cover very interesting places, offences against municipal by-laws. Now we're going to, I understand we're including the Wascana Centre Authority and all the different violations that might occur out there, the Meewasin Valley Authority, the Wakamow Valley Authority, University of Regina, University of Saskatchewan — a broad range of institutions with by-laws under municipal laws that we now will be bringing on to this, individuals charged. We'll again be receiving mail on this.

And so it is important when we do this because we don't want to again send . . . if in fact this does not work, that we shouldn't have these authorities feel that in fact now where we've gone . . . people not receiving notices, legal notices, if we get caught up in and entangled in the courts because some of these things are not done properly. We will get questions from these various authorities as to what is occurring and why did we change. Why did we change and allow this to pass when we're now embroiled in all sorts of additional cost and controversy in the courts?

So it is important for us to get this right. We should get this right because . . . or we must get this right, Mr. Deputy Speaker, because it is important for people to have the confidence in us, the confidence in the police forces that they are doing, that they are doing this job. So I've simply talked about some of the regulations and getting them right and protecting the individuals' rights.

I think now I'd like to just talk a bit about how the impact of this would be on, in fact, bylaws, municipal bylaws. In fact that if we don't get it right and in fact it creates a problem where people are able to, in some way, get out of . . . or perhaps maybe that might be the way of saying of in fact committing an offence and then not being properly punished, because we've created some technicalities where in fact people can use and are able to in fact get away scot-free. And I don't think any of us want that, but I think it's important that just as much as we want to protect individual rights, we now also want to protect the rights of people, such as . . . and people, not only people but bylaws, municipal bylaws, people who might be charged under those, and as I said under the Wascana Centre Authority, Meewasin Valley Authority, Wakamow Valley, and University of Regina or Saskatchewan.

Again we do not want to send the message that in fact by trying to have some efficient use of resources, in fact we've created

further problems for these other authorities so that they now are having difficulty in feeling safe and that their laws are being carried through.

Now again, and we have to also be careful in driving. I mean there are many people out there. We have many driving offences. And again if we are not to be careful in doing this and so that people can . . . We have to be very careful in terms of how do we prove that the summons has been served. Those have to be addressed. We have to spend the necessary time discussing those because again, if we have our system is built on the whole premise that if you break a law, you will be charged, and then there will be a fine to pay and that acts as a deterrent, Mr. Deputy Speaker. We have a deterrent, a system of deterrence so that we pay fines where we are not following the law.

Anytime . . . and we've had many examples of that in our history before the courts where people have been able to find loopholes. We call them loopholes where in fact we are finding that we have to change laws because people are able to . . . what would to the normal, not normal person but the person on the street say that that is obviously something that in any common sense a person would say people should not be doing. People in fact, by the time we get to the courts and the systems, these people are able to commit offences. And then in some way, what we would like to say, not have to pay the piper or pay the penalty for that because they were able to find a loophole.

And I think that it is important, not only when I spoke about individual rights but it's now important that we get it right too so that people cannot go to the courts, clog up the courts with cases because they are able to find loopholes and try and argue that in fact service — which is at the heart — and we must be ever vigilant on that issue that we get that right.

So in terms of doing that . . . and again just my overall concern with this Bill is that, where are the issues around that we could see the regulations? I mean at the heart of the Bill where we have regulations, where these things are discussed, where these things can be changed by Executive Council and we do not have the ability to debate them here. So a bit of a background would have been in order here, Mr. Deputy Speaker.

So we have many times people coming, arguing, demanding justice in terms of charges not being properly done. We have to be careful that we do not add another layer here of the ability to question our justice system because we are now adding the ability . . . and with service done in the appropriate manner. So I don't think we want to, in some ways, in terms of making the police officer's life — where we feel we're going to make it easier — in fact end up making it more difficult or in fact transferring a problem to the courts where the courts get clogged up because on technicalities of service.

So we have to get this right, and it's not a question that we can simply roll something out and then hope for the best outcome because we know in past practice that we have to as legislators think this through. We have to think this through right to the end, Mr. Deputy Speaker, think it through to the end so that we have an understanding of what might be the difficulties with the Bill. We have to anticipate the things that can go wrong.

And I know there has been some attempt to address that in terms of dealing with the justices, and that they have the ability to do certain things if people appear before them and say they have not been served, and that's not quite yet clear to me how all of that will work, how that will work that, and how proving that you were served works, if it's by mail, even registered mail. And how does that mean when we were clear when it was service directly, people were identified and then perhaps even affidavits signed and people could swear that the service was done. We're now transferring to our mail service, the issue of service in these areas. It'll be interesting to see, Mr. Deputy Speaker, how this all rolls out and whether we will have created problems or whether we will have solved problems.

Each piece of legislation, there has been many good intentions at times, Mr. Deputy Speaker, good intentions that didn't quite work out. And I think there's many examples of that. We can just simply see the last budget about people being a little maybe over-exuberant and perhaps wanting some good intentions, and that hasn't really worked out all that great for us right now in Saskatchewan.

But again we are always, we are always wanting to make the justice system operate better. We're always wanting to make the justice system efficient. We're always attempting to . . . those very precious resources in our police to be used in the best manner possible and I think that, across the province, I would say that they are. And in an attempt to do this, we would hope that we're on the right track. I think there probably is a lot to be said because the police chiefs are on side and saying that we think this can work.

But do we need more debate on it? I would say yes, because as a legislator I'm still left with the overall, my overall concerns are that we do not know enough details here and what the — again probably people have discussed those — the shortfalls, the possibility of things that can occur. Will we cover these off? Who will be covering them off? And I guess as we roll out the new system, let us hope that in fact does not have the opposite effect and clog up the system as opposed to streamlining it because what sometimes at first glance looks as the solution, oftentimes, as we all know here, who have spent some time here, some of the best laid plans do not exactly work out as we thought they should.

So overall I think in providing an overall view of the summary offences as I have in the procedure, in *The Summary Offences Procedure Act, 1990*, understanding what I think it's . . . We on this side understand what the attempts are here, what it's trying, what the government is trying to do.

I think we all, as I said before, are on line where we can use valuable resources in the best possible manner. But it is at this issue of rights and protection of our citizens on two fronts — those that have an offence committed against them and those that are being charged with an offence — that we have to look at. We have to look at this. And I don't think anyone would argue that in fact when it comes to the use of alcohol, fishing and hunting, and the rest of that in the area of how difficult it must be when you have an offence under one of those. And where we have people who are out-of-country, the cost that we must incur, Mr. Deputy Speaker, must be enormous to follow through on that.

So some of the thinking around here sound I would think . . . We are also here to listen to people in Saskatchewan and to see the problems and, as those concerns are brought forward, to deal with them. And this concern has been brought forward. The concern is a valid concern and it is brought forward. It is the solution. It's the solution that we are tasked with, making sure that we get right, that we get the solution right so that people are not returning to this issue time and time again to deal with it. And so that is why I think, why I have my concerns in terms of what was the actual thinking here. What were the consultations that were done around here?

[20:30]

And I must say, Mr. Deputy Speaker, that we have seen on many occasions this government, a lack . . . not be really keen on due process. And lack, there's been a lack of consultation on issues. And I think we have seen where they have been called on that, and a number of times they've had to redo Bills. They've had to redo Bills. They've pulled Bills. Redone them and/or at times have gotten us into a fair amount of difficulty, such as I mentioned before under the finances.

So we cannot just simply accept at face value the things that are being brought forward here. I mean I think that most people in Saskatchewan are now telling me that, just a minute, you'd better pay a little, better pay good attention because we're not very happy about what is happening in our province; not happy at all about that. And that we don't want to on this side be called on the carpet because of the inabilities or the lack of thorough research of the government. That we will not be a party to faulty legislation just simply because the government has put that forward. That we are here to do the due diligence. That we are here to make the tough decisions of whether to allow these Bills to pass forward or whether we will do the due diligence.

And right now in this province I would say, Mr. Deputy Speaker, that people are in fact telling us to do the due diligence, to take the time on the Bills, to go over them, to ask the questions that need to be asked. Because there is a distrust; there is a distrust building in the province, and it's growing, Mr. Deputy Speaker. And the party over there are oblivious to this. They think that not much is happening.

And it is amazing that after such a short time that they have lost so much touch with the legislation, with the people of this province, that they have lost touch so quickly with the people of this province regarding the issues of the day. And so then when they bring forward something . . . And now they wonder why people are saying to them, whoa, just a minute; what are you doing? Because people in Saskatchewan are very astute when it comes to politics, Mr. Deputy Speaker, they're very astute.

And those members well across the way know that in 1986 after one term they lost the majority of the vote in this province. And it was only because of the way the constituencies were that they won power. So I would hope that they're sleeping well, but I would suggest to them that they should be wary of that because their day of reckoning is coming sooner than they realize.

But again, it's amazing, it's amazing that they would be out of touch so quickly and not realize what is in fact happening in the

province. But it is up to us. Now we'll continue doing our jobs and calling them on the issues of the day. And, Mr. Speaker, that is how quickly, unfortunately, the people who are no longer in touch with the people of this province can lose touch and become so oblivious to things that people are telling them.

So again from whether it be in this Act or some of the other Bills that they have passed, there is again a skepticism in the province of the ability of those members to actually perform their duties. And it's an unfortunate thing to have to stand and say that after two, just over two years in government.

But I not only speak for myself but I speak for thousands of people in this province when I say that, that they've come to the realization of how out of touch and how skeptical they've grown of this government who have brought forward Bills, who have brought forward Bills in here who . . . They have had the ability, Mr. Speaker, to completely alienate thousands of people in this province. Thousands of people they've alienated in the province with some of their legislation.

And it surprises me that they would be, that they would be cackling from over on that side, in fact, doing that. I think if I was them I'd be sitting there concerned to kind of get my shoulder to the wheel and try and get things right as opposed to doing that. But I mean, I can see that the, perhaps, the arrogance, what arrogance will do to you and how quickly you can become arrogant and not listen to the people of this province. But there'll be, there'll be a day of reckoning for that, Mr. Deputy Speaker.

There will be a time when they will look back, look back at Bill 104 and say, you know, maybe we should have paid some more attention to the speech around Bill 104. Because had we paid more attention to that speech, we perhaps would not be sitting on this side — where they will be after November in 2011. They'll be over here, Mr. Deputy Speaker, wondering, we should have listened to Bill 104 but we didn't. We didn't. We weren't paying attention, we weren't paying attention, and that's what happens to . . . How quickly. The people of this province because they are astute, the people of this province are astute and would not put up with the kind of nonsense that has been at times coming across the floor, passing as legislation here.

So they feel that they can do this. They feel they have some sort of right to do it. The appearance is coming off that way, Mr. Deputy Speaker. The arrogance is coming, is starting to show through, and the people of this province will not put up with that.

But, Mr. Deputy Speaker, Bill 104, Mr. Speaker, Bill 104 speaks to rights and a lot of the times on that side we have noticed that in terms of rights, that they take those rights lightly, that they do not feel people have those rights. They will question Charter rights that people have and they dismiss that. And, Mr. Deputy Speaker, they laugh at those, laugh at the rights of Saskatchewan people because then somehow they feel if they can belittle those rights, they will not have to address them.

And the legislation is all about rights, and they should understand that. And all the times when they put forward

legislation when they withdraw it, and go forward in an attempt to do something with it — that is the thing that people remember. They remember that because each act of arrogance and each act of incompetence by that government comes forward and will be remembered come election day. Because we still — even though those members might act like it — we still live in a democracy. And even though they will try, Mr. Deputy Speaker, as we heard in question period today, even if they try, Mr. Deputy Speaker, to play with the electoral officer and bring politics into that, the important issue . . .

**The Acting Speaker (Mr. Elhard):** — From time to time while I've been sitting in the Chair over the last three days, I have heard the distinct sound of whistling in the House. Whistling is an inappropriate behaviour in the House. I would appreciate the member restraining himself or herself from offering us these musical renditions. And so we'll continue with the debate now. The member from Saskatoon Fairview has the floor.

**Mr. Iwanchuk:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, again as I was talking about rights of individuals and . . . Perhaps there will be some whistling in the halls, but that will be after 2011, Mr. Deputy Speaker. There'll be whistling all right when those members find themselves on this side. And there won't be that many, Mr. Deputy Speaker, there won't be that many that will find themselves on this side. So perhaps we'll talk about that day again.

But, Mr. Deputy Speaker, what we see coming from that side, from that Sask Party, is a lot of, Mr. Deputy Speaker, if I may say, the lack of understanding of rights. Of rights of people, rights of Saskatchewan citizens that they run right over and trample and then laugh about, Mr. Deputy Speaker, laugh about because they feel that these are meaningless. And again that is what is important when we're talking about Bill 104, about rights. Because rights on one hand of people who are charged, and rights of people who are the recipients of offences, that we have to balance those. So we have to take those seriously. But many times on that side of the House it's not what we have heard from those people.

Mr. Deputy Speaker, these are some of my concerns. These are some of the comments that I wish to put on the record and to have. I know that there are many, there are things that we need to talk about some more and perhaps I could just talk about the issues around hunting and fishing offences and the significant number of tickets for out of province is, as I think I was started, that area we have to look at. We have to see because this involves going outside, involving other police forces, contacting other people. I can't imagine what this would take to get . . . and the resources that we have to use in order to properly serve people who are in fact out-of-province or out-of-country offenders. This is an issue I think is long overdue and it is good to see that we are moving in that area. The issue though is, as always, is when this is done that we are not in fact creating issues in our court system, that we do not want to solve one problem and in fact create another.

Mr. Deputy Speaker, the issue to allow hearings after conviction where persons are convicted in a trial without the person being present raises concerns. Further discussion on that, further background material, further legal opinions on that

would have been useful in terms of bringing this Bill forward. But at this time, Mr. Speaker, I've got most of my comments on the record and at this time I'd like to adjourn debate.

**The Acting Speaker (Mr. Elhard):** — It has been moved by the member from Saskatoon Fairview that debate be adjourned on Bill No. 104, *The Summary Offences Procedure Amendment Act, 2009 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

### Bill No. 125

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Boyd that **Bill No. 125 — *The Crown Minerals Amendment Act, 2009*** be now read a second time.]

**The Acting Speaker (Mr. Elhard):** — I recognize the member for Saskatoon Massey Place.

**Mr. Broten:** — Well thank you, Mr. Speaker. It is a pleasure to join into the discussion this evening, this Monday night, on Bill No. 125, *An Act to amend The Crown Minerals Act*, Bill 125.

Mr. Speaker, when any individual thinks about the history of this province, when we think about many of the positive things we have happening in our province in the area of the economy, one cannot ignore the important role that resources provide to the province. Through the many resources that we have in the province, the people of Saskatchewan are able to benefit greatly through a number of ways, Mr. Speaker. It can be through the jobs that occur in a particular sector in one area — one type of resource, Mr. Speaker — or it can be through the royalties and the revenue that is generated for the provincial coffers through the extraction of resources and then the selling of them, Mr. Speaker.

So when we look at the province as a whole, there's a number of areas where resources, of course, play a very important role. Whether that's in the uranium in the northern mines, Mr. Speaker, whether that's in potash, whether that's in oil and gas, it's clear that resources play a very important part in our provincial economy. Now I think this is something that would be recognized and known by many people throughout the province.

We can see, Mr. Speaker . . . I remember as a boy in grade school when we talked about the importance of potash to the provincial economy, how important potash was to the provincial economy at that time. And it's interesting, Mr. Speaker, that now in 2010 we continue to have many discussions about the minerals and the resources in our province, and central to that discussion is often the topic of potash. So potash is one area. In whatever mine it's occurring, as I said before, there are many individuals who find employment in a potash mine — how that fosters economic development in that area through good paying jobs and, more importantly, Mr. Speaker, through the royalties that are paid by potash companies to the province and the revenue that is generated because of that.

[20:45]

So, Mr. Speaker, we know that minerals and resources play a very important role in the province, but it's important that as we evaluate the resources that we have at our disposal that we make assumptions about the revenue that will be gained from those resources in a responsible manner.

And sadly, Mr. Speaker, what we've seen most recently in this province by the government opposite is an approach to resources that has not been a responsible one. It's been an approach that has instead focused on thinking that it may be convenient for their short-term political interest, Mr. Speaker, but it's not an approach that will serve Saskatchewan well over the long term.

Because what we've seen in this last year is a forecasting of revenue that would come from the resources that we're so fortunate to have here in the province. We've seen forecasting from members opposite that has not proven to be true, a forecasting that has not proven to be accurate. Instead we have seen what has been coined as a fantasyland budget because so much of the most recent budget, Mr. Speaker, relied on numbers that clearly were not responsible, numbers that were not reflective of the economic forces going on in the province, in the country, and in the larger global markets.

So it's concerning to me, Mr. Speaker, that when we're looking at Bill 125, *An Act to amend The Crown Minerals Act*, it's concerning to me that the same type of reckless approach, the same type of pie-in-the-sky approach, the same type of fantasyland budgeting approach that we've seen in this one resource of potash, it's my concern, Mr. Speaker, that the members opposite will take that same approach to managing or predicting the amount of revenue generated through potash, that they will take that same approach — one that is not based on fact, one that is not based on prudent forecasting, one that is not based on the best interests of the province — they will take that approach and apply it to any changes they may be considering in Bill 125, the Crown minerals Act.

And I know as I go about my business, Mr. Speaker, in the province talking to individuals, talking to constituents in my own area in Saskatoon Massey Place, in Saskatoon generally speaking, or in other areas — whether that be in the North, whether that be in rural areas — this is a concern that I hear echoed by many, many Saskatchewan people. They're worried, Mr. Speaker, that the reckless approach, the irresponsible approach, the pie-in-the-sky approach, the fantasyland budgeting approach that we've seen from members opposite, that they'll be taking this approach that we've seen — one area of potash — and applying it to the entire resource sector.

And I'll say, Mr. Speaker, that when looking at the evidence so far from members opposite on the issue of resources, on the issue of minerals, on the issue of generating revenue from the items that we're so blessed as a province to have in the ground, that we're so blessed as a province to benefit from, I hear these concerns from people across the board, Mr. Speaker. Because the individuals that I speak to are directly feeling the impact and the negative consequences of the pie-in-the-sky budgeting, the fantasyland budgeting, the wishful thinking that we've seen from members opposite. Because they're starting to now feel, in



the areas that they're working — whether it's in the CBO [community-based organization] sector, whether it's in one of our great provincial educational institutions, whether it's a civil servant doing their best to serve the broader public, whether it's simply a mom and dad doing their best to raise their kids and live responsibly in their neighbourhood — they know that when looking at minerals, when looking at resources, whenever we're talking about those issues, we need to be doing so in a responsible manner. We need to be doing so in a prudent manner and a manner that has the best interests of Saskatchewan people at its core.

And sadly what we've seen from members opposite in the two years, Mr. Speaker, a bit over two years that they've been in power, on the issue of minerals, on the issue of resources, we've clearly seen the opposite. What we have seen, Mr. Speaker, is a selective choosing of numbers in the area of minerals, in the area of development of our resources, that is simply not factual, is simply not believable, is not relying on the best advice that is available to the ministry, is not relying on the best advice available to the minister making decisions and the Premier and the Finance minister.

Instead we have seen a backwards approach where the government came up with a list of things that it would like to do, an increase in spending to a huge amount, Mr. Speaker, increasing the spending 32 per cent. So that's since the last NDP [New Democratic Party] budget.

We can think of many great business organizations here in the province, whether it's the CFIB [Canadian Federation of Independent Business] or any of the chambers, these are real business people, Mr. Speaker, that understand some basics about balancing the chequebook, paying the bills, and having a profit at the end of the day, Mr. Speaker. And these individuals know that when you're looking at projections of revenue in the mineral and resource sector, that any projection that is made has to be done so with credibility.

And the problem that we have, Mr. Speaker, with the approach that we have seen from members opposite is that they ramp up spending 32 per cent and thereby have a huge amount of money that is needed to meet those commitments. And then, Mr. Speaker, they have to, at a budget about one year ago from now, come up with a way where they can claim that they're going to actually have the revenue to meet those commitments, to meet those increases of 32 per cent.

A 32 per cent increase, Mr. Speaker, is certainly a significant amount of an increase. And I think for some of those businesses that watch minerals and watch resources and deal with the extraction of wealth from our province, Mr. Speaker, the generation of wealth in our province, I think many of them would take issue with such an increase of 32 per cent since the last NDP budget and have some questions about the sustainability of that approach.

So what we saw, Mr. Speaker, members opposite, they came up with this list of items that they wanted to do in the last budget. And, Mr. Speaker, they needed . . . It was clear that the increase in spending from the last NDP budget would be 32 per cent. So they needed a way at the time one year ago to sell this to the public and to suggest that they would in fact be able to have the

money to pay that huge increase of 32 per cent.

So what did they do, Mr. Speaker? They looked at the minerals, the minerals that are in Saskatchewan that have the ability to generate revenue for our provincial coffers, and they chose the one area, Mr. Speaker, where Saskatchewan is the leader. And why did they do that, Mr. Speaker? Because that's the one area where they could do some fantasyland forecasting, some fantasyland budgeting and thereby come up with the money supposedly to pay for this 32 per cent increase in spending.

So I'm concerned, Mr. Speaker, when we saw last year when they took this approach, with how they view the issue of the resources that we have in our province, in the ground, that generate wealth and provide services to so many Saskatchewan people. It's my worry that when we're looking at Bill 125, *The Crown Minerals Act*, that they will take that same reckless approach to planning development in the resource sector, in planning how they're going to spend the money they expect to receive, and in planning what they actually think the numbers will be at the end of day in how much revenue will be generated.

And if you look at their track record, Mr. Speaker, in the two years, a bit over two years that they've been in power, it's been a very bleak track record in the area of fiscal management. It's been a very bleak track record in the area of acting responsibly with the resources and the revenue that are generated here in the province.

And as I said before, I think this is something that is widely recognized by the people of Saskatchewan. And I say it's widely recognized because this is what I'm hearing from many individuals as I go about my business and talk to people. I know all the members in the Assembly, I'm sure all the members in the Assembly have similar experiences because now they are, we are all coming in contact with the individuals in the province who were promised something by the Sask Party over that 32 per cent increase in spending. And now, Mr. Speaker, with the cuts, with the deferrals, with the clawbacks that are occurring under the Sask Party government, Mr. Speaker, individuals are starting to feel the consequences of that fantasyland budgeting that we saw so clearly from members opposite one year ago. Individuals in Saskatchewan are . . .

**The Acting Speaker (Mr. Elhard):** — The member's on an interesting area of discussion, but it's not pertaining to the Bill. And I'm looking at the legislation and this is about the implementation of a new web-based . . .

[Interjections]

**The Acting Speaker (Mr. Elhard):** — Order. The Bill is about the implementation of a new web-based mineral registry system, not about how the money was spent.

[Interjections]

**The Acting Speaker (Mr. Elhard):** — Order. Order. It's not about how the money was spent. It's not about budgeting. I'd appreciate it if the member would address the Bill in his comments.

**Mr. Broten:** — Well, Mr. Speaker, I'm sorry if the members opposite don't like some of the things I have to say about minerals in Saskatchewan. I'm sorry if members opposite don't like some of the points that I have to say about how they treat the resource sector here in the province, Mr. Speaker. I'm sorry if I've interrupted their viewing of the most recent DVD [digital versatile disc] of the Sandra Bullock recent release from the video store, Mr. Speaker.

But the issues that we're talking about here, Mr. Speaker, their approach to the resource sector has a direct implication to how they deal with the minor details, Mr. Speaker. If the general approach to a sector — resources, whether it be potash, whether it be uranium, whether it be oil and gas — if the general approach, Mr. Speaker, is one of reckless, irresponsible handling of the issues, it does not to me generate a whole lot of confidence in their ability to get things like Bill 125, *The Crown Minerals Act* right. And I know based on my discussions with individuals in the province, based on my discussions with individuals in the Assembly, within the broader circles that we all navigate, I'm hearing similar worries, similar concerns.

Mr. Speaker, Bill 125, *An Act to amend The Crown Minerals Act*, I had a chance, Mr. Speaker, to go through some of the remarks made by the minister in the second reading. And in the minister's second reading, which for members at home who are following along in *Hansard*, can be found on page 4173 of March 15, 2010 in Saskatchewan *Hansard*. If individuals want to look that up at a later date, they can see some of the points that I'll be referring to, points that were made by the minister in his second reading speech, Mr. Speaker.

The one line that . . . What's essentially being suggested here in this legislation is the implementation of an electronic registry which will reduce the cost of acquiring mineral dispositions by eliminating costly ground staking — so the minister says in his second reading speech.

We have additional . . . In looking at this legislation and what it essentially does, some individuals might describe aspects of this legislation as housekeeping, and some might describe it as more significant changes. The Act, Bill 125, was first introduced in 1984 to govern . . . Or the existing legislation was introduced in 1984 to govern Crown mineral rights and how they are granted. Section 21 in the proposed legislation is changed to allow the minister to withdraw and reopen land using the Energy and Resources website instead of the *Gazette*. So what we see, Mr. Speaker, is an approach of increased automation, using the Internet, using a website through Energy and Resources to allow individuals who are interested in accessing information and supplying information an easier way to do this, and specifically how this can affect oil and gas exploration notices as this began to be published online in July 2006.

And so, Mr. Speaker, when I was going through this information, when I read the minister's remarks from his second reading, there was an interesting quote. And the quote at the top of page 4173 states: "Over the past two years, our ministry has laid the groundwork for a complete transformation of our business activities in the area of mining and oil and gas." A complete transformation, Mr. Speaker.

[21:00]

And I took a double take when I read this because I could have sworn that just a few days ago, on BNN [Business News Network], I heard the minister say they had done absolutely nothing in the area of royalty changes in the area of oil and gas. Everything is status quo from what was put in place through the NDP, and the minister was actually bragging that this was a good thing. And I would agree because I think the royalty structure is a good one, and it's a sound one. But then for the minister in his second reading speech to say that there's a complete transformation going on — to me, it didn't match up.

There was two stories there. On the one hand, talk about complete transformation, that we're living in this new era under these wizards of finance and business on the opposite side. And then out of the other side of his mouth in an interview on BNN, suggesting that and informing individuals in the business sector that everything is the same. We haven't touched anything. It's good. Why would I touch anything; it's good. So two very conflicting messages, Mr. Speaker.

It's puzzling why the minister would take such an approach. Why wouldn't the minister, Mr. Speaker, be consistent in his remarks? Why wouldn't the minister be consistent in the approach that he is bringing to the area of oil and gas?

Now when looking at the area of Bill 125, *The Crown Minerals Amendment Act, 2009*, Part II in this proposed legislation creates a Crown mineral dispositions electronic registry, known as mineral administration registry Saskatchewan or MARS, that will administer Crown dispositions and also outlines parameters for the operation of this registry.

Now, Mr. Speaker, as I said, some aspects to this Bill are of a housekeeping nature and do not reorder the world. Though there are aspects, Mr. Speaker, where increased automation and increased use of the Internet, if that makes it better, Mr. Speaker, for individuals to conduct their business, to promote the growth and the development of the resource sector here in Saskatchewan, and that would be a good thing. And there are other instances, other examples that we can see in the province, in different ministries where increased automation, increased modernization is a good thing.

I can think, Mr. Speaker, in a similar example, speaking in last sitting on a process that allows the issuing of tickets to be done in a more automated way, not requiring a law enforcement officer to do that. So it's true, when there are examples where government can become more efficient and deliver a better service to individuals, then that's a good thing, Mr. Speaker. I'm not going to argue with that. And so if this MARS approach does in fact allow the resource sector to do more, to operate more efficiently, meet their needs in a better way, then that in fact, Mr. Speaker, probably is a good thing.

I don't know all the details, but there are instances where increased automation and increased use of the Internet is of course a positive thing. And we see that throughout society in general, as when there are instances where computers and the use of technology can make life easier, can make life better, can make life more hassle free, then of course that's a good thing. And why wouldn't we support that?

There are examples though, Mr. Speaker, where the Sask Party

approach to a given issue can be very short-sighted, where an approach for automation and an approach of modernization, as is suggested in Bill 125, can in fact be a smokescreen for something else. And I think that's a concern whenever we're looking at changes by this Sask Party government, that we have to be asking ourselves those questions.

Remember this is the same government that gave us a fantasyland budget. This is the same government that said we were going to pull \$3 billion worth of potash revenue in this year. So when we hear those types of outrageous claims, when they are making smaller claims, Mr. Speaker, about whether or not modernization or automation can save money and save time, I want to ask some serious questions about whether in fact that will indeed come true. Because, Mr. Speaker, if they're willing to feed some pretty big lines on issues like potash royalties of \$3 billion when in fact we're paying the potash companies a few hundred million dollars, if they're willing to try to pull those lines on the Saskatchewan people, I can only imagine what they're willing to try to pull when it comes to the small things like the implementation of the MARS system. And again now, the MARS system is the mineral administration registry Saskatchewan.

Now another very interesting approach with this electronic registry that comes to mind for me is how in fact this online registry will operate, how it will function, and what resources, what larger structures are in place to enable the MARS process and the electronic registry to in fact serve the interests of individuals working in the resource sector. Because it's everyone wish in this province that the resource sector thrive and flourish because we know a great deal of Saskatchewan's economic activity depends on resources. We know what can happen when there's an overreliance on the resource sector, when there's pie in the sky thinking about the resource sector, when there's fantasyland budgeting about the resource sector.

But no one, even if we don't agree with what is a realistic projection for potash numbers this year or last year or next year, we certainly can agree that the resource sector is an important one and one that provides a great deal of benefits to a great number of Saskatchewan people. I think members on both sides of the House would agree on that while we would not agree on how the sector should necessarily be managed. Well actually perhaps we can agree on how the sector can be managed, because the minister was on BNN saying what was in place is completely fine and good and is responsible for much of the success in the sector. So perhaps there are more areas of agreement than I initially would assume.

But when we see the pie in the sky budgeting of projections of \$3 billion of potash royalty coming into the province when in fact we're paying \$200 million, it causes me some concern. I know it causes Saskatchewan people some concern.

So when looking at this automated process, the MARS process, as it's been called — it takes a while to get this acronym in the head — but it's the mineral administration registry Saskatchewan, the MARS system.

There is an interesting quote, interesting phrase again that I read in the minister's remarks in his second reading speech. So the first remarks that I found very interesting, puzzling, somewhat

humorous if they weren't so sad is that, the first bit was that over the past two years the minister suggesting that they're laying the groundwork for the transformation, and then days later, Mr. Speaker, goes on BNN and suggests that the status quo that the NDP had in place was great. It would cause me to wonder what kind of transformation this would actually be if on another day, a few days later the minister says, well everything is actually just fine according to the royalty regime that was put in place by the NDP. That was the first bit that I found quite interesting.

The next bit that I found quite interesting, Mr. Speaker, was talk of this electronic registry. And to quote the minister's words here, he says:

It will speed up the issuance of mineral dispositions by integrating electronic information maintained by the Energy and Resources ministries and the geoportal maintained by Information Services Corporation.

And, Mr. Speaker, if you didn't find the beginning part of the quote interesting, that's okay. If you didn't catch that or if someone in the Assembly didn't catch that, the real interesting bit in that quote, Mr. Speaker, are the last three words: Information Services Corporation.

It's interesting, Mr. Speaker, that members opposite would make such a statement about the Information Services Corporation because, like many other things in the province, like many other functions of government, what we see here are two different stories. We see one story that was said about Information Services Corporation before the election, and we see a completely different story, Mr. Speaker, after the election.

Mr. Speaker, I'm speaking about Information Services Corporation, which can be found in the minister's second reading statement on *Hansard* page 4173, March 15, 2010, where the minister in his second reading speech, Mr. Speaker, brings up the issue of the Information Services Corporation. So I'm pleased to make some remarks about the minister's remarks on the Information Services Corporation because I think the remarks are very telling. Because, Mr. Speaker, on this issue of the Information Services Corporation, we've had two very different stories, two very different stories.

And before I go down this Information Services Corporation train of thought too far, it reminds me to earlier remarks made by the Minister of Agriculture, earlier remarks when he said, in opposition I said anything and I did it all the time — I'm paraphrasing, I don't have the verbatim *Hansard* in front of me — but in opposition I said anything. And now, Mr. Speaker, in government you have to be responsible.

Well I think, Mr. Speaker, when the Minister of Energy and Resources was making his second reading remarks about the Information Services Corporation and how this would tie in to the electronic registry for Bill 125, *The Crown Minerals Amendment Act*, perhaps, Mr. Speaker, he was borrowing from that same approach to say one thing in opposition and say another thing when you're in government.

Because what we saw from members opposite, Mr. Speaker, over their years in opposition, was a great deal of skepticism

about Information Services Corporation, a great deal of skepticism about the value and the merit of the Crowns in general. And so now, Mr. Speaker, eerily similar to the earlier comments that were made on BNN by the minister about how everything . . . the royalty regime in Saskatchewan is as great as the NDP left it, and we don't have any plan on changing it because it's working so well.

Perhaps, Mr. Speaker, when the minister was thinking about Information Services Corporation he had a similar conversion, a similar change of thought, a similar change of heart about how Information Services Corporation could in fact play an important role, a beneficial role with the implementation of MARS. And I'm not talking about the planet, Mr. Speaker, I'm talking about the mineral administration registry Saskatchewan, more easily referred to as MARS.

And so you can see, we have in this instance, at one time in opposition when it was convenient to run down the Crowns publicly, publicly because I won't suggest now, Mr. Speaker, that the Crowns are being buttressed or supported or growth is encouraged in the Crown sector by members opposite in any way. But I will say, Mr. Speaker, in terms of the public remarks that they will make, what we saw in opposition when looking at things like the information services commission and perhaps how ISC [Information Services Corporation] could deal with . . . [inaudible interjection] . . . Corporation, I thank the Deputy Premier for correcting my slip there. It was corporation, not commission. I'm glad that he is following the speech so closely.

Mr. Speaker, what we see is this approach of say one thing in opposition, say another thing in government. It causes me some concern because their willingness to do that, how do we know that they actually have the best interest of the Crowns, the Crowns like ISC, at heart. Because it's one thing to set up a scenario where they could in fact benefit from the Crown sector in some way — and an example is the implementation of this electronic registry — when it's to their convenience, they might pretend that they're the great defenders, the great supporters of the Crowns.

But, Mr. Speaker, I think when they let their guard down a bit or when you catch one of the opposite members in a special moment of, I won't say honesty, but a special moment of being forthright, we see different examples. I can think of the House Leader, Mr. Speaker, when he talked about how great it would be to hive off SecurTek. And we see, Mr. Speaker, example after example when it's convenient for them, such as with this electronic registry, when it's convenient for them to use the Crowns in some small way, they're happy to give lip service to the Crowns, saying, yes perhaps there is a role here and perhaps we can get the new electronic registry going and perhaps that will benefit the resource sector in some way.

But in moments when individuals have their guard down or when they're caught in an interview by a good reporter or when they simply want to tell like it is according to their world view, the story that they give about Crowns is a very, very different story. And I know for all Saskatchewan people that is a true concern.

Mr. Speaker, so I've had a chance to talk about how important the resource sector, how important the minerals that are in the

ground under the boundaries of Saskatchewan, how important they are to our province because it provides so many benefits to Saskatchewan people through the jobs that are generated in those sectors, from the royalties that are paid by companies and how that benefits the province as a whole.

[21:15]

I've talked about, Mr. Speaker, how when the government has a fantasyland approach to the resource sector that Saskatchewan people are harmed, Saskatchewan people do not benefit. We see very negative outcomes for Saskatchewan people. I've talked about that for some time.

Mr. Speaker, I've also talked about how, when we look at the remarks that the minister made in his second reading speech, how there are some very puzzling statements made Mr. Speaker, changes where he talks about transformation in his second reading speech but days later on BNN says that everything is fine. Let's stay the course that the NDP set. Very puzzling. Makes you wonder who's doing the thinking and calling the shots over there.

And other statements, Mr. Speaker, where, when it's convenient to find a role for the Crowns or to serve some small area in what they're doing, such as this electronic registry proposed in Bill 125, that they go down this approach of supporting the Crowns in some nominal way. But we know, Mr. Speaker, based on past comments and based on current actions, that the reality that we see is a very different one.

Mr. Speaker, I've also talked about how, when there are instances where automation and change or a switch to going electronic makes good sense and actually benefits the individuals in the sector, how that is a positive thing. And we've seen this in other examples, in other sectors of government, whether that is . . . The one example I gave was the legislation that we looked at last sitting about how tickets can be delivered in a more automated way, not requiring a law enforcement officer to do that.

But I also said, Mr. Speaker, that it's important that that approach does not serve as a smokescreen for a simple slashing of services or a simple reduction of the services that are provided to people in Saskatchewan. Because, Mr. Speaker, we know that the individuals who work in the resource sector do require on a stable and predictable and efficient government when it comes to the area of resources.

I also talked, Mr. Speaker, about how in opposition members opposite were more than willing to say one thing and now, in government, do a very different thing, such as supporting Information Services Corporation through the development of this electronic registry proposed in Bill 125.

So we know that there can certainly, the members opposite, when looking at resources, when looking at minerals and how Saskatchewan people can benefit and how the sector can develop and thrive, we know the members opposite have a pretty poor track record on this issue. So one would have to ask how this total transformation that the minister referred to in his second reading speech, how this electronic registry, the MARS system, could in fact help the development of the resource

sector in the province.

And, Mr. Speaker, if we look at the Sask Party record, if we look at oil well completions in the province, in 2008 there were 2,604 oil well completions in Saskatchewan. Now that's 2008; there were 2,604 completions. So, Mr. Speaker, I would think under the great financial and business geniuses that the members opposite suggest that they are, you would think that, Mr. Speaker, with the new-found era of hope and optimism that members opposite proclaim they have, you would think, Mr. Speaker, with their approach of cheerleading, their approach of pompoms, their approach of pretending that they're doing what is best for the people of Saskatchewan, you would think, Mr. Speaker, that oil well completions would increase from 2008 to 2009 because, as I said, in 2008 there were 2,604 oil well completions.

And now, Mr. Speaker, but interestingly enough, despite the rhetoric from members opposite, despite their claims of how the shackles of the Bolsheviks would be broken once they came to power and somehow oil well completions would skyrocket in the province with their coming to power, in 2009, Mr. Speaker, we actually saw a decrease in the number of oil well completions — a decrease. We went from 2,604 oil well completions in 2008, and 2009 we see 1,338 completions, Mr. Speaker.

So it causes me to wonder when the minister brings up Bill 125, and in his remarks, his second reading speech remarks, talks about this transformative change, Mr. Speaker, that is occurring under this government and how the changes that they've made are benefiting the resource sector in such a major way, I wonder what the minister is speaking of, Mr. Speaker. Because when looking at oil well completions in Saskatchewan, in 2008 there were 2,604 oil well completions and in 2009, Mr. Speaker, 1,338.

So the message that the minister is giving, the message that the Premier is giving, the Finance minister, the entire cabinet and all members opposite, Mr. Speaker, this message that by coming to power somehow what had been occurring in the resource sector would dramatically change because of the new-found whatever they were bringing, Mr. Speaker, it's not believable. Because if it was believable, Mr. Speaker, I would suggest that from 2008 to 2009 we would not see a decrease in the number of oil well completions. We would see an increase, Mr. Speaker, in the number of oil well completions.

So by the logic that the members opposite put out there all the time in the Assembly and in the public that any positive change, Mr. Speaker, is their doing, it's through changes that they've brought in, Mr. Speaker, well if they're going to play that game, Mr. Speaker, they have to own this reduction. If they're responsible supposedly for the good things, Mr. Speaker, then surely the leadership in the province has to be responsible for the decreases.

The decrease in oil well completions from 2008 to 2009 from 2,604 to 1,338 does not make sense to me, Mr. Speaker. I know it does not make sense to many people here in Saskatchewan that the talk that we get from members opposite, you know, when it's convenient for them to say one thing, they'll say it but when you look at the facts, when you actually see oil well

completions from 2008 to 2009 dropping, to me the rhetoric that we get from members opposite simply does not hold water.

This area, Mr. Speaker, in Bill 125, *The Crown Minerals Amendment Act*, in the minister's second reading response to the reading, to the legislation, the minister said some interesting comments. He talked about, Mr. Speaker, as I said before, the "... transformation of our business activities in the area of mining and oil and gas." He talked about, Mr. Speaker, a transformation in "... our business activities in the area of mining and oil and gas." Well, Mr. Speaker, I now understand, I now have a better picture in my mind how it is that the Premier is able to make some of the speeches that he makes, Mr. Speaker, because I think he's exclusively being briefed by the Minister of Energy and Resources.

And I would say to the Premier, perhaps you want to widen your circle. Perhaps the Premier would like to update his briefing binder because I think all of the statements that he's getting from the Minister of Energy and Resources are perhaps not the most helpful for him when he goes around the province speaking to individuals and talking about our resource sector. Because after all, as the Minister of Energy and Resources stated on BNN, the Premier apparently is our spokesperson in the area of oil and gas.

And what's troubling, Mr. Speaker, are some of the remarks that the Premier is making around the province because I don't think, Mr. Speaker, that they're necessarily based on fact. I think perhaps they are more based on poor briefings by the Minister of Energy and Resources.

Now, Mr. Speaker, I didn't have the opportunity to attend the sod-turning ceremony in Lloydminster of the Husky operation some time ago, last week I believe. But I know the Premier was there and I know, Mr. Speaker, that another individual from government was there and I know that there were a couple of members from the opposition there. And I wasn't there to hear the speech that the Premier gave but I was able to hear the report and the notes from the remarks made by the Premier at Lloydminster.

And I'm concerned, Mr. Speaker, that some of the remarks that the Premier made in Lloydminster were more based on the second reading remarks that the Minister of Energy and Resources made on March 15th, where he talked about a "... transformation of our business activities in the area of mining and oil and gas." I think, Mr. Speaker, I don't know if they recently spent some time together talking about the resource sector or if they're just resorting to their default position to always cheer and to throw caution to the wind when it comes to paying attention to the facts. I don't know what approach they were taking, but I know the minister is suggesting a complete transformation of our business activities, as he states in his speech.

When the Premier was at the sod-turning ceremony, he suggested that Saskatchewan would very soon pass Alberta in total crude production of barrels per day. And, Mr. Speaker, that statement in itself is an okay statement maybe to make, but I think it's important to look at the facts. So if the Minister of Energy and Resources in his speech in dealing with minerals is talking about a total transformation, well maybe the Premier is

getting his briefings from the minister's second reading speech on Bill 125. I don't know. But when I look at, in 2008, the comparison of total crude production from Saskatchewan to Alberta, what the numbers would suggest, in 2008 Saskatchewan produced 440,706 barrels.

**The Acting Speaker (Mr. McMillan):** — Order. The member will know the rules of this House, that comments must be related directly to the Bill before discussion. I would like to also remind members that if members would like to make comments, they are not allowed to make comments from behind the bar. If they would like to join us in front of the bar, their comments will be put on the record.

I recognize the member from Saskatoon Massey Place.

**Mr. Broten:** — Well thank you, Mr. Speaker. When I went through the minister's second reading remarks, Mr. Speaker, on this Bill, on Bill 125, *An Act to Amend The Crown Minerals Act*, in reading from Saskatchewan *Hansard* from March 15, 2010, page 4173, quoting from the Minister of Energy and Resources, he said, "Over the past two years, our ministry has laid the groundwork for a complete transformation of our business activities in the area of mining and oil and gas." Mining and oil and gas — remarks made by the minister in Saskatchewan *Hansard* in the second reading of Bill 125, *The Crown Minerals Amendment Act*.

So, Mr. Speaker, when talking about this total transformation that the minister suggests is occurring here in the province, I can understand why the Premier perhaps is making some of the remarks in the broader public that he is making because I think he's exclusively getting his information from the Minister of Energy and Resources. Perhaps he is only relying on the minister's second reading speeches. I don't know. I'm not organizing the Premier's briefing binder; that's up to others to do.

But what I would say is, based on the evidence, based on the comments that the Premier is making out and about dealing with oil and gas and mining, Mr. Speaker, when the minister is suggesting that there's a total transformation, I see why the Premier is perhaps making some remarks suggesting that Saskatchewan would soon pass Alberta in crude production barrels per day.

But what I'm saying, Mr. Speaker, in Bill 125, when the minister talks about this total transformation, that he might not actually be clued into his portfolio in the way he ought to be, and perhaps he's giving poor information to the Premier. Because when you look at the facts, Mr. Speaker, when you look at total crude production barrels per day, we see in 2008, 440,706 in Saskatchewan and we see, Mr. Speaker, 1,710,120 per day, Mr. Speaker. I'm looking at the bar graph, Mr. Speaker, and members are asking me if that is close. And based on my reading of the bar graph, Mr. Speaker, it is not close.

[21:30]

So based on that, Mr. Speaker, I would not suggest that to make the statement publicly with some of the key leaders in the resource sector at a very important event, to suggest that Saskatchewan would soon pass Alberta in crude production per

day, to me, Mr. Speaker, is a puzzling statement for the Premier to make, a puzzling statement for the minister to suggest to the Premier that he ought to make, based on his second reading speech, Bill 125, *An Act to amend The Crown Minerals Act*.

So those numbers, Mr. Speaker, were for 2008. If you look at 2009, we see much the same story . . . [inaudible interjection] . . . Well members ask did we close the gap, and my reading of the bar graph suggests, no, we did not close the gap from 2008-2009. 2009: 423,387 in Saskatchewan; and in Alberta: 1,786,482.

Again, Mr. Speaker, when the minister in his second reading speech talks about a total transformation of the sector through the implementation of the MARS system, the electronic registry, whether the electronic registry, Mr. Speaker, whether MARS will allow us to close that gap, I don't know. And again for members who are tuning in at home, MARS is the mineral administration registry Saskatchewan which will be operated through Information Services Corporation, one of the many beloved Crowns, supposedly, of members opposite. That was another part of my speech where I'm not quite buying that argument, Mr. Speaker.

But when the minister in his second reading speech talks about this total transformation, I think when we look at the facts, when we look at the bar graph, Mr. Speaker, total transformation, I don't think it's occurring. And in fact when we look at the remarks that the Minister of Energy and Resources says on BNN that we're actually going to keep the status quo from the royalty regime that was put in place from the previous New Democratic government, and how that's a good thing because the regime is working well, Mr. Speaker, to me that doesn't speak to total transformation. That actually speaks to a continuation of much of the solid foundation that's been put in place.

So when looking at this electronic registry called MARS and how this may in some ways be able to streamline and improve the process for individuals involved in the resource sector, for the minister to suggest that this is a total transformation by having an online electronic registry, to me, Mr. Speaker, I don't think it's going to close that gap. And I'm not making any statement, Mr. Speaker, about what the gap should be and on whether we're going up or down. Really, Mr. Speaker, that's the topic for another speech and another debate.

What I would say, Mr. Speaker, though, whenever we're dealing with any piece of legislation, whenever we're dealing with any of the resources here in the province, just base your lines on fact. The facts, Mr. Speaker, do not back up what the Premier, what I heard the Premier said at the sod-turning ceremony of the Husky operation in Lloydminster. So it's fine and good, perhaps, to go to such an event. I think that's a good thing. But if you're going to go, just base your remarks on fact. You don't need to exaggerate. You don't need to pretend that there are 1,000 balloons when there's only 100. Now I'm not suggesting the members opposite don't have 1,000 balloons because I know they love balloons. But, Mr. Speaker, if you only have 100 balloons, don't pretend you have 1,000 balloons. Just tell the facts as they are.

So don't suggest in your second reading speech that there's a

total transformation of the resource sector based on the introduction of the MARS system. Don't suggest that there's a total transformation occurring when in fact, Mr. Speaker, if you look at the bar graph, the facts tell a very different story. In fact, Mr. Speaker, if you even just listen to the minister on another day, the minister tells a very different story. On one day he's speaking total transformation and how things, Mr. Speaker, under the previous administration weren't clipping along fine. On the next, Mr. Speaker, he talks about total transformation that is needed and how that somehow, simply by having members opposite, yes, in the House, that this will in fact come to pass.

And so what I would say, Mr. Speaker, when dealing with a sector as important as the resource sector in the province; when we know that so, so many Saskatchewan people rely on how well the resource sector is doing; when we know that the programs that we deliver in this province, whether it be health care, whether it be education, whether it be paving of roads, whether it be any given project that any member of this Assembly wants to see happen in their constituency and serve the people of this province through the provision of either that service or that facility, Mr. Speaker; when we are talking about issues, issues that are as important as the services and the facilities that Saskatchewan people use, Mr. Speaker; when we are talking about how those services, how those facilities are paid for, a great deal of them paid for, Mr. Speaker, through the resources that are provided by Saskatchewan resources — resources, Mr. Speaker, that belong to every Saskatchewan person — it's so important, Mr. Speaker, that we get it right.

It's so important, Mr. Speaker, that we rely on the facts. It's so important, Mr. Speaker, that we don't resort to fantasyland budgeting, that we don't resort to pie in the sky talk; but instead we simply rely on the facts and that we tell people of Saskatchewan how it really is.

And, Mr. Speaker, to suggest that the introduction of MARS is part of a total transformation of the resource sector when in fact, Mr. Speaker, it's perhaps one small part of the resource sector — I'm not saying it's not an important part; I'm not saying it won't serve a real purpose, Mr. Speaker — but to me there is some concerns when the hype and the rhetoric that we hear from members opposite is not backed up by fact, is not backed up by the information that Saskatchewan people have to determine whether or not the government is in fact increasing, having a role in increasing or decreasing the extraction of resources from the province.

Now, Mr. Speaker, when looking at any change to legislation, it's so very important to ensure that changes that occur through proposed legislation here in the Assembly, it's so very important to ensure that the changes are in fact what individuals working in that sector, working in that area in fact really want and in fact really need. Because, Mr. Speaker, if what individuals are requesting for changes to programs, whether it's Bill 125 or something else, it's so very important that the changes reflect the needs on the ground, reflect the suggestions and their proposals from individuals who are directly involved in the resource sector.

Because if those two things aren't in step or in tune, what we can have, Mr. Speaker, are changes coming forward from

government through proposed legislation that don't serve the best interests of the sector and then could have a detrimental effect to the sector and to Saskatchewan people because, as I pointed out, for so many of the services that we want for our families here in Saskatchewan, the availability of resources is certainly important.

So it's important, Mr. Speaker, that proper consultation, proper discussion, proper meetings occurs with the individuals actually working in that sector because there's nothing worse than not delivering the changes that are requested by a particular group. And we've seen some glaring problems, Mr. Speaker, with members opposite and their ability to properly consult with the people of Saskatchewan.

And so I'm concerned, when we're looking at Bill 125, *The Crown Minerals Amendment Act*, when we're looking at the potential changes, it's so very important that the potential changes are in fact what individuals are wanting, what individuals are stating through proper consultation.

Because we've seen other examples. You know, Mr. Speaker, we saw the cutting of services for victims of domestic abuse in Saskatoon, my home city. We saw that without consultation. And it was clear that it was felt in the community by individuals who rely on that service, by individuals who have benefited from that service, from individuals working in that area, Mr. Speaker, individuals providing services to victims of domestic abuse. When the cuts were made by members opposite in that area without consultation, Mr. Speaker, it had a negative effect for Saskatchewan people.

It didn't help Saskatchewan people. It didn't create a better province. It didn't create a healthier province. It didn't create a more secure province, Mr. Speaker. What we saw was a lot of confusion, a lot of anger, a lot of upset individuals over the unilateral cutting of services for victims of domestic abuse. So when we're looking at Bill 125, an Act to amend Crown minerals, it's important that we make sure proper consultation took place because what we don't want to see, Mr. Speaker, is the type of consultation that took place when services were cut to victims of domestic abuse.

I don't know why, Mr. Speaker, they would take that approach of not having proper consultation. I don't know why they wouldn't choose to meet with providers of that service. I don't know why, Mr. Speaker, they would choose not to listen to victims of domestic violence who have benefited from the services provided. But if that same approach is what we see in Bill 125 when the minister speaks of consultation with individuals, to me that is troubling.

And now, Mr. Speaker, members opposite might say, oh the member from Massey Place is not being fair because he's using one example, and so on. Who's to say the same approach of weak consultation occurs in other areas of government? Well, Mr. Speaker, if we look at the facts, if we look at areas where consultation should have occurred but consultation has failed to occur, we see, Mr. Speaker, some other examples that to me, when I'm looking at Bill 125, an Act to amend . . . You think I would have the name other than 125 down in memory now, but *The Crown Minerals Amendment Act*. We would think, Mr. Speaker, that they would get the consultation right, but when

we look at other examples where consultation's been so inadequate, so flawed, so negative in its outcomes, well I guess when it's absent, Mr. Speaker, of course it's going to be negative in its outcomes because the only way you can consult with people is to talk to people, Mr. Speaker.

We saw this also with their broken promise on PST funding to municipalities, Mr. Speaker. There was no consultation with municipalities. The only consultation that took place, Mr. Speaker, was by the Premier and the media. That's not consultation. And I sure hope, Mr. Speaker, when looking at Bill 125, when looking at proposed changes to *The Crown Minerals Act* I sure hope, Mr. Speaker, that the minister, the members opposite are not conducting consultation in the media and the media alone.

Because we've seen, Mr. Speaker, when that type of consultation occurs, we see members opposite having to make apologies. And you know, Mr. Speaker, it's better to get it right. I know the Premier had to apologize to the municipalities for the way that he consulted or the absence of the consultation on the broken promise to provide PST funding. I know that angered many people in the province.

So it's my sincere hope, Mr. Speaker, when members opposite thought up these changes in Bill 125, *The Crown Minerals Act*, proposed changes to *The Crown Minerals Act*, Bill 125, my sincere, my honest hope, Mr. Speaker, is that they took the time to do proper consultation.

You know, we saw with victims of domestic abuse, when the services were cut for some of the most vulnerable in society at perhaps some of the worst moments in their personal lives, we saw the complete absence of consultation. That was not a good thing, Mr. Speaker. Many people were offended, many people were hurt on a personal level because of that absence of consultation — individuals who have poured their lives, their careers, their heart and soul into the provision of services for women who are victims of domestic abuse.

Now, Mr. Speaker, members might say, well how on earth can the member from Massey Place compare changes to the minerals Act to the mean-spirited cuts for service for victims of domestic abuse? But, Mr. Speaker, it speaks to an approach and it speaks to a philosophy the members opposite have. It speaks to an approach where they think, Mr. Speaker, because they have a simple majority, that they can run roughshod over the democratic process here in the Legislative Assembly, that they don't have to follow the basic tenets of democracy of consulting with people in the broader public. They think, Mr. Speaker, that because they have the majority, they have more members on that side than this House, Mr. Speaker, that they can do whatever the heck they want, Mr. Speaker.

[21:45]

We see it with the independent officers of this legislature, Mr. Speaker, where we see bullying tactics by members opposite. Simply because they have a majority they think, Mr. Speaker, they can politically, politically interfere with how independent officers of the Legislative Assembly are selected, how independent officers of the Legislative Assembly can act. And I'll tell you what, Mr. Speaker, it puts through a tone and an

approach of fear, Mr. Speaker, through every independent officer of this Assembly — officers, Mr. Speaker, that have been given a mandate to serve the people . . .

**The Acting Speaker (Mr. Elhard):** — It's an interesting debate, and it's one worth having, but not on this Bill. Would the member for Saskatoon Massey Place proceed with his discussion of the Bill in front of us.

**Mr. Broten:** — Well, Mr. Speaker, I learned in church, Mr. Speaker, as a boy, I learned in church that if you're not faithful when you're given a little, Mr. Speaker, that you won't be faithful when you're given a lot. If members opposite, Mr. Speaker, can't be faithful with the little matters like in Bill 125, if they can't ensure proper consultation has occurred with individuals on Bill 125, then, Mr. Speaker, it's no surprise that they don't have proper consultation with independent officers of the Legislative Assembly.

It's no surprise, Mr. Speaker, if they don't want to follow proper consultation in Bill 125, an Act to amend how there's a registry for minerals and resources here in the province, Mr. Speaker, if they can't do that properly, if they can't consult on issues like that, if they can't consult on issues like cutting services for victims of domestic abuse, if they can't consult on breaking their promises on the provision of PST [provincial sales tax] funding to municipalities, Mr. Speaker, well then, Mr. Speaker, how can we trust the members opposite on the big issues? I don't know, Mr. Speaker. I know members opposite would simply want us to trust them, believe them, assume that they will do what's best for the province.

But when you look at the little details, Mr. Speaker, when you look at the small aspects that involve the consultation — not with huge amounts of the public because when you consult with a large, large population in the province, Mr. Speaker, it's more evident to everyone whether or not the consultation is a true and a good one and an accurate, an honest, genuine, a sincere consultation — but when looking at the smaller Bills, the smaller changes, Mr. Speaker, that perhaps don't directly affect everyone in the province, changes like in Bill 125 where we see amendment to change *The Crown Minerals Act*, Mr. Speaker, it's the small changes, Mr. Speaker, that when proper consultation does not occur with the actual individuals working in the resource sector providing the leadership, Mr. Speaker, that the Saskatchewan people really need when it comes to looking at minerals and resources in the ground, when it comes to providing the cold, hard facts, unlike the facts that the Premier relies on when he has speaking engagements throughout the province, if we look at these small details, Mr. Speaker, they're very telling.

Because if you can't consult properly on the small details, how, Mr. Speaker, can we trust members opposite to consult on the huge matters that affect hundreds and hundreds of thousands of people here in the province? And when you combine, Mr. Speaker, a flawed consultation, an inadequate consultation, a consultation that only seeks for expediency and convenience, Mr. Speaker, when that is all that your primary aim and goal is, Mr. Speaker, how can we expect that the changes in Bill 125 are in fact serving the best interests of Saskatchewan people?

You know, members opposite have some questions about the



value of minerals, the value of resources to the province, Mr. Speaker. They think, Mr. Speaker, based on the heckles from their seats . . . And, Mr. Speaker, I'm happy if some of the members have awoken from their slumber. I'm happy if some of the members have taken the earbuds out of their laptop computers and pressed pause on the DVD that they rented. That's a good thing, Mr. Speaker, because the issues that we're discussing in Bill 125, issues about the minerals, issues about the resources here in the province, issues about how we can ensure as legislators that the activity occurring in the resource sector is occurring efficiently, is occurring in a way that benefits the greatest number of Saskatchewan people, Mr. Speaker, I'm so very pleased the members opposite are paying attention to this speech, Mr. Speaker.

Because I think some of the members opposite need to sit down with the Premier and talk about what is occurring in the mineral and resource sector. Because based on the speeches that the Premier's making in various locales around the province, Mr. Speaker, they're not accurate. They're not based on fact. They're not taking a true, honest look at the numbers. They're simply relying, Mr. Speaker, on the Minister of Energy and Resources' second reading speech on Bill 125, this Act to amend.

In this speech, Mr. Speaker, the minister stated in his second reading speech on Bill 125, he talked about “. . . a complete transformation of our business activities in the area of mining and oil and gas.” He talked about a complete transformation in Bill 125. Now, Mr. Speaker, when the Premier goes around the public talking about the resource sector, talking about the minerals that we have in the ground, Mr. Speaker, he's only taking the verbatim *Hansard* here of what the minister said in his speech on March 15th, 2010. And I don't think, Mr. Speaker, that's an accurate picture of everything that's occurring in the resource sector in the province.

Because I think when you look at the actual numbers, when you look at the actual activity, I think it tells a different story. I think the story that it does tell, Mr. Speaker, is a Premier that can only resort to hype, a Premier that can only resort to balloons. And he can't rely on the facts, Mr. Speaker, because when you look at the facts it tells a very different story. It tells a story, Mr. Speaker, of completely inadequate consultation with the people of Saskatchewan.

Now, Mr. Speaker, members opposite from their seats, the member from Silver Springs, says doom and gloom. Well, Mr. Speaker, I now understand how we've gotten into the huge mess with potash resources that we have. The member opposite says it's doom and gloom to simply look at the facts, to take an honest look at the numbers and come up with some realistic and authentic projections.

I understand, Mr. Speaker, this ethos that they have where they have to be spinning all the time, they have to be waving pompoms and raising balloons on every occasion. And the problem, Mr. Speaker, when we take that approach and nothing but that approach to the resource sector, it gets us into a very, very dangerous spot. It gets us into the scenario when we're looking at the resources here in the province, when we're looking at Bill 125 and how we can pull resources out of the ground and how we can gain royalties from that wealth, how we

can do this in an efficient way so that all Saskatchewan people can benefit, to simply say, Mr. Speaker, that it's a bad thing to look at the facts, to look at the numbers.

I now understand, Mr. Speaker, how the Minister of Energy and Resources suggested we were going to earn \$3 billion from potash. Mr. Speaker, you would think, you would think the Minister of Energy and Resources would be somewhere in the right ballpark, Mr. Speaker, with respect to how much we would gain from the minerals and resources we're pulling out of the ground. But no, Mr. Speaker, he was off by billions and billions and billions of dollars, Mr. Speaker. On one item, Mr. Speaker.

So to suggest that it's a negative thing to look at the facts, to come up with a truthful and an honest portrayal of what's happening in our resource sector, to suggest that that's a bad thing, Mr. Speaker, I would have to wholeheartedly disagree. I think the bad thing, Mr. Speaker, is to cook the numbers to simply match your 32 per cent increase in spending, Mr. Speaker. That is a bad thing.

I would suggest a bad thing, Mr. Speaker, is to ignore common sense, to ignore the advice given by many people in the province, around the world, from individuals — even if they're in the official opposition, Mr. Speaker. I think the foolish thing would be to ignore that advice, Mr. Speaker. To simply choose any number for potash that suits their fancy, Mr. Speaker, to make the appropriate revenue amount to match the 32 per cent increase in spending, well my goodness' sake, to suggest that that is a negative thing, I simply do not know where . . .

**The Acting Speaker (Mr. Elhard):** — I'd ask the member from Saskatoon Massey Place if he has anything to say about the implementation of a new web-based mineral registry system. If he does, would he please get to the point.

**Mr. Broten:** — Well, Mr. Speaker, Bill 125 . . . I'm not even on my consultation points yet, Mr. Speaker. But when looking at Bill 125, *An Act to amend The Crown Minerals Act*, members opposite from their seat . . . I'm not, Mr. Speaker, asking members to heckle from their seats, Mr. Speaker. Members from opposite are doing their very best to enter this debate because, Mr. Speaker, I think the truth hurts for them. I think the truth hurts for them. When I talk about, in Bill 125, suggestions to change how a registry occurs in the area of resources, Mr. Speaker, for members opposite to suggest to take an honest look at 125 — to form an opinion based on the facts, to form an opinion based on what we hear from Saskatchewan people, to form an opinion that is in fact in the interests of Saskatchewan people — to suggest that that is a bad thing and should not inform our opinion of Bill 125, to me is puzzling. I do not understand.

But, Mr. Speaker, when I hear this approach, when I hear the heckles from members opposite, I now understand. I now understand the complete dearth of competence around the cabinet table. And I understand, Mr. Speaker, how we could get to a situation where the Minister of Energy and Resources, backed up, backed up, Mr. Speaker, by the Minister of Finance and ultimately approved, endorsed, and favoured by the Premier, I understand how we could get to this situation where potash numbers are so horribly off.

We know in looking at Bill 125, Mr. Speaker, that the resource sector is so very, very important to Saskatchewan people. It provides the services that Saskatchewan people need through the royalties that are received in the provincial coffers, through the jobs that are generated in communities throughout the province in a variety of areas.

So in looking at Bill 125, as I said before in my speech, and I'm happy to say again because when there are good changes I think they should be endorsed and supported and backed up by the opposition, if the introduction, Mr. Speaker, if the introduction of the MARS electronic program — and again MARS is the mineral administration registry Saskatchewan — if the introduction of MARS has a benefit to the resource sector and Saskatchewan people, if that is true, if that is factual, Mr. Speaker, then speaking personally for myself, I won't speak for every member on this side, I think that's a fine thing.

But what I'm saying, Mr. Speaker, if we're going to support MARS, if we think that this MARS approach is a good thing, let's have an honest look at this legislation. Let's look at the comments made by the minister in his second reading speech, comments that suggest Information Services Corporation has a great role to play in the province.

And I think, Mr. Speaker, in taking an honest and a hard look at the facts stated by the minister in his second reading speech on Bill 125, and when we compare that to the statements made by members opposite, even the minister himself and comments he made on BNN where he said everything was great, when he was speaking of the royalty regime, when we take that honest look and see what other members have said — and I recall, Mr. Speaker, the Government House Leader suggesting that it would be great to hive off SecurTek — in moments when individuals are speaking straight from the heart, we know what their true intention is around the Crown corporations, Mr. Speaker. And while on one given issue around Bill 125, it might be convenient for them to have a role for ISC with respect to the introduction of MARS, if that's factual and true, then I think that's a good thing.

But when we look at the whole picture, Mr. Speaker — when we look at, as the Ag minister said, when they said one thing in opposition and did another thing in government, Mr. Speaker — when we look at the true motives behind legislation, the true motives of a particular piece of legislation, then I'm not quite as willing to simply take them at their word that they think Information Services Corporation can serve a great role with the introduction of MARS. And again MARS is not the planet. It's the mineral administration registry Saskatchewan.

So to me, Mr. Speaker, the only way, the only way . . . I won't say the only way — one of the key ways; excuse me — one of the key ways we can take that honest and accurate look at the facts, at the numbers of what Saskatchewan people are saying, is through true consultation, Mr. Speaker. And even though members opposite say, what is the member from Massey Place, why is he harping on that consultation is so very important on Bill 125, this Act to introduce an electronic registry? Why is this so important?

[22:00]

Well, Mr. Speaker, I think it's important, as I've stated before, because if you can't do the small things right like proper consultation around one particular piece of legislation, why should we assume, Mr. Speaker, that they're going to get the larger pieces right? And that ties in to a general competence, general ability for the government to deliver what they say to Saskatchewan people.

And it gets us to that very troubling, somewhat comical but mostly troubling fact where the Premier will go around, make statements which aren't based on fact, which are simply based on wishful thinking, statements that are not accurate, that are simply coming from the notes that the minister made in his second reading speech. And to me, Mr. Speaker, that's a worry, that's a problem because when I go around and speak to individuals in the province whether it's in my constituency or here in Regina or in other parts of the province, people in Saskatchewan want accuracy, especially when it comes to our resources, especially when it comes to an area of the provincial economy, Mr. Speaker, that is so vital.

And what we've seen from members opposite — and this is my worry about Bill 125, Mr. Speaker — that we're seeing this same pattern of flawed consultation, of complete ignoring of the factual reality, of ignoring the facts and being ignorant of the facts. If we see this again in Bill 125, Mr. Speaker, the introduction of MARS and how an e-registry can help the resource sector, Saskatchewan people aren't going to settle for that because they want the complete and honest story. And it's not enough to simply have spin, to have wishful thinking, to have a fantasyland budget, fantasyland amendments, fantasyland legislation, anything fantasyland, Mr. Speaker. I think when it comes to the fantasyland track record we have from members opposite, Saskatchewan people don't want it. They want action that is based on the facts.

When looking at some of the consultation that needs to occur, I do have some notes, Mr. Speaker, of some of the correspondence that was sent out to individuals last fall in the sector and some of the changes that are . . . that the minister was suggesting that they were going to bring in and change. And it is my sincere hope, as I said earlier, Mr. Speaker, that true consultation does occur. It's my hope that the feedback that can be generated from that exercise, I hope, Mr. Speaker, I really hope, Mr. Speaker, I really, really hope, Mr. Speaker, that they're not going to ignore that consultation. I really hope, Mr. Speaker, that they're not going to selectively choose the pieces of feedback that is convenient, that is convenient, Mr. Speaker, for their own agenda, their agenda, Mr. Speaker, of not telling the whole story when it comes to our resource sector, an agenda, Mr. Speaker, that does not rely on the basic facts that we have about the resource sector, instead resorts, Mr. Speaker, simply to wishful thinking.

So when looking at the proposed changes that we have in this piece of legislation, Mr. Speaker . . . And I will let members opposite know, Mr. Speaker, that I do not intend in speaking until 10:30 on this piece of legislation because I know some members opposite have hit pause on their DVD, and they desperately want to get back to the Jim Carrey rerun. So I will allow another member from the Assembly on this side to soon speak on a piece of legislation.

But, Mr. Speaker, if, Mr. Speaker, my comments in some way have struck a nerve opposite, if it has caused even for a few of them, Mr. Speaker, if it has caused even for a few of them to have a bit of introspection — to look at their approach of governance, to look at their approach of flawed consultation, to look at their approach of ignoring the facts, to look at the reality, Mr. Speaker — even if, Mr. Speaker, it caused one member opposite to hit pause on their DVD and listen to my remarks, to follow some introspection, to ask the hard questions, even if it causes change in just one person, Mr. Speaker, I will be very pleased.

Because I know, Mr. Speaker, that when looking at Bill 125 and looking at Bill 125, I think there's been an absence of straight talk from members in caucus and members in cabinet about Bill 125. I think, Mr. Speaker, they have solely relied upon the minister's second reading speech that talked about total transformation, talked about total transformation of the oil and gas and energy sector here in the province and then days later, days later goes on BNN and says actually everything is staying the same because it's working rather well.

Mr. Speaker, even if it causes one member opposite to realize the double-talk that is occurring, to realize the two stories, the inconsistencies in the two stories that the minister and the Premier are spinning; even if it causes one member, Mr. Speaker, in the member's lounge, in the hallway, in the bathroom — I don't care where they have this conversation, Mr. Speaker — but even if it causes one member to go to the minister, to go to the Premier and say, listen, listen I've heard from the Saskatchewan people and I too believe that we should deal with the facts. I too believe that we should have proper consultation with the Saskatchewan people. I too believe, Mr. Speaker, that we shouldn't rely upon our own hype, our own rhetoric, our own spin, Mr. Speaker.

It's my sincere hope, Mr. Speaker, that through the course of my speech, members opposite, at least one of them took out the earbuds, Mr. Speaker, and listened to what I had to say about the need for taking an honest and true look at the facts and allowing that to inform their position on any piece of legislation. Whether it's the so-called small Bills like 125, Mr. Speaker, that allow an e-registry to do with the resource sector, whether it's the small issues like that or whether it's the huge issues, Mr. Speaker, that aren't even legislation but issues that cut to the core and the heart of our democratic process, like independent officers of this legislature, Mr. Speaker, I hope, Mr. Speaker, that there is one member over there.

You know, the Minister of First Nations and Métis Relations, Mr. Speaker, bangs on his desk when I say I hope there is one member over there who is willing to speak some truth and speak some honesty to the Premier and to the minister, Mr. Speaker. And perhaps, perhaps that is the one individual, Mr. Speaker, who took my remarks to heart and has had some type of conversion, Mr. Speaker. But I doubt it. I don't think, Mr. Speaker, that that is the member, based on the approach that we've seen him take in his own file in one area such as duty to consult. But, Mr. Speaker, I know you're one for encouraging the speaker to always stay on point, so I won't deliver a speech on duty to consult this evening.

What I will say, Mr. Speaker, when looking at Bill 125, while

some members, while some people in the province may say this is not earth-shattering legislation, it's not legislation that turns the world upside down, it's not legislation that, contrary to what the minister would suggest in his second reading remarks, is a total and complete transformation of the energy sector — I don't think that has much credibility — Mr. Speaker, I hope there is one member opposite, one member opposite who is willing to go to the Premier and say, let's just let the facts speak for themselves especially in the resource sector, especially in an area of the economy of the province that has such a great bearing on Saskatchewan people. Let's just rely on the facts. Let's not pretend that we're going to pass Alberta in the production of crude oil, Mr. Speaker, if that's not the case.

Let's not go out there and spin that story because, one, it's embarrassing for the individual making those remarks in public. I don't think that's a good thing. But more importantly, Mr. Speaker . . . Because I'm not really concerned if the Premier is embarrassed or not embarrassed. That's up to him to define his own approach and how he wants to deliver his speech about 125, about the resources and energy here in the province.

But, Mr. Speaker, don't pretend. Don't be a pretender. Don't pretend that something is what it isn't. So don't pretend, Mr. Speaker, that Bill 125 as legislation, as a proposed change that is going to revolutionize the oil and gas and resource sector in the province, don't pretend that's what it's going to do if it's not. It's fine to say, Mr. Speaker, that the amendments proposed in Bill 125 will make some changes in the resource sector, will perhaps make things more efficient in some areas, will perhaps allows some companies, some individuals to do better. That's fine. That's good. Those are fair statements, Mr. Speaker.

But I would encourage someone on the opposite side to go to the Premier, to go to the minister and say, don't pretend. Don't pretend. Don't pretend to be something that you're not. Simply allow the facts about Bill 125 — what changes, what the introduction of MARS will do — simply allow the facts to speak for themselves. And I think, Mr. Speaker, that if even one member opposite, one member opposite is willing to go have a conversation with the Premier or the minister and to tell them when it comes to Bill 125, I for one want you to rely on the facts, I for one want you to speak in the most honest and transparent way to Saskatchewan people, I think, Mr. Speaker, if there's one member, one member from the other side who's willing to do that, I think that will be a good thing and I think Saskatchewan will be a better place, Mr. Speaker.

So, Mr. Speaker, with that I will conclude my remarks on Bill No. 125, *An Act to amend The Crown Minerals Act*. I will conclude my remarks at this time, and I would move that we adjourn debate.

Thank you.

**The Acting Speaker (Mr. Elhard):** — The member for Saskatoon Massey Place has moved adjournment of debate on Bill No. 125, *The Crown Minerals Amendment Act, 2009*. 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 time.]

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

**Mr. Trew:** — Thank you very much, Mr. Speaker. It's a great pleasure to follow such a great speech, as my colleague from the member from Saskatoon Massey Place just did a terrific job on his Bill.

The Bill that we're talking about here today that I'm very pleased to be speaking about, Bill 126, *An Act respecting the Management and Reduction of Greenhouse Gases and Adaptation to Climate Change*. And you know, many would argue that this is one of the absolutely most important Bills of our time. Many people in fact feel that the very future of agriculture, of our water resource, and even our wildlife depends on our actions on environmental issues. So, Mr. Speaker, there's no question that a Bill respecting the reduction of greenhouse gases and adaptation to climate change would be incredibly important.

The problem that we have is, in this Bill — as is the case with virtually every Bill that I've seen so far — is there's clearly a lack of meaningful consultation with the people of Saskatchewan. And why do I say that, Mr. Speaker? I say that because in 2007, the Sask Party campaigned on a promise to reduce CO<sub>2</sub> emissions, greenhouse gas emissions, by 32 per cent with the base year being 2006. I know that they promised that because that was the NDP promise and they said, us too. Us too, they said then in 2007. But you know, Mr. Speaker, that was then.

Well fast-forward now and what do we have? We have an anemic Bill, a very anemic, watered down Bill that says, not a reduction of 32 per cent based on 2004, but instead we're going to go to 2006 when the CO<sub>2</sub> emissions were higher. And we're not going to reduce it by 32 per cent; we're going to reduce it by 20 per cent, Mr. Speaker. That's what they're saying now with respect to management and reduction of greenhouse gases and adaptation to climate change — watered it down.

Then, Mr. Speaker — just think about this — they've said we're going to basically set the target at about 60 per cent of what the New Democrat government at the time set and what they campaigned on. Sixty per cent, that's how much they've lowered this target, Mr. Speaker. Then they've said, and the target is in 2020. Well let me tell you, Mr. Speaker, that's not one election away; the next election is 2011. It's doubtful the Sask Party is going to survive in government 2011, never mind, Mr. Speaker, never mind 2000 and, four years later, 2011, 2015, and then 2019.

[22:15]

There's going to be, if they're in the order they are supposed to be, three full general elections between the time this Bill is being proposed to be passed and the government meeting a

hugely watered down target. Well what a shame that is. First you set the target so low you can trip over it, so low you could just trip over it and claim victory. Then you say, but we won't be accountable; you can't say we missed it until three more general elections have passed us by. I can hardly believe it.

At a time when many think that our actions, not just the actions of Saskatchewan people and businesses and industry and government, but the action of governments around the world need to coalesce, the action of industry around the world needs to come together, the action of individuals around the world needs to come together, never have we seen a time, Mr. Speaker, where the environment is more in need of good stewardship. Never in the history of mankind have we seen a time when the environment is more crying out for good stewardship.

Never, Mr. Speaker, have we ever even dreamt of a time when a chunk of Antarctica, a chunk larger than the continent of Australia would slide off into the ocean. That happened last summer. That happened. A chunk of Antarctica broke off into the ocean, and it's a chunk of ice larger than Australia. Well this should be causing us to sit up and pay attention.

Then let's just be a little bit more selfish, Mr. Speaker, when it comes to CO<sub>2</sub> emissions and the environment. Let's be a little more selfish and talk about our own little corner of the world. And, Mr. Speaker, we have a situation where the *Leader-Post* just a couple of weeks ago printed a map of Canada, a map of Canada, and it showed the temperature for January and February. According to Environment Canada, our little corner of the world right here is as close to normal as any part of Canada, and it gets progressively hotter as we get towards Baffin Island where the change in temperature was about seven and a half degrees Celsius warmer than normal, Mr. Speaker.

And of course the tie has been absolutely direct between CO<sub>2</sub> greenhouse gas emissions and global warming. The science of that is virtually indisputable. There's still a few people that will argue, and that's absolutely their right to argue that there is no direct tie, but they're a decreasingly small minority of people, Mr. Speaker, that say there isn't a direct tie between greenhouse gases and global warming. And if ever you saw global warming, I mean you can't possibly dispute that a country, Canada, the second largest country in the world geographically, and the map shows that all of the second largest country in the world is hugely warmer than it's ever been before, hugely warmer than ever before in January and February, Mr. Speaker.

We have a very complex Bill here, a complex Bill that I argue doesn't go nearly far enough. It speaks of a target. It speaks of a 20 per cent reduction with a baseline year being 2006, three years ago. Not the commitment that was made during the last election in 2007, which was a reduction from the year 2004, a reduction of 32 per cent. Instead it's from 2006, a higher level of CO<sub>2</sub> emissions, and the reduction's only 20 per cent. And the target is all the way out at 2020 — I've already said, three elections into the future. Three elections will have passed.

Well, Mr. Speaker, we need to act. We need a government that doesn't simply set one target during an election, a target of convenience, then in 2009-2010 set another. Well in fact in 2009, they had a different piece of legislation than this. There

are some changes from 2009 to this piece of legislation introduced now this year. Well, Mr. Speaker, we need to have more than simply targets of convenience. We need to have targets that a government is committed to meeting, targets that a government feels with every fibre of its being. Otherwise save your breath and certainly save the paper. You know, trees take CO<sub>2</sub> out of the air. Save the trees. Don't bother printing a Bill that's 40 pages long, Mr. Speaker, 40 pages long. Don't bother doing it if you don't have any intention of doing something about greenhouse gas emissions.

We need a government that makes and sticks to a plan of action, Mr. Speaker. A plan of action, not just some target of convenience, you know, a target that's convenient one day. We've already found a target of convenience in 2007 during election wasn't convenient already by 2009, and 2009 wasn't convenient by 2010. And the question is how can we trust the government, how can we trust the Sask Party government on the environment when three times now the ground keeps shifting? How can we trust them that this Bill is a good Bill, if they have any intention of meeting this anemic target? How can we trust the Sask Party government on that?

Mr. Speaker, we need to move into energy conservation in a huge way. We need to move into alternate energy. We had, under the previous government, set up the largest wind capacity per capita of any province or territory in Canada. More wind energy per capita than anywhere in Canada. And you know, you really have to scratch your head to point to any successes on that subsequent. You really have to scratch your head with respect to wind power.

There's some talk of some wind, I saw in the paper down around Moosomin, and I wish them well. But I mean that's about it. I just can't point to anything else. And what have they done with respect to natural gas and power production, Mr. Speaker? This is a technology that's been good and it's been off the shelf for 50 years and more. You could build a gas turbine, generate electricity, and turn around and sell it. SaskPower's been in that business for probably longer than I have been alive. Probably that long. Probably that long.

And what did they do now? They just announced a new power generation, gas turbine power generation. And who's going build it and who's going to operate it and who's going to reap the benefits financially? Tell you it's a company from Ontario that's going to do that; not SaskPower that's had the technology, has the people, has the ability. No. The Sask Party government is saying, we don't have any faith in our own people, our Saskatchewan people. They can't do what they've been doing for 50-plus years and been doing it better than anybody else or as good as anybody else. They're saying, no, you can't do it.

Well, Mr. Speaker, wonder why we're concerned about this Bill No. 126, *An Act respecting the Management and Reduction of Greenhouse Gases and Adaptation to Climate Change* when the government refuses to use the tools that it's had at its disposal for decades? It refuses to use those tools. It gives them away and refuses to act on other things that might actually make a difference.

Mr. Speaker, Mr. Speaker, we have a situation where, of the

greenhouse gases in this world, in rough, real rough numbers, one-third of the greenhouse gases come from buildings — our homes, our apartments, our buildings. One-third of the greenhouse gases come from transportation — our trucks, our cars, our buses, our airplanes, our ships I suppose, but we don't have a lot of ships in Saskatchewan. We do have some pleasure boats and some working craft but . . . [inaudible interjection] . . . Yes, and a couple of ferries. Yes, thank you. My colleague points out we have a couple of ferries in Saskatchewan. Mr. Speaker, and roughly one-third of the greenhouse gases, the remaining one-third come from manufacturing and business. And that's in really, really down and dirty rough numbers. That's it. One-third, one-third, one-third. Well what have we got?

We've got a situation where the government's been advertising low-flush toilets. And they're important. That's a good step one, a good step one. It kind of reminds me of the ad I saw on TV the other night about the steps to a healthy lifestyle. It starts with a guy riding the biggest wave I ever saw, just coming at you. And you just think, this is amazing. And the ad says step no. 10,271 in changing your life. And step one, and then it reverts to, I think it's some breakfast cereal, and that's step one. Well the low-flush toilet might be step one, but it sure isn't step 28 or it isn't step 10,271. It's maybe step one, and it should happen. I don't mean to denigrate that program in itself, but it's just such a tiny, tiny first step — important, absolutely, but a tiny first step.

So why don't we have a government that spends more time actually helping people, helping businesses to realize how they can conserve energy, realize how they can conserve energy in a very meaningful way. In most of our buildings, if we improve the envelopes, if we improve the insulation value — the windows, increase the caulking, that sort of thing — the reduction is phenomenal. The savings in energy is just phenomenal in a great, great many buildings. We need a government that'll set standards and then help individuals and companies reach those standards and even go beyond those standards where they can. And this would be a good thing.

We need a government that's committed not to driving around in the biggest Jeeps they can find, the biggest gas-guzzler, all-terrain vehicles that they can find when they campaigned in 2011 on having an energy-efficient fleet for the CVA, central vehicle agency of the Government of Saskatchewan. And yet, you know, Mr. Speaker, the reality, the talk, the talk has been cheap; the reality is something different. We have a government that has not walked the talk. They talk the talk but they've never walked it.

And we need to move in very real ways. We need to move forward. We need to have real targets. We don't need pretend targets, targets of convenience. We don't need a target that was set in 2007 when the Sask Party said, us too, because New Democrats had a target of reducing CO<sub>2</sub> gases by 32 per cent with the base year being 2004. Then two years later, they introduce a Bill saying the base isn't 2004. Now it's 2006 and we're still committed to a significant reduction in greenhouse gases, but change the base year. Now 2010, we've changed. The base year is 2006 and the reduction isn't 32 per cent, it's 20 per cent. So we've seen changes.

Mr. Speaker, we have seen, we have seen things happen here that just defy logic. We've seen a Bill introduced that has some talk but it does not have any plan. It does not tell us how we're going to take those steps to get from here to there, here to there. And that's what people expect of their government is a simple, a plan that you can explain, a plan that will help you get from here to there.

Because if you don't know how you're going to do that, how do you even know if you ever got there? When you do get there, you won't even know that you've reached utopia. You won't know you've reached the promised land.

Mr. Speaker, we have a situation where not one, not two, but three complete general elections will pass between this Bill being introduced and any government of Saskatchewan being held accountable for that. This is a very, very complex Bill, Mr. Speaker. And I want to tell you, I am excited about the opportunity to pick up and continue my comments on what many people will legitimately argue is one of the most important Bills of our time, *An Act respecting the Management and Reduction of Greenhouse Gases and Adaptation to Climate Change*. These are issues that are affecting every single person in Saskatchewan, every single one today, tomorrow, and well into the future.

Mr. Speaker, these Saskatchewan people have every right to expect a plan and action, strong action from their government. What are they getting? A plan that was presented, been changed, now changed again.

**The Acting Speaker (Mr. Elhard):** — It now being 10:30, this House stands adjourned until tomorrow at 1:30 p.m.

[The Assembly adjourned at 22:30.]

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**Hon. D.F. (Yogi) Huyghebaert**  
Minister of Corrections, Public Safety and Policing

**Hon. Ken Krawetz**  
Deputy Premier  
Minister of Education

**Hon. Don McMorris**  
Minister of Health

**Hon. Don Morgan**  
Minister of Justice and Attorney General  
Minister Responsible for Saskatchewan  
Telecommunications

**Hon. Rob Norris**  
Minister of Advanced Education, Employment and Labour  
Minister Responsible for Immigration  
Minister Responsible for the Saskatchewan  
Workers' Compensation Board

**Hon. Jim Reiter**  
Minister of Highways and Infrastructure  
Minister Responsible for Saskatchewan  
Transportation Company

**Hon. Christine Tell**  
Minister of Government Services  
Minister Responsible for the Saskatchewan  
Liquor and Gaming Authority  
Minister Responsible for the Capital Commission