



FIRST SESSION - TWENTY-SEVENTH LEGISLATURE

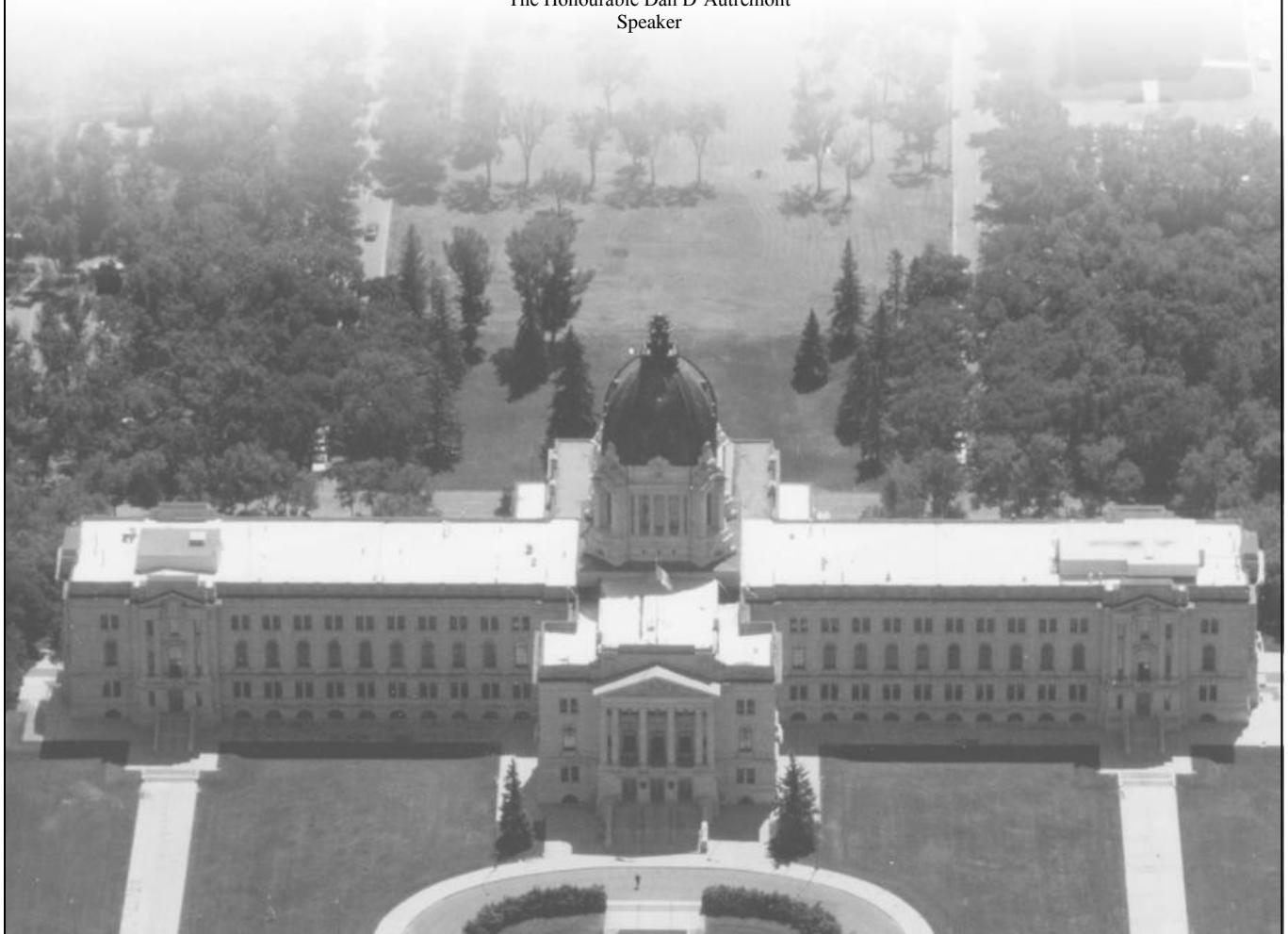
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of
The Honourable Dan D'Autremont
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. Dan D’Autremont
 Premier — Hon. Brad Wall
 Leader of the Opposition — John Nilson

Name of Member	Political Affiliation	Constituency
Belanger, Buckley	NDP	Athabasca
Bjornerud, Hon. Bob	SP	Melville-Saltcoats
Boyd, Hon. Bill	SP	Kindersley
Bradshaw, Fred	SP	Carrot River Valley
Brkich, Greg	SP	Arm River-Watrous
Broten, Cam	NDP	Saskatoon Massey Place
Campeau, Jennifer	SP	Saskatoon Fairview
Chartier, Danielle	NDP	Saskatoon Riversdale
Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
Cox, Herb	SP	The Battlefords
D’Autremont, Hon. Dan	SP	Cannington
Docherty, Mark	SP	Regina Coronation Park
Doherty, Kevin	SP	Regina Northeast
Doke, Larry	SP	Cut Knife-Turtleford
Draude, Hon. June	SP	Kelvington-Wadena
Duncan, Hon. Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, Hon. Wayne	SP	Cypress Hills
Forbes, David	NDP	Saskatoon Centre
Harpauer, Hon. Donna	SP	Humboldt
Harrison, Hon. Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Nancy	SP	Martensville
Hickie, Hon. Darryl	SP	Prince Albert Carlton
Hutchinson, Hon. Bill	SP	Regina South
Huyghebaert, Hon. D.F. (Yogi)	SP	Wood River
Jurgens, Victoria	SP	Prince Albert Northcote
Kirsch, Delbert	SP	Batoche
Krawetz, Hon. Ken	SP	Canora-Pelly
Lawrence, Greg	SP	Moose Jaw Wakamow
McCall, Warren	NDP	Regina Elphinstone-Centre
McMillan, Hon. Tim	SP	Lloydminster
McMorris, Hon. Don	SP	Indian Head-Milestone
Makowsky, Gene	SP	Regina Dewdney
Marchuk, Russ	SP	Regina Douglas Park
Merriman, Paul	SP	Saskatoon Sutherland
Michelson, Warren	SP	Moose Jaw North
Moe, Scott	SP	Rosthern-Shellbrook
Morgan, Hon. Don	SP	Saskatoon Southeast
Nilson, John	NDP	Regina Lakeview
Norris, Hon. Rob	SP	Saskatoon Greystone
Ottenbreit, Greg	SP	Yorkton
Parent, Roger	SP	Saskatoon Meewasin
Phillips, Kevin	SP	Melfort
Reiter, Hon. Jim	SP	Rosetown-Elrose
Ross, Hon. Laura	SP	Regina Qu’Appelle Valley
Sproule, Cathy	NDP	Saskatoon Nutana
Steinley, Warren	SP	Regina Walsh Acres
Stewart, Lyle	SP	Thunder Creek
Tell, Christine	SP	Regina Wascana Plains
Tochor, Corey	SP	Saskatoon Eastview
Toth, Don	SP	Moosomin
Vermette, Doyle	NDP	Cumberland
Wall, Hon. Brad	SP	Swift Current
Weekes, Randy	SP	Biggar
Wilson, Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Wyant, Gordon	SP	Saskatoon Northwest

[The Assembly met at 13:30.]

[Prayers]

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

The Speaker: — If I may start . . . Oh, the Premier wants to do an introduction. I recognize the Premier.

Hon. Mr. Wall: — Well I would be happy to defer, Mr. Speaker, but I appreciate the chance to introduce some very special guests who have joined us in your gallery.

Mr. Speaker, through you and to all members of this Assembly, it is an honour to introduce and welcome Her Excellency Diene Moehario who's the ambassador for the Republic of Indonesia. She is joined by the minister councillor and the trade attaché.

I had a chance to meet with the delegation from Indonesia, led by Her Excellency, earlier this morning, and I just want to say it was an excellent meeting, Mr. Speaker. We have a very special and growing relationship, does the province of Saskatchewan, with the people of Indonesia.

First and foremost, they're very, very good friends. Secondly, they're an important source of investment capital, an opportunity for our province, and we're increasingly the same for the people of Indonesia. Over the last several months, our exports to Indonesia have hit an all-time high of 650 million, potash sales up 84 per cent, non-durum wheat sales up 75 per cent.

And members will know an Indonesian company called Sinar Mas, which is increasingly important to our forestry sector with two operations, including most recently the reopening of PA [Prince Albert] pulp mill, Mr. Speaker. These are very, very important developments for our forestry sector and made Sinar Mas, an Indonesian company, the most important and largest corporate — well I should say the largest corporate — participant in our forestry sector.

Mr. Speaker, as you will know, our government is engaged in that region of the world and the fastest growing economies of the world in terms of Saskatchewan's story, with missions to China, to India, to Bangladesh. We talked this morning about the opportunity for a trade mission to Indonesia, and I think that's something we ought to be looking forward to in the near future.

Mr. Speaker, we want to on behalf of a grateful province thank the ambassador and the people of Indonesia for the warm relationship we have and hope that we can work together for its furtherance and its improvement. And we welcome her today to our capital city and the Legislative Assembly.

The Speaker: — I recognize the Leader of the Opposition.

Mr. Nilson: — Thank you, Mr. Speaker. It's my honour to welcome Her Excellency and the delegation to Saskatchewan

on behalf of the official opposition. Many years ago, my parents travelled to Jakarta and spent time in Indonesia, and we got back many fine reports of the country. But I have not yet had a chance to come but I will, based on my parents' reports and of many Indonesian friends here in Saskatchewan.

One of the important questions in Trivial Pursuit about Indonesia is the fact that it is the country in the world with the largest number of people of the Islamic faith, and many people forget that. But very important for me as a Lutheran and many other Lutherans in this particular Assembly, there also are more than 10 million Lutherans who live in Indonesia who are part of the Lutheran World Federation, and I've made many contacts with Indonesian people through that context as well. So here in Saskatchewan you have many friends, and it looks like we'll have more opportunities over the years. And we're very happy to welcome you here.

The Speaker: — I recognize the Minister of Government Services.

Hon. Ms. Ross: — Thank you very much, Mr. Speaker. Mr. Speaker, I take great pride in being able to introduce to you and through you to the rest of the members of the Assembly a group of 18 grade 12 students from Winston Knoll Collegiate in the constituency of Regina Qu'Appelle Valley. They are here today with their teacher, Mr. Scott McKillop.

Winston Knoll is a wonderful school with great students and staff. I will be meeting with the students later this afternoon to discuss some of the exciting items that were in the recent Throne Speech such as Saskatchewan advantage scholarship, the increase in age to the active family benefit and to the children's insulin pump program. Also I will be able to answer any questions they may have. I hope they enjoy observing question period and that they will be enlightened by the proceeds that go on today. Thank you very much, Mr. Speaker.

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

Mr. Broten: — Thank you, Mr. Speaker. It's my pleasure to stand today and introduce to you two individuals seated in your gallery straight across, Mr. Speaker: Mr. Amandeep Sidhu and Inderjeet Litt. These two individuals are residents of Hampton Village in my constituency and part of the growing Sikh community in Saskatoon and in Hampton Village itself, Mr. Speaker.

Aman is a friend. And he's married; his wife's name is Raman. And they have a beautiful little girl named Shub who's about the same age as our daughter. And his nephew Inderjeet is a grade 12 student at Mount Royal. Aman has a trucking business in Saskatoon and operates about five trucks and employs a number of workers. And so he's already contributing very well to our province, and I know he will continue to do so for many years.

I'd also like to say a thank you to them because they were a big help during the recent election campaign in the constituency, and I would like to say thank you for their assistance in that as well, Mr. Speaker. So I'd ask all members to join me in

welcoming these two individuals to the gallery. Thank you.

The Speaker: — I recognize the member for Regina Dewdney.

Mr. Makowsky: — Thank you, Mr. Speaker. To you and through you, I'd like to welcome a group of about 30 grade 12 students from F.W. Johnson Collegiate here in Regina in my constituency. Their chaperones today are two of Regina public's finest.

Just a quick straw poll: when I met them as they entered, a vast majority of those future — well current and future — leaders are going to be going to a post-secondary institution here in Saskatchewan, so that's good stuff. Get a chance to talk to them after question period, but please welcome them to their Assembly.

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

Mr. Parent: — Thank you, Mr. Speaker. To you and through you to the Assembly, I'd like to introduce my CA [constituency assistant] sitting in your gallery, Matt Donlevy. Also sitting with Matt is his brother Chris. Matt ran a fantastic campaign for one of our Saskatoon Eastview constituencies, and I'm looking forward to having him take care of our constituency in Saskatoon Meewasin. So I'd like the Legislative Assembly to welcome Matt and Chris to their Assembly.

PRESENTING PETITIONS

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

Mr. Broten: — Thank you, Mr. Speaker. It's a pleasure to stand today, Mr. Speaker, to present a petition on behalf of my constituents who live in the neighbourhood of Hampton Village as well as Dundonald, Mr. Speaker, in my constituency. The petition reads:

We, the undersigned residents of the province of Saskatchewan, wish to bring to your attention the following: that Hampton Village is a rapidly growing community in Saskatoon with many young families; that Hampton Village residents pay a significant amount of taxes, including education property tax; that children in Hampton Village deserve to be able to attend school in their own community instead of travelling to neighbouring communities to attend schools that are typically already reaching capacity.

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan cause the provincial government to devote the necessary resources for the construction of an elementary school in Hampton Village so that children in this rapidly growing neighbourhood in Saskatoon can attend school in their own community.

Mr. Speaker, on behalf of my constituents, it's a pleasure to present this petition for a new school in Hampton Village. Thank you.

STATEMENTS BY MEMBERS

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

A Community of Support

Mr. Merriman: — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to rise in this House today to share with all members my experience. I recently attended at Sherbrooke Community Centre, a long-term care facility in Saskatoon Sutherland.

Sherbrooke is home to 270 residents, 100 day program participants, and over 500 staff. There are also a great number of volunteers, family members, and friends visiting the centre on a regular basis. Sherbrooke first opened its doors as a nursing home in 1966, and over the past 35 years the centre has expanded and has won a number of awards for excellence in health care. Sherbrooke's vision is to, and I quote, "create a community that supports people to live full and abundant lives." Mr. Speaker, I have visited Sherbrooke several times now and seen this mission in action.

Most recently I visited Sherbrooke on November 28th. I participated in a spiritual ceremony hosted by Chaplain Ray and several Sherbrooke residents. The smudging ceremony included about 25 residents from both Sherbrooke and Parkridge. This was the second ceremony between the two facilities. It was very exciting to participate within this ceremony and to see how all faiths can get together to celebrate as one.

Mr. Speaker, I ask that members to join me in recognizing the amazing work that is done by the staff at Sherbrooke for their community. Thank you, Mr. Speaker.

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

Recognizing a Community Leader

Mr. Wotherspoon: — Thank you, Mr. Speaker. It is my honour to recognize a 2011 Saskatchewan Seniors Mechanism Volunteer Award recipient. These awards recognize the invaluable contributions of seniors in Saskatchewan.

I am truly proud of one of my constituents and good friends, Mr. Kurt Holstein, who was honoured with a Community Leadership Award. I can personally attest to Kurt's tireless community work and zest for life. Kurt pours himself into organization that addresses the needs of the most vulnerable. These organizations include Food for Learning, Sofia House, Marian Centre, Regina Rescue Mission, and Carmichael Outreach.

Kurt is incredibly committed to bettering the lives of fellow seniors. He serves on the Regina Housing Authority board, delivers meals daily for Meals on Wheels, and volunteers at Pioneer Village and Regina Village. I regularly observe Kurt in action in our community.

Whether it's rebuilding planters at Regina Village, delivering lunches, dancing polka, advocating for seniors in my office, caring for his wife, Ruby, or his leadership to our local NDP [New Democratic Party] team, Kurt's life puts to action the

motto of the Canada Post Heritage Club for whom he served as president: people helping people.

I ask all members of this Assembly to join with me in recognizing and thanking Mr. Kurt Holstein for his leadership to our community. Thank you, Mr. Speaker.

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

Human Rights Day

Mr. Marchuk: — Thank you, Mr. Speaker. On the 10th of December, the people of Saskatchewan, along with governments across Canada and the world, observed international Human Rights Day. This important day commemorates the United Nations General Assembly's adoption and proclamation on December 10th, 1948, of the Universal Declaration of Human Rights — the first global enunciation of human rights and one of the first major achievements of the new United Nations.

The declaration sets out a broad range of fundamental human rights and freedoms to which all men and women everywhere in the world are entitled, without any distinction.

The theme for this year's observance chosen by the United Nations is the recognition of the significance of social media and technology in assisting human rights defenders in new ways. The 2011 theme resonates in today's world, as social media has played an important role in many countries struggling for democratic representation and governance within their country. In the words of United Nations Secretary-General Ban Ki-moon, and I quote:

Human rights belong to every one of us without exception. But unless we know them, unless we demand they be respected, and unless we defend our right — and the right of others — to exercise them, they will be just words in a decades-old document.

Mr. Speaker, I'd like this Assembly to join me in recognizing this very important day and the message that it represents. Thank you, Mr. Speaker.

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

Request for School in Hampton Village

Mr. Broten: — Thank you, Mr. Speaker. Hampton Village is a rapidly growing neighbourhood in my constituency that is home to hundreds of young families and hundreds of children. But Hampton Village does not have a school, so the children of this neighbourhood have to go to other schools such as Dundonald School or St. Peter School, both of which are already bursting at the seams.

I know from my repeated door knocking in this neighbourhood that a new school is a top priority for Hampton Village families. They want their children to be able to go to school in their own community rather than having to cross very busy roads in order to attend overcrowded schools elsewhere.

As all of the veteran MLAs [Member of the Legislative Assembly] will know, I've been on my feet repeatedly in this Legislative Assembly to urge the government to devote the necessary resources for the construction of an elementary school in Hampton Village. I will continue to stand up for what matters to the families of Hampton Village, Mr. Speaker, because that is what they elected me to do. And as the Sask Party government prepares the next year's budget, I urge them to include funding for a much needed Hampton Village school. Thank you, Mr. Speaker.

[13:45]

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

New Neonatal Ambulance for Regina and Area

Mr. Docherty: — Thank you, Mr. Speaker. Mr. Speaker, on December the 6th, the Regina Qu'Appelle Health Region and the Hospitals of Regina Foundation had the pleasure of unveiling its newest tool, a state-of-the-art neonatal ambulance. This new generation of neonatal ambulance is the first of its kind in Canada and will not only increase the city of Regina's capacity to transport sick infants but will also allow for this specialized care to be provided in neighbouring rural communities.

The new ambulance is larger and safer than its predecessor, with the ability to transport two patients at once while also housing an entire medical team. It replaces the previous neonatal unit that was in service for over 17 years. Regina Qu'Appelle Health Region was able to purchase the ambulance with a generous donation by PotashCorp at a cost of \$350,000.

I believe all members of this Assembly can share in the excitement with the local medical community of the amazing possibilities that this newly acquired piece of equipment brings. Mr. Speaker, I'd like this Assembly to join me in recognizing the Regina Qu'Appelle Health Region and its partners for their commitment to improving the quality of health care that's provided to the people of this city and surrounding area. Thank you, Mr. Speaker.

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

Provincial Economy on the Right Track

Mr. Tochor: — Thank you, Mr. Speaker. This morning RBC Economics released their *Provincial Outlook* special report. This new report states that "recent data and economic developments continue to support our view that Saskatchewan will lead the country in economic growth throughout 2013."

Mr. Speaker, this report also points out residential investment as one area of notable strength. This sector is performing so well that RBC Economics revised their housing starts forecast to 7,400 units for 2011, 7,600 for 2012. RBC [Royal Bank of Canada] also highlighted the fact that the third quarter housing starts have risen "to their highest level since the recession." Yes, Mr. Speaker, this province's strong economy is attracting new residents, and we are pleased to see the strong growth in

our housing sector.

Saskatchewan's economy is also seeing strong growth in both manufacturing and wholesale trade. Manufacturing sales rose 20 per cent in the third quarter over last year, and wholesale trade rose by 24 per cent over the same period of time. Overall, Mr. Speaker, the convergence of a strong energy and a resource sector along with vigorous business and residential investment contribute to a strong provincial economy. These high performing business sectors give RBC Economics cause to believe that our province economy will grow by 4.5 per cent in 2011. According to the same report, Saskatchewan's economy is expected to grow by 4.2 per cent in 2012. Mr. Speaker, Saskatchewan's economy is on the right track. Thank you.

The Speaker: — I recognize the member for Saskatchewan river valley.

Saskatchewan Business Contributes to *Bluenose II*

Ms. Wilson: — Thank you, Mr. Speaker. Mr. Speaker, our province now has a special connection with Canada's most famous sailing ship, the *Bluenose II*. This is a beautiful boat pictured on the Canadian dime. Wood from across the country is being used to refurbish the vessel in Nova Scotia. Saskatchewan's contribution comes from Halland Farms of the village of Love in my beautiful constituency of Saskatchewan Rivers. This part of my constituency encompasses the boreal forest. The Halland family contributed a piece of birch to be used in the construction of the ship's mess table.

Mr. Speaker, the Halland family through their business, Halland Farms, has been manufacturing quality lumber and log homes for more than 70 years. They benefit from the fruits of our province's renewable resources, namely locally grown species of Jack pine, white spruce, and birch, our province's official tree since 1988. Their products have been sold and delivered throughout Saskatchewan to several different provinces and throughout the United States.

Once its construction is completed, the *Bluenose II*, a replica of the original *Bluenose* ship which sank in the '40s, will serve as Canada's sailing ambassador and will tour in promotion of our country. Mr. Speaker, let us join together in acknowledging Halland Farms of Love, Saskatchewan for their contribution towards a Canadian icon. Thank you, Mr. Speaker.

QUESTION PERIOD

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

Conflict of Interest Guidelines for Health Regions

Mr. Broten: — Thank you, Mr. Speaker. Last week the head of the Regina Qu'Appelle Health Region's surgery department and recently appointed director at Surgical Centres Inc. resigned. Mr. Speaker, this resignation came after serious allegations were raised about a conflict of interest that the individual was in, based on the situation created by the minister.

When I asked the minister, Mr. Speaker, if he believed there was a conflict of interest, he said no. But today, Mr. Speaker,

we learn that he's actually calling for a review of the conflict of interest rules for the health region.

My question to the minister: why has his story changed once again?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, at the outset I want to talk about Dr. Ogrady as a well-respected, long-serving member in the medical community in Saskatchewan, in Regina, has been instrumental on our surgical care initiative, Mr. Speaker. He was to take a position with the surgery centre, decided not to. He had never started his work, Mr. Speaker. No decisions were made. No payment was made. But he thought because of a perception of a conflict, Mr. Speaker, he would step down.

As a result of that, Mr. Speaker, I have decided through the ministry to call on all health regions to look at their conflict of interest guidelines, to send them into the ministry, Mr. Speaker. Because as we move down the third party delivery of health care, Mr. Speaker, in the province, which has been well received, Mr. Speaker, we're asking all health regions to review their conflict of interests, send them into the ministry, and we want to make sure that they meet with the times as we move forward.

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

Mr. Broten: — Mr. Speaker, these questions aren't about a specific position. They're about a situation created by the minister in his approach.

My question, Mr. Speaker, last week when I raised this issue of a conflict of interest and the situation that had been created by the minister, he was very clear. He was very clear there was no conflict. In fact he was offended that I would have the audacity to ask such a question. When I asked him about it, he replied, "Thank you, Mr. Speaker. I'm not quite sure what the member is alluding to as far as a conflict of interest." He goes on to say, "I don't know if that's the conflict that he's trying to allude to, Mr. Speaker, because quite frankly there was no conflict. It was an RFP, an open process."

Yet today, Mr. Speaker, through the media and in the House, we hear that well maybe there is a conflict of interest, Mr. Speaker, and I'm concerned enough, the minister suggests, that there's a review of the conflict of interest rules for the health region. So my question to the minister: does he choose to stand today and correct earlier statements he made in the House about there being a conflict of interest?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, with all due respect to the member opposite, at least this week I could understand what his question was. Mr. Speaker, it didn't make sense, Mr. Speaker, to me last week. I understand what he's asking this week, Mr. Speaker.

Mr. Speaker, when it comes to the surgery centre and the person that was going to be heading up the surgery centre, that person

decided that there could be a perceived conflict. He has stepped down, Mr. Speaker.

Last week when I answered the questions regarding whether that was a conflict outside the Chamber — because that was not the question asked inside the Chamber — when I stood, Mr. Speaker, and answered that question with the information that I was given at the time, Mr. Speaker, I was told that there was no conflict, that this particular person was not in charge of allotting time.

After further review, Mr. Speaker, through the health region, I've been informed that that was not correct and as a result, Mr. Speaker, the surgeon involved had decided to back away. That's why we're asking too, Mr. Speaker, that we review all conflict of interest guidelines from all health regions through the Ministry of Health.

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

Mr. Broten: — Mr. Speaker, increasingly we are having more and more reasons why we can't trust the words and the answers from the minister, Mr. Speaker. We all remember, Mr. Speaker, last session when the minister had to apologize for statements he made around health privacy issues. For the past year, Mr. Speaker, we have heard the minister defend the process with Amicus, that is a transparency and due diligence occurred, Mr. Speaker. We learned last week in the auditor's report, Mr. Speaker, that many of the concerns and questions we have had on this side are indeed legitimate.

And now, Mr. Speaker, we have the minister saying that, suggesting that his approach with for-profit clinics are not presenting a drain on the public system despite the fact that there is a huge shortage of O.R. [operating room] nurses in the Regina Qu'Appelle Health Region.

So my question to the minister: given that he has changed his tune to so many stories, what other changes can we expect this week with respect to a change in story?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, the member opposite would like to know what changes are coming. Mr. Speaker, what I will tell you is that in four years there has been a change from setting a target for nurses and following through with a target for nurses. Mr. Speaker, I can tell you there has been a change, there has been a change from the longest waiting lists in Canada, Mr. Speaker, to a province that's doing much better than it ever did under the NDP. We will never go back to those days, Mr. Speaker.

Mr. Speaker, there is a change. There's a change in trusting private delivery within the public system, Mr. Speaker, no queue-jumping, no paying out of pocket. That is a change, Mr. Speaker, that the people of Saskatchewan voted 65 per cent in favour of in the last provincial election leaving those members with only nine members, Mr. Speaker. Mr. Speaker, those are changes in the province that the province does like.

The Speaker: — I recognize the member for Athabasca.

SaskTel Staffing

Mr. Belanger: — Thank you very much, Mr. Speaker. Our own Crown corporation, SaskTel recently decided to fire nine managers and a chief technical officer.

In the Premier's own words, the issues at SaskTel are top of mind and understandably so. The people of Saskatchewan deserve answers, and they want to know where are the Crown corporations going to go under this government? And do any of these recent dismissals is a indication of what their long-term plan is for our Crown corporations including SaskTel?

To the Minister responsible for SaskTel: why were these employees fired? Why?

The Speaker: — I recognize the Minister of Energy and Resources.

Hon. Mr. Boyd: — Mr. Speaker, with respect to SaskTel, where SaskTel is going, SaskTel will continue to serve the needs of Saskatchewan people. They will continue to invest record amounts of money into the infrastructure that is necessary to meet the ongoing needs of Saskatchewan people, whether it's in cellular or data downloading, all of those services that SaskTel is providing on a daily basis to the people of Saskatchewan.

The changes that the member references were changes that the senior management team had been looking at for some period of time and decided to move forward with.

The Speaker: — I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. On Wednesday November 23rd, the Premier tweeted the people of Saskatchewan that the minister in charge would be meeting with the president of SaskTel, and two short days later on Friday the 25th these 10 employees were fired.

To the Minister: is it simply a coincidence that these nine managers and a technical officer were fired approximately 48 hours after the Premier's comments and following a meeting with SaskTel and the member from Kindersley?

The Speaker: — I recognize the Minister of Energy and Resources.

Hon. Mr. Boyd: — During the time frame that the member references, there was no meeting between the Minister and SaskTel officials that you're talking about. The meeting that took place was following any kind of direction that SaskTel provided in terms of employment.

The Speaker: — I recognize the member for Athabasca.

SaskTel Revenues

Mr. Belanger: — Mr. Speaker, the people of Saskatchewan are really watching what this government does to our Crown corporations. They're watching very carefully, Mr. Speaker.

And 4G smart phones, as you know, are in high demand. And

I'm sure people out there get really frustrated when these smart phone products don't work. Saskatchewan people want and deserve the very best from their telecommunications company. If the government continues to underfund and overextend SaskTel, it'll die the death of a thousand cuts. This government is restricting SaskTel's opportunity for growth in Saskatchewan. This government should be cautious in their approach to what they assume are the solutions. We have already seen the dismantling of several Crown assets within the company, such as Ag Dealer.

Mr. Speaker, to the minister: if the Crown continues to sell off Crown assets . . . If this government continues to sell off Crown assets, how can the people of Saskatchewan expect to have a successful telecommunications company?

The Speaker: — I recognize the Minister of Energy and Resources.

Hon. Mr. Boyd: — Mr. Speaker, SaskTel is experiencing a very, very high demand for services here in Saskatchewan. They are seeing a remarkable increase in the amount of data that's being downloaded, for example, a tremendous growth, a volume of growth in terms of cellular use in our province as well.

What we will continue to do through SaskTel, we'll provide Saskatchewan people with the best possible services that we can at a very affordable price.

SaskTel, since 2008, has invested \$707 million in infrastructure to meet the growing needs of the people of Saskatchewan. And in the most recent Throne Speech, the Government of Saskatchewan has indicated that they will continue to invest record amounts to meet the needs of the people of Saskatchewan.

[14:00]

The Speaker: — I recognize the member for Athabasca.

Mr. Belanger: — Mr. Speaker, the people of Saskatchewan deserve answers from this government as to what they've got planned for SaskTel. Recently Murray Mandryk pointed out, quote:

. . . the Saskatchewan Party government found itself in a self-induced budget crunch in 2009 caused by overestimating potash revenues by \$2 billion, it poached 100 per cent of the dividends from all Crown corporations except SaskPower in 2010.

The Throne Speech announcement of 75 million in the next three years to include SaskTel's 4G network doesn't even cover the dividends withdrawn from this Crown company.

To the minister and this government: how do you rationalize stripping 100 per cent of SaskTel profits in 2010 with the expectations of providing optimum service, especially as the province needs this service? Mr. Speaker, the government needs to come clean on the future of our Crown corporations.

The Speaker: — I recognize the Minister of Energy and

Resources.

Hon. Mr. Boyd: — Mr. Speaker, I'll go over it once again for the member. SaskTel, since 2008, has invested \$707 million in Saskatchewan's network that includes the 4G network. We have continued to say, through the Throne Speech, that we will continue to invest additional amounts of monies — another \$100 million going forward in the upcoming years. We continue to realize that there is a need for infrastructure upgrades and SaskTel will be providing them. Throughout that process, we will continue to provide the necessary resources for SaskTel moving forward.

And I would ask the member opposite, when we're talking about dividends, perhaps you would care to explain why in 2001 there was 181 per cent of the dividend of SaskTel that was stripped by the NDP.

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

Workplace Safety

Mr. Forbes: — Thank you very much, Mr. Speaker. It was disappointing that worker safety wasn't discussed at all in the Throne Speech. In fact it was also even more disappointing that the Minister of Labour chose not to enter into the debate on the Throne Speech so we could hear more about his thoughts on the crucial issue of worker safety.

Mr. Speaker, we all know there's been many good things happen with regard to occupational health and safety. We also know there's a long way to go.

To the minister: why are the improvements of worker safety not on this government's agenda?

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. In the last few years, we've seen a 30 per cent drop in injuries in our province. Frankly, Mr. Speaker, we still have a lot of work left to do. The injury rate is dropping in all jurisdictions; in our province it is dropping among the fastest. Unfortunately we are still the second highest in the country.

Mr. Speaker, we have more work to do. We are going to continue to do that, both through the Workers' Compensation Board and through the ministry of occupational health and safety. Mr. Speaker, even one injury is one injury too many, and it is the goal of this government to try and eliminate or reduce wherever possible, Mr. Speaker.

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

Mr. Forbes: — Thank you very much, Mr. Speaker. And as I said in my first question, we know some good things have happened with regard to occupational health and safety. And in fact, and in fact, the Provincial Auditor's report released last week notes that the decline in injuries is consistent with strategies introduced back in 2003 under the previous NDP government.

But we can't lose sight of the significant amount of work left to do, as the minister has said. The Provincial Auditor said that the Minister of Labour needs a documented, comprehensive, risk-based approach to address non-compliance. The minister needs to do a better job of understanding why — underline why — non-compliance occurs and needs to better follow up on non-compliant workplaces.

To the minister: will he listen to the Provincial Auditor and follow her recommendations to improve our workplace safety?

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. Mr. Speaker, I thank the member for the question. I would also like to at this time take this opportunity to thank the auditor for her good work and thorough analysis of the various ministries.

Mr. Speaker, the auditor made several recommendations for better documentation, monitoring, and evaluation of OHS [occupational health and safety] inspections and orders. She made recommendations regarding more usage of stop work orders where there's an immediate risk.

The ministry is working to comply with all of the recommendations. I'm advised by the ministry officials that they accept each and every recommendation made by the Provincial Auditor and are working to implement those. Some of them are as straightforward as service agreements regarding payroll services, but some of them will make the workplace more effective and more safe by having a somewhat more aggressive approach in the use of stop work orders. Mr. Speaker, if that makes a safer workplace, we'll all support that.

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

Mr. Forbes: — Well we're glad to hear that because this is simply something that needs to be done particularly around, we understand, the top 50 companies that have more offences in terms of non-compliance. And we need to see that.

But it's not only the Provincial Auditor who's saying that a lot more work needs to be done in the area of occupational health and safety. *The Workers' Compensation Act* committee of review released their report last Friday, and they made several important recommendations to improve occupational health and safety in our province.

To the minister: with both the Provincial Auditor and *The Workers' Compensation Act* committee of review calling for improvements to how occupational health and safety is handled here in Saskatchewan, will the government take this issue seriously and follow both the committee of review's recommendations and the auditor's recommendations?

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Mr. Speaker, once again I would like to use this as an opportunity to thank the committee of review for their thorough work and detailed analysis of our workers' compensation legislation. They made a large number of

recommendations, nearly 60 recommendations. We will have an analysis of the recommendations, including costing done and the most effective ways of dealing with those. We intend to release that analysis in late January, and we'll continue and use that as a tool to continue to reduce workplace injuries.

As I'd indicated before, Mr. Speaker, even one injury is one injury too many. They've a Mission: Zero program at Workers' Compensation Board. We're very supportive of that. The goal of that is to work with employers, work with employees to try and ensure that workplaces in our province are made as safe as possible. We will continue to do that. And, Mr. Speaker, I thank the member for his question.

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

Mr. Forbes: — Thank you very much, Mr. Speaker. The Provincial Auditor recognizes the importance of workplace safety. In fact in a report, she said, and I quote: "It is difficult to overstate the importance of healthy and safe workplaces." So this issue is of vital importance. It's long overdue. We need to do so much more work.

But now we've had two reports in a matter of days which brought to the government's attention the need for significant improvements and financial support. So to the minister: can we expect to see, in the next year's budget, financial support to support his department in enforcing occupational health and safety?

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Mr. Speaker, it is the goal of our government to be responsible with the taxpayers' dollars. We will ensure that we use them in the most effective possible way and that we get the maximum benefit in dealing with issues of workplace safety. We will work our way through the budget in the next while, and we will ensure that we put the dollars to good use.

Mr. Speaker, I can also advise the members opposite that Workers' Compensation Board is an agency that is entirely self-funding and, Mr. Speaker, rates are set so that they ensure that they maintain appropriate reserves. Mr. Speaker, those reserves will continue to be maintained, and the viability of the Workers' Compensation Board and its mission of both providing compensation for workers that have been injured and to promote and continue with its mission to reduce workplace injuries will continue unabated, Mr. Speaker.

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

Funding for Post-Secondary Institutions

Mr. Broten: — Thank you, Mr. Speaker. The Minister of Advanced Education has a track record of showing favouritism to some institutions in the province while neglecting the needs of others. A clear example of this, Mr. Speaker, was with the minister's failed merger project where he funnelled over \$60,000 per student at St. Peter's College while giving only \$1,300 per student to SIAST [Saskatchewan Institute of

Applied Science and Technology]. And now, Mr. Speaker, other concerns about disparities and funding are being raised.

My question to the minister: why does he continually fail to treat post-secondary institutions in Saskatchewan fairly?

The Speaker: — I recognize the Minister of Advanced Education, Employment and Immigration.

Hon. Mr. Norris: — Mr. Speaker, I am happy to report that in our first four years, we invested more than \$2.8 billion across all our post-secondary educational institutions. It's an investment in students, in their families, and scholars.

Mr. Speaker, as the member opposite should know, Stats Canada has just come out with a report entitled *Financial Information of Universities and Colleges* and when considering the percentage of total revenue coming from the provincial government among comprehensive universities, what we see is the University of Regina actually received 61 per cent. Regarding the University of Saskatchewan, which is ranked fourth for medical doctoral universities, the number is 59 per cent.

I think it's safe to say, Mr. Speaker, both institutions have fared very well under this government because we're investing in students. We're investing not simply in their studies but, Mr. Speaker, investing in opportunities so that they can succeed and stay right here in Saskatchewan.

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

Mr. Broten: — Mr. Speaker, if the minister's answer is correct, it's puzzling why leaders in post-secondary education would have a different view about how different institutions have been treated by this minister. The University of Regina President, Vianne Timmons, has expressed concerns about a significant disparity in funding between the University of Saskatchewan and the University of Regina. A recent report shows that the U of S [University of Saskatchewan] gets close to \$4,000 more per student than the University of Regina.

To the minister: could he please explain this discrepancy in the amount of funding going to the two universities?

The Speaker: — I recognize the Minister of Advanced Education, Employment and Immigration.

Hon. Mr. Norris: — Mr. Speaker, I'm happy to report that both institutions within their respective categories are ranked at no. 4 regarding funding by *Maclean's*. Mr. Speaker, that is, the University of Regina ranked no. 4 out of 15 comprehensive universities across the country, and the University of Saskatchewan has ranked fourth out of 15 medical-doctoral universities.

Mr. Speaker, one of . . . There is a key distinction, and certainly the University of Saskatchewan has received some additional dollars. And, Mr. Speaker, in large part we can look at some specific initiatives. In large part, Mr. Speaker, it's on the medical doctoral side with an emphasis on the medical side because, Mr. Speaker, under the members opposite, the College

of Medicine was put on probation, Mr. Speaker.

There were more than 140 recommendations that were put in place. About 130 have been met, and one of the key ones was to actually move forward on the Academic Health Sciences building so we can have more doctors and more nurses providing more services to the people of this province. Mr. Speaker, are we investing more in post-secondary education? Yes we are. In part the reason is because the members opposite ignored it.

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

Mr. Broten: — Mr. Speaker, I'd love to see the minister go to the campus at the U of R [University of Regina] and explain to researchers and faculty that their course of research is not as important as the research being conducted at the U of S, or the students, Mr. Speaker, at the U of R who are concerned the levels of funding to their institution are not at the same level as the University of Saskatchewan.

Mr. Speaker, it's fine for the minister to love the University of Saskatchewan. That's a good thing. U of S is a wonderful place. We know the minister worked there. I know the minister loves going there and being feted. It's okay to have a place, Mr. Speaker, that we have an attachment to, but it can't cloud our judgment, Mr. Speaker. It ought not cloud the minister's judgment in delivering funding to the institutions in the province.

One such project, Mr. Speaker, of concern is the construction at the University of Regina of a 600-bed residence along with close to a 200 child care centre. This is one project the U of R needs. It's not about research. It's about families; it's about students. My question to the Minister: will he support this project for the University of Regina?

The Speaker: — I recognize the Minister of Advanced Education, Employment and Immigration.

Hon. Mr. Norris: — Mr. Speaker, thank you very much. As far as visiting the University of Regina, Mr. Speaker, I was very pleased to be on campus for three different events last week alone including, Mr. Speaker, a tour by federal senators that were very specifically interested, Mr. Speaker . . . [inaudible interjection] . . . Yes, senators that were interested in the environment and on energy. And they were touring, Mr. Speaker, the University of Regina.

Mr. Speaker, what we see is that President Vianne Timmons has recently offered a book, and she says that in the laboratory, in the library, in the classroom, and in communities our scholars are engaged in research that is relevant to the academy and responsive to the needs of society. She then goes on to talk about the value of research at the University of Regina.

Mr. Speaker, what I'm happy to do is say we share the same value, Mr. Speaker, in post-secondary education research, hence our record investments in all the institutions.

[14:15]

INTRODUCTION OF BILLS

Bill No. 11 — *The Court Officials Act, 2011/Loi de 2011 sur les fonctionnaires de justice*

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Mr. Speaker, I move that Bill No. 11, *The Court Officials Act, 2011* be now introduced and read a first time.

The Speaker: — It has been moved by the Minister of Justice first reading of Bill No. 11, *The Court Officials Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Morgan: — Next sitting of the House, Mr. Speaker.

Bill No. 12 — *The Court Officials Consequential Amendments Act, 2011*

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I move that Bill No. 12, *The Court Officials Consequential Amendments Act, 2011* be now introduced and read a first time.

The Speaker: — It has been moved by the Minister of Justice and Attorney General first reading of Bill No. 12, *The Court Officials Consequential Amendments Act, 2011*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Morgan: — Next sitting of the House, Mr. Speaker.

Bill No. 13 — *The Constitutional Questions Act, 2011/Loi de 2011 sur les questions constitutionnelles*

Hon. Mr. Morgan: — Mr. Speaker, I move that Bill No. 13, *The Constitutional Questions Act, 2011* be now introduced and read a first time.

The Speaker: — It has been moved by the Minister of Justice and Attorney General, Bill No. 13, *The Constitutional Questions Act, 2011* be read for the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Morgan: — Next sitting of the House, Mr. Speaker.

Bill No. 14 — *The Securities Amendment Act, 2011*

Hon. Mr. Morgan: — Mr. Speaker, I move that Bill No. 14, *The Securities Amendment Act, 2011* be now introduced and read a first time.

The Speaker: — It has been moved by the Minister of Justice and Attorney General, Bill No. 14, *The Securities Amendment Act, 2011* be read for a first time. Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Morgan: — Next sitting of the House, Mr. Speaker.

Bill No. 15 — *The Uniform Building and Accessibility Standards Amendment Act, 2011*

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

Hon. Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, I move that Bill No. 15, *The Uniform Building and Accessibility Standards Amendment Act, 2011* be now introduced and read a first time.

The Speaker: — It has been moved by the Minister Responsible for CPSP [Corrections, Public Safety and Policing], Bill No. 15, *The Uniform Building and Accessibility Standards Amendment Act* be read the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Huyghebaert: — Next sitting of the House, Mr.

Speaker.

Bill No. 16 — *The Correctional Services Act, 2011*

The Speaker: — I recognize the Minister of CPSP.

Hon. Mr. Huyghebaert: — Mr. Speaker, I move that Bill No. 16, the correctional services amendment Act, 2011 be now introduced and read a first time.

The Speaker: — It has been moved by the Minister Responsible for CPSP, Bill No. 16, *The Correctional Services Act, 2011* be read for the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Huyghebaert: — Next sitting of the House, Mr. Speaker.

Bill No. 17 — *The Child Care Amendment Act, 2011*

The Speaker: — I recognize the Minister of Education.

Hon. Ms. Harpauer: — Mr. Speaker, I move that Bill No. 17, *The Child Care Amendment Act, 2011* be now introduced and read for the first time.

The Speaker: — It has been moved by the Minister of Education, Bill No. 17, *The Child Care Amendment Act, 2011* be read for the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Ms. Harpauer: — Next sitting of the House, Mr. Speaker.

Bill No. 18 — *The Degree Authorization Act*

The Speaker: — I recognize the Minister of Advanced Education, Employment and Immigration.

Hon. Mr. Norris: — Thank you very much, Mr. Speaker. Mr. Speaker, I move that Bill No. 18, *The Degree Authorization Act* be now introduced and read for a first time.

The Speaker: — It has been moved by the Minister Responsible for Advanced Education, Employment and

Immigration, Bill No. 18, the degree granting authorization Act, be read for the first time. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

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

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

Hon. Mr. Norris: — Thank you, Mr. Speaker. Next sitting of the House.

The Speaker: — Next sitting. I recognize the Minister of Finance.

TABLING OF SUPPLEMENTARY ESTIMATES

Hon. Mr. Krawetz: — Mr. Speaker, before orders of the day, it is my pleasure to submit supplementary estimates, accompanied by a message from His Honour the Lieutenant Governor.

The Speaker: — Would you please rise for a message from the Lieutenant Governor. Order. The message is as follows:

The Lieutenant Governor transmits supplementary estimates December of certain sums required for the service of the province for the 12 months ending March 31, 2012, and recommends the same to the Legislative Assembly. Honourable Gordon L. Barnhart, Lieutenant Governor, Province of Saskatchewan.

Be seated.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 1 — *The Queen's Bench Amendment Act, 2011/ Loi de 2011 modifiant la Loi de 1998 sur la Cour du Banc de la Reine*

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of Bill No. 1, *The Queen's Bench Amendment Act, 2011*. This Bill amends *The Queen's Bench Act, 1998* to facilitate the appointment of the Associate Chief Justice for the Court of Queen's Bench.

The total number of judges on the court will be maintained at 32, including the Chief Justice, the Associate Chief Justice, and 30 other judges. The Chief Justice of the court is responsible for the court's administrative functions, including scheduling matters that come before the court, and participation on the Canadian and Saskatchewan judicial councils. These administrative responsibilities are important for the efficient operation of the court.

Mr. Speaker, the Chief Justice currently spends the majority of

his time on administrative matters and a small portion of his time hearing and deciding the important legal issues that come before the court. Sharing administrative responsibilities with an Associate Chief Justice will provide the Chief Justice a greater opportunity to hear matters and act as the judicial leader in the court. The amendments also allow the Associate Chief Justice to take on all the duties and responsibilities of the Chief Justice if the Chief Justice is absent or unable to act. This ensures seamless operation of the court, if the Chief Justice were to become ill or be away for an extended period of time.

Mr. Speaker, this is one of those provisions that the government hopes it never needs but it is best to have in place, just in case. The chief justices of the Court of Queen's Bench in most other provinces have the ability to assign some of these administrative duties to an associate chief justice. Mr. Speaker, Saskatchewan is one of four provinces that does not currently have an associate chief justice.

In addition to Saskatchewan, the only provinces that do not have an associate chief justice in their trial court are Newfoundland, New Brunswick, and Prince Edward Island. Ontario, Alberta, and British Columbia each have one associate chief justice. Quebec has two associate chief justices — one in Montreal, and one in Quebec City. Mr. Speaker, the Nova Scotia and Manitoba courts are the same size as Saskatchewan's court, and each has two associate chief justices — one for the general division and one for the family law division.

In light of this, it seems appropriate to amend *The Queen's Bench Act, 1998* to facilitate the appointment of an Associate Chief Justice. Saskatchewan shares the legislative authority in this area with the Parliament of Canada. A corresponding amendment is required to the federal *Judges Act* before the amendments to the Saskatchewan legislation can be proclaimed. Our government has requested the federal Minister of Justice to table the federal amendments when the *Judges Act* is next before the House of Commons.

Mr. Speaker, I am pleased to move second reading of Bill No. 1, *The Queen's Bench Amendment Act, 2011*.

The Speaker: — It has been moved by the Minister of Justice and Attorney General, second reading of Bill No. 1, *The Queen's Bench Amendment Act, 2011*. Is the Assembly ready for the question? I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. I am quite pleased to stand up and respond on behalf of the official opposition on Bill No. 1, *An Act to amend The Queen's Bench Act, 1998 respecting an Associate Chief Justice*.

Mr. Speaker, we pay very close attention to what the Saskatchewan Party government present on any front. And this is certainly one of the issues that we want to make sure that our stakeholders and people that are involved in any kind of action by the Justice department, that they have full and prior knowledge of exactly what is being proposed here, Mr. Speaker.

At the outset, it looks like this Bill is straightforward. But, Mr. Speaker, as the opposition, we know that we have to make sure that we vet it through our own people that are knowledgeable

about the justice system and certainly the different stakeholders that are out there, Mr. Speaker. Obviously, as the minister explained, this is all about making sure that the Associate Chief Justice does have the place, or a role to play in the event that the Chief Justice may take ill.

Now, Mr. Speaker, obviously as you look at the process here there is mention of the federal government, and certainly their role in ensuring that this is also . . . they have a process in place that they can easily have this thing done if they have the correct schedule and they also have their co-operation. And that's certainly one of the things that I think that people out there should know, is that whenever there's amendments at the outset to any Act, that there is a fairly rigorous process in place. And as an opposition, we want to make sure we look at all avenues of what is being proposed here and to make sure that people out there understand exactly what approach that this government has to go through when it's certainly trying to put through Bills of this nature through this Assembly, Mr. Speaker.

At the outset, as I mentioned, if you look at what is being proposed, it doesn't seem to be anything dramatic in the sense of trying to fill a void in the event that the Chief Justice does take ill as mentioned. But as we know, it's important that we educate people as to the process, what the Bill's intended to do. And you just never know, Mr. Speaker, when there could be some, some group or some stakeholder out there that may have some perspective that we think should be added to the Bill or certainly a challenge to the Bill that the minister or the officials may not be aware of.

And that's the whole process of the Legislative Assembly, Mr. Speaker, is to make sure that people out there have access to the information being presented by the minister, they have access to the Bill, and they also know that the opposition is certainly paying attention to this Bill and that we are, obviously we'll need the time, you know, to go through it.

So I guess the message to the groups that are out there that are listening to the Assembly and the people that want to add to this process, that certainly that option and opportunity is available. And Bill No. 1, which is *An Act to amend The Queen's Bench Act, 1998 respecting an Associate Chief Justice*, is something that certainly is important to the structure of our justice system throughout Saskatchewan.

Now, Mr. Speaker, I think there ought to be a lot of work being done to educate the community in general, especially the Aboriginal community from where I'm from, in terms of how the system works overall. I think if the minister would undertake an opportunity to try and explain to the people the role, as he did very briefly here, the role of the Chief Justice, and certainly the fact that there's 32 lawyers that are involved in the top structure of the justice system, that he explain how they're appointed, who does the appointment, and just the whole structure in general so a lot of people out there in Saskatchewan that may have an interest in understanding this — whether you're a law student or whether you're a lawyer or whether you're just an advocate for people — and the more people that understand what the system's all about and the changes that are being proposed in Bill No. 1, I think it's important that we afford that opportunity. And when you have more people understanding what this Bill is about and the

implications and the connection to the federal government and on and on and on, you can then understand the importance of it.

[14:30]

So I think education on how the process works to the public, to the general public, to certain sectors that have an interest, whether it's lawyers or to the Aboriginal community that has a lot of exposure to the justice system, to explain how all this is connected and how all this works, Mr. Speaker.

Now obviously, I think the minister indicated that the House of Commons was also involved, that there is some overlapping or overarching role that they play. And certainly they do have the agenda in terms of the federal government's wish to pass laws and so on and so forth. And does this have any impact on the crime Bill that the federal government is trying to put in place? Does this complement it? Does it challenge it? Does it impede it? Does it interfere with it somehow?

And these are some of the questions that we have to ask, Mr. Speaker, is that, how does this connect overall? And even though it may at the outset seem to be a minor issue, we know from experience that this government likes to tend to try and put minor issues on the forefront but there are much more devious plans in the background. And that's one of the reasons why we tell people to make sure that they take the time to understand Bills of this sort and that they do their very best to try and understand how the system works overall.

A lot of the Aboriginal communities I mentioned are taking a greater interest in law, and that's something that I think is also very important. And we would encourage them either through the Internet or direct contact to the official opposition or the minister's office himself to check on some of these Bills that are being proposed so that they may add value to what's being done here today. And that's what's really important when you look at the legislative agenda per se, Mr. Speaker, that you give people the opportunity to participate in the design or the challenge or to make sure that the integrity of the Bill is sound. And that's kind of one of the things that we want to make sure in the official opposition that we certainly tell people that option is there.

Now, Mr. Speaker, again I mentioned at the outset that we take the minister's word that all this is, is a process to simply appoint an Associate Chief Justice, and it's nothing that we should be worried about. But obviously the timetable that we have in the Assembly gives us the opportunity to research this Bill more to make sure that there isn't any kind of wording change that compromises what we think is the intent of the Bill. And at the expense of sounding like a lawyer here, Mr. Speaker, you know, it's important that the intent follow the written documentation and otherwise that there's a compromise of values here, and that's something that I think every lawyer understands.

So, Mr. Speaker, I want to again point out that as an official opposition, we take a great interest in particular what this minister does when it comes to tinkering with the justice system as we've seen evidence of that during the last election when there was hundreds of people that were not allowed to vote because they never had an ID [identification].

And that was certainly proposed by this minister that came along and said, look, there were some problems with the voter ID. And that goes to the credibility of the proponent of this Bill, Mr. Speaker, when he said if you don't have proper ID you can't vote. And I found it very awkward, Mr. Speaker, because this minister put those rules in there because his leader indicated at the time that there was "some discrepancies." And, Mr. Speaker, we need to know what those discrepancies were again. There are some discrepancy that the Premier said there were out there in terms of electoral process so the minister put this new Bill in place, and we need to know. The new Bill was put in place based on the Premier's assertion that there was some discrepancy and, Mr. Speaker, there was none. There was none. It was just another rule, another process they put in place to make sure certain sectors of our province and certain people of our province never got the opportunity to cast their vote as . . . [inaudible] . . . and certainly as best as they could.

So it all goes on down to the credibility of the minister. And whenever you have a Bill being proposed by him we are always extra careful to make sure that again the intent of what he is saying in this Assembly is followed through as pure as possible when it comes to his plan for, as in this case, appointing an Associate Chief Justice, that this is all that this is about. And I'm very sorry to say, Mr. Speaker, we don't simply buy that when he gets up and says things of that sort that we on this side of the Assembly certainly have the experience of how he has turned that on us on many occasions and most recently with *The Election Act*.

Now, Mr. Speaker, I kind of found it awkward and funny when the minister had the last Bill of this sort which was, as he mentioned, intended to deal with the discrepancies in terms of the election. When I walked into the polling station to vote, the ladies that were working at the polling station would not allow me to vote unless I produced my ID, and, Mr. Speaker, we have known these people all our lives and they've known me and they know me as the candidate. They know who I am but they wouldn't give me a ballot unless and until I showed my ID. Now that is very, very silly, Mr. Speaker, that that process put in by that minister and by that government because there were some discrepancies in the last election.

Well, Mr. Speaker, I'm saying that circumventing the intent of this particular House by putting in some politically advantageous legislation in place to certainly detract, to make sure that certain sectors and certain people didn't vote in this province. And history will certainly be the judge of that action, Mr. Speaker. There's still a lot of hard feelings and certainly a lot of people out there that are not pleased with what was done last time.

And that's why today a simple Bill, as he indicated, to appoint a Associate Chief Justice is all that this is about, well we want to pay extra careful attention to what this minister proposes and how the Bill is prepared. What's the intent behind putting this Bill into place? Is all the information that he has presented, is it fair, is it reasonable? And certainly I guess the biggest thing is, what is the motivation behind that Bill?

And as we've seen evidence in the past, Mr. Speaker, motivation by some of that minister's Bills is not very fair to the people of Saskatchewan because obviously there's a lot of

issues at hand with some of the previous Bills that he's put in place and that continues to make . . . I continue to make reference to *The Election Act* Bill that that minister proposed.

So in that regard, Mr. Speaker, on Bill No. 1, we're going to invite other people to participate, other stakeholders to bring forward their issues and their concerns and to make sure that they have the opportunity to bring us information or put their position down firmly and fairly and that we have the opportunity to fight against this Bill if there is some kind of ulterior method or some ulterior plan that that minister may have in regards to something, as he indicates, as simple as appointing an Associate Chief Justice. So on that point, Mr. Speaker, I adjourn the debate on this Bill.

The Speaker: — It has been moved by the member for Athabasca that there be adjournment of debate on Bill No. 1. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

**Bill No. 2 — *The Miscellaneous Statutes
(Collaborative Law) Amendment Act, 2011/
Loi corrective (droit collaboratif) de 2011***

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of Bill No. 3, the miscellaneous statutes amendment collaborative law Act, 2011. This Act will amend three family statutes: *The Family Maintenance Act, 1997* and *The Children's Law, 1997* and *The Family Property Act*.

We all know that disputes within families can be very difficult and stressful for everyone involved. Applications to court can be quite costly both financially and emotionally for the parties involved. These amendments aim to encourage the resolution of family law matters without resorting to the courts.

Over the past 50 years, there has been a significant shift in thinking about the best way to resolve family matters. The courts were once thought to be the best and only way to resolve these disputes. Gradually mediation and negotiation were introduced as methods to resolve these matters in a less adversarial way. Mr. Speaker, this trend received formal recognition and encouragement in legislation when *The Family Maintenance Act, 1997* and *The Children's Law Act, 1997* were passed. Although mediation and negotiation were considered new and cutting edge in 1997, they are now part of the standard tool kit for professionals that assist families to resolve disputes. Over the last 15 years, family law practice has further evolved to add collaborative law to its tool kit.

In many ways, collaborative law is similar to mediation and negotiation. Like mediators, lawyers who practice collaborative law require special training and certification. Collaborative law facilitates resolution of family law issues without going to court through discussion, compromise, and agreement. The parties and their lawyers commit to work together in a non-adversarial, respectful way to find solutions that work for everyone involved

in the conflict.

The Family Maintenance Act and children's law Act currently require lawyers to discuss with their clients the advisability of negotiating the resolution of their matters and also require lawyers to provide their clients with information about the mediation facilities available to assist them. With these amendments, lawyers will be required to discuss with their clients the advisability of using alternative methods including mediation, negotiation, and collaborative law. Lawyers will also be required to advise their clients of any mediation services and collaborative law services that are known to them.

Mr. Speaker, unlike the other family law Acts, *The Family Property Act* does not currently require lawyers to advise their family law clients about negotiation or mediation. This Bill will bring the responsibility of lawyers under *The Family Property Act* in line with their responsibilities under the other family law statutes.

Across Canada and the United States, the trend is to encourage use of alternative methods to resolve family disputes. It is recognized that these methods often lead to solutions that are more acceptable to the parties at a lower cost that result in better long-term compliance. In view of this trend, lawyers that practice family law in the province requested these amendments.

During the preparation of this Bill, the Law Society of Saskatchewan, the family law sections of the Canadian Bar Association, Saskatchewan branch, Collaborative Lawyers of Saskatchewan, and the provincial dispute resolution office were consulted and they support these amendments.

I am pleased to move second reading of Bill 3, *The Miscellaneous Statutes (Collaborative Law) Amendment Act, 2011*. Thank you, Mr. Speaker.

The Speaker: — The Minister of Justice and Attorney General has moved second reading of Bill No. 2, *The Miscellaneous Statutes (Collaborative Law) Amendment Act, 2011*. Is the Assembly ready for the question? I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. Again I'm pleased to rise on behalf of the official opposition to offer our insight and certainly our position on Bill No. 2. And this of course is *An Act to amend certain Statutes with respect to matters concerning Collaborative Law*.

And I'm assuming, Mr. Speaker, as per the minister's comments in relation to family matters, that this is certainly something that, again at the outset, that I believe lawyers may or may not have practised that in their own kind of way of dealing with the tough act of a family breakup and so on and so forth, that some may have and some may not have given this advice or information as to how they could proceed with this divorce or separation, if you will.

So, Mr. Speaker, I think discussing with the applicants or the people that are going through this process the advice of negotiating the matters that are subject to the application as indicated, that there is some mediation opportunities for the

families that are going through this terrible time.

Now, Mr. Speaker, I haven't had an assessment from any of the judges or the lawyers, sorry, the lawyers out there as to how many lawyers do advise their clients of the mediation process. Is there opportunity for . . . Has this been discussed? I'm assuming that when you're going through a separation, whether it's assets or whether it's children or whether just the marriage in general, that every lawyer will tell you that there are mediation services, there are processes that you can go to, to try and find some successful conclusion to this, well, marriage or common law relationship or, you know, whatever the case may be.

So I think one of the points that we want to make on this particular Bill is that we don't have an assessment of how many judges may or lawyers may actually offer that advice or how many lawyers don't even give the clients or their clients information about this mediation services. So it's hard for us to determine, you know, exactly how big of a problem that this particular Bill wants to address, and that's kind of where we are sitting right now in terms of trying to assess that information as it comes in.

So I don't know if the minister had any discussions with any lawyer groups or any of his legal friends as to how pressing this matter is. Obviously when you're going through a separation between, you know, with the family, there's a lot of hard feelings in many cases, but there's a lot of challenges in many cases. And as you have more assets and certainly more children, it becomes more confusing.

So again what consultation took place with any of the legal associations that are all throughout Saskatchewan? Is there going to be any opportunity for them to do a survey or to respond or to present a survey that they may have done amongst their members? It's difficult to assess all that. And some of that information is not readily available in the explanatory notes that the minister has presented here today.

[14:45]

So again from the perspective of the opposition, we simply want to point out that, again as in the previous Bill, there doesn't seem to be a lot of issue with what the minister is trying to do here. But, given his history, we obviously want to make sure that we vet this information through a lot of different groups and different associations to make sure that what is being presented here is in its pure intent and that there is no alternative plan that he may have on behalf of his government.

Mr. Speaker, I want to take the time to invite any legal teams that are out there, or lawyers that are out there, that could give us their sage advice as to whether they think that this is a good plan. Because the Bill at the outset from my look at it, and again I'm not a lawyer by any stretch of the imagination — I'm a hockey player, Mr. Speaker — but not being a lawyer I would say where is their . . . What is the demand for this? Was there a huge, huge cry for this particular Act? Were some lawyers being honest or dishonest with the parties they're sitting with in terms of not giving them all of the relevant information? Is that what the minister is suggesting as a result of putting this Act in place?

Because I would assume that the lawyers would give their clients all the available information, and mediation being one of them. You would assume that that would be the case. And so you have to ask yourself, forcing lawyers to present to their clients and in case of a separation or divorce that they have to offer them, or let the clients know about, all the mediation services that are available out there.

And again not having that information about the survey or how the legal profession out there is responding to these kinds of things, it's difficult for us as an official opposition to give our perspective in full, in fairness to what the minister is trying to propose here, give it our full support without that qualifying comment from the different groups that are out there.

So again as we look at this, I would suggest people . . . As the minister explained, is just making sure that every lawyer out there that's representing families that are going through a separation, that this Bill proposes that they have a duty to advise those parties that the mediation services are available. And there are two or three other Bills or two or three other Acts that may be implicated as a result of this particular measure. And that's one of the reasons why he's brought forward this Bill with a few additions to the intent of the Bill itself.

So, Mr. Speaker, I want to point out that the opposition, as indicated by the legislative agenda here, that during the Christmas or the spring or winter sitting that this government present the Bill and we'd be given the opportunity to take the Bill, no matter how innocuous it may seem at the outset, but to take the Bill and send it out to various groups to ask for their advice and to seek what they may want to add to it in terms of their input.

And again I go back to the comment about the lawyers and the associations that are out there. Exactly how many associations were consulted on this Bill? It'd be nice to know that. Have you done a survey of what lawyers may have given their clients this information or this option? Why is it being proposed at this time? Is there a major problem here? Is there a cost to the government, or is there a savings to the government? I'm assuming that there'd be savings to the government because it would appear at the outset that the provisions are simply there to allow less court time, therefore less court costs. And is that option going to be undertaken by the clients that are even advised of this option by their lawyers?

So it's something that has to be thoroughly vetted, as I mentioned, to different associations, legal associations, to the contacts that we have with our own lawyer friends, to some of our caucus members that may have concerns, to some of the families that we're dealing with, Mr. Speaker. These are all the things that we want to find out over the next several months on this particular Bill, and that's why, one of the reasons why, when we hear some of the proposals by this particular minister, we want to pay very close attention and we want to take the time to look thoroughly at any of his Bills that he proposes and to ask different groups and associations.

Not that they'll be heard by those guys across the way, Mr. Speaker, because on *The Election Act*, that's much the same thing that there was a lot of people that were very concerned about *The Election Act*. That minister proposed it anyway and

proceeded with it anyway, in spite of all the protests and different groups saying no to it, that it was counter-productive. And I even think that there's many officers, Independent Officers of this Assembly that didn't like that particular Bill.

So any time that this minister has his particular stamp or his name attached to Bills that seem to be innocuous in terms of its legal implications, we in the opposition want to pay very, very close attention to any Bills that that minister proposes because we've seen his act before. And, Mr. Speaker, a lot of times the intent of some of his Bills do have some very, very alternative plans and some sometimes devious ways of dealing with the people that he's supposed to be representing.

The Speaker: — Order. I'd like to remind the member he should not be trying to impugn the honour of any member through their actions in the House.

Mr. Belanger: — Thank you, Mr. Speaker. But I go back and I rephrase. The intent of *The Election Act* in terms of trying to stifle the democracy that many of the people that were impacted by, that that was not fair. And that's . . .

The Speaker: — Order. I would remind the member to make his remarks relevant to the Bills in question. This is not *The Election Act*.

Mr. Belanger: — Thank you, Mr. Speaker. I would again point out that, as I mentioned at the outset, the first Bill that's being proposed, we talked about the intent of the Bill as we're talking about the intent of this particular Bill, Mr. Speaker. And the intent of the Bill certainly needs to be . . . I think the conduct of the minister in terms of some of his other Bills also need to be incorporated in any Bills he brings forward. And I go back to *The Election Act*, Mr. Speaker, to make reference to that point.

So again I would point out on this Bill No. 2, we will take our time. We will take our time to thoroughly assess this Bill. We're going to ask for some legal counsel from a number of different people that are out there that are involved with family court. And we're going to take the time necessary, and we're going to ask the question as to why is it being proposed at this time. What's the implication? What's your plan? What's your objective? There's always an objective, Mr. Speaker, and we're trying to find what's attached to Bill No. 2. And that's why I wish to adjourn the debate on this Bill.

The Speaker: — It's been moved by the member for Athabasca that this debate be adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 3 — *The Summary Offences Procedure Amendment Act, 2011*

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of Bill No. 3, *The Summary Offences*

Procedure Amendment Act, 2011. These amendments are aimed primarily at improving and building greater efficiencies into our summary offence procedure in Saskatchewan. In addition, this Bill contains amendments that will provide a greater incentive for individuals with outstanding fines to pay those fines and avoid further time in court.

The cases of individuals charged with provincial summary offences proceed to either an offence notice ticket or a summons ticket. These tickets apply to a wide range of provincial offences from minor traffic offences to more serious ones such as poaching, environmental pollution, and the unsafe transport of goods on our highways. Summary offence tickets are currently issued through a standard form that requires officers to fill in numerous categories of information by hand. This is often time-consuming and impractical for officers. Therefore these amendments will provide the use of tickets in electronic format.

Law enforcement personnel, including the RCMP [Royal Canadian Mounted Police] and the Saskatchewan Association of Chiefs of Police, have indicated a strong preference for a method of handling tickets in an electronic format. Regina Police Service has agreed to a pilot project where a small number of police vehicles would be equipped with the necessary devices to test the program before full implementation.

These amendments will also allow for the application for an issuance of warrants by telephone. It is often not practical for a peace officer to appear in person before a justice to obtain a warrant. This is especially true in rural and northern areas where the distance between communities presents a challenge. In those communities, the advantage of using a telephone process are significant. Additionally the application for certain warrants is often time-sensitive as a crime may be in progress or very recently committed. So if warrants were available through a telephone application, Mr. Speaker, the investigation would be able to proceed quickly and police would have a better chance of obtaining fresh evidence.

This Bill also grants judges the discretion to enter a default conviction when a defendant fails to appear for their trial, regardless of whether the defendant indicated earlier they'd planned to appear. Currently when individuals charged through an offence notice ticket fail to notify the court that they are contesting the charge and subsequently fail to appear on the court date, the court has the option of entering a conviction by default. In contrast when an individual does alert the court of their intention to appear but subsequently fails to appear, the court is obligated to run a trial in the defendant's absence. The vast majority of these trials result in a conviction since without a defendant present, the court cannot hear his or her evidence.

Mr. Speaker, these trials place a burden upon the time and resources of the court, law enforcement officials, and witnesses. If a defendant fails to appear at their trial for reasons beyond their control, the Act still allows him or her to appear before the court and explain the situation within 15 days.

These amendments will also raise the maximum number of days for which an offender who defaults on payment of fines may be imprisoned. Currently the Act provides for a 90-day limit on the

amount of jail time that may be imposed on an offender who is in default of fine payment. The 90-day cap on imprisonment is insufficient to deal with those offenders who accumulate a large number of fines or an extremely high fine. In those cases, the higher maximum term of imprisonment will act as a deterrent.

Mr. Speaker, these amendments also provide discretion to the Provincial Court to order that sentences of imprisonment for fines in default be served consecutively rather than concurrently.

However, Mr. Speaker, it is important to realize that individuals who are charged with summary offences and cannot pay their fines do have other options. And if an offender is having financial difficulty, the fine option program allows them to reduce or pay off their fines or have a sentence reduced through the completion of unpaid community service. In addition, Mr. Speaker, other methods of fine collection are usually employed before pursuing a term of imprisonment. These include garnishment, repossession of property, and the suspension of drivers' licences.

Ultimately in the rare case where an offender is sentenced to a jail term, this legislation requires that the person be served with a final notice 15 days in advance of issuing a warrant for committal for imprisonment. In that 15-day period, the offender would have a final opportunity to appear before a judge to explain his or her failure to pay, or attend court and arrange for some alternative penalty if possible.

Mr. Speaker, I am pleased to move the second reading of Bill No. 3, *The Summary Offences Procedure Amendment Act, 2011*.

The Speaker: — Second reading has been moved by the Minister of Justice and Attorney General for Bill No. 3, *The Summary Offences Procedure Amendment Act, 2011*. Is the Assembly ready for the question?

Some Hon. Members: — Question.

The Speaker: — I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. Again I'm pleased to stand up today to certainly present the official opposition's perspective on the Bill No. 3, *An Act to amend The Summary Offences Procedure Act, 1990*. And, Mr. Speaker, there is a number of flags that I see at the outset of this particular Bill. And one of the things that people ought to know is that at this stage of the system that there are many out there in Saskatchewan that may have a lot of good reason or a lot of good logic as to why they can't make certain court dates, and there could be a number of different avenues and certainly ways that the justice system can contact these individuals.

It's not as if you want to see people put on the most wanted list if they have a traffic ticket, Mr. Speaker, but there are ways and means that they could contact people. And what is alarming, Mr. Speaker, is some of the proposals in this Bill. Does it actually compromise justice in any way, shape, or form? And I would suggest to you that, Mr. Speaker, that it does. It does.

If you look at the fairness of a trial, if you look at the fact that

we're trying to streamline the court system, we're trying to make sure that the system itself is affordable and that you're not going through all these processes and all this other work that is necessary to prosecute a person — and, Mr. Speaker, in many ways, even if the government speaks of saving time and money, that does compromise justice in many, many ways.

[15:00]

And that's one of the important points that I want to make sure, is that we're not here to make sure that the guilty go free. The guilty should be prosecuted, and certainly the guilty should be in prison for some of the crimes that they may do against themselves or society in general. And so I think it's very clear we want to make sure that the integrity of the court system itself, the justice system is not compromised under the guise of saving money.

Now when you see some of the things that are being proposed here, you know, you look at some of the points on page no. 2:

on application by the prosecutor, allow the defects, if they are minor, to be corrected, and:

(A) conduct a trial in the defendant's absence . . .

And I'm assuming that the defects are some of the notes on the tickets or the fines, you know, Mr. Speaker.

And there is a lot of times, in some of the officers' haste, they may have a wrong address. They may have a totally different person with the same name at the wrong address or even date of birth. Now is that considered minor? You know, these are some of the questions we have to ask.

And as we know that there are many people that share the same name, and throughout Saskatchewan there are many, many people that get caught up in this particular process. Now are they going to be, are they going to be subjected to all of these particular challenges and problems of them being at work and all of a sudden they find out they're being prosecuted and were found guilty without them not even being, without them being advised that there may have been a mistake in identity or person with the same name that was actually put down on the ticket?

And that's one of the things that's really important is that again we look at the . . . That's the purpose of the lawyers, is they would have the opportunity to negotiate some of these things and to certainly, and certainly present fairness to the person that may be wrongly convicted.

Now, Mr. Speaker, whereas the other thing that is really, really worrisome is some of the notes that the minister has presented here in terms of having the defendant tried when the defendant may not be in court at the same date or same time. Now is that in any way, shape, or form fair?

Well perhaps the system itself is not responding to the problem in the right way. There's always a balancing act, you know, when it comes to that particular point. But are we tipping the balancing act too far to a point where again you're not giving the people the legal due process when it comes to making sure that they have the opportunity to defend themselves?

Now, Mr. Speaker, I look at some of the tickets as an example. Explanation that “This provision is added for clarification so that a defendant has fair warning on the ticket form that they may be convicted if they fail to appear for trial.”

Now I don't know if the minister . . . how big of a problem that is. Is it all about, again, saving money? That all of a sudden if I'm speeding and I get a ticket and on the ticket it says, well if you're not here by this certain date, then we're going to issue a guilty plea. You're guilty. Now is that what the minister is proposing? Because there's a lot of different circumstances under which a ticket is presented. It may not just be for speeding. It may be for a myriad of other charges. And is that a fair process? And the answer to that minister, to that government, the answer is no. The answer is absolutely no. We believe on this side of the Assembly that those that have been charged with an offence ought to have the fair proceedings presented to them. And if they're guilty, then they ought to pay with that particular fine or the sentence.

Now what happens here is what the minister is proposing is to totally circumvent that process. And again where does this come from? Is it savings of the government? Is it to make sure that the court system runs as smoothly and as cleanly and as quickly as possible? Or is it just the whole process of making sure people are found guilty of these offences, is that the intended plan here? And again, Mr. Speaker, I always talk about the intention of this particular minister when it comes to proposing Acts that sometimes I question.

Now, Mr. Speaker, the Bill itself, we are going to, again as I pointed out in previous Bills, we are going to be asking a lot of people a lot of questions and a lot of advice on this particular Bill. Because at the face of it, as I mentioned, this is not fairness in any way, shape, or form. And if you're not fair in your criminal justice system, then many times people get hurt, many times people get wrongly convicted, and many times it compromises the whole process of fairness and justice, and many times you may involve people that have been very innocent of this process and not knowing what's going on and all of a sudden the heavy hand of government is saying, okay, John Doe, you were not at court at this day. We don't care if you got the wrong address on this ticket. You're the guy. You're guilty. So now you're either going to go to jail or we're giving you 15 more days before you have to appeal this, and he doesn't even get a notice of that. Like we need to define how that system can be strengthened so that people have the opportunity to defend themselves.

And many times, Mr. Speaker, as you look at some of these Bills, it doesn't seem that . . . that opportunity doesn't seem to afford itself to people. Now I don't know where this particular minister is getting this idea from in terms of giving his background. Why and how should you compromise the process of justice by putting in some of these Acts? Like what is the intent behind that? What are you trying to achieve there?

And I know that, Mr. Speaker, correct me if I'm wrong, but I'm assuming that the minister is a lawyer, and perhaps one of these days he'll go back to his private practice. And then will he be in a situation where he's actually arguing against his own Bill that he put in place when he was in government? And I would suggest, I would suggest that that may be the case, Mr. Speaker.

So you don't just put on your ministerial hat here today under the guise of trying to save money and compromise the justice system to a point where it starts to become more of an oppressor than a entity that is supposed to be handing out justice fairly, openly, and as transparent as possible. And I would suggest that that day may come, Mr. Speaker.

So that's why I think, under the guise of trying to appear to be streamlining the court system, saving money, being quick with justice, that in fact they may be actually hurting the process and allowing the guilty to go free if they don't fix some of these problems that are being presented in this particular Bill, Mr. Speaker. At the same time, they may be incarcerating people that are innocent, and that's all under the guise of saving money and saving time.

Therefore, Mr. Speaker, I think that the minister needs to again tell the Assembly and tell the people of Saskatchewan, where is he getting all the pressure to present this Bill? Where is he getting all his information that this is a problem? And above all else, how's he going to explain to the people the value of this particular Bill? Is it monetary in nature? Is it process in nature? Or is it justice overall? And that's some of the questions that we have in this opposition, Mr. Speaker, is we want to know what intent does this minister have in relation to this particular Bill? And I would suggest that he himself, while he may not want to admit it, that he himself may in the long run be competing against his own Bill because it certainly compromises a lot in the justice system when it comes to defendants' rights and certainly allowing the due process of law to proceed.

So, Mr. Speaker, again as we indicated at the outset in relation to the elections Act, that this minister's actions on that Bill is going to get great scrutiny by this opposition because that Bill will live in infamy attached to this particular minister. And when he has Bills of this sort that begin to compromise the court system to a point where innocent people are being prosecuted and the guilty are allowing to be freed, then, Mr. Speaker, that's another discredit to his particular file, and certainly history will prove it. In the future, we'll certainly see where this goes.

So again, Mr. Speaker, as a member of the official opposition, on these whole Bill No. 3, *An Act to amend the Summary Offences Procedure Act, 1990*, I want to adjourn the debate on this Bill.

The Speaker: — The question before the Assembly . . . okay, no. The member for Athabasca has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

Bill No. 4 — *The Pension Benefits Amendment Act, 2011*

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Mr. Speaker, I rise today to move second reading of Bill No. 4, *The Pension Benefits Amendment Act, 2011*.

Mr. Speaker, the key purpose of this legislation is to provide the

Government of Saskatchewan with the legal authority to enter into a new national agreement with respect to multi-jurisdictional pension plans. Pension plans are for many working people a primary source of retirement savings. They are a key ingredient to an enjoyable and secure standard of living later in life. Therefore it is critical for governments to be effectively involved in the regulation and support of pension plans. This Bill will allow our government to fulfill this role, Mr. Speaker.

Multi-jurisdictional pensions plans are plans that are registered or based in one province but include members from other provinces. Therefore these plans often fall within one . . . with more than one regulatory authority. In the absence of an intergovernmental agreement, multi-jurisdictional plans need to register in each jurisdiction in which they have members, which is a significant regulatory and administrative burden for these plans.

Mr. Speaker, these plans are an increasingly common retirement savings tool. According to Statistics Canada, as of January 1st, 2010, there were approximately 3,000 multi-jurisdictional plans in Canada covering approximately 2.5 million members. This encompasses 20 per cent of all pension plans and 41 per cent of all pension plan members. In Saskatchewan alone, over 50,000 people are members of these plans.

The current regulatory framework for multi-jurisdictional plans is based on a 1968 agreement among the provinces. There are also similar bilateral agreements between most provinces and federal government.

The 1968 agreement allows the supervisory authority of one jurisdiction to register a multi-jurisdictional plan and exercise powers on behalf of another jurisdiction. The effect is that multi-jurisdictional plans continue to be subject to all the laws of each jurisdiction in which they have plan members, while being registered in only one jurisdiction. However divergence in pension laws across Canada makes it impractical and often impossible to simultaneously apply the rules of several jurisdiction to matters affecting a plan as a whole.

Over time a regulatory practice developed whereby the rules of the jurisdiction of registration are applied to matters that affect the plan as a whole, while the rules of the jurisdiction where a member is or was employed are applied to benefit entitlements. Aspects of this arrangement have been challenged in court, and these cases have demonstrated that the 1968 agreement does not provide clear legal authority for the current regulatory practice. Therefore a new framework is required to provide a sound legal basis for the regulation of multi-jurisdictional plans.

These amendments will provide this government with the legal authority to enter into a new national agreement that will modernize the regulation of multi-jurisdictional pension plans. Specifically the agreement will better allow Saskatchewan to deal with pension plans that are based out of province but include employees working in Saskatchewan. Once entered into, the new agreement will establish rules for the determination and change of the jurisdiction of a plan's registration. In addition the agreement will formally establish division between plan matters and entitlement matters and

provide clear rules for the allocation of assets between jurisdiction in the event that a plan winds up or splits. The agreement will also anticipate potential legislative amendments that would permit jurisdictions to introduce additional funding requirements in order to protect member benefits.

Mr. Speaker, Saskatchewan officials were actively involved in the consultation process in the design of the agreement. Saskatchewan is a member of the Canadian Association of Pension Supervisory Authorities, also known as CAPSA, which undertook extensive public consultation on the agreement. CAPSA received feedback from consultation sessions with over 300 stakeholders across Canada, as well as from 70 written stakeholder submissions. A total of 55 Saskatchewan organizations were provided with information on the agreement in this consultation process.

Key stakeholders in the consultation include sponsors and administrators of multi-jurisdictional plan, labour unions, representatives of the pension industry and retiree association, professional associations, and trade media. During the public consultation, stakeholders indicated their strong support for the adoption of the agreement and suggested changes that have been incorporated.

Mr. Speaker, all provinces as well as the federal government intend to sign the agreement. Alberta, Ontario, Quebec, and New Brunswick have already passed legislative amendments to allow their respective governments to enter into the agreement, and all other jurisdictions have indicated they anticipate having similar amendments passed by the end of 2012.

[15:15]

This Bill also introduces two housekeeping amendments, Mr. Speaker. First, it will allow for the establishment of terms and conditions that will apply to plans or employees that are exempted from the application of the Act. Secondly, it will allow for the appointment of a deputy superintendent of pensions.

Mr. Speaker, I am pleased to move second reading of Bill No. 4, *The Pension Benefits Amendment Act, 2011*.

The Speaker: — The question before the Assembly is a motion by the Minister of Justice and Attorney General that Bill No. 3, the summary . . . no, the pension one I believe, Bill No. 4, *The Pension Benefits Amendment Act* be now read a second time. Is the Assembly ready for the question?

I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. Again I am pleased to stand today and respond on the behalf of the official opposition in reference to Bill No. 4, which is *An Act to amend The Pensions Benefit Act, 1992*, in which the minister is suggesting that a multi-jurisdictional process be undertaken so that we can all sit down as one big, happy family in Canada to ensure that when we have overlapping pensions and people live in different provinces and so on and so forth, that we may have some kind of a discussion and certainly some kind of a strategy to go forward to deal with some of the issues.

And the minister at the outset certainly indicated that he had consulted with 55 groups that certainly maybe gave him some advice. We wouldn't mind having a copy of that consultation and that report in relation to some of the points that they raised. And the reason why we need that report, Mr. Speaker, is it gives us a good perspective of some of the logic that he suggests that these groups would support a multi-jurisdictional process. And so some of that information would be very, very valuable to us as an opposition member, and I would ask the minister if he would forward a copy of those comments and that consultation discussion paper that he alluded to in his opening comments in relation to this particular Bill.

Now, Mr. Speaker, I certainly would like to know, why is this Bill being proposed now? A multi-jurisdictional Bill dealing with *The Pension Benefits Act*, like what is the challenges attached to it? What is the benefits? Which groups are supportive of it? Which groups have caution about it? Which groups are really pushing forward and supporting it? These are some of the questions that are really, really important for us as an opposition and the people of Saskatchewan to certainly have access to.

And as I pointed out amongst some of the other Bills that the minister has proposed, that the people have to know what exactly is the intent behind the Bill. And while again at the outset, like some of the similar other Bills, we want to look at a plan to bring the multi jurisdictions together to talk about a common theme of *The Pension Benefits Act*, then there is 10,000 more questions that we have, and other groups may have, as to what the intent of this particular Bill is.

And that's why, Mr. Speaker, some of those notes are important to us. I would imagine that the notes that the minister has as a result of his consultation with 55 groups, there must be a variance between what different people are saying. He mentioned the pension plan administrators. He mentioned the union sector. You know, that was some of the mention of a few groups that he had the so-called consultations with.

Now how rigorous were these processes put in place to consult with these groups? Did they do a vote by consensus as to whether some of the proposals and this multi-jurisdictional plan is when it comes to pension benefits? And these are some of the questions that, you know, that we certainly have. So I think whether it's pension plans or whether it's circumventing what I think is the fair justice system, that there's all these questions that we have as an opposition. And we need to know.

So, Mr. Speaker, I would suggest that the opposition is certainly open to any of the groups that that minister may have consulted with. And if they have advice or information or direction that they would like to see, or they would like to certainly expose a weakness in this particular Bill, we would invite them to forward that information to the opposition so that we may in turn not only educate ourselves as to what the challenges may be, but to alert the public as well. And that's what's really important on all these Bills, Mr. Speaker, is that we have good consultation with the groups, but more so that the public knows exactly what is being planned with this particular government on a wide variety of topics, and in this case the pension plan Act, Mr. Speaker, *The Pension Benefits Act*.

Mr. Speaker, the multi-jurisdictional strategy that the minister has in terms of trying to appoint an arbitrator, if you will, or a referee that would look at all the different jurisdictions, look at the different risks, again when you don't know what the risks are with some of these Acts and some of these Bills are, what they may be, then a lot of questions certainly out there by the people of Saskatchewan. So they need to know what are the values of the multi-jurisdictional agreements we have when it comes to pension benefits? What are the challenges? Who are the players? Is there a jurisdiction that has greater autonomy or power over another jurisdiction? Is there a certain sector of employee that may have greater transferability in some of their pension plans from one jurisdiction to another? Like these are some of the questions that we have as an opposition, and I'm sure many other people have as well.

So it's nice to be able to in general share the vision of what is being planned with this particular Bill. But the questions and the advice and the notes and the information that that minister has, if he shares it with the rest of the people and the people of Saskatchewan, it gives us the same vantage point that he may have to do two things: to either agree with his assessment or, better yet, to challenge his assessment and to expose the weakness that he may have when he puts forward Bills of this sort that really compromises a number of people that may be impacted by the amendments to this pension benefits Act and as it relates to the multi-jurisdictional perspective. So Mr. Speaker, I would certainly ask the minister for that information, ask him for all the detail that is necessary.

And I'd also publicly ask the groups out there that are impacted — the benefit plans administrators that he may have spoken with, the union sector — what's their position? As we all know, there's a number of pension plans out there, and they have had some great, intelligent people that have spearheaded some of their organization, PEPP being one of them. Like what is PEPP's position on this particular Bill? Is it complementary of the Bill? Other union pension plans, is it complementary? The national unions that may work in, live in Saskatchewan, are they complementary to this Bill? These are some of the questions that we have to ask, Mr. Speaker, and none of that information is in the two pages of explanatory notes that the minister presented to the opposition.

And that's why we are glad to have this process in place where we have several months to ask the different stakeholders out there for their advice, for their guidance, for their input on Bills of this sort because you never know if these Bills have not been thoroughly thought of or thought through, and what the intended consequences may be of that government on these people impacted with their pension plan to *The Pension Benefits Act*.

There's all these questions that are out there, Mr. Speaker. There's no way that we in any way, shape, or form as an opposition should take the face value comments of the minister that that's what his intent is because we have to make sure that all the t's have been crossed and the i's dotted in terms of protecting our Saskatchewan people. And as innocuous as it may seem of somebody putting an administrator in place to look at the multi-jurisdictional coordination of all the pension plans throughout Saskatchewan, it doesn't seem to be something that we should be worried about.

But again I go back to the point of making sure that we hold this minister to account on some of the Bills he's bringing forward because on many, many occasions we have seen the effects of some of the Bills that he's proposing was not what he proposed and intended in the Assembly. And that's something that we ought to keep in the back of our minds on all occasions.

Now, Mr. Speaker, I point out that *The Pension Benefits Act, 1992*, that there's other things that he wants to do. As I mentioned he wants to look at a superintendent, somebody that could look at . . . a deputy superintendent, somebody that could possibly give us better and more advice. Would that person be available to the Assembly to ask questions during committee?

The other thing too is in terms of registration and examination of pension plans, enforcement of specified laws affecting these plans. These are some of the terminology and the language that the minister uses in terms of the Bill itself. And we need to know, we need to know a lot more detail.

Now, Mr. Speaker, I point out under subsection 10.1(3) which allows an agreement to address the following matters in regards to MJPs [multi-jurisdictional plan], and that of course is multi-jurisdictional pensions, now here's what some of the points that the minister raised under his explanation notes — again to the following matters will be looked at under the MJPs:

a mechanism to determine which jurisdiction has the authority to regulate a MJP [Does that hurt Saskatchewan? I don't know.];

providing that all of, or a portion of, Saskatchewan's Act and regulations do not apply to the MJP in certain circumstances [Well that's a big question there as well.];

providing that a requirement of Saskatchewan's Act or a regulation is deemed to be satisfied if a corresponding requirement of the principle regulatory jurisdiction is satisfied [Again many more questions from these statements, Mr. Speaker.];

plan . . . [number] and/or former members who have service in more than one jurisdiction;

employer contributions [Big question mark on that one, Mr. Speaker.];

the allocation of assets of the plan between jurisdictions [Like what does that mean? Like how is that going to impact Saskatchewan in general?];

the administration and enforcement of Saskatchewan pension laws or the pension laws of another jurisdiction.

And I look at the Ontario example where they have powerful pension plans. Are they in a position to dominate Saskatchewan's perspective? We don't know that, and we need to have that information, Mr. Speaker.

And the list kind of goes on in terms of some of the other points that the minister has raised: "the delegation of supervisory and/or regulatory powers between participating jurisdictions." Like these are huge decisions that are going to be made under

the MJP process that the minister alluded to when he comes to this particular Bill, and we need to know those questions.

We have a lot more questions than answers on this particular Bill, Mr. Speaker. And that's why it gives me great pleasure on behalf of the official opposition to adjourn the debate on Bill No. 4, *An Act to amend The Pension Benefits Act, 1992*.

The Speaker: — The member for Athabasca has moved adjournment of debate on Bill No. 4, *The Pension Benefits Amendment Act*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 5 — *The Credit Union Amendment Act, 2011*

The Speaker: — I recognize the Minister of Justice and Attorney General.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of *The Credit Union Amendment Act, 2011*.

The Credit Union Amendment Act, 2011 will facilitate SaskCentral's plan to continue under the federal *Co-operative Credit Associations Act* Canada in 2012. As well it will allow SaskCentral to implement a request from the Credit Union Deposit Guarantee Corporation to update the qualifications for its board of directors. SaskCentral's continuous continuance initiative has been under way for a number of years and resulted in an amendment to *The Credit Union Act, 1997* and 2009.

That amendment enabled an entity other than the Credit Union Central of Saskatchewan, which was established by a Saskatchewan private Act to fulfill the role of Credit Union Central for Saskatchewan. Since 2009, SaskCentral's continuance plans have evolved and so have their request for legislative amendments. This Bill reflects this evolution.

Continuance under the federal legislation will give SaskCentral the flexibility to grow and to provide central services in other provinces and to federal credit unions. This will help SaskCentral remain competitive in Canada's ever-changing financial sector.

Saskatchewan has a history of strong leadership within the credit union system. SaskCentral wishes to continue this leadership by moving to provide services nationally while maintaining its excellent service to Saskatchewan credit unions. This Bill contains a number of amendments that facilitate those plans while ensuring the needs of Saskatchewan's credit union systems are met now and in the future.

Currently SaskCentral is governed by a private statute, *The Credit Union Central of Saskatchewan Act, 1999*. SaskCentral is accountable to the government through this private Act which requires it to provide the government with access to its books. Ultimately the legislature may amend the Act if the need arises. Following its continuance, SaskCentral will no longer be governed by the private Act, and therefore the government

needs to create new methods to ensure that the government stays informed of SaskCentral's financial status and its ability to provide key services to Saskatchewan's credit union system.

Mr. Speaker, I will now move on to the amendment requested by the Credit Union Deposit Guarantee Corporation. In 2009 the Act was amended at the request of SaskCentral to update the qualification for directors and incorporators of credit unions. Following proclamation of these amendments earlier this year, the Credit Union Deposit Guarantee Corporation determined that many of the new qualifications for credit union board members and directors should also apply to members of its own board. As a result, this Bill will grant that request.

[15:30]

This Bill is indicative of the strong relationship between the credit union system and the government. It maintains balance between the flexibility needed for SaskCentral to grow and the government's ability to oversee this vital sector of Saskatchewan's economy.

Mr. Speaker, during several of the preceding second reading Bill motions that I have made, the member opposite has expressed concern about the ability of the government to have done consultation on it. What I would like to do is urge the members to allow these Bills all to proceed to committee where you'll have full access to the government officials that worked on it, prepared the Bills, and will be able to ask questions in a meaningful manner and be able to satisfy his questions that appropriate consultations were conducted, and that we are acting in the best interests of the province.

I take strong exceptions to some of the statements that the member opposite made and would like certainly to have these Bills all proceed to committee at the earliest possible matter so that we are able to deal with them in a professional and competent manner.

Thank you, Mr. Speaker. I am pleased to move second reading of this Bill No. 5, *The Credit Union Amendment Act, 2011*.

The Speaker: — The question before the Assembly is a motion by the Minister of Justice that Bill No. 5, *The Credit Union Amendment Act, 2011* be now read a second time. Is it the pleasure of the Assembly to adopt the motion? I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. And I would certainly hope, Mr. Speaker, at the outset of the minister's comments where he spoke highly of the Credit Union Central in terms of its role in Saskatchewan, and there's no question that not only has the credit union movement has been instrumental in making Saskatchewan a greater province, that they probably have been the single financial institution that has made a significant, a significant stride in going where no other banks have gone before.

So I think that certainly from my perspective as an opposition, whenever you start talking about the Credit Union Central of Saskatchewan, that we want to make sure that we watch very carefully what is being proposed here by this government and certainly by this minister.

And I'll point out, Mr. Speaker, fair is fair. There's no question that when the minister alluded to us having to go to committee so he can have the people ask some questions and certainly going from there, what the public I think certainly knows right now and what we know as an opposition is you've got to have time to be able to digest the information that is being presented by this minister in terms of the number of Bills that he's proposed.

Now what is wrong with taking the time to really understand some of the Bills? What is wrong with consulting with groups? What is wrong with having access to all the information that that minister may have on a number of Bills? Nothing wrong with that. And what those things need, Mr. Speaker, the prerequisite to making a good informed and solid decision for the people of Saskatchewan, is having access to information and having the time to digest that information so the other groups and other organizations and the official opposition have the tools necessary to completely understand what that minister is proposing on any of these Bills, including the Credit Union Central of Saskatchewan Act, 1999.

So the offer by the minister to allow the Bill to proceed to committee, Mr. Speaker, that in itself is haste. And as we mentioned, when you're trying to get through things too quickly, mistakes are being made, advice is not being understood, and certainly opinions are not being heard. And that's one of the points that I think, the reason why the opposition is insisting on having the time necessary to understand all these Bills. We've got to take as much time as possible to afford as much insight on these Bills as possible, and that is the better justice that we in the opposition want to propose on this Bill and all the other Bills being proposed by that minister. And that, I think, Mr. Speaker, is the better process. It's the better system.

And that's how the Legislative Assembly works. You have Bills being proposed by the government, by various ministers. The opposition adjourns the debates on these Bills because we want to make sure we have the time needed, the time necessary to go through a number of organizations, a number of people, a number of impacted shareholders that can give us the advice as to whether these Bills are good or not. And while the minister made the offer of going directly to committee, I'm going to decline the offer because that's contrary to fairness, and contrary to consultation of these Bills to the people of Saskatchewan.

It's like anything else, Mr. Speaker. On this particular Bill, I am pleased that *The Credit Union Amendment Act* is being looked at to reflect what the credit union may like. And you look at the qualifications of the board of directors for their deposit insurance corporation should be the same as their board of directors. Well I'm assuming that they know, the Credit Union Central know what they're doing. And all the other board of directors of all the credit unions, I'm pretty sure that they have a fair idea and a fair grasp of what is stalling them, what is hurting them, and what they need to do to improve their credibility which is absolutely fantastic out there, Mr. Speaker.

So I would point out that advice from the Credit Union Central is very well, well-made on many, many fronts, and I don't see them digressing or certainly moving away from that particular

standard when it comes to advice to this government about their future. So certainly from the Credit Union Central perspective, their advice is well, well heard and certainly respected by the official opposition.

Now, Mr. Speaker, I go back to some of the amendments and some of the provisions in this Bill. And the opposition will not stand in the way. What we want to do is we want to make sure we have the system follow through, follow through with what is being intended here to make sure that this is what exactly today they need, and to respect the legislative schedule where we're allowed to take the time to understand this Bill thoroughly. Like obviously when you have the board of directors, the qualifications of the board of directors being brought into this particular Bill, good to know that stuff but we need to find out where that's coming from. We also need to know what are the impacts and the benefits of this particular Bill.

And sometimes the Credit Union Central organization, they could certainly come along, the credit union movement, and explain some of the positive impacts of this Bill. Because as an opposition, if we're well informed as to what the intent of their Bill is, and this is a Bill that they like and they want and they feel that this is necessary for their movement to continue building and getting stronger, well so be it. There's no question that we would support that. But we need to have that audience. We need to have that information. We need to be told why this is good. We need to be given the opportunity to ask questions of this particular Bill. And sometimes the people that we're intending to help, to build them and make them stronger, we just simply have to know what their intentions are to make sure that what they seek is what the government is proposing.

And that's how the system works. And the legislative agenda is very clear that you have a government that proposes things, an opposition that holds them to account and opposes things they do unless and until they have the collaboration of a particular middle party, that they have informed both sides that this is a great deal. And, Mr. Speaker, if it is a great deal, as the minister alluded to, and that's what the credit union, the system wants to help build them better and stronger, then why would we as an opposition stand in their way? And all we ask in terms of the collaboration and the support that we would afford this particular Bill is the better the information, the presentation, an opportunity to ask questions, and the list goes on as to why we need to do this to fulfill our obligations as the official opposition for this government. So, Mr. Speaker, without any further notice I just want to point out that as official opposition, we've looked at the Bill. We plan on getting advice on the Bill. We'll continue researching the Bill as best we can. We would ask for people to give us their advice on the Bill.

So along that vein of thought, Mr. Speaker, I move that we adjourn the debate on this Bill. Thanks.

The Speaker: — The member for Athabasca has moved adjournment of debate on Bill No. 5, *The Credit Union Amendment Act*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 9 — *The Saskatchewan Gaming Corporation Amendment Act, 2011*

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

Hon. Mr. Hutchinson: — Thank you, Mr. Speaker. Today I rise to speak about *The Saskatchewan Gaming Corporation Amendment Act* of 2011.

The Community Initiatives Fund was created to ensure that Saskatchewan communities receive tangible benefits from casino profits. The fund receives a portion of profits from the Regina and Moose Jaw casinos. The mission of the CIF [Community Initiatives Fund] is to make knowledgeable and effective investments in community-based initiatives throughout Saskatchewan that strengthen the capacity of communities.

Now the current program streams offered by the Community Initiatives Fund are: one, community grants for human development; two, youth leadership and Aboriginal inclusion, including the urban Aboriginal community grant program; three, physical activity, including Saskatchewan In Motion; four, problem gambling and mitigation payment; and five, community vitality program which include small capital investments and milestone community celebrations.

The fund is managed by an arm's-length, government-appointed board whose members all have extensive experience as community volunteers. The legislative amendments to part IV of this Act are intended to improve the efficient operation of the Community Initiatives Fund.

Certain governance items in the amendment include: terms of appointment for the board of trustees, the establishment of quorum, the designation of Chair and Vice-Chair, remuneration and reimbursement of expenses, the ability to engage technical expertise, and the provision of appropriate pension and benefits for employees.

In addition to those matters of governance, the legislative amendments to part IV of the Act address four main issues. First, the board of trustees currently has full authority to manage and operate the fund, but the legislation is silent on the ability to hire the employees necessary to manage this substantial fund. These legislative amendments will provide the CIF board of trustees the ability to hire employees and put in place the capacity they need to manage this fund.

Second, we are clarifying the need for liability protection within the Act. The board of trustees and any future employees require liability protection from legal actions for good faith decisions carried out when managing the fund. Legislative immunity from liability can protect the board of trustees and any future employees and the Crown from baseless lawsuits.

Currently liability protection for the board is extended to the fund through an indemnity letter provided by government. There is a risk that the indemnity letter will not provide the same level of protection that would exist within a legislative provision.

Third, as minister I have stewardship and oversight responsibility over the Community Initiatives Fund; however, the reporting relationship with the fund is only supported by an MOU [memorandum of understanding] that is not legally binding. These legislative amendments will provide the minister with clear authority to establish reporting, performance, and management expectations.

Fourth, the amendment will update and modernize the wording of the granting provision. The modernized wording will ensure the board members are able to fulfill their mandate to ensure that Saskatchewan communities receive tangible benefits from casino profits.

These amendments clarify government's accountability for the fund and provide the board of trustees with the ability to manage the fund more effectively. The ministry has consulted with the Community Initiatives Fund board of trustees regarding the proposed changes to the Act, and they are pleased to support the recommended changes.

With that, Mr. Speaker, I am pleased to move second reading of *The Saskatchewan Gaming Corporation Amendment Act, 2011*. Thank you, Mr. Speaker.

The Deputy Speaker: — The minister has moved second reading of *The Saskatchewan Gaming Corporation Amendment Act, 2011*. Is the Assembly ready for the question? I recognize the member from Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. I'm again pleased on behalf of the official opposition to give the Assembly our perspective as the official opposition on Bill No. 9, *An Act to amend The Saskatchewan Gaming Corporation Act*.

Mr. Speaker, at the outset there's two areas that we're quite seriously concerned about. When you look at the Bill itself, we notice how the minister has positioned himself to do a couple of things: save himself and his government from lawsuits because obviously one of the items that he's identified here is the fact that . . . And I need to make sure I get the right information here, Mr. Speaker. But in terms of the liability and it's section 28.6, Mr. Speaker, and it says here:

“Liability in tort

28.6 The board of trustees may:

- (a) sue with respect to any tort; and
- (b) be sued with respect to any liability in tort.

Now, Mr. Speaker, he mentioned in his comments at the outset that through their association with this government that they were protected by that means and that this new agreement here would have the board of trustees, themselves, be able to sue or be sued. Now is that, that is a huge change in this particular agreement, Mr. Speaker. I'm not too worried about the appointment of the board of directors because they'll do, they'll appoint who they want. But are they really setting up this particular board to become involved with lawsuits from them, or to them, with having the government wash their hands of that particular problem?

[15:45]

And I would suggest that, Mr. Speaker, the whole notion of . . . You know, the process that the minister has spoke about, you've got to be careful that you don't leave some of your partners high and dry. Because are they going to afford these particular, this particular board with a lot of legal advice? Are they going to afford them a legal team? And, Mr. Speaker, when you start seeing some of these problems being transferred to a board of directors, you become more and more concerned with what this particular minister is trying to propose. So that's one of the flags that I certainly see from the initial view of this particular Bill.

We need to find out, is that par for the course with some of the other organizations throughout Canada? Do other jurisdictions do this as well? Do they say, okay, we're going to appoint you as a board, but guess what? You guys sue or get sued; that's your responsibility. Don't bother us. We're government; you're separate from us and so on and so forth. And I don't know if that's the case, Mr. Speaker. We need to find out those particular points and that's one of the reasons why other jurisdictions and how they do their particular work in this particular agreement, if it's similar, if there's some changes, or there's some radical points of interest that they want brought forward. That's some of the things that this opposition wants to try and look at for now, Mr. Speaker.

The other thing is that we look at superannuation, that:

The board of trustees may establish and support any or all of the benefits of the employees and dependants of the employees:

- a superannuation plan;
- a group insurance plan;
- a pension plan, superannuation or employee benefit program.

Like were those processes in place before? Were these employees considered Government of Saskatchewan employees that were working for the Saskatchewan Gaming Corporation? And now they're being transferred. What impact does that have on the actual relationship with the government?

So we look at all the processes with this particular minister's plans. You begin to say, the transition, what is that about? Are these new employees? Obviously people that worked for the Saskatchewan Gaming Corporation for a number of years, were they considered government employees or were they considered Saskatchewan Gaming Corporation, Saskatchewan Gaming employees? And that's the question. The impacts on the superannuation benefits, their pension benefits, the health benefits, who pays for that? Is that coming out of the gaming revenue? Or is it coming out of the Saskatchewan government's revenues?

So we need to get that information, Mr. Speaker. And that's one of the things I think that people out there would have a lot of interest in. And how many employees are we talking about? Is it five employees? Is it 10 employees? The Bill itself talks about the right of the Saskatchewan Gaming Corporation to hire employees. Now is there a limit to the amount of employees? Can they hire as many as they want as they deem fit as a board? Is it going to be less or more from the government direction as to the current complement of employees? If they let go of all

their employees and contract all the services out, is that considered a government action or a Saskatchewan Gaming Corporation action?

These are some of the questions that we want to know as the official opposition because there is so many questions to this particular Bill, questions that we know we're going to have a tough time finding answers of over the next couple of weeks, never mind the next couple of months. So again, the invite to groups out there that may have information on this particular Bill, that we need to find that information beforehand and we have the two or three months necessary at this time to get that information and certainly incorporate it in our position as the official opposition.

Now, Mr. Speaker, when we talk about the board being able to be sued or to sue, we talked about the employees of this particular corporation Act and all the benefits that they might have. And now we also need to talk about the payment for the board. And I point out that I think the payment for the board is going to be similar to that as defined by the Public Service Commission. Now I'm assuming that goes for not just the board of directors, but the employees as well. So the question that people ask out there, well what are board members being paid to be on the Saskatchewan Gaming Corporation? Is there . . . There's obviously per diem. There's also room and travel and so on and so forth. But is there a per diem that is being afforded to these individuals when they do have their meetings? And how often do they meet and where do they meet and so on and so forth? So these are the questions that we have to ask in relation to the board of directors in terms of how they're being paid. And we need to know where they're from and how many board you're looking at.

And has there been any board position that this minister has guaranteed to any particular person or organization at this time? Has there been a deal made beforehand saying once this Act is in place, then you from the Métis nation will be the rep there. We will let you appoint so and so on there. Has that deal been made? Because obviously there is some Métis funding that is being put in place to the gaming corporation. Now, Mr. Speaker, I ask that question because there are many people asking me that same question, and we certainly need to know.

The other thing that's important, Mr. Speaker, is in terms of the financial statement:

. . . the board of trustees shall, in accordance with *The Tabling of Documents Act, 1991*, prepare and submit to the minister:

- (a) a report, including the report of the auditor, on the activities of the fund for the preceding fiscal year; and
- (b) a financial statement setting out the revenues and expenditures of the fund for the preceding fiscal year, in the form required by Treasury Board.

And finally:

- (2) In accordance with *The Tabling of Documents Act, 1991*, the minister shall lay before the Legislative Assembly each report and financial statement that the

minister receives pursuant to subsection (1).

Mr. Speaker, I'm assuming that under the financial statement, the minister said he never really had the authority to request that. Now with this Act, that authority is clearly granted to him, as he indicated in his opening statements. Now the question that people of Saskatchewan had beforehand: didn't he have that authority before? What were the problems with that process? And what were some of the challenges that he faced or their government faced in relation to that financial accountability and transparency ethic that they may have had with this particular board? Was there some problems there?

And that's kind of the situation that we're looking at as an official opposition is we have a great interest in what this particular minister proposes. We have a great interest in what this particular file will certainly bring to people of Saskatchewan. And we have an even greater interest in ensuring that this minister doesn't do things through this gaming agreement that has a rich history and has helped many organizations, that simply empower him and disempower the process and certainly take away from the funds itself, money that may be used for salary when that salary was paid elsewhere, money that's supposed to be used for the fund when the money is now being paid for benefits for the employees, benefits for all the consultants that they may hire. Like where is all that additional money coming from? Is there a transfer from the government's responsibility, the Saskatchewan Gaming Corporation, to this particular board?

And I would assume, Mr. Speaker, that that's the case because that's exactly how this particular minister likes to operate. He likes to transfer responsibility — whether it's a legal responsibility, whether it's a financial responsibility — to another organization. And then if there's firings or there's problems, oh you can sue them. Don't bother trying to look at us as the government. And that's very typical of this minister and that government, Mr. Speaker.

So we simply don't trust some of the opening comments of that particular Bill. We don't want to see any kind of trust afforded to that particular Bill. We don't want to take any assumptions of goodwill from that Bill.

So it's got a lot of questions, Mr. Speaker. And that's why when there's any kind of credibility issue attached to that Bill, we want to make sure we give it as much a thorough look as possible. So, Mr. Speaker, in relation to Bill No. 9, *An Act to amend The Saskatchewan Gaming Corporation Act*, I, as the member of the official opposition, I move that we adjourn debate on this Bill.

The Speaker: — The member for Athabasca has moved adjournment of debate on Bill No. 9, *The Saskatchewan Gaming Corporation Amendment Act*.

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

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 10 — *The Parks Amendment Act, 2011*

The Speaker: — I recognize the Minister of Tourism, Parks, Culture and Sport.

Hon. Mr. Hutchinson: — Thank you, Mr. Speaker. Today I rise to speak about *The Parks Amendment Act, 2011*. Over the past four years our parks have experienced record growth in visitation numbers. This increase makes it even more important that we give our parks officials and enforcement staff improved definitions governing private development and enforced enhancement procedures to ensure that all park visitors enjoy a high-quality experience.

The Parks Act is to be amended in three areas. First, the amendment clarifies that invested capital, in reference to dispositions in parks, means invested private capital, not government investment. It further clarifies that development of a property on a recreational lease, i.e., a cottage, is not subject to the regulations on private capital investment.

Second, *The Parks Act* amendment will allow park enforcement officers better ability to deal with individuals who contravene specific regulations where, under current legislation, enforcement has been difficult. This includes amendments to allow the powers of eviction of park officers to be prescribed in regulation. The term of eviction is also being increased from 48 hours to 72 hours in order to apply to the full duration of a long weekend.

Currently *The Summary Offence Procedures Regulations, 1991* indicate several offences under *The Parks Act* and regulations when an officer may withdraw the specified penalty sum option and require the defendant to appear in court. When this occurs, *The Parks Act* currently specifies a judge can fine a person found guilty up to a maximum fine of \$1,000 and require the offender to pay restitution. This amendment with regards to restitution defines property to include built facilities, natural and cultural resources within a park. The amendment will assist a judge in deciding what items should be included when determining the value of restitution for any damage done by a person found guilty of contravening park regulations. This maximum fine for summary conviction at the current level of \$1,000 was established in 1986. Twenty-five years later, there is a need to increase this fine to maintain its significance as a deterrent to those who would knowingly contravene park regulations.

In the past, we have witnessed major impacts to park land such as bulldozing trails or major park encroachments without proper approvals. In looking at other western provincial jurisdictions, we see that both Alberta's and British Columbia's park legislation have much higher fines for individuals, up to \$100,000 and \$1 million respectively, and are up to one year imprisonment. Manitoba's park legislation identifies a fine of up to \$10,000 and/or up to six months imprisonment. To be closer aligned with other legislations and provide a greater deterrent, the maximum fine amount is being increased from 1,000 to \$50,000.

Third are amendments to legal descriptions, including corrections to plan numbers, confirmation that highway rights-of-way are excluded from parks descriptions, and

correction of errors in legal descriptions.

Amendments to legal descriptions include a change to the boundary of Moose Mountain Provincial Park, resulting in the withdrawal of 6.35 hectares — that's 15.7 acres — of land to facilitate the sale of this land to the village of Kenosee Lake. It should be noted that the land being de-regulated from Moose Mountain Provincial Park has been impacted by a previous commercial development which no longer exists, is separated from the rest of the park by highway or village development on all sides, and is deemed not to hold any intrinsic value for the park. The village of Kenosee Lake first inquired about purchasing this land as early as 1999.

To conclude, I am pleased to move second reading of *The Parks Amendment Act, 2011*. Thank you, Mr. Speaker.

The Speaker: — The Minister Responsible for Tourism, Parks, Culture and Sport has moved second reading of Bill No. 10, *The Parks Amendment Act, 2011*. Is it the pleasure of the Assembly . . . I recognize the member for Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. Again on Bill No. 10, we want to make sure that the people of Saskatchewan know exactly what this particular minister is proposing. And right at the outset, Mr. Speaker, the word privatization of our parks stands out like a big neon sign, Mr. Speaker. I think people have to begin to watch very carefully what this minister and this government does in relation to our provincial parks.

Now, Mr. Speaker, the amendments on this particular Act to amend *The Parks Act*, anything that these, any time that these folks have something planned for our parks, that people of Saskatchewan ought to be very, very careful and ought to very thoroughly read what some of the Acts and some of the plans that this particular minister may have for our parks, Mr. Speaker.

Now they talk about the other simple things, which I think are always things to direct attention away from what they want to do such as removing old rusted vehicles or old boats and all that, they have that as part of the Act, Mr. Speaker.

[16:00]

But what they do at the outset is they simply talk about the authority and the ability to bring people in that, and I quote from the Bill:

The amendment clarifies that only invested capital from private sources would be considered with respect to the \$250,000 limit that would initiate the requirement for Lieutenant Governor in Council approval.

The intent has been that this section refers to commercial and institutional leases and not for individual cottage lease development. The amendment confirms this intent.

Now, Mr. Speaker, we know we have development in our provincial park system. We know that there's a lot of people live in these parks year-round, and many of them certainly live there seasonally. There's nothing wrong with that, Mr. Speaker,

as they do add to the protection of the parks and they do certainly participate in many of the decisions that affect the park in general. And they, to me certainly from my point of view, that they act as stewards of the park in many, many ways. And there's nothing wrong with that at the outset, Mr. Speaker.

But we have to begin to know what the plan is of this particular government when they start looking at doing some of these things. And that's why at the outset, the privatization of our provincial park system is something that leaps out from these particular pages and when you talk about any of the aspects of this particular Bill.

Now, Mr. Speaker, certainly they threw in the enforcement on officers being able to remove vehicles that are "unlawfully placed, left or kept on any road, trail, street, lane, parking place or other area" within the park, to impound these vehicles and to remove them. They talk about any water vessel that may be rusted or abandoned. They talk about the "impounding and disposal of animals running at large." They talk about the regulating and controlling the mooring and docking, regulating the use of explosives within park lands.

These are all some of the different issues that they throw in with the Bill, all the while taking away from the single-most prominent line in this particular Bill, which we certainly looked at, and that is that "... only invested capital from private sources would be considered with respect to the \$250,000 limit that would initiate the requirement for Lieutenant Governor in Council approval."

So, Mr. Speaker, again as I mentioned at the outset, looking at this particular Bill, and this is a Bill that really warrants a lot of attention from many of the groups out there that look at the park system as their own. They look at the magnificent beauty of all our parks throughout the province and through the country, for that point.

But certainly from the Saskatchewan perspective, they begin to wonder how many more of these developments that this government wants to propose can the sustainability of the lands within those parks really handle? And that's the big question that we have. Has there been any studies to determine that? Because obviously as you begin to allow some of the private sector money to flow into some of these parks, it becomes less and less of a government/environmental perspective and more so of a for-sale prospective, Mr. Speaker. So you have to really make sure that you assess these applications and this whole process very, very closely, and that you ask for advice from those people impacted.

Now I know a lot of cabin owners and people that have, as I mentioned at the outset, that have had the opportunity to build their own homes, and they really take pride in the park. And they look after the park very well, and they add to the park protection in general. Now we're starting to see a lot more activity and a lot more commercialization of some of our parks. Does that have a negative, drastic effect overall? We don't have those questions, Mr. Speaker, and I don't believe the government has them as well. So we need to ask some of the cottage owners' associations, some of the people involved with the maintenance of the park, the staff as an example. We need to ask the people that lease land within the park as opposed to

owning land, and we need to ask them all these questions that are being proposed by this particular Bill.

And we're not getting any of that information from this particular minister or the government. So we need to reach out to those groups, again as I mentioned, to every single one of these Bills, to reach out to them and to ask those questions that is necessary to make sure people understood and understand what this minister is proposing so they don't do something totally different later on.

So, Mr. Speaker, I would ask the minister if he had those consultations? Has he had any intake from some of the provisions that he's allowed? Has there been any deals made of any particular groups of people? Is there provisions set aside for some of their friends to take advantage of some of the amendments in this Bill? Has there been any kind of consultation with the cottage owners' associations and all the groups out there? And if so, are there any notes attached to that? These are the questions we have.

And as I mention, every single Bill that we spoke of this afternoon, we need the time, the two or three months we need between the winter sitting and the spring sitting to seek that information out from groups and organizations so they can mount a challenge to this government to show them that this is not what the people of Saskatchewan want. And it's not just a matter of using the opposition for that purpose, it's really to begin to qualify their own opinions back from whatever park that they may live on or near, Mr. Speaker.

So those that may be paying attention to the Assembly this afternoon, *An Act to amend The Parks Act* really has a lot of challenges and problems to it. And we, as the opposition, want to find out some of those answers.

Now, Mr. Speaker, I notice that there's a few parts of the Bill that the minister scratched off. Now I don't know whether that's typical of this particular minister and how he presents Bills to the Assembly, but there's been a number of Bills that were stricken. And I'm just wondering why. Why were they stricken from the Act? Was there something that changed?

And I'll give you a good example. Under item no. 5, existing provision 32(1), where an enforcement officer on reasonable grounds believes that a person is contravening any provision of the regulations that prohibits or regulates any offensive behaviour, he may order that person to cease the contravention or may order him to leave the park land and to remain out of park land for a period of 48 hours.

They withdrew that, Mr. Speaker. Now why was that withdrawn from the original Act? And it's crossed off on these explanatory notes that were presented to us by the minister. Now there's some questions on that particular aspect. Are they worried that this is giving the COs [conservation officer] too much authority and too much power? So one hand, you're giving them the authority to do certain things. But guess what: you can't do this. So is that healthy for a park? Some people say it is. Others say it isn't.

So these are some of the points that we saw immediately as we went through some of these Bills. And I can tell you that there

are many, many more questions than answers. And that's the purpose and that's the reason why we have the necessary time frame to seek that advice from different groups. And we certainly will as the opposition.

So, Mr. Speaker, I look forward to some of the other points that are being raised in this particular Bill, as I know that some of my colleagues and other groups and organizations are aware of what the Bill entails because obviously they'd be online. And we would ask them to participate. Bring forward your ideas. Bring forward your concerns. Bring forward some of your solution and really help educate the opposition in this case if there's something that you totally disagree with and that you want to mount the challenge with. So I think that's really, really important, Mr. Speaker, and that we do all we can to take the time to understand these Bills.

So on that note, I move that we adjourn Bill No. 10, *An Act to amend The Parks Act*. And I so move, Mr. Speaker . . . I meant the debate.

The Speaker: — It has been moved by the member for Athabasca that the debate on Bill No. 10, *The Parks Amendment Act, 2011* be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

Hon. Mr. Harrison: — Thank you, Mr. Speaker. In order to facilitate the work of committees and as discussed between House leaders, I would adjourn the House with Human Services commencing at 4:15 in room 8, followed by Crown and Central Agencies, Economy, Public Accounts, and Intergovernmental Affairs and Justice all in room 8.

So with that, Mr. Speaker, I move that this House do now adjourn.

The Speaker: — It has been moved by the Government House Leader that this Assembly do now adjourn. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

[The Assembly adjourned at 16:09.]

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