



THIRD SESSION - TWENTY-SIXTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

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The Honourable Don Toth
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

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[The Assembly resumed at 18:00.]

EVENING SITTING

The Acting Speaker (Mr. McMillan): — Order, order. It now being 6 o'clock, the Assembly now resumes.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 132

[The Assembly resumed debate on the proposed motion by the Hon. Ms. Heppner that **Bill No. 132 — *The Wildlife Habitat Protection (Land Designation) Amendment Act, 2009*** be now read a second time.]

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

Ms. Higgins: — Thank you very much, Mr. Deputy Speaker, and it is a pleasure to rise this evening to make comments on *The Wildlife Habitat Protection Act*. And, Mr. Speaker, there has been a fair bit in the news the last few days about this Act and there has been a great deal of concern raised right across the province by many citizens who are concerned that the government is making changes.

I think first and foremost, Mr. Speaker, that there isn't any, hasn't been any consultations done. And secondly, I think the lack of consultation is a big concern but, Mr. Deputy Speaker, also that the changes that are being put forward, what kind, why they're being put forward I guess first and foremost, but also that people across the province truly have been ignored when it comes to the consultations and when it comes to changes that this government is putting forward.

Mr. Speaker, I guess first and foremost we need to have a look at how and why this Act was put forward. And originally we can all remember a number of years ago during the '80s when there was talk about endangered species, species at risk and whether it was animals that were at risk that their habitat was being changed and lost for a variety of reasons, Mr. Deputy Speaker. And people really banded together and felt that we have an obligation as, really, citizens of the province, not only to care for and respect all species and all areas of the province but to make sure that they were maintained for future generations to enjoy.

And, Mr. Deputy Speaker, there isn't any one of us that doesn't know the diversity of wildlife in our province and also when we get into plants some of the rare flowers, the rare plants that are endangered, that are at risk of being lost. Mr. Speaker, many people have turned their mind to this over the years and spent many, many years in fact making sure that habitat was protected.

But, Mr. Deputy Speaker, during the '80s this Bill was brought forward and at that point in time it was more looking at endangered species. But as we began to realize that as human beings and residents of the province we were changing more

and more of it, in the '90s more land was added to this Act and its name was changed to *The Wildlife Habitat Protection Act* because it didn't only deal with endangered species but it dealt with all species that are resident in the province of Saskatchewan, natural to the province of Saskatchewan, and that we want to remain here for all to enjoy, Mr. Deputy Speaker.

So there's always that fine balance. There's that fine balance in between industry and development, human habitation but also making sure that we provide for nature and wildlife across the province. And that's really what this Act did, what it does, Mr. Deputy Speaker.

And, Mr. Deputy Speaker, there is a rationale for the schedule, as we refer to it. And it's a listing of all the lands, the legal description of all the lands and properties in the southern part of the province, south of the NAD [northern administration district], Mr. Speaker, that are protected and that are contained in this Act. But they've always been kept within the legislation and housed in the legislation for a number of reasons. First and foremost I think many people viewed it as a commitment and a visible commitment to wildlife and to make sure that these lands were maintained.

And many people may wonder, well what difference does it make where they're listed, where these protected lands are, where the list is housed and how it's kept. But for anyone that has dealt with this issue, they will know that when the legal description of the land is contained in the legislation — or it doesn't matter, whatever articles are in an Act of this province — to make changes to that Act it has to be brought into the legislature during session where there's an opportunity for all of the members of this House to scrutinize, to look at it, to ask questions so that we're all comfortable with the changes that are being made and what's being proposed and, if we're not, to offer viable solutions that also address the concerns of citizens, address the intent of the Act to protect wildlife and protect habitat for wildlife, and also allow the government to be able to achieve their purposes, Mr. Speaker, if that's the will of the House.

So, Mr. Deputy Speaker, when we look at the Act, and this is in one of the binders that are from the House here, Mr. Speaker, so I won't be flipping pages too far, but this is what the wildlife habitat Act is. It's a fairly substantial document but, Mr. Speaker, probably only about the first eight pages are actually the Act and the rest is a very detailed schedule of this 3.4 million acres that is protected across our province for wildlife.

So I get back to again, why is it kept in the legislation? I think it signifies the importance that the province of Saskatchewan puts on wildlife and puts on wildlife habitat, and the protection of that raises it to a higher level. And, Mr. Speaker, it also provides for accountability, that if there is a reason that some of this land is to be removed from the Act . . . And, Mr. Speaker, there may always be circumstances that may come up where there needs to be a review of certain areas needs to be looked at.

But, Mr. Speaker, by keeping the schedule within the Act, it ensures that the government is held accountable for why they are removing land, why are they removing designated wildlife

habitat from the Act because, Mr. Deputy Speaker, they have to bring it to the House. There has to be questions asked. They provide the explanation as to why they're making the changes. And, Mr. Deputy Speaker, if any of the government ministers feel strongly enough about this whole issue, well then what they need to do is to be able to stand and be accountable to the people of this province because that's who they work for, and, Mr. Speaker, explain, explain the rationale that's why they're making the changes. And, Mr. Speaker, we're seeing quite clearly that this has not been done.

Now, Mr. Deputy Speaker, this Act was tabled in the fall, late in the fall, and during the last couple of months we've all gone through it and had a look at it and looked at the various changes. And it speaks to doing an ecological assessment on the wildlife lands. Mr. Speaker, not long after this Act was tabled I was at home and I was going . . . I was on the computer and was going through a number of websites. One for the Department of Agriculture is one that I look at every so often and it has land descriptions and you can go through on the Department of Ag website and look at various municipalities and parcels of land. And, Mr. Deputy Speaker, there was a number of things that I noticed.

First and foremost, on the listing of lands in one particular RM [rural municipality] that I was checking out, under the land description which it will say occupied, agricultural, lease, or vacant — it gives a quick description of what the land is — but under a number of them it said, under review. And this was a few months ago, Mr. Deputy Speaker. So then I started wondering, well why is the land that was previously listed as critical wildlife land now listed as under review? So I started looking at an RM map, started looking at a number of other maps and websites and then went back to the legislation and started looking at it. Well obviously the ministry has begun the review of Crown land already.

So looking at the legislation started to be . . . look at it a little more carefully and made a few phone calls. And I have to say by this time we were hitting where the minister was making her second reading comments in the House and, Mr. Deputy Speaker, there have been a number of Bills that have come through this House where we have heard complaints over and over again that there has not been consultations or by any means adequate consultations. In fact many groups feel that the government has just come out to them and dictated, said, this is what we're doing. That government calls that consultations but groups in the community and stakeholders have been quite upset with the process.

So, Mr. Speaker, when we got to second reading of *The Wildlife Habitat Protection Act* and the making of consequential amendments to other Acts, I was interested when the minister made her comments. She talked about the Act creates a Crown land ecological assessment and it will allow the government to evaluate and identify important ecological values and know how best to protect them. And then in her comment she said this has been developed in consultation with a wide variety of stakeholders such as the Saskatchewan Wildlife Federation, the Nature Conservancy of Canada, Nature Saskatchewan, Ducks Unlimited, the Federation of Saskatchewan Indian Nations, Saskatchewan Cattlemen's Association, and the Saskatchewan Association of Rural Municipalities.

So, Mr. Deputy Speaker, I heard that and I thought, well good. The government is finally beginning to realize that you need to have discussions with citizens when you're making major changes, and while they may not always agree with you, they at least need to understand why you're making the changes. And they will be maybe not agreeable with it, but they will be accepting of the changes if they understand the rationale and what you're trying to achieve with this.

So, Mr. Speaker, I started to do some phone calls then, and when I talked to a number of the stakeholders I found out a number of things. First off, many of the groups, well all of the groups in fact, felt that they had been invited to one technical briefing — and that's what they referred to it as, Mr. Speaker; they said that it was more of a technical briefing — but that they had not heard anything since. There had been . . . They had been invited to a meeting where the department had laid out the process that they would use and the tool that they would use for the ecological assessment. And they said it was a technical briefing of the process and the tool, but that it in no way delved any deeper into the legislation or the intent or what direction the government was going with this, and that there'd been no follow-up.

Well, Mr. Deputy Speaker, that was over a year ago, and in the meantime of course you always hear little bits and pieces of information kind of floating around. And at the Saskatchewan Wildlife Federation, their annual convention, all of the people that were at that convention sat down and wrote letters to the Premier of this province expressing their concern with the changes that were being proposed to *The Wildlife Habitat Protection Act*. And, Mr. Speaker, they got back a form letter basically to all the people that I talked to. They did get an answer back and it says:

Our government will continue to protect land with conservation attributes, important subsurface minerals and land that is located in proximity to major water bodies or having other public or economic values beyond agriculture.

And it gave them a website to visit and also forward the letters to the Minister of Agriculture and the Minister of the Environment.

Now, Mr. Speaker, many of these people received more detailed letters back from the Minister of Environment and she made the comment in the letters that . . . Now I may have my letters mixed up, Mr. Speaker, because there was a couple of them that went back and forth at that time. But one thing that caught my eye, in fact a number of . . . Well sorry, Mr. Speaker, let me finish off one thing. Many people received letters from the Minister of Environment and felt that she had addressed a number of the issues, but still avoided the topic as to why this was being done and why the land and the schedule were being removed from the legislation.

So that's begun a number of, raised a number of concerns with many people and rightly so, I would say, Mr. Deputy Speaker. Because as I've gone around speaking to people over the last while, I've often referred to the explanatory notes that came out along with Bill 132, *The Wildlife Habitat Protection Act*. And these will give a brief description in kind of clear English as to

what the changes are being proposed, what the current, current provision is, and why the changes being provided or proposed, Mr. Speaker.

[18:15]

And I guess there's one area that jumps out at me, when it talks about in 3(a) that (c.1), the schedule which is the actual listing of the lands, when it gives an explanation for this being removed from the Act, and the explanation is that:

This amendment repeals the Schedule listing designated lands. [It removes it from the legislation.] The province is positioned to adopt a new strategic approach to evaluate and manage ecological, social and economic values on Crown land in the surveyed area of Saskatchewan and ensure protection of critical features while enabling sale of the land. This new approach includes assessing the ecological attributes of all Crown land with an initial focus on land in The Wildlife Habitat Protection Act (WHPA). This information will be used to determine which lands may be sold, sold with a conservation easement or retained by the Crown.

Now, Mr. Speaker, I may be being a little picky here, but I would say any of us as human beings, if I asked you to write a list, if I asked any of us to put a list of items, make a list of a groups of items, we will always put our priority first on the thing that appeals to us the most.

So, Mr. Speaker, here we are dealing with *The Wildlife Habitat Protection Act* set up to preserve and protect habitat for wildlife, but the priorities and the way it's listed by the government is the lands may be sold, sold with a conservation easement, or retained by the Crown.

The priority here in my view is to sell the land. That's what's listed first. It's the highest priority for the government. That's the way I view it, Mr. Speaker.

If I had have been writing this legislation . . . For one thing I wouldn't be doing this but if I had have written the list I would have written, being it's the habitat protection Act, would you not have the priority of protecting land and keeping it within the Crown for wildlife, then looking at what would be sold with a conservation easement? And what may be sold would be your third priority. But, Mr. Speaker, this is entirely different. It's entirely backwards. So it raises a number of red flags.

And, Mr. Speaker, there's a number of other areas in here that prompted me to ask some written questions of the minister. And there was a point in the explanatory notes that the wildlife habitat protection regulations will be prepared for the spring of 2010. These regulations will designate lands that are protected under the Act. This amendment includes enabling provisions that allow for future regulations that set out terms and conditions for the management of designated lands.

Well I understand how this works, Mr. Deputy Speaker, that the legislation needs to be passed before the regulations are developed and released, for sure. But I would assume that there is some work going on towards establishing regulation. Because when you're putting together a piece of legislation and making

changes to this magnitude, you also have to have in mind as you're working through it, the details that will be needed to put the legislation in play and to make sure that it operates the way you have foreseen it or want it to or have directed it to be operational.

So, Mr. Speaker, getting ready for committee — because I mean this Bill will end up in committee, and we'll have an opportunity to sit and ask questions — I asked a number of questions of the minister to get ready for committee. And, Mr. Speaker, I would assume by the comments in the explanatory notes and by seeing on the website over the last number of months that this land is under review and has been under review for a number of months. I know that there was a technical briefing almost a year ago where stakeholders were shown the tool that would be used to do the ecological assessment on the Crown land, beginning with the land in WHPA.

So my question to the minister was, what value or attribute or rating has been given to each of the lands contained within the schedule of *The Wildlife Habitat Protection Act*? You know, how have you rated it? What's the new rating that's attached to this land that you are removing from the schedule?

I also asked about the tool that was being used to do this assessment and the criteria that was used within the tool to do the assessment on this land. Mr. Deputy Speaker, I ended up getting back a non-answer. Well I kind of got brushed off, I guess, was the annoying part. Because we know in this House that with a written question, you can either answer it, order it, or . . . now I've forgotten the third one . . .

An Hon. Member: — Convert it for debate.

Ms. Higgins: — Oh, convert it for debate. That's what it is. It's always that third one I forget, Mr. Deputy Speaker.

So anyway I get an answer back that says, well these are questions you should be asking in committee. You know? Well for one thing, Mr. Deputy Speaker, there is no guarantee this Bill will go to committee. I mean there are ways it may bypass committee completely. You know, this work should have been done by now. If you are looking and committing in the explanatory notes to have the regulations in place by the spring of this year, the assessment must have been done. If the websites for the department have listed these lands as under review for the last number of months, obviously the review is taking place and should have been done.

And, Mr. Deputy Speaker, this was information I was looking for so I could be prepared when we go into committee to discuss this Bill — that I would not be asking for additional information in committee, that I would have that information and be ready to go, to maybe even streamline the process.

But, Mr. Speaker, that was dealt with I assume today in the House, so we will let it go. But, Mr. Speaker, it really is difficult to be able to do the job and answer questions that constituents are asking when we can't receive information. And this was technical information, Mr. Speaker. It had nothing to do with the ideological issue of whether this schedule of land should be kept in the legislation or moved to the regulation. It was purely the scientific tools that were being used for the

assessment, and how each piece of this land was rated with that new assessment.

Mr. Speaker, it was quite clear and it was information that would have helped me and my colleagues prepare for committee and asking questions in committee. But it wasn't very forthcoming from the minister.

So, Mr. Speaker, over the past number of months as I've been speaking to folks, they have been quite upset that this is being put forward and quite upset that they . . . Well actually, Mr. Speaker, they were a little surprised at how quickly the legislation was moving. And they expected that because it was going to be reassessed — there would be a reassessment — the various groups would come back in, they would have an opportunity to view how the new reassessment or ecological assessment tool worked, how it would be applied to various pieces of land, how accurate that was. They felt they would have some input into how that was working.

So far that has not been done. They felt once they had worked their way through the process of the new ecological assessment that then they would look at how this would move forward. But they felt they would be involved in it because, Mr. Speaker, whether you're talking about the Cattlemen's Association, whether you are talking about ducks, whether you are talking about the Wildlife Federation, Nature Conservancy, Nature Saskatchewan, these are all folks who have dedicated a great deal of time — and money, in many cases — to protecting habitat, to protecting wildlife, and to promoting a healthy, well-balanced Saskatchewan.

And, Mr. Speaker, they felt that their opinions were valued and that their opinions would contribute to a better piece of legislation, better ecological assessment on these lands. So they were expecting to be involved but, Mr. Deputy Speaker, that didn't happen.

And when people heard that the legislation was in the House, it was in second reading, that the government was anxious to have it moved forward and there's been comments tossed across the floor: well it'll pass no matter what; we'll push it through. That's fine. We all understand how the process works but the government also needs to understand that there are many people across this province that are concerned and have spent, as I said, a great deal of time, energy, and money working on these issues and promoting a vibrant, I guess, ecology in the province of Saskatchewan when it comes to the wildlife and the plant life and the beauty that we all know is present in our province.

And, Mr. Speaker, it's also very important, whether it comes to hunting and fishing, which is a huge revenue generator for many areas of the province, or whether it comes to the tourism sector, it's important also . . . And these are things that have been promoted. And it's kind of ironic that here we are, we're passing through the House marking a hunting and trapping . . . what the heck is it called, the Bill? Oh, heritage day, sorry. And then on the other hand we're removing access to much of the land and possibly destroying a lot of the heritage that's actually out there when it comes to this whole sector of our province.

So, Mr. Speaker, this actually . . . It's raised an awful lot of concern over the last number of days and weeks. And it's, I'm

sure, not going to go away, but I'm glad it's become a more public issue. Because people need to be involved and they don't need to be six or eight months from now realizing that the changes have been made and frustrated that they didn't have an opportunity to voice their opinion.

Hopefully we can . . . The minister I understand has agreed to have some meetings over the next week to have some further discussions, and I hope they go well, Mr. Speaker, because it's important that people do have their say on these Bills and the changes that are being proposed.

Now, Mr. Speaker, I did get some information despite the minister not sending it to me. I received some information on the ecological assessment tool that's being used and it comes on a couple of charts — and I'm sure there's much more to it than what I've received — but it's Crown lands ecological assessment criteria and parameters.

And it's quite a large chart. I only printed off half of it this evening. I didn't bring in the full charts with me because they're fairly large. But, Mr. Deputy Speaker, I mean I need to go through this more and make sure I have a better understanding of how the ratings are achieved and what actually is taken into account. But it talks about the criteria and it speaks to: composition has a 65 per cent weighting; spatial characteristics, 25 per cent weighting; and parcel context which is 10 per cent.

And when it gets into the variables, it's much what we would expect to see, I would assume. Natural cover includes wetlands, how that ranks. Enduring features, that has a ranking. Intactness which is also a subsection. Species at risk, game species diversity, fish distribution diversity, species diversity, and non-game plant and animal — there's also various attributes that go with that, and rankings.

Also when we get into size and shape of the land, also neighbour parcel distance, parent to other conservation lands so I would think that's going to be a big part of the reassessments that are done. But when we get into the table 2 and this has a nice little acronym called CLEACP [Crown lands ecological assessment criteria parameters], Mr. Deputy Speaker.

When we get to the risk criteria in the variables, there's a number of headings under here and it speaks to agricultural capability, potential gravel and sand, existing and potential pit mining, existing subdivisions and potential recreational lands. And then it has a number of subheadings: distance to water, construction potential based on elevation range, proximity to existing urban centre, proximity to existing subdivision, proximity to existing provincial park. And then also existing and potential gas . . . or oil and gas development, that has a rating attached to it. Risk of acreage development, that has a number of ratings attached to it. And also existing and potential wind farm development.

Mr. Speaker, this raises a huge amount of questions. And I know that it has amongst others who have viewed this tool that is being used and how the ratings are compiled and how accurate they are. So, Mr. Speaker, there's also a number of questions in the letter that accompanied the, I guess, brief outline because I'm sure the ecological assessment tool, this

CLEACP, has a great deal more paper to it than the two or five sheets that I have.

[18:30]

But, Mr. Speaker, there's also a line in the kind of cover letter that came with this and it says:

The province intends to evaluate the ecological attributes of all of its Crown land holdings in southern Saskatchewan, beginning with those lands currently managed through *The Wildlife Habitat Protection Act*.

So if this is going to be applied to *The Wildlife Habitat Protection Act* and all of the lands listed in this schedule that's attached currently to the legislation for very good reason, and it is in the intent of the minister and the government to reassess all lands, is it also the intention of the government to go through this same process and offer all lands for sale after they have been reassessed? Does that put at risk the Great Sand Hills? Does it put at risk other areas that we know are unique parts of Saskatchewan?

Well now the minister says no. Well that's nice but, you know, all of these stakeholders received a letter not even a year ago from the minister saying WHPA [*The Wildlife Habitat Protection Act*] lands would not be sold.

So do you know what? We don't put an awful lot of faith in that, Mr. Speaker. And I wouldn't bet the farm on it because this government seems to have changed its mind over and over again. And we can go back right to pre-election where the Premier said there was no need, and the Minister of Health, there was no need for an essential services Act. And that was the first, one of the first things they did when they came to power was put it in place.

The Premier also said that he wouldn't sign TILMA [Trade, Investment and Labour Mobility Agreement] but, Mr. Speaker, I'm sure there'll be lots of backslapping and handshaking tomorrow over at Government House when they sign TILMA tomorrow. They have gone back on their word in a number of places. And these are just some, some large and public incidents where there has been, their word has not been . . . probably the pen they signed it is worth more than their word is, Mr. Speaker. And that's not a good reputation to have when you're in government.

So, Mr. Speaker, there is many, many questions that go with this Act. I hope the minister, when she denied answering my questions has the information ready for committee because those will be the first things that I'm looking for when we are looking at how this piece moves ahead because it is important.

And, Mr. Speaker, also I know they have talked many times over the past days that the whole reason they're doing this is because ranchers deserve the right to own the land that they have been good stewards of.

Mr. Speaker, we'd also like to know how many pieces have been requested and what kind of requests there are for WHPA lands, and what the breakdown will be, what the rating is for each of these pieces of land contained in the Act — how they

have been rated, how those ratings have been achieved, and where the cut-offs are, Mr. Speaker. What will be land, what's the rating you need to achieve to be considered critical and be retained within the Crown? What's the rating that needs to be achieved to be sold with a conservation easement? Who will enforce the conservation easements? And what ratings are needed for land to be considered not important to wildlife and habitat across this province?

So, Mr. Speaker, there are a number of questions, well a huge amount of questions, that need to be answered. And I truly hope that when the minister meets with some of the stakeholders that she has committed to that they have some productive meetings and are able to work out some solutions that people across this province will be much more comfortable with, and that we really sit back and take notice and have a look at this legislation and realize that, as the current residents of the province of Saskatchewan, we do not have the right to do as we will without consideration for other species and for what will be left for future generations, Mr. Speaker, to enjoy. It's a responsibility that we have, and we need to make sure that we take it seriously.

So, Mr. Speaker, I appreciate the opportunity to be able to rise and make additional comments to the proposed changes to *The Wildlife Habitat Protection Act*. And with that, Mr. Speaker, we'll request that it be moved to committee.

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

Mr. Quennell: — Mr. Speaker, I rise to speak briefly this evening on *The Wildlife Habitat Protection Act*, Mr. Speaker. And I've listened to a considerable amount of debate on this Bill in this Chamber over the last little while, and I've listened to the minister, particularly in question period, on this Bill and answering questions about the Bill. And today I was interested to hear her, maybe prior to question period, maybe during introduction of guests, to offer to speak to groups that the ministry and minister had held out that they had already spoken to about this legislation in advance consultation. And that was quite remarkable, Mr. Speaker. Very remarkable.

The other remarkable feature of this debate, besides the backtracking of the minister today on what consultation has taken place, is the use of the term fearmongering to respond to concerns expressed by the opposition, either in our speeches in second reading or the questions that are asked in question period in respect to the legislation. And I can understand why a government can think that that would be a successful tactic, that they bring forward legislation — they say, nothing to see here really, makes a lot of sense; don't know why we didn't do this before — and any criticisms that come from the opposition of course are suspect because they either don't understand, trying to make political hay out of the government's policy initiatives, Mr. Speaker.

So it's interesting when other parties who the minister would not accuse of fearmongering repeat the same concerns that you've heard from the opposition, both in these speeches in second reading and in question period. And I want to refer just briefly to an editorial, I think in today's *StarPhoenix*, Saskatoon *StarPhoenix*, entitled "Short-sighted of gov't to sell protected

land.” And I’ll open with a quote that represents the first three or four paragraphs of the editorial:

The provincial government’s plan to remove from under the protective umbrella of the Wildlife Protection Act nearly three million acres of Crown land smacks of short-term thinking and political expediency that’s detrimental to all citizens of Saskatchewan.

And despite Environment Minister Nancy Heppner’s claim that the move, which she wants to make by the end of May and would see about 10 per cent of the land sold to ranchers whose families have leased it for generations, “isn’t about monetary things,” her decision remains puzzling.

Even in a large province that boasts 43 per cent of Canada’s arable land, the removal from wildlife habitat protection chunks of land that amounts to twice the size of Prince Edward Island, is cause for consternation.

At a time when the entire world is becoming increasingly aware of the value of preserving natural habitat for wildlife for the sake of future generations as well as our own, the government demonstrates a breathtakingly short-sighted approach to its duty and obligation to act as a responsible steward of the public interest.

Now I suppose to be consistent with the language she uses when members of the opposition express their concern or raise questions about the legislation, Mr. Speaker, I suppose she could accuse, the minister could accuse the Saskatoon *StarPhoenix* of consternation mongering. But I think this is a genuine concern on the part of the editorial board, seeing a dramatic, radical change to the approach to the environment in respect to millions of acres of Crown land in the province.

The editorial goes on to state that wildlife protection and conservation groups, First Nations leaders, and others are quite right to be concerned about the legislation, and concerned in part because of its scope and its possible consequences, but also concerned because they have largely been left in the dark. As speakers have pointed out, and I think it’s become abundantly clear, not very clear because of the minister’s original explanation that this Bill had followed upon consultation with these groups because it had become abundantly clear, as the debate has developed, that this consultation has not indeed taken place.

And the Saskatoon *The StarPhoenix* goes on to say, “It simply isn’t acceptable and Ms. Heppner seems determined to push through changes to three-decade-old legislation without properly discussing them . . .”

Mr. Speaker, and it isn’t acceptable, Mr. Speaker Now when we say, I mean the opposition say, it’s not acceptable, well the minister says, fearmongering. But I don’t think that the editorial board of *The StarPhoenix* is particularly interested in promoting the cause of the New Democratic Party opposition. Here I believe the editorial board of *The StarPhoenix* is interested in promoting the cause of the environment and conservation, Mr. Speaker.

And I think their language around the unacceptability of the push through of this legislation, which if any legislation require public hearings at this point, Mr. Speaker, this legislation cries out for them, cries out for them, Mr. Speaker, because that consultation hasn’t taken place. There is broad-based concern. We’re learning that. We saw that in the galleries today, Mr. Speaker. And if there are misunderstandings, as the minister would say, the air could properly be cleared by hearings on this legislation and the reluctance of the government to discuss its legislation in public, with the public, in areas such as this is alarming.

The editorial goes on to say, and I quote again:

As Darrel Crabbe, executive director of the Saskatchewan Wildlife Federation aptly notes: “We just think that the future generations of Saskatchewan would be better served if there was full consultation with everybody and the original protection was left in place.

“This is a huge issue for us. We’re talking about millions of acres of land that we consider to be a jewel in the crown of Saskatchewan.”

And then the editorial goes on to speculate as to the actual motivations of the government for bringing in this legislation. Their speculation is a little bit different than the speculation, I think, on the part of the opposition to the motives and motivations of the government in bringing in this legislation. I actually believe that *The StarPhoenix* is being a little generous in what it attributes as the motivation behind this legislation, but this is what the editorial says:

For a government that’s heading into an election next year in a province whose economy shrank by 6.3 per cent in 2009 and is struggling to keep its spending in line with its diminished revenues, any source of revenue — especially when it’s tied closely to making some of its rural support base happy — might seem attractive.

Mr. Speaker, so *The StarPhoenix* attributes the reasoning for this legislation as another quick cash grab, a quick flow of cash, another trip to the children’s piggy bank by a government that has maxed out its credit cards, Mr. Speaker. And that may very well be right. It’s certainly arguable, and *The StarPhoenix* makes the point very succinctly. Later *The StarPhoenix* goes on to say, and I quote, and here they are quoting Brent Kennedy of Ducks Unlimited: ““We’re not convinced that they have the means to be able to accurately define which lands have greater or which lands have lesser ecological value,” suggests Brent Kennedy, Ducks Unlimited’s manager of provincial operations.”

Mr. Speaker, so people who are involved in this area or whose lives are and working lives and vocations and avocations, Mr. Speaker, are taken up with concern about conservation and protection of wildlife and of land very much doubt the government’s ability, which the minister seems to have no doubt about, to decide which lands have greater or lesser ecological value. And the history of this legislation shows the government’s unwillingness to consult those groups and ask those question, Mr. Speaker, which gives a concern about how the legislation will actually be implemented in the future given

the reluctance of the government to speak to Ducks Unlimited or the Wildlife Federation in any meaningful way.

[18:45]

Finally *The StarPhoenix* editorial concludes with the following quote:

The call by Ducks Unlimited and other conservation groups for the Saskatchewan government to develop a wetland policy to conserve and restore wetlands in the province has gone unheeded. This even though wetlands are crucial to protecting water supplies, reducing effluents from washing into lakes and rivers, and recharging groundwater supplies.

Instead, the Environment minister is acting to . . . [fully] erode the protective legislation already in place. No wonder those who take a longer view of the province beyond its four-year election cycles are concerned.

And that, Mr. Speaker, I think — in a very sober, rational, clear-headed way — raises the concerns of people in Saskatchewan who are concerned about the environment and conservation, and it raises the concerns of the opposition which the minister would pejoratively describe and diminish and dismiss as fearmongering, Mr. Speaker.

I don't think so, with respect. I think the concerns expressed by *The StarPhoenix* and by the individuals quoted within that editorial representing the Saskatchewan Wildlife Federation and Ducks Unlimited are valid concerns. I think they need to be listened to. I think they need to be aired. I think there needs to be far more discussion than the Minister of Environment has been willing to have on this legislation, Mr. Speaker, and we will continue to push for that discussion. This debate will continue, but for the moment, Mr. Speaker, I move that we adjourn debate.

The Speaker: — The member from Saskatoon Meewasin has moved adjournment of debate on Bill No. 132. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Agreed.

Bill No. 105

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cheveldayoff that **Bill No. 105** — *The SaskEnergy Amendment Act, 2009* be now read a second time.]

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

Mr. Quennell: — Thank you very much, Mr. Speaker. I rise this evening to speak to Bill No. 105, *The SaskEnergy Amendment Act, 2009*.

There are a couple notable things about the Act and a couple notable things about the minister's second reading speech

which took place on November 16th, 2009. One notable thing about that second reading speech is its length, Mr. Speaker, or its lack thereof. The second notable thing about the minister's speech is its timing. Now first of all I might first speak to the length of the speech, the brevity of the speech.

Essentially Bill 105 is an extension of the ability of SaskEnergy — the Crown corporation supplying natural gas — an extension of its debt limit and increase of its debt limit from the current \$1.3 billion to \$1.7 billion. And what the minister was doing on November 16th, 2009, is in effect — because the legislation has to be changed to increase the borrowing powers of Crowns — was in effect increasing the secure line of credit that the government has against the assets of SaskEnergy, Mr. Speaker. And so the government was applying to the legislature for a \$400 million secure line of credit against the assets of SaskEnergy, and that application for a \$400 million line of credit took mere moments. It's difficult to say how few because the time indications are further apart than that, Mr. Speaker. But it took a couple of moments to rise in the legislature and for the minister of the day to move second reading of *The SaskEnergy Amendment Act, 2009* and apply for a \$400 million secure line of credit. None of us, Mr. Speaker, I expect, would be successful in getting a \$4,000 secure line of credit with the brevity that the minister managed to get in his second reading speech on this Bill.

It reminded me of a phrase that lawyers are advised to keep in mind when going to appeal court, is to be prepared, be there, and be gone. And whether or not the minister was prepared, he was there briefly, and then he was gone very quickly, Mr. Speaker. And there is in the second reading remarks by the minister an explanation about economic development and partnerships and really not a very fulsome description of what the government wants to do with a \$400 million line of credit against assets of SaskEnergy.

But we know, Mr. Speaker, we know, Mr. Speaker, that already the government, on the debt levels that they are allowed under current legislation, that the government has already taken \$1 billion out of the Crowns and are willing to take, in some cases, every cent of income as a dividend, Mr. Speaker, which is not as bad as some of the behaviour we saw at the end of the Devine administration where dividends were taken in excess of 200 per cent in one year of the income of the Crowns. But certainly the trend line is there, Mr. Speaker, and cause for concern.

But very little discussion about why, but given what has happened and the way the debt, some debt has been shifted from the government to the Crowns, given that action that we have seen recently, one might understand why the amendment is before us, and you might understand why the minister didn't want to spend a lot of time talking about the government's motivations for it. So that goes to the brevity of the minister's second reading comments.

And now, Mr. Speaker, I want to speak briefly to the timing. Mr. Speaker, as I said, the minister rose on November 16th, 2009, to move the second reading of *The SaskEnergy Amendment Act, 2009*. Now in the previous spring, the Sask Party government had brought in a budget in which they predicted growth in the province at over 2 per cent. We have

learned now that in fact the provincial economy contracted by over 6 per cent, that the economy is the now the same size it was in 2005. In other words, not only did the boom end under this administration, the Sask Party government. The boom has been completely reversed, and we are now back to the size of the economy back in 2005, Mr. Speaker. I mean we wish this was still next year country. Now it's becoming year before the year before the year before last year country, Mr. Speaker.

But on November 16th, 2009, those were still heady days. Those were days still when it wasn't quite clear that the government's predictions that potash sales would be record sales despite all indications to the contrary, that it wasn't quite clear that the government was grossly overspending its revenues and irresponsibly so. It wasn't clear that there was no surplus because that budget, Mr. Speaker, you will recall, was on the face of it a surplus budget. The government was going to bring in more revenues than it expended.

A few days after November 16th, 2009, the true picture emerged. A few days after November 16th in 2009, we received the quarterly reports on the actual state of the province's finances, and it became clear that in fact it was not a surplus budget. It was a deficit budget, and it looked like it was going to be a \$1 billion deficit budget.

Now the public did not know that on November 16, 2009. The opposition suspected something along those lines, Mr. Speaker, but did not know. But I dare say, the minister responsible for Crown Investments Corporation of the day, that minister knew what was coming in a few days. And so I think the timing is illustrative. The timing is illustrative, Mr. Speaker.

The Minister of the Environment will bring her Bill in in December and claim that she brought it in in the fall and there was lots of time for consultation. This is a Bill that was brought in in November, Mr. Speaker. It was brought in a little bit earlier in the fall sitting and it was brought in, I suspect, because . . . It would have been quite a different debate, I think. It would have been a little harder for the minister to say with a straight face, I want a line of credit on the assets of SaskEnergy for \$400 million, and it has to do with economic development and partnerships and not about the fact that the government of which I am a member is running a \$1 billion deficit, Mr. Speaker.

She was saved from that embarrassment by the timing of when this was done. But now all this is in the light of day. These utilities are owned by the people of Saskatchewan. We have a circumstance, at least we do so far, Mr. Speaker, where the government cannot increase the debt limits without a debate in this legislature. And now of course it's a majority government, and they will eventually get the increase, Mr. Speaker, but at least it is applied to some public scrutiny.

And that's a good thing, Mr. Speaker, because we have seen in the United States, recently with Enron where the management of electricity — and actually to the danger of the health and lives of people in California — was completely mismanaged. And it was sort of brought to attention the importance, this importance of the Crowns. They're important for a number of reasons, Mr. Speaker, but this importance of the Crowns, that there is required by legislation to be some sort of transparency

around these issues of debt and of equity and of dividends and debt to equity ratio, Mr. Speaker.

It was brought to mind because of statements that were made by the current Minister of Crown Investments Corporation, not the minister who provided second reading on this Bill. There's been a cabinet shuffle since then, Mr. Speaker, as we know.

But when we were discussing debt in this Chamber and it was pointed out by members of the opposition as is the case and as you can see from the budget document . . . I think page 62 describes the increase in debt over the next few years. That's going to result from the policies of this government.

As we were discussing that, the current Minister for Crown Investments Corporation said, well that's Crown debt, Mr. Speaker, that's Crown debt, clearly not appreciating that Crown debt is public debt. And the Minister Responsible for Crown Investments Corporation thinks that if you can somehow shuffle off, as this Bill might do, shuffle off debt from the operating debt of government, off onto the Crowns, then it's not there anymore, Mr. Speaker. It's not public debt anymore. And that's one of the reasons why we had such dividend equity-stripping from the Devine administration as well. It's not government debt. Government debt's about as big as it can be. Now, now, it's only Crown debt and that's not public debt. Well it is.

[19:00]

And it would be laughable, it would be only laughable if it came any other government member. But when it comes from the Minister Responsible for Crown Investments Corporation, it's scary, Mr. Speaker, quite frankly.

Maybe not as scary as later comments that the minister made in respect into Crown debt and to equity stripping and these issues of increasing Crown debt as this Bill does, when she said that, well all this, all this dividend payments out and increase of debt in, accomplishes, all it accomplishes is it increases the value of the Crowns. Now that, that is, that is Enron in a nutshell, Mr. Speaker. That is Enron in a nutshell — more debt, more value.

That was what brought that company down and did extreme damage. I mean, remember the last financial meltdown. I guess you always remember the last financial meltdown by how much damage was done to the North American economy by Enron and by that meltdown, Mr. Speaker. And that was all about moving debt to assets, Mr. Speaker. And that's what the current Crown Investments Corporation minister, this week, this week held out to the people of Saskatchewan in response to questions from the opposition. The members think it's laughable, and members from the government think it is laughable. And I said it is laughable at one level, but it's not because of where it came from, Mr. Speaker, because it came from the minister responsible for, amongst other things, the financial health of the Crown corporations, Mr. Speaker. That's where it gets scary. That's where it gets concerned.

And you know again, the members opposite may want to talk about fearmongering, but you know, sometimes, as in the previous Bill that I discussed, it turns out that it's not only us that are concerned. There are other people that are concerned. You wouldn't know that if you only listened to the government.

You wouldn't know that if you rushed through things the way the government wants to rush through them, Mr. Speaker. We do know that because there's a requirement for debate and there's a requirement for discussion in respect to this type of legislation.

And so, Mr. Speaker, we appreciate that the existing debt limit on SaskEnergy has not been increased since 1992, that there is an arguable case for increasing the debt limit. But we feel that it is our responsibility. It is unquestionably our responsibility to look with some jaundiced eye about the attitudes that are expressed by the previous Crown Investments Corporations minister who referred to the need for creative financing.

And I know some members opposite think my Enron comparison is a little bit stretched. But, Mr. Speaker, that's what the leaders of Enron, the smartest guys in the room, that's what they prided themselves on — creative financing. And that's what the previous minister of Crown Investments Corporation prided this government on, that it was capable of coming up with creative financing. And the current minister who doesn't seem to be able to keep separate the concepts of debt and value, well those cause some concern.

So we would like to see some seriousness on the part of the government in respect to the issue of debt, in respect to the issue of deficit. We hope to see that soon. People of Saskatchewan need to see it very, very soon, Mr. Speaker. We know this last budget, the budget before this most recent budget, was a deficit budget. This budget's a deficit budget. The government says the next budget will be the deficit budget, Mr. Speaker.

So the government debt is going to keep going up. The Crown debt is going to keep going up. And we need a government that doesn't laugh at people's concerns about debt or try to dismiss the debt because of where it happens to be placed and what you can call it, Mr. Speaker. That's what we need from the government, and that's what there seems to be very little prospect of.

And I could, if I was inclined to, further point out the parallels between this conduct that we're debating now and the conduct of a previous administration, the Devine administration, Mr. Speaker. But I am not going to do that. I know that there are other members who want to enter the debate, and to allow them to do so, I will conclude my remarks.

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

Ms. Chartier: — Thank you, Mr. Speaker. I am pleased to enter tonight into the debate on Bill No. 105, *An Act to amend The SaskEnergy Act*. As we know, this Act will, or this Bill will make it possible for SaskEnergy to increase its debt limit from the current 1.3 billion level to 1.7 billion.

I think the first thing that sticks out for me is thinking about the financial management — or mismanagement actually is probably a more appropriate word — by this government, a big concern for me. If I was an individual who was spending more money than I was taking in, I think my financial adviser would probably recommend that increasing my credit card limits

probably wasn't the best idea around, that I should probably think about getting my spending to a sustainable level and working at ensuring that I'm not spending more than I'm taking in on a daily or a yearly basis or daily basis for that matter, Mr. Speaker.

The Crowns are a key part of our economy here in Saskatchewan. The health of an economy, you need a good mixed economy to ensure your economy or your province hums along. That includes a mix of Crown corporations, private enterprise, and co-operative ventures. I think you need a good mix of those. And Crown corporations historically in Saskatchewan are a huge part of our culture. We have Crown corporations because governments recognized that we all collectively had a role to ensure that basic services were provided to all people in Saskatchewan. That's the history of Crown corporations in Saskatchewan. And one of the benefits of having Crown corporations is ensuring that rates for those basic services, for natural gas, for electricity, for all those kinds of things are possible for all of us to pay.

You know, just about a short seven months ago or so, I was on the doorstep in Saskatoon Riversdale, and this I think isn't just in my own constituency but I heard it . . . There wasn't a day that went by when I was on the doorstep in Saskatoon Riversdale that a constituent would raise with me the difficulty, the fact that the cost of living, it was getting harder and harder to make ends meet. We have people who were actively — with rising rents, rising utility rates — people were actively making a choice between paying their rent or their utility bill or putting food on their kids' tables, prescription drugs, needed prescription drugs. There are people today . . . because utility rates are going up, are actively not taking their necessary medications. This is a reality.

The cost of living is going up in Saskatchewan, and part of that is the cost of utilities, that our Crowns should be able to provide us a service for Saskatchewan people. And the benefit of a Crown corporation should be to ensure that we can all afford those necessities in life. And like I said, not a day went by during that campaign that I didn't meet someone who was having a very difficult time. And these are seniors on fixed incomes, but these are working people too, people in paid employment who are finding it very, very hard to make ends meet as well.

So I think we've seen this government strip equity from the Crowns so they need to borrow more money because the Crowns can't afford to invest in their infrastructure like they should be able to. This is definitely an issue. Basically the government right now is running a billion-dollar deficit and ran a billion-dollar deficit last year and is using the Crowns as a bit of a cash cow to hide the deficit and hide debt.

But one of the things they're also doing is ideologically we see that this government isn't a big proponent of Crown corporations. They might say that oh no, we won't touch the Crowns; we support the Crown corporations. But bit by bit, they chip away at the Crown corporations; thus they're no longer sustainable. And so they become less valuable to people in Saskatchewan if you're chipping at them bit by bit. And we know ideologically where this government stands.

Right now we're in the middle of the privatization of a treasury Crown, SCN [Saskatchewan Communications Network]. This is a public broadcaster that ironically enough was introduced by their own party in 1990, the Grant Devine Conservatives. Even at that time, the Grant Devine Conservatives put ideology behind good public policy. They put ideology aside and established SCN, which is a vehicle for Saskatchewan storytelling, which developed into a key component to the film and television industry here in Saskatchewan — a critical, a critical player in the film and television industry.

So the privatization, the privatization of Crown corporations is happening right now, and so this is chipping away at Crown corporations because this government does not believe in Crown corporations. As I said Bill 105, an Act to amend SaskEnergy is directly tied to this government's ideology when it comes to not supporting Crown corporations. We've also heard today the member from Martensville talking about we believe in landownership as if the opposition does not.

So my disagreement would be that we shouldn't put ideology in front of good public policy. I am a social democrat and very proudly a social democrat, but I like to think that I'm also incredibly pragmatic. And I think that, again, good public policy like the Crown corporations should not be pushed aside because of ideology, and that's what we see with this government, that ideology seems to trump everything else.

A little bit dry here tonight, Mr. Speaker, it's . . . So again I just, the point of Crown corporations is to make sure to ensure that Saskatchewan citizens have access to those necessary utilities, whether it's turning on our lights or running our water or picking up the telephone so we can communicate with one another. Our Crown corporations are a critical part of our economy here. And aside from being able to provide good services to Saskatchewan people at affordable rates or at least they've been affordable in the past but with rising debt rates, this is a huge concern.

But Crown corporations are also, they're having head offices here in Regina . . . actually does a wonderful job of ensuring that there are good jobs here in Regina where people are employed and are contributing to their community, paying taxes, are active citizens in their community, and are supporting local businesses. So Crown corporations, aside from ensuring that we have good public services, also help feed the economy as well.

So perhaps this government might wish to characterize this Bill as just a bit of housekeeping as I have to note that the debt limit hasn't been revised since the Act was first brought in, in 1992. But the reality is this government has mismanaged our finances in epic proportions, epic proportions. We have record revenues in this province, more than \$10 billion last year and this year, and they're having to make cuts. They're cutting services without consultation, important services. And you know what? It's always good for government to assess what it's doing. But you know what? When you assess, when you're undertaking an assessment, you're going to change something in government. It's usually a good idea to speak to the people impacted by those changes or actually have some idea about what those changes might mean.

And this government has a track record, a track record. I've only been in this Assembly since, well, October 21st, and do you know what? I have seen time and time again over the last several months how this government has not consulted with all kinds of people — with the board of SCN, its independent board before it decided to privatize SCN; with the domestic violence outreach program in Saskatoon. Whether it was Bill 80 last year or Bills 5 and 6, there is no shortage of examples where this government has failed to consult.

And one needs to consult if you want to make good decisions and to make good public policy that's in fact connected to people's reality. You need to talk to people too who just . . . We all have people we like a little bit more than others or for whom we have a bit of an affinity. But the reality in government, we serve everybody in this province. I don't just serve New Democrats. I serve the people of Saskatoon Riversdale, and I serve the whole province. And I feel that it would be incumbent on me that I would need to speak to all stakeholders, not just the ones that I happen to like.

[19:15]

So this government has been remiss in making sure that when it's making changes to legislation or deciding to enact a new legislation that they haven't spoken to people impacted by public policy. And I think that that's one of the things that lends people's . . . There's a lot of disillusion with politics and with politicians and with government, and I think part of that stems from government's inability on many occasions to connect with people. And this government has done this over and over and over again and is just reinforcing the disconnect between government and the people on the ground where things happen.

So with respect to Bill No. 105, *An Act to amend The SaskEnergy Act*, I just want to reiterate again that, like I said, if I was spending more money than I was making and I decided that I thought my credit card rate or my credit card limit should increase, I think that people would be telling me, you know, you know, I think you should probably get your spending under control and before we think about increasing your debt, your ability to escalate your debt, because it's just going to hurt you in the long run.

Man, it is very dry in here tonight, a lot of hot air on the other side of the legislature, I think, Mr. Speaker.

So again, again I have to emphasize too, it's very important not to put ideology before good public policy. And this is something that this government has been doing as well: ideology before good public policy. And again I have to emphasize. I'm a pragmatic person, and I like to think that you talk to the people you need to talk to and make informed decisions. And this government has not made informed decisions.

So perhaps there is a need, a pressing need for the Crown corporations or SaskEnergy to increase its borrowing limit. But I have some concerns that until this government learns to spend in a sustainable way, in a sustainable way . . . But this government needs to learn to spend in a sustainable manner because they have a responsibility to the people of Saskatchewan to do so. And we are counting on this

government to make wise decisions, which they have not done. And we've seen that in this recent budget and back-to-back deficits and projected deficits for the next two years and projected debt increase.

So with respect to Bill No. 105, *An Act to Amend the SaskEnergy Act*, perhaps this Crown needs to increase its debt limit. But I'm hesitant. I am concerned that this government takes debt from . . . assumes the Crown debt is not the people's debt. This is government debt. This is our debt. This is my two daughters' debt. This is hopefully my future grandchildren's . . . I'm not hoping it's my future grandchildren's debt. But it is generations into the future's debt. We're still paying for reckless spending and poor decisions of the 1980s leading up into 1991. We're still paying that debt load. So we have to be very, very mindful of taking that on again.

I actually remember very, very well when the NDP [New Democratic Party] came to power in 1991 after many years of Grant Devine's financial mismanagement which, by the way, this government seems to accelerate the pace at which they are mismanaging our finances. But I remember in 1991. The former member — two members back — in Saskatoon Riversdale, Roy Romanow is a good family friend. And I can remember him coming over shortly after winning power in 1991 and saying to my father, saying, Rusty, we are in a heck of a mess. This is horrible. On the verge of bankruptcy, our province was on the verge of bankruptcy because the previous government had accumulated a very huge debt. And I still vividly remember that to this day.

And actually Mr. Romanow still laments, on very frequent occasions, the fact that we all . . . When we sit in this legislature, our hope is to do good things for the people of Saskatchewan. We might not all have the same way of getting there, but I think ultimately we want to do good things. And I think Mr. Romanow sometimes feels that his legacy of getting the books into good financial . . . or getting the province into good financial shape is a fine legacy, but it's not the legacy he wanted to contribute or wanted to leave for the people of Saskatchewan.

As a social democrat, you want to do very good things to ensure that the abundance of our province is evenly . . . or is spread around, that we all have an opportunity to benefit from the wonderful things we have here in Saskatchewan.

And so my big fear, in sitting in this legislature, understanding that we've . . . in boom times or supposed boom times, well, in boom times where we have record revenues, we are still increasing debt in this province and making cuts. That, quite frankly, is disturbing to me and scary and reminiscent of the '80s and up till 1991. So I worry about that. As a mother of two children, I worry about that increasing debt here in this province because I want this province to be a good place for my children to grow up.

With that, Mr. Speaker, I think we've done the necessary debate on Bill 105, and I'm going to send it to committee where further questions will be asked. So I'll leave it at that.

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

Some Hon. Members: — Question.

The Speaker: — The question before the Assembly is the motion put forward by the Minister Responsible for Enterprise that Bill No. 105, *The SaskEnergy Amendment Act 2009* be read the second time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

The Speaker: — To which committee shall the Bill stand referred? I recognize the Deputy Government House Leader.

Hon. Mr. Harrison: — I designate that Bill No. 105, *The SaskEnergy Amendment Act 2009* be referred to the Crown and Central Agencies Committee.

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

Bill No. 120

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Gantfoer that **Bill No. 120 — *The Financial Administration Amendment Act, 2009*** be now read a second time.]

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

Mr. McCall: — Thank you very much, Mr. Speaker. It's good to rise tonight and participate in the debate on Bill No. 120, *The Financial Administration Amendment Act*. Of course this Bill is essentially concerned with changes made to make *The Fuel Tax Accountability Act* more flexible in terms of the expenditures being planned by the members opposite arising from . . . they previously had to be accounted for under *The Fuel Tax Accountability Act*.

What it does is establishes legislative authority to deduct new or unforeseen expenditures, if I can quote from the minister's second reading speech: “. . . new or unforeseen expenditures undertaken through that Ministry which are not associated with highway investment, such as water and sewer infrastructure for the Regina global transportation hub.”

Now again, Mr. Speaker, I guess I've got three main points I'd like to make in this debate this evening. The first is, that in terms of the principle of if you collect the tax on fuel, that it should be reinvested in the transportation infrastructure of the province. That's certainly not something we've got a problem with on this side of the House. And in fact it builds upon that principle, builds upon legislation that we had brought in concerning *The Fuel Tax Accountability Act* and again, the idea that if the tax is collected concerning transportation initiatives, that it should be expended upon the infrastructure that comes along with it.

Now I know that members opposite have a lot of fancy things to say on that score over the years, but it was in fact our government, then the NDP Lorne Calvert government, that brought that legislation in and which, which you know made some very significant investments flowing from that into the infrastructure of the province.

The second point I'd like to make in this debate, Mr. Speaker, concerns the global transportation hub and just a few observations on that score. It's interesting that tonight's . . . We've seen different members from the Manitoba legislature here tonight. We know that they are very involved in a global transportation hub initiative. We know that the transportation business is hugely competitive. And certainly the work that had gone into the global transportation hub plant east of Regina, out by Pense, certainly the previous government had a lot to do with that, working in partnership with organizations like the then Regina REDA [regional economic development authority] and the city of Regina.

It's interesting, as that work has progressed after the election, that one of the measures that members opposite have seen fit to undertake is to create a Treasury Board Crown for the global transportation hub. And of course this is a government that, when they were in opposition, liked to list off the multitude of Crowns and decry this as some kind of a plot of some kind of red-baiting stripe, Mr. Speaker. But of course it's interesting. I guess you can file it under the measures that, you know, they decry in opposition, but it turns out these are the tools of public policy. They seized upon them in government, as perhaps the Finance minister might say.

Anyway there is an opposition perspective and then a government perspective. I hope I'm correctly quoting the Finance minister. Anyway one of the government perspectives has seen the members opposite create a Treasury Board Crown to oversee the global transportation hub project. And again, Mr. Speaker, in and of itself we don't see anything wrong with that. That's one of the tools in the public policy tool kit that you have at your disposal as a government, so in and of itself we don't see anything bad with that.

Where we will be watching, Mr. Speaker, is regarding the way that these vehicles are used to add to debt and to amortize things over a greater period of time and particularly as regards to the changes that have been made to accounting principles by this government opposite in the budget that we're currently debating the estimates for in this Assembly through committee.

So again the global transportation hub, we think it's a good project. We'd certainly invested a fair amount of time, effort and resources into it. It's something that we hope to see succeed. It's something that again we'll be watching the expenditure fairly closely, and we'll be watching the administration of that project very closely, and it's self-financing . . . [inaudible interjection] . . . Well now I hear the member from Cypress Hills, another person who has perhaps undergone something of a conversion on the road to Damascus in terms of the virtues of Crown corporations. I don't know that he's seen the light as such, but he is certainly chairing this initiative for the provincial government. And again we wish him well in the success of this initiative, but we'll be watching his performance very closely and his expenditures

very closely as they roll this into a Treasury Board Crown, again something that they used to decry to no end, Mr. Speaker.

So Treasury Board Crowns, you know, there was the opposition perspective. Now there's the government perspective, and it's fine and good with the members opposite.

The last point, you know, to recap off the top here or to sum up off the top here, Mr. Speaker, the last point concerns the manner in which this changes the accounting that had been involved in *The Fuel Tax Accountability Act*. And again that concerns the deduction of expenditures that previously had been counted in in *The Fuel Tax Accountability Act* and the ability to deduct them out through regulations.

So again on the face of it, you know, making a point around the water and sewer infrastructure for the Regina global transportation hub, that's certainly one thing, Mr. Speaker. But again we've seen the pattern with this government where it can seem fairly innocuous off the top, but the practice is sometimes something else altogether.

So again creating the global transportation hub as a Treasury Board Crown and again, removing that from the General Revenue Fund realm, changing the definition of what must be expended or accounted for under *The Fuel Tax Accountability Act*, we find that to be of interest as well, Mr. Speaker, because of course in terms of the manner in which they've accounted for these things in other parts of the budget, they've changed it so they can amortize it over a greater number of years. And they've certainly moved more emphasis upon the Crown corporations and the tendency to use them as a cash machine, Mr. Speaker.

[19:30]

So you know, first point, Treasury Board Crown, now good. We find that kind of interesting. The other point, that's if you collect the tax on fuel in terms of travel and transportation in this province, that it should be finding its way back into the travel infrastructure in this province, we find no problem with that.

But the third point, in terms of what is deducted and removed from the accounting that has to take place in terms of the accountability that was brought into place with *The Fuel Tax Accountability Act* and the report that is filed by that piece of legislation with the . . . in the public accounts of this province, we'll be watching very closely to see that this, in fact the proclaimed intent lives up to the way that it's actually practised. Because again, Mr. Speaker, what these members opposite preach oftentimes doesn't measure up to the practice in the streets.

So on the face of it, if this is something that helps to ensure that the fuel tax is expended upon the roads, fair enough. If it's something that advances the cause of the global transportation hub, again fair enough. And if this is something that provides for a more accurate accounting of expenditures directly related to the infrastructure that is required to promote transportation in this province and brings that more correctly in line, again fair enough. But you stack those points alongside the practice of this government in terms of the fiscal mismanagement, in terms of

saying one thing and doing another, alongside the fact that, you know, that they've had an opposition perspective — and I'm not just talking about a sort of garden variety, you know, calmly stated opposition perspective, Mr. Speaker.

I haven't been here as long as certainly yourself has as Speaker, not nearly as long, but I have been here a number of years now, and I can recall very well the members in opposition decrying all these Crown corporations that were choking the entrepreneurial spirit of the province of Saskatchewan and what a terrible thing this was. And, you know, it'd be references to 1932 and the *Regina Manifesto* and on and on and on with the blather, Mr. Speaker.

But the fact of the matter is that when you're a government, there are a number of public policy tools that you have, and a Treasury Board Crown is one of them. So it's no small irony of course that they've seized upon using a Treasury Board Crown to advance the cause of the global transportation hub.

So you know, observing the ironies aside, Mr. Speaker, we'll be watching very closely for the accountability. We'll be watching very closely to see that this isn't used as some kind of dodge to deduct things out of the accountability of *The Fuel Tax Accountability Act* and the reporting attached thereto. So that when they say that it's primarily about the water and sewer infrastructure for the Regina global transportation hub being deducted out, that's one thing. But of course this has moved into . . . it establishes the legislative authority and the regulations for the members opposite, Mr. Speaker.

And again, any time they can move things out of the purview of this Assembly and out of the plain view of the public and the opposition being able to demand scrutiny and to try and bring about accountability, that gives us pause for concern, Mr. Speaker. And I think it should give the people of Saskatchewan pause for concern that things are moved from the legislative purview into the regulatory purview where it can be done in secret in cabinet, and the only way the people can get a crack at it later is when these things come out in orders-in-councils as they are reported after the fact.

So again the members opposite in opposition, they demanded accountability in terms of the expenditure. If it's collected on the roads and on transportation for the fuel tax, it should be expended on the infrastructure. That's the principle that we agree with, and it's enshrined in legislation. You know, is there an argument to be made that there are certain expenditures that perhaps do not properly fall under that? That's not an unreasonable argument, Mr. Speaker. But it's something that, you know, when you see a reasonable argument being made by people that are proved to be patently unreasonable and for the most part untrustworthy in terms of the way these decisions are proclaimed on the one hand and carried out on the other, both in terms of the things they try to deduct out via regulations and the things that they try to expense in terms of the transportation hub as a Treasury Board Crown, we'll be watching that very closely, Mr. Speaker.

So with that, I don't think there's much more to be said on this Bill at this particular stage of its evolution or its progress through the House, Mr. Speaker. So at this time I would move this Bill onto committee and perhaps allow the opposition . . .

Deputy House Leader a chance to do his thing. Thank you, Mr. Speaker.

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

Some Hon. Members: — Question.

The Speaker: — The question before the Assembly is the motion presented by the Minister of Finance that Bill No. 120, *The Financial Administration Amendment Act, 2009* be now read the second time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Harrison: — I designate that Bill No. 120, *The Financial Administration Amendment Act, 2009* be referred to the Crown and Central Agencies Committee.

The Speaker: — The Bill stands referred to the Crown and Central Agencies Committee. I recognize the Government House Leader.

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Speaker, at this time I move that the House do now adjourn to go to committees.

The Speaker: — The minister has moved that the Assembly adjourn to move into committees. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Pursuant to order, this Assembly stands adjourned until Monday morning at 8 a.m.

[The Assembly adjourned at 19:38.]

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