



THIRD SESSION - TWENTY-FIFTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

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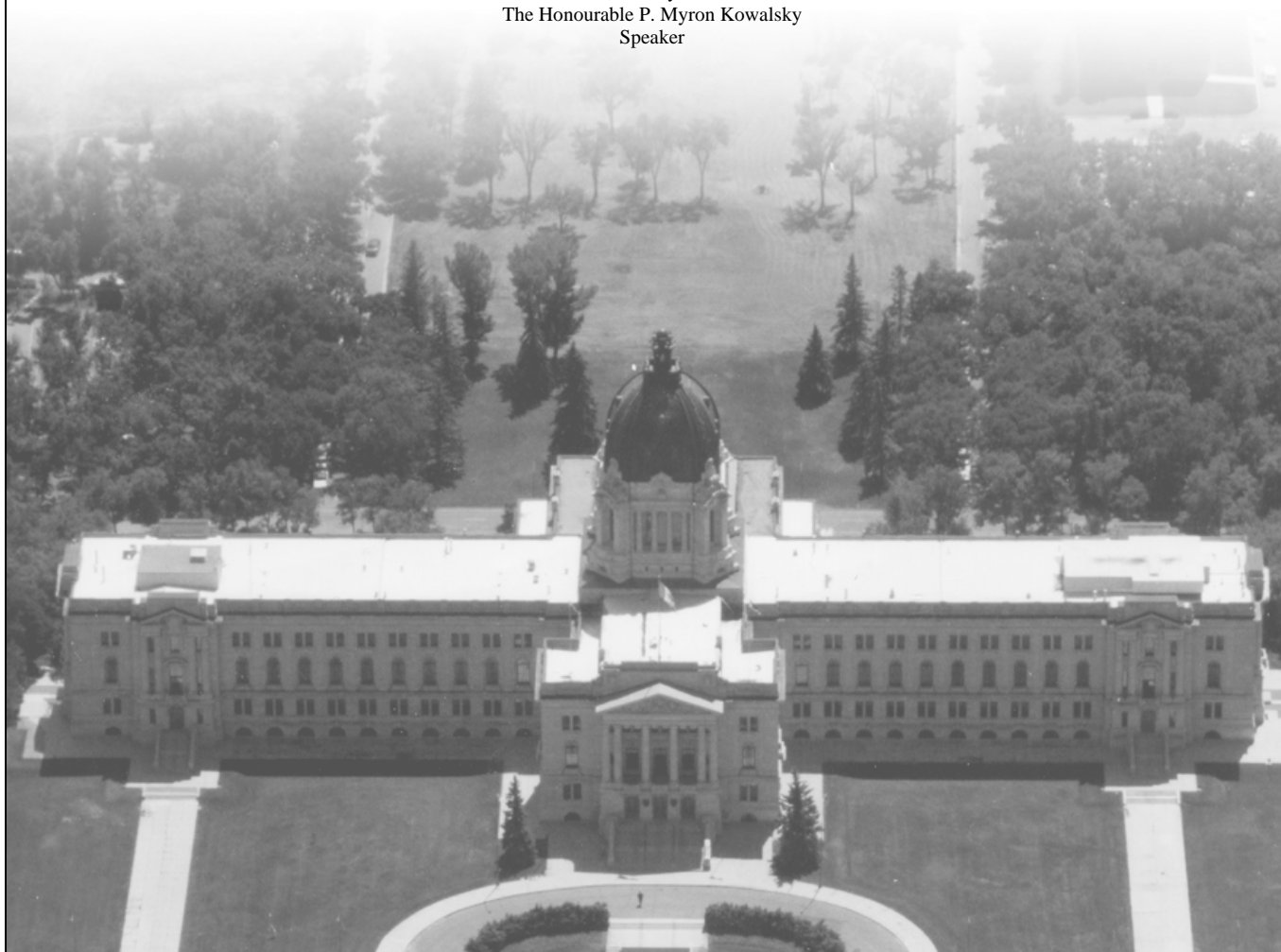
**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
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The Honourable P. Myron Kowalsky  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Speaker — Hon. P. Myron Kowalsky  
 Premier — Hon. Lorne Calvert  
 Leader of the Opposition — Brad Wall

| <b>Name of Member</b>    | <b>Political Affiliation</b> | <b>Constituency</b>       |
|--------------------------|------------------------------|---------------------------|
| Addley, Hon. Graham      | NDP                          | Saskatoon Sutherland      |
| Allchurch, Denis         | SP                           | Rosthern-Shellbrook       |
| Atkinson, Hon. Pat       | NDP                          | Saskatoon Nutana          |
| Beatty, Hon. Joan        | NDP                          | Cumberland                |
| Belanger, Hon. Buckley   | NDP                          | Athabasca                 |
| Bjornrud, Bob            | SP                           | Melville-Saltcoats        |
| Borgerson, Lon           | NDP                          | Saskatchewan Rivers       |
| Brkich, Greg             | SP                           | Arm River-Watrous         |
| Calvert, Hon. Lorne      | NDP                          | Saskatoon Riversdale      |
| Cheveldayoff, Ken        | SP                           | Saskatoon Silver Springs  |
| Chisholm, Michael        | SP                           | Cut Knife-Turtleford      |
| Cline, Hon. Eric         | NDP                          | Saskatoon Massey Place    |
| Crofford, Joanne         | NDP                          | Regina Rosemont           |
| D'Autremont, Dan         | SP                           | Cannington                |
| Dearborn, Jason          | SP                           | Kindersley                |
| Draude, June             | SP                           | Kelvington-Wadena         |
| Duncan, Dustin           | SP                           | Weyburn-Big Muddy         |
| Eagles, Doreen           | SP                           | Estevan                   |
| Elhard, Wayne            | SP                           | Cypress Hills             |
| Forbes, Hon. David       | NDP                          | Saskatoon Centre          |
| Gantfoer, Rod            | SP                           | Melfort                   |
| Hagel, Hon. Glenn        | NDP                          | Moose Jaw North           |
| Hamilton, Doreen         | NDP                          | Regina Wascana Plains     |
| Harpauer, Donna          | SP                           | Humboldt                  |
| Harper, Ron              | NDP                          | Regina Northeast          |
| Hart, Glen               | SP                           | Last Mountain-Touchwood   |
| Hermanson, Elwin         | SP                           | Rosetown-Elrose           |
| Higgins, Hon. Deb        | NDP                          | Moose Jaw Wakamow         |
| Huyghebaert, Yogi        | SP                           | Wood River                |
| Iwanchuk, Andy           | NDP                          | Saskatoon Fairview        |
| Junor, Judy              | NDP                          | Saskatoon Eastview        |
| Kerpan, Allan            | SP                           | Carrot River Valley       |
| Kirsch, Delbert          | SP                           | Batoche                   |
| Kowalsky, Hon. P. Myron  | NDP                          | Prince Albert Carlton     |
| Krawetz, Ken             | SP                           | Canora-Pelly              |
| Lautermilch, Hon. Eldon  | NDP                          | Prince Albert Northcote   |
| McCall, Hon. Warren      | NDP                          | Regina Elphinstone-Centre |
| McMorris, Don            | SP                           | Indian Head-Milestone     |
| Merriman, Ted            | SP                           | Saskatoon Northwest       |
| Morgan, Don              | SP                           | Saskatoon Southeast       |
| Morin, Sandra            | NDP                          | Regina Walsh Acres        |
| Nilson, Hon. John        | NDP                          | Regina Lakeview           |
| Prebble, Peter           | NDP                          | Saskatoon Greystone       |
| Quennell, Hon. Frank     | NDP                          | Saskatoon Meewasin        |
| Serby, Hon. Clay         | NDP                          | Yorkton                   |
| Sonntag, Hon. Maynard    | NDP                          | Meadow Lake               |
| Stewart, Lyle            | SP                           | Thunder Creek             |
| Taylor, Hon. Len         | NDP                          | The Battlefords           |
| Thomson, Hon. Andrew     | NDP                          | Regina South              |
| Toth, Don                | SP                           | Moosomin                  |
| Trew, Kim                | NDP                          | Regina Coronation Park    |
| Van Mulligen, Hon. Harry | NDP                          | Regina Douglas Park       |
| Wakefield, Milton        | SP                           | Lloydminster              |
| Wall, Brad               | SP                           | Swift Current             |
| Wartman, Hon. Mark       | NDP                          | Regina Qu'Appelle Valley  |
| Weekes, Randy            | SP                           | Biggar                    |
| Yates, Kevin             | NDP                          | Regina Dewdney            |
| Vacant                   |                              | Martensville              |

[The Assembly met at 13:30.]

[Prayers]

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**The Speaker:** — The Chair recognizes the member for Cypress Hills.

**Mr. Elhard:** — Thank you, Mr. Speaker. I'd like to present a petition again today on behalf of individuals from the Cypress Hills constituency concerned about the condition of Highway 18. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary actions to ensure that Highway 18 from Claydon to Robsart is repaved at the earliest possible time to ensure the safety of drivers in the area and so that economic development opportunities are not lost.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, today's petition is signed from the communities of Maple Creek, Gull Lake and Fox Valley. I so present.

**The Speaker:** — The Chair recognizes the member for Arm River.

**Mr. Brkich:** — Mr. Speaker, I have a petition calling on the Government of Saskatchewan to maintain the Department of Highways section shop in Watrous:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps and ensure the Department of Highways section shop in Watrous remain open so as to ensure the safety of all motorists and Saskatchewan Highway employees who would be affected by such possible closure.

As in duty bound, your petitioners will ever pray.

This particular petition is signed by the good citizens from Manitou, Melville, Watrous, and Regina. I so present.

### READING AND RECEIVING PETITIONS

**Deputy Clerk:** — According to order petitions tabled at the last sitting have been reviewed, and pursuant to rule 15(7) are hereby read and received.

### NOTICES OF MOTIONS AND QUESTIONS

**The Speaker:** — The Chair recognizes the member for Saskatoon Southeast.

**Mr. Morgan:** — Mr. Speaker, I give notice that I shall on day no. 16 ask the government the following question:

To the Minister of the Environment: were percolation tests done on the groundwater in the RM of Corman Park in the years 2005 and 2006, and if so, what were the test results and to provide copies of those test results?

Thank you, Mr. Speaker.

**The Speaker:** — The Chair recognizes the member for Saskatoon Northwest.

**Mr. Merriman:** — Thank you, Mr. Speaker. Mr. Speaker, I give notice that I shall on day no. 16 ask the government the following question:

To the Minister of Community Resources: what was the total number of foster homes in the province before the launch of the recruitment campaign of March 23, 2006?

A second question, I give notice that I shall on day 16 ask the government the following question:

To the Minister of Community Resources: what is the total number of foster homes in the province today, November 13, 2006?

One additional question, Mr. Speaker. I give notice that I shall on day no. 16 ask the government the following question:

To the Minister of Community Resources: how many foster homes in the province exceed the legal limit for the number of children occupying the house?

Thank you, Mr. Speaker.

### INTRODUCTION OF GUESTS

**The Speaker:** — The Chair recognizes the Premier.

**Hon. Mr. Calvert:** — Mr. Speaker, it's my pleasure to welcome to the Assembly today three very special guests. Mr. Speaker, they are seated in your gallery. I welcome today Tyler Lewis, *Canadian Idol* star and Tyler's parents, Neil and Lorraine Lewis all from Rockglen and now well known across the nation. Mr. Speaker, all members will know that Saskatchewan has had a pretty good record when it comes to the CTV program *Canadian Idol*, and Tyler has kept that record going this year. We congratulate him on his great success. We congratulate him on his talent.

Mr. Speaker, a few moments ago in the rotunda, we had a ceremony to recognize Tyler's talent and his future in this province and in this country. So I'd ask all members to welcome the Lewises. And with Tyler and his parents are other members of his family and a number of fans who have joined us today, including my wife, Betty.

So I would ask all to join in welcoming Tyler and his parents to the legislature.

**Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Leader of the

Opposition.

**Mr. Wall:** — Thank you, Mr. Speaker. On behalf of the official opposition, it's an honour to join with the Premier in welcoming Tyler and his family and fans to the Legislative Assembly. Once again *Canadian Idol* proved to be a great source of pride and inspiration for the entire province because of Tyler's efforts this time around. So we want to welcome him here.

And, Mr. Speaker, I'm pretty sure that the verbatim transcript of the Legislative Assembly has never contained the words Rockglen rocket. And so now that's changed, and it should because of Tyler's efforts. Welcome to your Legislative Assembly.

**Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Saskatoon Eastview.

**Ms. Junor:** — Thank you, Mr. Speaker. I'd like to introduce to you and through you to the rest of the Assembly four people who are very important in my life. They're way up in the back there: my husband Don, if he could just stand; my mother, Charlotte, Charlotte Nijman from Saskatoon. And last time these two people were in the legislature, you could only see one of them. This is my daughter, Heather, and now my new granddaughter, Annika. I'd like you to welcome to the legislature.

**Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Wood River.

**Mr. Huyghebaert:** — Thank you, Mr. Speaker. Well, Mr. Speaker, I'd like to join the Premier and the Leader of the Opposition in welcoming Tyler, Lorraine, and Neil to their Legislative Assembly.

As the member from Rosemont may know that Rockglen is actually in the Wood River constituency, and these are constituents of mine. I'd also like to welcome the friends of Tyler that are in the audience and also the rest of the family that's there. So I would ask people to join me in welcoming them again to their Legislative Assembly.

**Hon. Members:** — Hear, hear!

#### STATEMENTS BY MEMBERS

**The Speaker:** — The Chair recognizes the Leader of the Opposition, the member for Swift Current.

#### University of Saskatchewan Huskies Win the Hardy Cup

**Mr. Wall:** — Thank you, Mr. Speaker. Thank you. As tough as yesterday was for Saskatchewan football fans right across this province, Saturday was a great day as the U of S [University of Saskatchewan] Huskies defeated the number one ranked University of Manitoba Bisons.

Mr. Speaker, on this side of the House, we're fortunate enough

to have two Huskie football alumni. We have the member for Saskatoon Silver Springs who played offensive line in the '80s, and we have the member for Lloydminster who played for the Huskie football team in 1959.

**Some Hon. Members:** — Hear, hear!

**Mr. Wall:** — Insert your leather helmet joke here, Mr. Speaker.

Mr. Speaker, the U of S Huskies football program has been the envy of the nation for a number of years now. And by winning their third Hardy Cup in a row and their fourth in five years, their record begs the question: is there another CIS [Canadian Interuniversity Sport] program as successful as the U of S Huskies?

Arguably the CIS's best head coach, Brian Towriss, did a great job of preparing his team and players as they came into the Hardy Cup as underdogs, Mr. Speaker. I'd also especially like to acknowledge the work of my good friend, Ed "Car Bomb" Carleton, the defensive coordinator, for his work for preparing the defence. They held the Bisons to a season low 15 points in that game.

Congratulations to the parents and all the volunteers of the Huskies, and most importantly, congratulations to the players who are disciplined and focused and played their hearts out. And because of their efforts, the Huskies are one more win away this weekend against the Ottawa Gee-Gees from having a huge home field advantage in the PotashCorp Vanier Cup to be held in two weeks. Congratulations to the Huskies, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Regina Elphinstone-Centre.

#### 2006 First Nations Achievement Awards

**Hon. Mr. McCall:** — Thank you very much, Mr. Speaker. Last Thursday evening, I along with the Minister of First Nations and Métis Relations and a number of colleagues from the other side of the Assembly attended the 2006 12th annual First Nations Awards, a project of the Women of the Dawn. I want to congratulate all the nominees as well as the organizers, sponsors, and volunteers of this very important event.

And the winners of this year's First Nations Awards are Trudy Morin of the Peter Ballantyne Cree Nation for education; lifetime achievement, Herb Strongeagle of Pasqua First Nation; journalism, Mervin Brass of Key First Nation; medicine and health, Milton Paquachen, Fishing Lake First Nation; Raymond Shingoose of Cote First Nation for social work; Derek Big Eagle of Ocean Man First Nation for business; community work, Chief Austin Bear of Muskoday First Nation; sports and recreation, Anthony Scales of Gordon First Nation.

The youth award went to Alexis Dustyhorn of Kawacatoose First Nation; Ray Sanderson of the Chakastaypasin First Nation — pardon me, Mr. Speaker — received the Veteran's Award; for science and technology, Herman Michel from Peter Ballantyne Cree Nation; for justice, Donald Worme of

Kawacatoose First Nation; and for arts and entertainment, Evelyn Poitras, Peepeekisis First Nation.

Congratulations to all these fine winners. Thank you very much, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Kelvington-Wadena.

**Ms. Draude:** — Mr. Speaker, I'd like to join with the members opposite in congratulating the people who were at the First Nations Awards, the winners on Thursday night.

And two of my colleagues and I had the privilege of attending this 12th annual First Nations Awards. It was a gala evening event recognizing the efforts and achievements of First Nations in 13 areas. I'd like to congratulate Trudy Morin on education, Herb Strongeagle for lifetime achievement, Mervin Brass for journalism, Milton Paquachen for medicine and health, Raymond Shingoose for social work, Derrick Big Eagle for business, Chief Austin Bear for community work, and Anthony Scales for sports and recreation, Alexis Dustyhorn for youth, Ray Sanderson for veterans, Herman Michel for science and technology, Donald Worme for justice. And the Arts and Entertainment Award went to Evelyn Poitras.

Part of the evening's entertainment was musical selections by Chief Lawrence Joseph, Chief Marcel Head, and Perry Bellegarde. These are very talented gentlemen. All the guests who were present are extremely proud of the achievements of all of those honoured at the awards. With individuals like these, it's little wonder why Saskatchewan's First Nations are role models for the entire country.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Saskatoon Fairview.

#### A Weekend of Football

**Mr. Iwanchuk:** — Mr. Speaker, I also wanted to make a comment about the past weekend of football.

And, Mr. Speaker, even with the presence of Gainer the Gopher and some third quarter flashes of football brilliance, this was not enough for the Roughriders to achieve victory in yesterday's western final against the BC Lions. And the Riders will unfortunately not be making the trip to Winnipeg next week to compete for the Grey Cup — Mr. Speaker, a sad day in Riderville for all of us here.

On the other hand, Mr. Speaker, the University of Saskatchewan Huskies did travel to Winnipeg this past weekend and defeated the number one ranked and previously unbeaten University of Manitoba Bison 32-15 to win the Hardy Cup — advancing them to the Mitchell Bowl and taking them one step closer to the Vanier Cup, symbol of Canadian university football supremacy.

Mr. Speaker, this is the fourth time in five years and the third

year in a row that the Huskies have won the Hardy Cup, and they did it with authority. The Huskies had 527 yards on offence and did not allow the Bisons a point in the last 33.5 minutes of the game. Mr. Speaker, I want to congratulate the Huskies players and coaches on a game well played and wish them every success against the Ottawa Gee-Gees in the Mitchell Bowl next week. Thank you.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Saskatoon Southeast.

[13:45]

#### Gala Centennial Event in Saskatoon

**Mr. Morgan:** — Mr. Speaker, last Friday I was among several MLAs who had the privilege of attending Saskatoon's final gala centennial event at TCU Place in Saskatoon. During the afternoon, there was a free showcase consisting of interactive and static displays. At 6 pm there was a theatre show called *This Is My House*. This is written and directed by Sean Hoy. It was a wonderful blend of live performances and video images. The theatre show was followed by a gala banquet with guest speaker, Piya Chattopadhyay, a CBC [Canadian Broadcasting Corporation] journalist with deep Saskatoon roots.

This event capped off a year of festivities which included a New Year's fun day in the park. I attended that event, was able to serve hot dogs to the people that were there — perhaps a future career option in case I'm unsuccessful here, Mr. Speaker. There was also a July 1 celebration and a street party on the 19th Street bridge. It was a wonderful year to be a Saskatonian and to bask in community pride.

Saskatoon has come a long ways since the days of John Lake, Chief Whitecap, and the Barr colonists, from the days of Saskatoon being a temperance colony to the merger of Nutana and Riversdale in 1906 to the synchrotron in recent years.

I'd like to congratulate Mayor Don Atchison, councillors, and all volunteers and citizens of Saskatoon for a successful centennial year and to wish them well for the next 100 years. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Saskatoon Centre.

#### Taking a Stand Against Bullying

**Hon. Mr. Forbes:** — Thank you very much, Mr. Speaker. Today marks the beginning of National Bullying Awareness Week in Canada. This year's theme is Stand up!(Be a Friend). Schools are being encouraged to involve their students and help make a difference by taking a stand against bullying at school and in the community during this special week and throughout the year. Mr. Speaker, we are committed to making Saskatchewan the best place for young people to live, work, and build strong futures, and we are addressing this issue of bullying.

Today as part of Saskatchewan Learning's caring and respectful schools initiative, we've announced a new bullying prevention model policy to assist schools, to strengthen their current policies and practices.

Mr. Speaker, this policy was written in response to school divisions' requests for a definition of bullying and a model policy to enable schools, school divisions, and communities across the province to work toward a common approach to the prevention and reduction of bullying. Key components include an outline of roles and responsibilities of boards of education, educators, parents, caregivers, students, school community councils, and the community members for preventing and reducing bullying.

Mr. Speaker, we believe that bullying is a serious matter with wide-ranging consequences not just for students but for schools, families, and communities. And we want to ensure that our schools remain places where students and staff alike can learn and work in a positive and safe environment. Thank you.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Arm River-Watrous.

#### **Davidson Branch of the Royal Canadian Legion Celebrates Anniversary**

**Mr. Brkich:** — Mr. Speaker, the Davidson Branch 51 of the Royal Canadian Legion recently celebrated their 80th anniversary.

On October 26, 1926, the branch received its charter of the Canadian Legion of the British Empire Service League. In the early years, meetings were held in a tiny building located behind a store on Main Street in Davidson. In 1947 the local branch purchased a building from the Davidson airport. They sawed the building in half, selling off one portion and keeping the other. The sale of the other helped pay for the portion that was kept. This then became their hall and was utilized for meetings, dances, and various other functions in the community.

Local veteran Carl Gregor has been a member of the Legion for 61 years and has many memories of the various events that have been held throughout the years. He also realizes the importance of ensuring that our younger generation remain active in keeping the significance of the Legion and Remembrance Day alive.

The Legion has remained active in the Davidson area holding Remembrance Day services at the school as well as their community service on November 11. The Legion has also supported programs for youth, such as cadets, athletic competitions. They continue to be active in fundraising events, such as their annual strawberry social which is a favourite among the local residents.

I ask the members to join me in congratulating the Davidson Branch 51 of the Royal Canadian Legion as they celebrate their 80th anniversary.

**Some Hon. Members:** — Hear, hear!

#### **ORAL QUESTIONS**

**The Speaker:** — The Chair recognizes the member for Rosthern-Shellbrook.

#### **Shortage of Health Professionals Impacts Rural Hospitals**

**Mr. Allchurch:** — Thank you, Mr. Speaker. On October 31 Spiritwood hospital was closed to patient care and today nothing has changed. Spiritwood is still closed. Patients are being ask to go to either Shellbrook or Prince Albert, but here's the problem with that, Mr. Speaker. Shellbrook Hospital shut down over the weekend because of the Norwalk outbreak. No new patients have been admitted, and it is unclear when the hospital will resume services. That means all emergencies in the region will have to go to Prince Albert. But if you remember, Mr. Speaker, there is no radiologist in Prince Albert.

Mr. Speaker, to the Minister of Health, can he explain why he has allowed the shortage of doctors in the P.A. [Prince Albert] region to spiral out of control?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. I think the member opposite knows, and I hope he and his constituency office are promoting the fact, that there will be a community meeting in the Spiritwood-Shellbrook area in two days from now, organized to help the community participate in both an understanding of the circumstance that exists in that area and participate, Mr. Speaker, in assisting the regional health authority in doing what it can with regards to recruitment efforts for the area and the region.

Mr. Speaker, this community meeting is a very important part of the communications process. When incidents like this happen, Mr. Speaker, I commend the regional health authority for working with the community in communicating this information to the citizens who live there.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Rosthern-Shellbrook.

**Mr. Allchurch:** — Thank you, Mr. Speaker. To the minister: I will be there. Will you be there? Or will you bring somebody to the table there with some answers?

**The Speaker:** — Order. I would ask the member to speak through the Chair as he's putting his question.

**Mr. Allchurch:** — Thank you, Mr. Speaker. Will the minister be there?

Mr. Speaker, the Minister of Health said, rural hospital closures are a fact of life. But I don't think he understands the urgency facing Saskatchewan families in my hometown of Spiritwood and neighbouring communities of Shellbrook and Big River.

Mr. Speaker, a CBC story published on Friday featured a health region official saying, and I quote, “The closure of the Shellbrook hospital will stretch emergency resources, especially since there is . . . no [current] emergency service in nearby Spiritwood.”

And another further quote. “With no emergency room service in Shellbrook obviously there is a concern about the time to get to, perhaps, Prince Albert for an emergency.”

Mr. Speaker, the domino effect in rural Saskatchewan is real and is affecting small towns in rural Saskatchewan. Mr. Speaker, why has this government allowed this crisis situation to develop? What is he going to do, what is the minister going to do to fix the failing health care system in rural Saskatchewan?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. The member opposite, when he talks about fact of life, is actually quoting the leader of his own party and not this member. Mr. Speaker, I have not said that, and we know that the Leader of the Opposition has on occasion done cut-and-paste quotes for members of this side.

Mr. Speaker, on occasion we have physician shortages in this province that create crisis situations in specific hospitals. Mr. Speaker, the regional health authorities have to do what needs to be done to ensure that, number one, the public is informed, and number two, that safe and secure measures are taken to ensure the safety and security of patients within that region.

Mr. Speaker, this year this government has negotiated a new contract with the Saskatchewan Medical Association that will assist us in recruitment and retention issues for physicians in rural Saskatchewan. Mr. Speaker, we will continue to work on that.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Weyburn-Big Muddy.

**Mr. Duncan:** — Mr. Speaker, Mr. Speaker, I’m sad to report that two health centres in the Weyburn-Big Muddy constituency were forced to shut their doors over the weekend. The Coronach Health Centre shut down because of a lack of doctors. The Bengough Health Centre also shut down for the same reason. Mr. Speaker, two separate health centres shutting down for the same reason, a lack of health care professionals.

Mr. Speaker, can the Minister of Health please explain why these two health centres were forced to close their doors over the weekend?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. And

again, as I’d indicated to one of the other members opposite last week, I hope the member opposite is not suggesting that we keep a facility open when there are no physicians available.

Mr. Speaker, the regional health authorities take action to ensure that the patients are safe and secure. Mr. Speaker, as I started to indicate earlier, we’ve negotiated a contract with the Saskatchewan Medical Association that puts more resources into physician recruitment and retention. Mr. Speaker, we have put in place, earlier this year, \$25 million to ensure that we have some programs in place to deal with recruitment and retention of nurses and other health professionals.

Mr. Speaker, we have demonstrated very clearly that we are concerned about the shortage of health professionals in this province, and we are doing everything we can to ensure that we are competitive with other provinces where shortages also exist.

**The Speaker:** — Member’s time has elapsed. The Chair recognizes the member for Weyburn-Big Muddy.

**Mr. Duncan:** — Thank you, Mr. Speaker. Well, Mr. Speaker, as the government is well aware and that minister is well aware, Coronach is a major energy producer in Saskatchewan. A quarter of all the electricity produced in this province comes from Coronach. It is a community full of people who work hard to fill this need. And this line of work can be dangerous, Mr. Speaker. The potential for a serious emergency is very real.

Mr. Speaker, what is the minister doing to ensure Coronach has enough doctors so the health centre remains open all the time? What is he doing to make sure the residents and workers of Coronach have a health centre to go to?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. The member opposite had not yet been elected when this government brought in a budget in spring of this year — a budget that put more resources into the health sector, Mr. Speaker, than at any time in the history of this province. Included in that budget presentation, Mr. Speaker, was the introduction of and funding for a recruitment agency, Mr. Speaker, to ensure that regional health authorities had additional tools at the provincial level to do the recruiting efforts that needed to be done to ensure that there were enough physicians and health professionals in this province to keep these facilities open. Mr. Speaker, that recruitment agency is hard at work currently. Mr. Speaker, we have had interest expressed from all over the world, thanks to that agency being in place.

Mr. Speaker, there are no physicians, there are no nurses, there are no health professionals unemployed in our communities anxious to go work in rural Saskatchewan or anywhere else. We are working at bringing new . . .

**The Speaker:** — The member’s time has elapsed.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for

Milestone, Indian Head.

### Recruitment and Retention of Health Care Professionals

**Mr. McMorris:** — Thank you, Mr. Speaker. Mr. Speaker, unfortunately every day we see and hear more evidence that this NDP [New Democratic Party] government has made an absolute shambles of our health care system.

**Some Hon. Members:** — Hear, hear!

**Mr. McMorris:** — It doesn't matter whether it's doctor shortages, whether it's nursing shortages, whether it's hospital closures, whether it's cancer patients dying because of misdiagnosis under this NDP government. Mr. Speaker, it's absolutely unacceptable.

But unfortunately these problems aren't new. Five years ago the Premier, the now Premier released the much-touted action plan for health care and since then things have only got worse. Once again we see this NDP government is extremely long on words and short on results, Mr. Speaker.

Why could the health care minister allow such a mess of this health care system under his watch? When will he start doing his job and make sure the professionals we need in this province are here?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. It is interesting that the member opposite talks about every day the health system gets worse, Mr. Speaker. It only gets worse when the member opposite gets up and speaks.

Mr. Speaker, during the summer months when the legislature wasn't sitting, we had very few cases coming forward, Mr. Speaker. Very few cases. Because we were working, Mr. Speaker, with the communities, with the quality of care coordinators, Mr. Speaker, with the health regions and the patients of this province to ensure that a lot of the needs of the Saskatchewan patients were met.

Mr. Speaker, since I've been appointed Minister of Health and working on the efforts of the previous minister, Mr. Speaker, we have made tremendous progress on surgical waiting lists, on MRI [magnetic resonance imaging] waiting lists, on CT [computerized tomography] waiting lists. And, Mr. Speaker, the number of physicians practising in this province over the last four years has increased by 9 per cent.

**Some Hon. Members:** — Hear, hear!

[14:00]

**The Speaker:** — The Chair recognizes the member for Indian Head-Milestone.

**Mr. McMorris:** — Thank you, Mr. Speaker. Mr. Speaker, in 2001 the Premier talked about stabilizing hospitals in Saskatchewan. Well in NDP words, if stabilizing means closing

hospitals, they're right on track for stabilizing. But unfortunately it does absolutely nothing to stabilize people's attitude towards this government when it comes to health care in rural Saskatchewan.

We've seen hospital closures in Kamsack, Canora, Preeceville, Spiritwood, Arcola, Big River, Central Butte, and now Bengough and Coronach. Mr. Speaker, it's absolutely unacceptable. If stabilizing is hospital closure, you guys are doing a wonderful job, Mr. Speaker. This NDP government is doing a wonderful job.

Mr. Speaker, no one can believe this NDP government when it talks about recruitment and retention because five years ago they talked about the same problems and have done nothing. When will it start living up to the words it likes to talk about and actually recruit and retain health care professionals in this province?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. The member opposite surely understands that when the New Democrats took government in 1991, we spent about four years rebuilding the provincial economy — the provincial budget actually, Mr. Speaker. And as a result of that, there were a number of facility closures across the province.

Mr. Speaker, in 1995 the federal government changed the way in which it financed education and health care. And again, Mr. Speaker, the system needed to consolidate itself.

Well, Mr. Speaker, in 2001 we recognized that there were additional resources. The economy had re-energized itself. The economy was rebuilding. And we started to make headway, Mr. Speaker, in picking up the pieces after picking up after them across the way, Mr. Speaker.

So in 2001 the report came out. In 2005 the health human resources report came out. Waiting lists are down. More physicians are at work . . .

**The Speaker:** — The member's time has elapsed.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Indian Head-Milestone.

**Mr. McMorris:** — Mr. Speaker, the minister does a great job in reciting all the reports and all the studies that they have done, all the words that they can produce. But what they're not producing is physicians to keep the hospitals closed all over rural Saskatchewan, Mr. Speaker. And unfortunately this minister is talking about it as if it's a fact of life. I quote from the *Leader-Post*, an article by James Wood. And he says, "The suspension of hospital services in rural Saskatchewan is a fact of life, [says] Health Minister Len Taylor . . ."

Mr. Speaker, that's a complete admission that they're failing in the health care system. But the people they're failing are people



across Saskatchewan, in rural Saskatchewan when they go a facility to receive emergency care, and it's closed, Mr. Speaker. That's absolutely unacceptable.

Mr. Speaker, when will the minister start living up to the words that his government said in the health action plan and guaranteeing access to primary care within 30 minutes of where they live, because they're absolutely not living up to that commitment?

Is that commitment just words or will they start living up to that commitment?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. Since 2001, Mr. Speaker, all of the efforts that we've made in this province flowing out of the action plan, Mr. Speaker — the recommendations that were made, the directions that have been taken — have resulted, Mr. Speaker, in a circumstance where we now have 9 per cent more physicians working in this province than we did in 2001, Mr. Speaker. That's progress.

Mr. Speaker, the hospital closures that the member opposite talks about are temporary closures, Mr. Speaker. These aren't permanent. They are temporary closures meant to ensure that we can deliver safe and secure care to the people of Saskatchewan, Mr. Speaker. As the additional recruitment and retention efforts unfold, Mr. Speaker, we will see more physicians operating and working in Saskatchewan. Mr. Speaker, we will see more nurses in Saskatchewan. Mr. Speaker, we will . . .

**The Speaker:** — The member's time has elapsed. The Chair recognizes the member for Indian Head-Milestone.

**Mr. McMorris:** — Mr. Speaker, that's reassuring news to people around Saskatchewan. If they get sick, make sure they don't do it when this hospital is closed temporarily, Mr. Speaker. That's not how it works in rural Saskatchewan. That's not how it works anywhere in Saskatchewan.

Last week, Mr. Speaker, the member from Canora-Pelly suggested a hospital hotline to notify people of all the hospital closures we're facing in Saskatchewan. Mr. Speaker, that suggestion was made tongue-in-cheek, but unfortunately it might be true. We might need something like that when you look at the rash of hospital closures we're seeing in the province.

Just imagine some day if one of your loved ones suffers from a heart attack or a stroke or is an accident victim and they rush them to the hospital only to find out that it's closed. Let's say that hospital might have been Spiritwood and it's closed. Imagine them then going to the Shellbrook Hospital only to find that is closed as well. Then imagine them going to Prince Albert where there's no radiologist. This is the type of health care system under the NDP government and they ought to be ashamed of themselves.

**The Speaker:** — Would the member proceed to his question

directly.

**Mr. McMorris:** — Mr. Speaker, will the minister commit to the guarantees that they made in their own health action plan and ensure that there is primary care within 30 miles of every resident in this province?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. I'm very pleased to be able to say that this government is committed to the development and the further enhancement and expansion of primary health care in the province of Saskatchewan. Mr. Speaker, it's something that we've been committed to. We are working with a tremendous number of people across this province, within the communities, within the associations, within the stakeholders' groups, Mr. Speaker. Primary care delivery in this province is going to assist us in providing better care throughout Saskatchewan.

But, Mr. Speaker, the regional health care authorities throughout this province have got responsibility to ensure that they're able to deliver care within the regions in a manner that's safe and secure for the people who live there. Mr. Speaker, the circumstances that we're experiencing today are a direct result of a number of things that are happening throughout . . .

**The Speaker:** — The member's time has elapsed.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

#### Departure of Labour Relations Board Official

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Labour. Does the minister recall the answer that he gave to me on May 10, 2006 in this Assembly regarding the departure of the former Vice-Chair of the Saskatchewan Labour Relations Board?

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Well thank you, Mr. Speaker. As we know, Mr. Matkowski has decided to seek resolution of this matter before the courts, and so to that end I think it would be inappropriate to comment further on that. I know that we had quite a discussion in the House over that issue, but to the question about May 10, I'll have to look specifically at *Hansard* for that.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Well, Mr. Speaker, let me read from *Hansard* on page 1608 from last session. And it's the words of the Minister of Labour, and I quote:

Well let me repeat this again. There was no political interference. No one was forced to resign or pushed out of their jobs. The term expired.

Mr. Speaker, that was the minister's answer on May 10, 2006. And I ask him to consider this next question very carefully. Is that his answer today, or has he changed his mind?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Well, Mr. Speaker, clearly Mr. Matkowski has decided to pursue this through the courts, and I think it would be inappropriate to be drawn into a discussion of this right now, so I'd leave it at that.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

**Mr. Krawetz:** — Thank you very much, Mr. Speaker. Mr. Speaker, my question again to the Minister of Labour. On May 20 the Regina *Leader-Post* quoted the minister as saying, and I quote:

We stand by, I stand by our deputy minister on this. It's very clear there was no political interference. No one was forced to, asked to, resign and that is our position.

Mr. Speaker, is that what the minister said and would he say the same thing today?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Mr. Speaker, as I have said, this item is before the courts. Mr. Matkowski has decided to pursue that, and I think it would be only appropriate to allow him and ourselves to have our day in court. Thank you.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

**Mr. Krawetz:** — Well, Mr. Speaker, it's very clear from this government's intentions right off the very bat when the headline reads in the *Leader-Post*, "Province plans to fight lawsuit."

Mr. Speaker, the Minister of Labour, I would ask him this question then if he can't comment on the other ones: has the minister read the statement of defence from the Government of Saskatchewan, the Department of Labour, in the matter of Mr. Matkowski?

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Mr. Speaker, clearly it would be inappropriate to be drawn into this in this House, debating something that really should be discussed fully in the court. So

we'll leave it at that.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

**Mr. Krawetz:** — Thank you very much, Mr. Speaker. Mr. Speaker, the minister has indicated that he does not want to comment on his own remarks. So I'm going to ask this question, Mr. Speaker. And I refer the minister to point no. 10 on page 3 of the statement filed by the Department of Labour, the Government of Saskatchewan.

And it says, and I quote, "Mr. Craik went on in that conversation to say that he believed the best course of action for the Plaintiff was to spend the next few months catching up on all of his decisions and then to announce his resignation from the Labour Relations Board . . ."

Mr. Speaker, when the deputy minister of Labour comes to your office and tells you to announce your resignation, isn't that being forced to resign?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Mr. Speaker, I think Mr. Matkowski has decided to pursue this through the courts and we want to make sure he gets his fair day, we get our fair day. I think it would be entirely inappropriate to have this discussion in this House and affect that route. Thank you.

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

**Mr. Krawetz:** — Thank you, Mr. Speaker. From an article written by Veronica Rhodes in the *Leader-Post*, as I've already quoted it in this Assembly, it says that the deputy minister said this: "No one was forced to, asked to, resign and that is our position."

Mr. Speaker, the minister knew that his deputy minister had approached Mr. Matkowski and said, this is what I intend for you to do; you should resign. The minister stands in this Assembly and says, I didn't know about that; this didn't really happen.

Mr. Speaker, the question that I ask of the Minister of Labour is this. It's obvious from the comments of Mr. Matkowski, in fact it's obvious from the statement of defence of this very government — everyone agrees. The former Vice-Chair of the Labour Relations Board was forced to resign.

Mr. Speaker, why did the Minister of Labour say the opposite?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — You know, Mr. Speaker, it's really important that in this House we allow people to have their day

in the court and that it's fair. When I look across the way and I see this party, the Saskatchewan Party, who's bent on attacking working people in Saskatchewan . . . You listen to what they do and the attacks they launch on the working people. It's shameful. It's shameful. On this side, Mr. Speaker, our target, our goal is to make this place . . .

**The Speaker:** — Order. Order. Members will come to order. The Minister of Labour.

**Hon. Mr. Forbes:** — Saying this province is focused on making this place, this province, the best place to raise a family and to work. Mr. Speaker, we strongly believe in protecting people's rights here, workers' rights. That's essential to a strong province. And we stand by that, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Canora-Pelly.

[14:15]

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, what we are asking for is on behalf of people in Saskatchewan to ensure that that minister makes statements in this House that accurately reflect what has happened in this province, Mr. Speaker.

Mr. Speaker, I want to read, I want to read the entire statement quote of the Government of Saskatchewan. And this is from page 3 of their defence, and it says this: "On June 24, 2005, Mr. Craik spoke with the Plaintiff . . ." It clearly says on June 24, 2005.

At the end of the statement, Mr. Speaker, the comment is this. It says that he should catch up on all of his material ". . . and then to announce his resignation from the Labour Relations Board on the basis that he would be paid to the end of his term of office as prescribed in . . . Order-in-Council."

Mr. Speaker, what that is saying is that this minister was aware that his deputy minister was asking for . . .

**The Speaker:** — Order. Order. Would the member please put his question.

**Mr. Krawetz:** — Will the minister reflect on this comment of his Government of Saskatchewan statement and indicate whether or not it is factually correct?

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Well, Mr. Speaker, the member opposite is clearly no Perry Mason. But I want to say this. We will allow this to have its way through the courts and I think that's entirely appropriate.

But, Mr. Speaker, I do want to take this opportunity to say, as Minister of Labour, I am deeply concerned about the allegations, the tone of the questioning opposite. We know the

leader of the party opposite has said, and I quote, on CJME, that they will "go to war" with working people here in Saskatchewan. It's shameful, Mr. Speaker, when they start attacking the working people here in Saskatchewan. Thank you.

**Some Hon. Members:** — Hear, hear!

## INTRODUCTION OF BILLS

### Bill No. 16 — The Tobacco Tax Amendment Act, 2006

**The Speaker:** — The Chair recognizes the Minister of Finance.

**Hon. Mr. Thomson:** — Thank you very much, Mr. Speaker. I move that Bill No. 16, The Tobacco Tax Amendment Act, 2006 be now introduced and read for a first time.

**The Speaker:** — It has been moved by the Minister of Finance that Bill No. 16, The Tobacco Tax Amendment Act, 2006 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall the Bill be read a second time? The Chair recognizes the minister.

**Hon. Mr. Thomson:** — Next sitting, Mr. Speaker.

### Bill No. 27 — The Film Employment Tax Credit Amendment Act, 2006

**The Speaker:** — The Chair recognizes the Minister of Culture, Youth and Recreation.

**Hon. Mr. Hagel:** — Mr. Speaker, I move that Bill No. 27, The Film Employment Tax Credit Amendment Act, 2006 be now introduced and read the first time.

**The Speaker:** — It has been moved by the Minister of Culture, Youth and Recreation that Bill No. 27, The Film Employment Tax Credit Amendment Act, 2006 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall this Bill be read a second time? The Chair recognizes the minister.

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

**The Speaker:** — Next sitting.

**Bill No. 28 — The Cities Amendment Act, 2006 (No. 2)**

**The Speaker:** — The Chair recognizes the Minister of Government Relations.

**Hon. Mr. Van Mulligen:** — Mr. Speaker, I move . . .

**The Speaker:** — Order please. Order. Order please. I'm sure that there are very important things that the members have to talk about, but at this stage I'd ask members for order so that the Minister of Government Relations can move his motion. The Minister of Government Relations.

**Hon. Mr. Van Mulligen:** — Mr. Speaker, I move that Bill No. 28, The Cities Amendment Act, 2006 (No. 2) be now introduced and read a first time.

**The Speaker:** — It has been moved by . . . Bill No. 28, The Cities Amendment Act, 2006 (No. 2) be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion.

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall this Bill be read a second time? The Chair recognizes the minister.

**Hon. Mr. Van Mulligen:** — Next sitting of the House, Mr. Speaker.

**The Speaker:** — Next sitting.

**Bill No. 29 — The Labour Standards Consequential Amendments Act, 2006/Loi de 2006 portant modifications corrélatives à la loi intitulée The Labour Standards Amendments Act, 2006**

**The Speaker:** — The Chair recognizes the Minister of Labour.

**Hon. Mr. Forbes:** — Mr. Speaker, I move that Bill No. 29, The Labour Standards Consequential Amendments Act, 2006 be now introduced and read a first time.

**The Speaker:** — It has been moved by the Minister of Labour that Bill No. 29, The Labour Standards Consequential Amendments Act, 2006 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall this Bill be read a second time? The Chair recognizes the minister.

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

**The Speaker:** — Next sitting.

**Bill No. 30 — The Land Surveyors and Professional Surveyors Amendment Act, 2006**

**The Speaker:** — The Chair recognizes the House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, I move that Bill No. 30, The Land Surveyors and Professional Surveyors Amendment Act, 2006 be now introduced and read the first time.

**The Speaker:** — It has been moved by the Government House Leader that Bill No. 30, The Land Surveyors and Professional Surveyors Amendment Act, 2006 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall this Bill be read a second time? The Chair recognizes the minister.

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

**The Speaker:** — Next sitting.

**Bill No. 31 — The Regional Health Services Amendment Act, 2006 (No. 2)**

**The Speaker:** — The Chair Recognizes the Minister of Health.

**Hon. Mr. Taylor:** — Thank you very much, Mr. Speaker. I move that Bill No. 31, The Regional Health Services Amendment Act, 2006 (No. 2) be now introduced and read a first time.

**The Speaker:** — It has been moved by the Minister of Health that Bill No. 31, The Regional Health Services Amendment Act, 2006 (No. 2) be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall the Bill be read a second time? The Chair recognizes the minister.

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

**The Speaker:** — Next sitting.

**Bill No. 32 — The Superannuation (Supplementary Provisions) Amendment Act, 2006**

**The Speaker:** — The Chair recognizes the Minister of Finance.

**Hon. Mr. Thomson:** — Thank you very much, Mr. Speaker. I'm pleased to moved that Bill No. 32, The Superannuation (Supplementary Provisions) Act be now introduced and read for a first time.

**The Speaker:** — It has been moved by the Minister of Finance that Bill No. 32, The Superannuation (Supplementary Provisions) Amendment Act, 2006 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Deputy Clerk:** — First reading of this Bill.

**The Speaker:** — When shall this Bill be read a second time? I recognize the minister.

**Hon. Mr. Thomson:** — Next sitting, Mr. Speaker.

**The Speaker:** — Next sitting.

Orders of the day . . . Order. Order. Order. Order. Order. Order. Order. Order. I . . . Order. Order. Members will come to order. And I would ask members not to do indirectly what they are not allowed to do directly, and that is to involve members in the gallery indirectly in the debate. Members will come to order. The members will stay to order. Orders of the day . . . Order. Order.

## ORDERS OF THE DAY

## WRITTEN QUESTIONS

**The Speaker:** — The Chair recognizes the Government Whip.

**Mr. Iwanchuk:** — Mr. Speaker, on behalf of the government I wish to table responses to written questions no. 24 to 32 inclusive.

**The Speaker:** — Order please. The question that was called was question 23. Order. The Chair recognizes the Government Whip.

**Mr. Iwanchuk:** — Mr. Speaker, I move that the response to question no. 23 be converted.

**The Speaker:** — Response to 23 be deferred. Order. Order. The response to question 23 . . . or question 23 has been converted to orders for return (debatable). Question 24 should be called.

**An Hon. Member:** — Point of order, Mr. Speaker.

**The Speaker:** — The Chair recognizes the Government House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, the House has been having a little difficulty hearing proceedings, and I believe that the answer to question 23 has been provided to the Table. Is this . . . 24 through 32 have been provided to the Table and therefore,

Mr. Speaker, the Government Whip has moved to convert question 23, and questions 24 to 32 are provided.

**The Speaker:** — Albeit done clumsily, I believe maybe that will satisfy the conditions. The question 23 was called, and the member responded, I believe, to questions 24 through 32; therefore I will accept that questions 24 to 32 have been submitted. Subsequent to that, question 23 has been converted to orders for return (debatable).

## GOVERNMENT MOTIONS

**The Speaker:** — The Chair recognizes the Minister of Government Relations.

### Removing Non-Renewable Resource Revenues from the Equalization Formula

**Hon. Mr. Van Mulligen:** — Thank you very much, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Van Mulligen:** — Mr. Speaker, at the conclusion of my remarks, I will be moving a motion to the effect that the Assembly urge the Prime Minister of Canada, Prime Minister Harper, to honour his commitment to remove non-renewable resource revenues from the equalization formula. And I'll be moving that because it has very substantial consequences for Saskatchewan, the people of Saskatchewan.

I'm very pleased to be able to speak on behalf of this motion. It's certainly a topic that I have spoken to many people about quite a bit over the course of the last few months. And when I speak about the topic, Mr. Speaker, I tend to do so in the context of three themes. One is a question of commitment, another one is fairness, and another one of opportunity.

So I'd like to start with commitment. There is no question in anyone's mind that this federal government has committed to removing non-renewable resource revenues from the equalization formula. In January of last year, 2005, now Prime Minister Harper, then leader of the opposition, Stephen Harper — the man is now the Prime Minister — wrote in a letter, and I quote, "We believe that a new equalization formula should exclude non-renewable resource revenues . . ."

A couple of months later, in March 2005, the Conservative Party actually moved a motion in the House of Commons calling for that to happen. At that time, Regina Lumsden-Lake Centre Member of Parliament Tom Lukiwski had this to say, quote, ". . . non-renewable natural resources should be removed from the equalization formula."

There are more examples of members of the current Saskatchewan Conservative caucus repeating this promise, in fact too many times to count, Mr. Speaker. In fact the Conservative Party believes so much in this promise that they took the time to include it in their last election platform which we very much appreciated. The platform said, and I quote:

A Conservative government will: . . . Work to achieve with the provinces permanent changes to the equalization

formula which would ensure that non-renewable natural resource revenue is removed from the equalization formula to encourage economic growth.

And there's nothing unequivocal or vague about that promise, Mr. Speaker. That promise, which has been calculated to be worth \$800 million a year for the people of Saskatchewan, was the Conservative government's number one commitment to the people of Saskatchewan. And the people of Saskatchewan responded by electing 12 Conservative members of parliament to represent this province in our federal government.

[14:30]

It was something the Prime Minister acknowledged the last time he was in Saskatchewan. He stated quite clearly that his government is aware of its election commitments and prides itself on keeping those commitments. That is something the people of Saskatchewan can appreciate, Mr. Speaker. And people of Saskatchewan know that there is no bigger commitment that has been made to them than the Conservatives' \$800 million promise to Saskatchewan. And it's time for that promise to be kept, Madam Speaker.

As I said earlier, this is a question of not only commitment but also of fairness. The promise was made because the federal Conservatives recognized that it was the right and fair thing to do. They saw the deals that were struck with Newfoundland and Labrador and the province of Nova Scotia in which those provinces were now allowed to retain 100 per cent of their resource revenues.

In comparison, Saskatchewan has in its history completely flipped the notion of 100 per cent retention on its ear because Saskatchewan has seen 100 per cent or even more of its oil and gas revenues clawed back by the federal government — not retaining a cent, Madam Speaker.

I should add that this provincial government agrees with and supports the deals struck with the Atlantic provinces and has argued for the same fair treatment. Those deals with the Atlantic provinces are a recognition of the fact that it is not right to strip a province's non-renewable resource revenues. To put it simply, once a barrel of oil is gone, it is not coming back.

Now the previous federal government seemed to recognize this at least when it comes to the Atlantic provinces when the Atlantic accords were struck. The current Conservative government clearly recognizes it too.

Madam Speaker, you may ask yourself why the provinces of Newfoundland and Labrador and Nova Scotia are entitled to keep their non-renewable resource revenues while the province of Saskatchewan is not. Because to any rational person, this is not fair. It's something the Conservatives realized when they promised to change the equalization formula. And I don't have a good answer to why Saskatchewan does not get the same fair treatment. And I can state with a high degree of certainty, Madam Speaker, that no one in Ottawa has a good answer for this either.

Madam Speaker, I would like to say a few words about the question of a consensus among the provinces as a condition for

providing Saskatchewan with a fair deal, such as has been promised to the people of Saskatchewan. I do not foresee, and neither would any reasonable observer, that there will ever be a consensus among the provinces on changes to the equalization formula, especially when it pertains to the question of treatment of non-renewable resource revenues. However it is clear that no such consensus is needed. Equalization is a federal government program. And although we can applaud their efforts to work with the provinces, the federal Conservatives certainly were aware that consensus is not required when they made the clear, unequivocal promise to change the equalization formula.

Now there are some in the national media who would have looked at this situation and said the O'Brien report is the best compromise. They have suggested that it would be the best route for the Prime Minister when it comes to addressing the so-called question of fiscal balance. What these media commentators do not realize is that the O'Brien report is flawed.

The O'Brien panel, which was struck by the former federal government to consider the question of equalization, found on the one hand that in principle resource revenues should provide a net financial benefit to the owners of that resource. There is a recognition that under Canada's constitution provinces own their natural resources and, as such, it is fair that the residents of these provinces ought to be the primary beneficiaries of the development of those resources.

On the other hand, the O'Brien panel's recommendations include a cap on fiscal capacity that does not respect this principle. In effect, Saskatchewan would not today be much better off. It would receive \$16 million net from the federal government as opposed to \$800 million net on an annual basis from the federal government. And, Madam Speaker, that's a difference that we can all appreciate. That is a difference that we can all understand.

Madam Speaker, we will continue to call on the federal government to carry through with its commitment to remove non-renewable resource revenue from the equalization program. Doing so would ensure that the residents of Saskatchewan would benefit from resource development in a way that residents of other energy-producing provinces benefit from their resource developments.

As I said at the outset, when I talk about equalization, the conversation usually involves three themes. I've already talked about two of those themes — commitment and fairness. I'd like to finish today by talking about the third theme — opportunity.

Today Saskatchewan is certainly a place where there is lots of opportunity, and that is thanks to the hard work of the people of this province. Saskatchewan people know that this province's finances were not always in such good shape. Their province was once nearly crippled by debt and burdened by poor credit rating as a result of action by government in the 1980s. And it's not hyperbole to say that unlike the Saskatchewan Party spin doctors who are encouraging members on that side of the House to say something completely different in debate, today thanks to the hard work and sacrifice of the people of Saskatchewan, we have made headway on the debt. And we now have a stellar credit rating.

The economy has grown, strengthened, and diversified. And because of actions of this government — not to be confused, Madam Speaker, with the words of the opposition — the people of Saskatchewan are benefiting from this accomplishment.

But I think there is an awareness that we have an opportunity to make this province even stronger if the federal government fulfills its \$800 million promise to Saskatchewan. Truly it represents an unprecedented opportunity in the history of this province — an opportunity to transform Saskatchewan's economy so that we are a have province on a permanent basis rather than have our fortunes largely determined by the world price of select commodities.

Should the federal government keep its \$800 million promise to Saskatchewan, we have committed that the money will be invested in our economy. We will cut more taxes. We will pay off more debt. We will invest in post-secondary education skills training. And we will build a stronger infrastructure.

By doing so it will make our province a better place to work and a better place to do business. It will help fuel a Saskatchewan economy that will have more opportunities for young people right here at home. It will make life better for average Saskatchewan families. And, Madam Speaker, we know that by making Saskatchewan stronger, we will also help to make Canada a stronger country.

So today I urge all members of this House to support this motion. If the federal government keeps its \$800 million commitment to Saskatchewan, that will finally result in fairness for our province. And it will give this province the opportunity that Saskatchewan people deserve. And therefore, Madam Speaker, I move, seconded by the member for Regina South:

That this Assembly urge Prime Minister Harper to honour his commitment to remove non-renewable resource revenues from the equalization formula.

**The Deputy Speaker:** — It has been moved by the member for Regina Douglas Park, the Minister for Government Relations, and seconded by the Minister of Finance, the member for Regina South:

That this Assembly urge Prime Minister Harper to honour his commitment to remove non-renewable resource revenues from the equalization formula.

I recognize the Minister of Finance, the member for Regina South.

**Hon. Mr. Thomson:** — Thank you very much, Madam Deputy Speaker. I'm pleased today to rise in support of the motion moved by my colleague, the minister of Intergovernmental Affairs, as it pertains to equalization.

I've heard the federal Finance minister say that as soon as the word equalization is uttered, people's eyes glaze over and they seem to fall asleep. Perhaps we could substitute a different word, and that word would be fairness because that's really what this debate is about today. It is a question of fairness.

What we are asking today is that the Prime Minister, who

recognized as he was campaigning for that office that Saskatchewan was being unfairly treated, we are asking today that he keep that promise and do so on a timely basis.

There's absolutely no doubt that as we take a look at the situation as it has been outlined by my colleague in his introductory comments to this resolution, that it is clear today what the issues are. We have a situation today where Saskatchewan is drawing upon its vast natural resources — its non-renewable natural resources — in a way to be able to support our social programs, to be able to support our economic growth, to be able to support the tax cuts that are helping propel our economy forward.

Madam Deputy Speaker, it is a remarkable time in Saskatchewan's history. It's interesting to note that in the last 10, 12 years the GDP [gross domestic product] of this province has doubled. It is remarkable to know that we've reached a 30-year record in terms of the number of people working. That we've been able, by marshalling the resources of this economy, to cut royalties, to be able to increase production, to be able to cut property taxes, income taxes, sales taxes to the benefit of Saskatchewan people.

We've done that by using Saskatchewan's resources. But those resources are being depleted. Natural resources — the non-renewable natural resources — are a one-time opportunity that we have to extract them, to sell them, and use those returns to the benefit of our economy. This is fundamental, and understanding this is fundamental to understanding why equalization is such a critical issue for us to deal with.

Today we are being unfairly treated in equalization because we are not being allowed to keep the full benefit of the resources that are constitutionally guaranteed to us. As we extract those resources, as we seek the sale of them, as we get the return on the royalties, there is a clawback mechanism through equalization that draws back the benefit the Saskatchewan people should be receiving. It's not an unsizable amount.

The Prime Minister himself when he was the opposition leader indicated that he believed that that amount was about \$750 million a year. Through a little refinement we've taken a look at those numbers, and we tend to agree with the Prime Minister. That number is likely somewhere between 750 and 800-and-some million dollars a year that is flowing out of this province to Ottawa, being redirected by Ottawa to support the programs of other provinces.

All we are calling for under this is for the Prime Minister to keep the commitment he made to Saskatchewan people when he was campaigning and to allow us to draw first upon those resources for the benefit of Saskatchewan people. This is a constitutionally guaranteed premise. This is an issue of fairness. This is the opportunity we have today in this province to move this province forward.

The members mocked the ad campaign that we've undertaken to imagine what the province would be like with an additional 750 to \$800 million, but it is a compelling argument to imagine what it is we could do today if we had the same deal that Alberta had 20 or 30 years ago, if we had the same deal that the Atlantic provinces have today.

It's interesting that the federal government defends and has indicated they will keep the Atlantic accords in place even though there is no constitutional recognition that those Atlantic provinces have a right to access the revenues from those offshore reserves. It's interesting that the federal government is prepared to allow those provinces to benefit from the resources that are not located in their province but offshore, when they refuse to allow us to benefit from the resources right under our own feet. It is a question of fairness.

We support the approach that was taken to allow the Atlantic provinces that money to move their economy forward, to spend it on development, to help move their economy in a different direction. All we ask now is for the same treatment for Saskatchewan people.

The federal government has done some work on this. I appreciate the fact that they continued the expert panel that the Liberals had appointed, chaired by Mr. O'Brien, the former deputy treasurer of Alberta. It is an interesting piece of work in that the O'Brien report itself indicates that even under the strict conditions that he applies, Saskatchewan is entitled to . . . Saskatchewan people are entitled to half a billion dollars more in annual allotment than they currently get, that we should be keeping half a billion dollars more that we send to Ottawa on an annual basis. That's O'Brien's conclusion.

Now the problem with the O'Brien report is that to then square it with the statements of the Conservative government, he's introduced this idea of there being a cap which then again claws back all the benefit.

We need an end to the clawback. We need an end to the unfair treatment. We need an end to an equalization formula that is based on the old-fashioned idea of welfare for provinces. Equalization today provides us with a unique opportunity to look at it as a development fund, to look as those as ways that we can use that money to further change our economy, to reduce taxes, to spend money in the development of our resources, to continue to support our communities so that they've got the infrastructure that's necessary to move this modern economy forward, to build on the growth that we have, and to make a better future for ordinary families here in Saskatchewan.

[14:45]

That's what we're asking for. We're not asking for anything different than what Atlantic Canada already got. We're not asking for anything different than what Alberta already got. We're asking for the same deal. Now we've been patient about this. We believe the Liberals should have dealt with this when they had the opportunity. And I'm disappointed that the federal government didn't do more when the Liberals were there.

That being said, I'm not quite sure what it is that's taking this administration so long to enact and implement the promise that they have so clearly, and I would argue, eloquently articulated in the House of Commons. People should read the Prime Minister's speech when he was the opposition leader. People should see what it is that he says about us having a \$750 million entitlement to Saskatchewan people. And I think if they did, they'd understand why it's so important that we ask the Prime

Minister to keep his promise.

Today, as with every day since this Conservative government was elected, another \$2.2 million will flow out of this province to Ottawa's coffers. Ottawa will use that money to support economic development and tax cuts and social programs in other provinces. All we're asking is that we would be able to use that money first here at home in Saskatchewan. Let's use that money here to cut taxes, to benefit programs, to build our community infrastructure. Let's use that money here to make Saskatchewan a better place.

I guess one of the questions that I have as we take a look at this debate moving forward, one of the questions I have is, who is it today that's speaking up for us in Ottawa? Who is it today that is representing Saskatchewan people in Ottawa?

When the opposition Conservatives were in opposition, they were constantly critical of Ralph Goodale and the Liberal Party for not enacting a Saskatchewan accord similar to what the Atlantic provinces did. They said it would happen overnight if they got elected. It was a simple solution they said, a quick fix. They've been in office now some . . . oh I guess longer than the Clark government was, I read the other day. They've been in office longer than Joe Clark's administration was, and yet they failed to keep this promise. I wonder who it is that's speaking up in parliament on behalf of Saskatchewan people.

I listen to the debates in parliament on fiscal fairness and on the equalization issue, and I hear very loud, strong voice from Quebec. I hear the Quebec MPs [Member of Parliament] standing up and saying that they want their fair share. We read in the papers that within the Conservative caucus that the MPs are standing up from Quebec and saying Quebec deserves its fair share.

What happened to those 12 Conservative MPs that were elected to represent Saskatchewan people? Did their voice fall silent? Did they forget about it? Did they just say it to get elected? Or are they actually still working on it? This is a big question today. Where is that Saskatchewan Conservative caucus on equalization? Where are they pushing forward this issue on behalf of their constituents?

If the issue was fairness when the Liberals were in office, surely today the issue is still fairness when the Conservatives are in office. In fact it should be one that's even more clear when the Prime Minister himself has outlined in his speeches that he would undertake this change, when he has campaigned to make this change.

I want to say one further thing before closing. That perhaps one of the most difficult parts about the current equalization formula is that not only does it not recognize our access to the resources that are here in Saskatchewan and the belief that those should be to the benefit of Saskatchewan people. Not only does it fail to recognize that; it has built into it a rather peculiar formula that actually claws back more money even when it's recognized that it's entitled.

It's roughly believed in the current formula Saskatchewan is entitled about \$142 million worth of equalization, even with resource prices where they are today. Through a process called



associated equalization, all of that money — all of that money — is clawed back. Saskatchewan receives nothing. Fair enough. If other provinces were in the same situation, I'd say fair enough. But they're not.

Newfoundland-Labrador is not. Nova Scotia's not. Alberta wasn't. And even our neighbouring province of Manitoba, which has roughly the same GDP per capita, has a slightly different mix in its economy in that it's done . . . their resource base is largely through renewables, Manitoba gets \$1.5 billion more annually than Saskatchewan. Our neighbouring province with roughly the same population, the same demographic, the same geography, the same per capita GDP, ends up with more than Saskatchewan does — \$1.5 billion more than Saskatchewan does.

And one can only ask, how and why and how and why is that allowed to continue? And I'm not saying, take this away from Manitoba. I'm not saying we should level down. I'm saying, let us raise the bar, let us raise the issue of fairness, and let us deal with it as the Prime Minister has outlined. I don't think it's an unreasonable thing to ask for fairness within the federation because that's really what this is about. It's not about equalization. It's about fairness; it's about fiscal fairness. And that's something we all should be addressing.

I worry a little bit in terms of where we are today in this debate, that we need again to call this legislature to support Saskatchewan's case. It troubles me that the MPs, the Conservative MPs in Ottawa are saying nothing about this. And I have to ask, at what point is it that Minister Flaherty and Prime Minister Harper will make good on their commitment to Saskatchewan people?

And I had the opportunity to meet with Minister Flaherty I guess a little over two weeks ago now to talk about this and a number of other issues. He tells me in that meeting that he is looking — perhaps as early as the federal-provincial Finance ministers' meeting in December — to bring forward options. But those again appear to be attached largely to O'Brien, which recognizes an entitlement and still claws it back. This does not meet the test of fairness.

Now I appreciate that in response to that conversation and conversations that the Premier has had with Prime Minister Harper, that we have agreed that officials should meet and begin working through details of what a response would look like; that we should see what would be necessary to get an equalization agreement that does meet the Prime Minister's test for fairness and our request for fairness. That is the work that's being undertaken today.

That being said, Mr. Speaker, while that work goes ahead and while we're prepared to be patient and we want to work with the federal government, we know that by the end of today another \$2.2 million will have flowed out of Saskatchewan to Ottawa. That \$2.2 million today will be redistributed by Ottawa to the benefit of other provinces.

We want to be good corporate citizens. We want to be good Canadians. We want to be partners in the federation, but we want a fair deal too. That's what this resolution calls for. That's what we have been pressing Ottawa for. That's what we ask for

the support of parties in this legislature for. And that is what we are calling on Saskatchewan's 14 members of parliament, including the 12 that sit on the government benches — a record number since the Diefenbaker years — that's what we are calling on these groups to do. Join us in that fight for fairness and let's get this fixed.

Thank you very much, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the member for Saskatoon Silver Springs.

**Some Hon. Members:** — Hear, hear!

**Mr. Cheveldayoff:** — Thank you, Mr. Speaker.

Mr. Speaker, thank you for the opportunity to participate in today's debate on behalf of the official opposition Saskatchewan Party. The motion before us reads:

That this Assembly urge Prime Minister Harper to honour his commitment to remove non-renewable resource revenues from the equalization formula.

The Saskatchewan Party, Mr. Speaker, supports this motion and we will be voting in favour of it. We are supporting this motion for two main reasons, Mr. Speaker. First, it is consistent with the position that we have always taken — that Saskatchewan deserves a fair equalization deal that excludes non-renewable natural resource revenues from the equalization calculation. Second, Mr. Speaker, we support this motion because it is consistent with the efforts that have already been taken by the Leader of the Saskatchewan Party who, through letters and phone calls with the Prime Minister, has emphasized the importance of a new equalization deal for Saskatchewan.

Mr. Speaker, I would like to elaborate on these two points though, Mr. Speaker, because while we support the motion, we do not believe that the lobbying efforts undertaken to date by the NDP government have been effective, nor have they been, Mr. Speaker, a good use of taxpayers' dollars.

The Prime Minister made a commitment in the last election to exclude non-renewable natural resources from the equalization calculation and we expect the federal government to honour that commitment, Mr. Speaker.

Mr. Speaker, the Saskatchewan Party has been consistent in our position that the current equalization formula is flawed. Saskatchewan deserves a fair equalization deal that exempts non-renewable natural resources from the equalization calculation.

Mr. Speaker, when the former Liberal government cut a side deal with Nova Scotia and Newfoundland and Labrador to exempt their oil and gas revenues from the equalization calculation, the Saskatchewan Party demanded that the federal government treat Saskatchewan fairly. And, Mr. Speaker, we are certainly encouraged that the current federal government has made a commitment to move to a 10-province standard and exempt non-renewable natural resources from the equalization

calculation.

Following the election of the current federal government, the Saskatchewan Party reiterated our support for a new equalization deal. Recognizing that it would take time for a new government to address this issue, we also called upon the federal government to make any new equalization deal, Mr. Speaker, any new deal retroactive to April 1, 2006.

Mr. Speaker, we have not just stated our position in favour of a new equalization deal. We have presented Saskatchewan's case to the Prime Minister, to the federal Finance minister, and to the federal government, Mr. Speaker. The Leader of the Opposition has written and spoken to the Prime Minister on this issue and we have impressed the importance of this to Saskatchewan's MPs.

As Finance critic, I have spoken directly with the national Finance minister and to Saskatchewan's members of parliament, Mr. Speaker, who time and time again have raised this very issue on behalf of their constituents, on behalf of our constituents, on behalf of Saskatchewan residents in the national Parliament of Canada. In fact, Mr. Speaker, it was the Saskatchewan Party that moved that equalization be the first order of business in the 2005 spring session.

Perhaps most importantly though, Mr. Speaker, the official opposition has offered to accompany the Premier and the Finance minister or whoever the Premier chooses in a delegation to Ottawa to press Saskatchewan's case. Mr. Speaker, let's be clear. The opposition has extended our hand to work with the government in this case.

The Saskatchewan Party believes that an issue as important as equalization transcends partisan politics, Mr. Speaker. That is why I am reiterating again today our offer on behalf of the official opposition to join with the government in a trip to Ottawa or whatever it takes for a new equalization deal for Saskatchewan.

Mr. Speaker, everyone in this Assembly understands the importance of renewing equalization so that it exempts non-renewal natural resources. But frankly, Mr. Speaker, the people of Saskatchewan have been less than impressed by this government's actions on this file so far.

At a time when Saskatchewan people are looking for leadership from their provincial government, the NDP strategy has been to rely on gimmicks and advertising campaigns. Last year, the NDP trotted out their raise a flag or raise a flag . . . I'm sorry, Mr. Speaker, Raise a Flag for Fairness campaign at a cost of more than 268,000 taxpayers' dollars. Mr. Speaker, that NDP advertising campaign achieved very little.

Now, Mr. Speaker, the NDP has launched yet another expensive advertising campaign — this time at a cost of 300,000 taxpayers' dollars — to ask Saskatchewan people to imagine, Mr. Speaker, to imagine what a new equalization deal could do for our province.

Mr. Speaker, the people of Saskatchewan, they don't need to be convinced that a new equalization deal is necessary. What they need is a government that will go to Ottawa and get the deal for

them.

[15:00]

Mr. Speaker, the Saskatchewan Party is willing to join the government to make the case on a new and fair equalization deal for Saskatchewan. And I would hope that the government and the Premier would consider this offer as a positive alternative to yet another failed or wasteful advertising campaign.

Mr. Speaker, the Saskatchewan Party supports this motion. We have the confidence that the Prime Minister will honour his commitment. And we will continue in our efforts to ensure that the federal government understands the importance of this issue to the people of Saskatchewan. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Premier, member for Saskatoon Riversdale.

**Hon. Mr. Calvert:** — Thank you, Mr. Speaker. I want to put a few comments on the record in what is an extremely important, an extremely important debate because of the importance of this matter to the future of this province, the future of our families, to building a better future here for our families and for our young people.

Mr. Speaker, I am also pleased to hear the critic of Finance from the opposition say that they will be supporting this motion. He makes the point that this is done in a non-partisan way and then he talks about the Saskatchewan Party at length during his presentation. That aside, Mr. Speaker, we welcome the comments from the critic across the way and I look forward to comments hopefully in this debate from the Leader of the Opposition. Such a significant debate, I would hope we would hear also the comments of the Leader of the Opposition this afternoon.

Mr. Speaker, I want to again place on the record the commitment that the current Prime Minister of Canada made during the 2006 federal election campaign. Mr. Speaker, I am quoting directly here from the Conservative Party's 2006 election platform, Mr. Speaker. They said, and I quote:

A Conservative government will:

Work to achieve with the provinces permanent changes to the equalization formula which would ensure that non-renewable natural resource revenue is removed from the equalization formula to encourage economic growth.

Mr. Speaker, that was a welcomed commitment. That commitment was welcomed by the people of Saskatchewan when made by the Conservative Party because this is precisely, precisely, Mr. Speaker, what we have argued for a number of years with the former Liberal government that the exclusion of these non-renewable natural resource revenues from the equalization formula — therefore providing an opportunity for Saskatchewan people to retain in this province the benefit of our non-renewable natural resources — gives us then the opportunity to take those resources, to take those revenues and

build a strong economy here for our people. And so, Mr. Speaker, we very much welcomed the commitment of the Conservative Party.

And then, Mr. Speaker, I welcomed a letter from then leader of the opposition, Mr. Harper, to all premiers, including myself, which again he committed in writing to the premiers of Canada this very, very significant promise, Mr. Speaker, that he as Prime Minister would ensure that non-renewable natural resources are excluded from the equalization formula.

Now, Mr. Speaker, this matter of equalization in many ways is a very complicated — unbelievably complicated — matter. But there are some issues here, Mr. Speaker, that are not complicated at all. Very simple facts. Fact number one. It is a promise made to the people of Saskatchewan, for that matter the people of Canada, that the non-renewable natural resources, revenues from those resources should not be calculated . . . should not be included in the calculation of a fair and just equalization formula for all Canadians.

Mr. Speaker . . . [inaudible interjection] . . . Well the leader of the . . . or some from the opposition seem to cheer from their seats. They want to make this a non-partisan debate. If they want to have the partisan debate, we can do that, Mr. Speaker, but I will argue this is a matter of significance to the whole people of Saskatchewan and the opposition should be with us on this.

Mr. Speaker, fact number one, it's a promise made to the people of Saskatchewan by the Conservative Party and the current Conservative Government of Canada.

Fact number two, Mr. Speaker . . . And these are not numbers that come from this government caucus or for that matter from that opposition. It is defined by this Conservative government in Ottawa to mean in the neighbourhood of \$850 million annually for the people of Saskatchewan — \$800 million of retained revenues in this province.

Those are not our numbers, Mr. Speaker. Those are numbers that have been provided by the national government, that have been promoted by Conservative members of parliament from this province. In fact there's one Conservative Member of Parliament from this province said this deal should be worth more than \$2 billion to the people of Saskatchewan. Well, Mr. Speaker, we're not unreasonable. We recognize that the appropriate, the appropriate amount in a fair calculation of resource revenues for the people of Saskatchewan would amount to about \$800 million a year. That's fact number two.

Fact number three, Mr. Speaker, when we are talking about the non-renewable natural resources, we're talking here about resources that once taken are never returned. The barrel of oil can only be taken from the ground once. As guaranteed by constitution, that barrel of oil, that cubic foot of natural gas is the property of the people of Saskatchewan. When it is taken from the ground, it is only taken once. It can never be retaken. It is not a renewable resource, Mr. Speaker. And therefore when the benefits of that resource are accrued, they should accrue to the owner of that resource, that being the people of Saskatchewan, so that those benefits can be reinvested for the long-term future — reinvested in education, reinvested in

highways and transportation, reinvested in renewable energy sources, Mr. Speaker, reinvested in conservation of energy, Mr. Speaker. Those resources can only be taken from the ground once. These are non-renewable resources, and that's a fact.

Fact number four, Mr. Speaker. Under the current Liberal government, this reality was recognized, recognized on behalf of the people of Newfoundland and Labrador and the people of Nova Scotia when the former federal government signed the Atlantic accords with these two provinces to ensure just that this principle was put into place for those provinces and their people. So that the non-renewable natural resources of Newfoundland and Labrador, the non-renewable natural resources of Nova Scotia now being developed off-shore would benefit first of all and primarily the peoples of Newfoundland and Labrador, the peoples of Nova Scotia, the Atlantic Accord was signed, Mr. Speaker.

We have supported very much the Atlantic Accord, and we have enjoyed the support of the Atlantic region in maintaining this principle now for all Canadians and for Saskatchewan. That's a fact.

And a fact that is not well-known, Mr. Speaker, is that when Alberta was in the process of developing their vast natural resources — non-renewable — some years ago, a similar, a similar arrangement was made with the province of Alberta so that those resources being developed could be retained in Alberta for the benefit of Albertans in future.

And the simple fact today, Mr. Speaker, is that Saskatchewan is not being allowed to do the same thing, and that's what this issue is all about. It is, Mr. Speaker, retaining the benefits of our non-renewable natural resources here in the province of Saskatchewan that they may be invested in Saskatchewan communities, in Saskatchewan infrastructure, in Saskatchewan people, to build for our future — a secure future for our province.

Now, Mr. Speaker, I have listened to some of the debate that's happened in this House over the last number of weeks. And I have been concerned since I heard the member from Wood River who in his remarks to the Throne Speech, I believe, Mr. Speaker, at some other point liken equalization to the concept of a handout from Ottawa. This is what the member from Wood River said. This is October 30, 2006. Quote the member of Wood River:

. . . this is what this government is doing with the feds all the time. They're poking their finger in their eye with their right hand and their left hand is out for money.

Mr. Speaker, if there is some confusion in the member opposite's understanding of equalization or some confusion in the opposition caucus benches, let me clarify that confusion. Equalization is not a handout from Ottawa. It is not a handout from their Conservative friends in Ottawa.

Equalization is a redistribution of wealth in this nation based on fairness and justice. By excluding non-renewable natural resources from the calculation of equalization, we are not seeking a handout, Mr. Speaker. We are seeking the justice. We are seeking the fairness that is required here.

Mr. Speaker, all Canadians, all Canadians contribute to equalization because all Canadians contribute to the national revenue. It is from that national revenue that each and every national government is obliged by constitution to provide a process of equalization, to provide, Mr. Speaker, the terms and conditions on which those numbers are decided.

This is not a handout. The member of Wood River wants to call it a handout. It is not a handout, Mr. Speaker. It is the fairness and the justice of living in this country. And his party, now sitting in the government benches as opposed to opposition in Ottawa, Mr. Speaker, it is time for them to come through on their promise. It is time for the federal members of parliament in Saskatchewan to come through on their promise. And that's why the importance of this resolution, Mr. Speaker.

This means \$800 million — \$800 million of retained revenues — for the people of Saskatchewan that we can build a better future here for our families and a better future here for our young people.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Calvert:** — Mr. Speaker, it is an important debate we're having in this legislature today. I look forward to the vote where we all can support it and then make that unanimous decision, that unanimous decision of this legislature, provide it to the national government, and I would argue, also to the members of parliament who represent our province in that national government. Thank you very much, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Chair recognizes the Leader of the Opposition, the member for Swift Current.

**Mr. Wall:** — It's a pleasure to enter the debate especially after the very non-partisan conclusion of the Premier's remarks just moments ago.

Mr. Speaker, I think it's very fair to say, and the member for Silver Springs, the critic for Finance for the opposition, has done a good job of indicating the support of this caucus for this particular motion. And more to the point, this party has certainly been on record as offering to this Premier, to any minister of his government when they want to make the case, the case for a better equalization deal, a more fair deal for Saskatchewan in Ottawa, that we would co-operate in any way.

We did meet jointly with the Premier, in this building, together with federal members of parliament and I believe there was a senator there. And we will continue to be there in the interests of the province of Saskatchewan and the deal that we seek in terms of a new equalization arrangement with Ottawa and with the other provinces.

The Premier's touched on a number of the, as has the member for Silver Springs touched on a number of the arguments that one could make in favour of this motion. They're very compelling arguments, Mr. Speaker. Chief among them is the fairness argument, I would say. And the Premier touched on the historical precedent that was set in terms of fairness. And I'm glad to hear him talking about the treatment that Alberta

received in the 1960s, because he wasn't making that case earlier on. And I think it's part . . . It may be the most powerful of all of the arguments for Saskatchewan to have exclusion of natural resource revenue from the formula in a 10-province standard.

That was the de facto arrangement for the province of Alberta in the 1960s. The way the formula was structured at the time, Alberta did enjoy the benefit of that de facto exclusion, that they would be able to go ahead and develop that industry, that they would continue to receive some assistance through the equalization program. And so there is a historical precedent, never mind what's happened in Atlantic Canada. More on that in just a few minutes maybe, Mr. Speaker.

But what happened with respect to Alberta is something we should be pointing out to the federal government. And I think it was part of the rationale for the promise that they made in the last federal election campaign, a promise that we would like to see them keep as well, Mr. Speaker.

The other issue of fairness is the precedent situation that we saw with the Atlantic Accord for Newfoundland and Labrador and for Nova Scotia, where whose premiers were able to negotiate basically the exclusion, the equivalent of the exclusion of their resource revenue and hundreds of millions of extra dollars for their province in terms of a new equalization deal.

So to be sure those are two excellent reasons for the federal government to keep its promise. And you don't need to go much beyond that except I guess to say that if there needs to be more than the argument of fairness in this case, the argument can be made that Saskatchewan, were we to get this deal, would be able to contribute that much more to the Dominion of Canada than we already do because the inequity and the unfairness would have been addressed.

I'll take some exception, a little bit perhaps, with the conclusion of what the Premier's remarks were. He seems to take issue with the fact that the member for Wood River characterized equalization as assistance, fiscal . . . I guess you could call it fiscal, federal, social assistance for provinces. It is a redistribution of wealth. That's what it is.

And do you know what, Mr. Speaker? I don't think anyone on this side of the House is ashamed. I think we're quite proud to stand up and say this province with all of its resources and with all of its wealth — with its human resource and with what we have in terms of natural resources — should expect to be a permanent member of the have province club, Mr. Speaker. We should be working for the day when we won't have any part of any equalization assistance. We won't need it. Other provinces in the country would be able to benefit, Mr. Speaker. And it would mean that we were finally reaching our full potential.

That's what informs the member for Wood River's remarks in this Assembly. It's what informs our economic plan for the province of Saskatchewan. We make no apologies for the fact that we don't think this province should have been part of that have-not club for as many years as it has needed to be a part of that club, Mr. Speaker.

Now the Premier, the Premier on the other hand, calls

Saskatchewan a wee province. He came back from a federal-provincial meeting one time and said that Saskatchewan will always be in and out of equalization — in and out of equalization — in quotes in the *Leader-Post*, Mr. Speaker. I read that and I couldn't believe it. I thought there's the Premier of the province, the leader of this province, the CEO [chief executive officer] saying, you know, lowering expectations on our newly acquired have province status by saying — what? — well we'll always be in and out of equalization.

[15:15]

We don't accept that on this side of the House. We would like to see, Mr. Speaker, inequity addressed, this unfairness addressed. We will stand with this motion. We will continue to reach out to the federal members of the parliament as we have. Every time we get a chance to meet with a cabinet minister or an MP or chat with the Prime Minister, we raise the issue of equalization.

The chances of getting a deal doing that are much better than another phony-baloney ad campaign from the government members opposite, which is more about politics than about anything else. They can Raise a Flag for Fairness. They can ask people to Imagine, Mr. Speaker. But what they want to see is a government and a Premier that will show leadership that will get this job done.

We're going to continue to help in every way we can, Mr. Speaker, because frankly the people of the province tell us, they tell us that on the issue of equalization, on so many issues facing this province, that government needs all the help they can get. Thank you, Mr. Speaker.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The question before the Assembly is the motion moved by the Minister of Government Relations, the member for Regina Douglas Park, seconded by the Minister of Finance, the member for Regina South:

That this Assembly urge Prime Minister Harper to honour his commitment to remove non-renewable resource revenues from the equalization formula.

Is the Assembly ready for the question? Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. Call in the members for a standing vote.

[The division bells rang from 15:16 until 15:21.]

**The Speaker:** — The question before the Assembly is the motion moved by the member for Regina Douglas Park, the Minister of Government Relations, seconded by the member for Regina South, the Minister of Finance:

That this Assembly urge Prime Minister Harper to honour his commitment to remove non-renewable resource revenues from the equalization formula.

Those who favour the motion please rise.

[Yeas — 49]

|             |              |              |
|-------------|--------------|--------------|
| Calvert     | Hamilton     | Van Mulligen |
| Lautermilch | Hagel        | Serby        |
| Atkinson    | Sonntag      | Forbes       |
| Prebble     | Crofford     | Belanger     |
| Higgins     | Thomson      | Nilson       |
| Beatty      | Taylor       | Junor        |
| Harper      | Iwanchuk     | McCall       |
| Quennell    | Trew         | Yates        |
| Addley      | Morin        | Borgerson    |
| Wall        | Toth         | Elhard       |
| McMorris    | D'Autremont  | Krawetz      |
| Draude      | Bjornerud    | Chisholm     |
| Hart        | Harpauer     | Gantfoer     |
| Eagles      | Cheveldayoff | Huyghebaert  |
| Allchurch   | Kirsch       | Brkich       |
| Dearborn    | Merriman     | Morgan       |
| Duncan      |              |              |

**The Speaker:** — Those opposed to the motion please rise.

[Nays — nil]

**Clerk Assistant (Committees):** — Mr. Speaker, those in favour of the motion, 49; those opposed, 0.

**The Speaker:** — I declare the motion carried. The motion has been carried unanimously *nemine contradicente*. The Chair recognizes the Government House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, I request leave of the House to introduce a motion of transmittal.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — The Government House Leader has requested leave to introduce a motion of transmittal. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Leave has been granted. I recognize the Government House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, by leave of the Assembly I move:

That the Speaker, on behalf of the Legislative Assembly, transmit copies of the motion, verbatim transcripts of the motion just passed to the Prime Minister of Canada, the federal Minister of Finance, the federal Minister of Intergovernmental Affairs, and all Saskatchewan members of parliament.

I move, seconded by the government deputy House leader, the hon. member for Regina Dewdney.

**The Speaker:** — It has been moved by the member for Moose Jaw North, the Government House Leader, seconded by the deputy government house leader, the member for Regina Dewdney, by leave of the Assembly:

That the Speaker, on behalf of the Legislative Assembly, transmit copies of the motion and verbatim transcripts of the motion just passed to the Prime Minister of Canada, federal Minister of Finance, the federal Minister of Intergovernmental Affairs, and all Saskatchewan members of parliament.

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:** — The motion is carried. The Chair recognizes the Government House Leader.

### RESCIND TRANSFER TO MOTIONS FOR RETURNS (Debatable)

**Hon. Mr. Hagel:** — Mr. Speaker, I stand to ask leave of the House that the order to convert question no. 23 to motion for return (debatable) be rescinded in order to provide the response to question no. 23.

**The Speaker:** — Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Leave has been granted. The Chair recognizes the Government House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, I provide the response to question no. 23.

**The Speaker:** — Response to question 24 has been submitted.

### GOVERNMENT ORDERS

#### SECOND READINGS

##### Bill No. 3 — The Fuel Tax Accountability Act

**The Speaker:** — The Chair recognizes the Minister of Finance.

**Hon. Mr. Thomson:** — Thank you very much, Mr. Speaker. I am very pleased today to rise in the Assembly and move second reading of this Bill to create The Fuel Tax Accountability Act. The recent Throne Speech committed us to developing a strong public infrastructure, an infrastructure which is built for the 21st century and will help deal with the growing needs of Saskatchewan families and Saskatchewan communities.

Some of the initiatives that we plan to support this goal include improvement to heavy-haul provincial roads, improved access to First Nations communities, as well as economic and social develop initiatives in the North. We've also made commitment and provided funding to improve interprovincial movement of trade and to provide for greater municipal support for an evolving transportation system.

Mr. Speaker, this government continues to listen to the people of Saskatchewan, and Saskatchewan residents have told us that they want the government to dedicate the fuel tax revenues for the maintenance and construction of our highways and transportation system. Our government has responded and indicated in the Throne Speech that we would introduce The Fuel Tax Accountability Act and that this fuel tax Act would provide that revenue from fuel purchased for on-road purposes would be dedicated to funding our provincial highways and transportation network. This Bill does meet our commitment and I think meets the desire the Saskatchewan people have laid out.

Beginning in the '07-08 fiscal year, this Bill will require that the government report on these revenues and expenses in the Legislative Assembly and in the annual public accounts. As well, this Bill commits the government to preparing a plan for dealing with excess annual fuel tax revenues that may not have been spent on the provincial transportation system. This Bill is proof of our government's commitment to the maintenance and construction of our provincial highways. It's proof of our commitment to invest in a 21st century transportation system that meets the evolving needs of Saskatchewan families. It is proof that we remain committed to transparency and accountability within government.

Mr. Speaker, I would note that over the many years we have used the gas tax, as it's known by people, we've used the gas tax to support our provincial highways and transportation networks as well as to support our municipalities. Municipalities will continue to draw upon this government's support in forms of revenue sharing to support them on their road networks. We are setting a new base in this Bill by providing that the money that comes from the provincial gas tax is used on provincial highways and provincial transportation networks. Motorists should rest assured knowing that, as they're at the pump, the 15 cents a litre they're paying is going to go and help fix our highways.

I would say this in closing, Mr. Speaker, that I think that this would be an important new initiative — not only in this province, but one that I would hope that our federal counterparts would undertake. They provided a little better than \$30 million a year in support of our provincial highways while collecting over \$200 million a year in taxes. We could have a much better transportation system if the federal government followed this provincial government's lead.

Mr. Speaker, I will be pleased to answer questions concerning this proposed new Act when discussing the Bill during the committee review process. As such, Mr. Speaker, I am pleased to move second reading of The Fuel Tax Accountability Act.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — It has been moved by the Minister of Finance that Bill No. 3, The Fuel Tax Accountability Act be now read a second time. Is the Assembly ready for the question? The Chair recognizes the member for Saskatoon Southeast.

[15:30]

**Mr. Morgan:** — Thank you, Mr. Speaker. It's my privilege to

enter the debate and discussion regarding this particular Bill.

Earlier today we saw two situations in which both the opposition and government were able to work together and support a resolution. And with regard to this particular Act, I'm going to be speaking somewhat in favour of and commending the government for some of the issues that are in this particular piece of legislation.

In particular, Mr. Speaker, what I'd like to commend the NDP on is for taking yet another page out of the Saskatchewan Party playbook. This is something that has been Saskatchewan Party policy for some time. It has been in our 100 points and it has been passed at our . . . So one, I'd like to commend the NDP for reading our literature on our website and for probably having somebody at our convention, and we think that's commendable that they're doing that. It's, you know, clearly something that they should do more of and I'd like to thank them for doing that, and we look forward to seeing even more Bills from them that will indicate that this is something that they do on an ongoing basis. Sooner or later the people of the province of Saskatchewan, Mr. Speaker, will be able to deal directly through a Saskatchewan Party government instead of having to have the NDP come and borrow ideas from the Saskatchewan Party.

Mr. Speaker, the fuel tax accountability Bill is, in simple terms, a Bill that allows and authorizes the government to take a specific apportionment of the road tax on gasoline and apply it directly to roads and highways. It should be something that shouldn't need to be legislated. It's just common sense when you've got a tax of so many cents per litre you just decide, okay what portion of that tax should go to roads? And for every litre of gasoline that's sold, you apply that to the formula and you just do that as part of the budget.

This piece of legislation enshrines it in legislation and will ensure that it takes place. The unfortunate reality that brings this Bill into . . . the need for it, is the dismal condition of the roads. The fuel tax accountability Bill, Mr. Speaker, simply is going to ensure that there's some catch-up on the highway repairs.

We have highways in this province that have been referred to as goat trails and are highly dangerous. Last year in the legislature I raised . . . a family in Saskatoon, the Istace family, that hit a pothole that was so large, it actually triggered the airbags in their car and did several thousand dollars of damage. This is not something that any province should be proud of when roads have deteriorated to that point.

We talk to tourists about the condition of the highways, and hopefully the fuel tax accountability Bill will do something to try and address the problems that there are with the highways in this province.

We talk to businesses that are in the Humboldt area, where they're trying to attract, retain, and grow their businesses. But they're unable, because of the condition of the roads, to ship raw materials in and finished product out, because the roads have become so disastrous. In particular, Mr. Speaker, I'm referring to Highway No. 368 which was subject to a large number of signs and a lot of publicity during the last summer.

Hopefully, the fuel tax accountability Bill will raise enough funds and will target enough funds that some of those specific issues can be addressed and we see an improvement in highways.

Mr. Speaker, highways in this province are something that we've had for a long time. We have to plan for the lifespan of highways. We know that we live in a cold climate where roads are subject to frost heaving and deteriorate earlier than they do in other jurisdictions in other parts of North America. But we have been in this business of providing roads for our citizens long enough that we should be able to estimate what the life expectancy of a road is. We should have a program of vigorous and aggressive maintenance every spring to try and target frost heaves and potholes, pavement breaks before they become worse, before they become a safety factor.

We know that if we are going to have a province where people want to come . . . [inaudible] . . . we need to have good accountability. We know that we need to have everything take place so that we're not in the position where we're relying on the fuel tax accountability Bill just to simply address and to fix problems that are basic with our highways.

Providing competent highways, providing health care, providing education are something that we should be able to look to every government to do. And we shouldn't have to regard that as something that becomes part of political debate when we look at the need to make the most basic repairs to our highways rather than having a debate about how the highway repairs are going to be funded. This would be something that . . . basic bread and butter. We know, Mr. Speaker, that the fuel tax accountability Bill is something that is essential. It's a step forward to ensure that there is a targeted portion of it.

The Saskatchewan Party put that forward along with a great number of other initiatives that we're pleased to see the NDP embracing. We'd be somewhat more pleased, Mr. Speaker, if they would just say, this is from the Saskatchewan Party platform, number such-and-such. It would make it a little easier for us to get our message out that they're using our agenda.

But anyway, it's certainly a step in the right direction that they are recognizing the work done by the Saskatchewan Party, done by the Saskatchewan Party caucus, the research staff, and that we want to see more of them using the Saskatchewan Party initiatives. And it's certainly . . . As they say, imitation is the most sincere form of flattery and we realize that this is going to be part of our platform going into the next election. And it's going to certainly make it easier for us to say to the electorate, the fuel tax accountability Bill is the type of initiative the Saskatchewan Party put forward, the NDP embraced. You might as well go for the real thing, not somebody that copied the idea. Mr. Speaker, it's my privilege to move to adjourn debate on this Bill.

**The Speaker:** — It has been moved by the member for Saskatoon Southeast that debate on second reading of Bill No. 3 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Bill No. 17 — The Miscellaneous Statutes (Municipal Collection of Other Taxes) Amendment Act, 2006**

**The Speaker:** — The Chair recognizes the Minister of Government Relations.

**Hon. Mr. Van Mulligen:** — Mr. Speaker, at the conclusion of my remarks I will be moving second reading of Bill No. 17, The Miscellaneous Statutes (Municipal Collection of Other Taxes) Amendment Act, 2006.

As you will be aware, Mr. Speaker, current legislation requires municipalities to levy, collect, and remit school property taxes. The government expects municipal councils and their officials to take these legal obligations seriously. However, Mr. Speaker, we have observed that this has not always been the case. The actions taken by some municipalities over the past number of years — most recently by some municipalities to withhold education property taxes — had a potential to undermine the legal and financial foundation of local government and in particular our education system. These actions are inappropriate and illegal.

These actions taken by some municipalities had the potential to significantly impact the education of students. The cost of these actions is primarily borne by the school division through interest on financing to replace unremitted taxes and legal costs associated with collection. Mr. Speaker, this is a problem because school divisions may have to cut programs or increase mill rates to recover these costs, both of which impact all school division taxpayers, not only those in the municipalities that takes illegal actions. And they impact our students.

Mr. Speaker, these concerns led government to conduct significant consultations on the amendments proposed in this Bill. It was our belief that it was in the best interests of both the municipal and education sectors to work collaboratively with government on solutions. The amendments have been developed through the municipal forum and a subcommittee established by it. This committee provided an opportunity for representatives from the various stakeholder organizations along with Government Relations and Learning to engage in an open and frank discussion of the various issues and potential solutions to preclude future education property tax non-compliance. The Saskatchewan Association of Rural Municipalities, Saskatchewan Urban Municipalities Association, and the Saskatchewan School Boards Association all participated in this process.

The central focus of the committee was to consider how best to achieve mutual respect, transparency, and accountability among municipalities and school divisions and to ensure that local government authority was appropriately defined in order to achieve these objectives. Illegal actions and their consequences cannot be accepted even when intended as democratic protests.

Mr. Speaker, it was our hope that as much as possible the committee would propose a package of amendments based on consensus and compromise among the participants. Both of these occurred within the committee. The results are reflected in the amendments to several Acts that are before you today. At

the end of the process, the municipal and education sector association positions did differ on a few points. Some items that agreement could not be reached on have been omitted from the proposed changes.

Mr. Speaker, government has a responsibility to the people of this province, to the education sector, and to our students to take steps to ensure that these sorts of illegal actions do not happen in the future. The Bill before the Assembly today contains legislative amendments that will constrain future education property tax non-compliance.

Mr. Speaker, at this time I will take a moment to highlight the more significant changes that the Bill proposes. First, this Bill ensures that all municipalities are liable to pay interest charges if they fail to pass on taxes collected on behalf of another taxing authority or if they fail to pay a requisition authorized by statutes within the required time.

Second, it will prescribe via the regulations to The Municipalities Act and The Northern Municipalities Act and as well the respective regulations, a set of uniform property tax discount and penalty rates for RMs [rural municipality], towns, villages, and northern municipalities. This is to achieve greater consistency and will preclude the adoption of policies that encourage the delay of education property tax payments by ratepayers.

Third, Mr. Speaker, this Bill will add provisions to each of the municipal Acts to require the written agreement of other taxing authorities if a municipal council proposes to cancel, reduce, defer, or refund taxes collected on a property on behalf of that other authority in more than one consecutive year. It also requires timely notice of any such action in all cases.

Fourth, the Bill will require all municipalities to transmit a new monthly statement of account of school taxes collected and remit it to the school division. School divisions and Learning have identified a concern that current reporting by municipalities does not allow them to confirm that municipalities are collecting and remitting school taxes in accordance with the legislation.

Lastly, Mr. Speaker, the draft Bill will add provisions to The Municipal Revenue Sharing Act and The Northern Municipalities Act to clarify the minister's authority to withhold grant payments in a case of illegal acts and to set terms and conditions to be met before the withholding is discontinued.

One final point, Mr. Speaker. Illegal actions have also created problems for our municipal hail insurance system. Hail insurance premiums are collected in the same manner and are subject to the same discounts and penalties as municipal taxes. However the discount structure adopted by some municipalities to protest school taxes has had an inverse impact on payment of these premiums and consequently created significant cash flow problems for the Saskatchewan Municipal Hail Insurance Association. The amendment proposed to The Municipal Hail Insurance Act will protect the hail insurance program.

This Bill, Mr. Speaker, reflects our view that government cannot condone illegal actions or permit the costs and risks



resulting from the actions of a minority of municipalities to continue to impact school division and taxpayers' finances and the education of our students. It is in the best interest of all citizens to ensure that the problem of property tax non-compliance does not continue into the future.

I ask all members of the Assembly to show that they do not condone illegal actions and are willing to protect our education system. Accordingly, Mr. Speaker, I move second reading of Bill No. 17, The Miscellaneous Statutes (Municipal Collection of Other Taxes) Amendment Act, 2006.

**Some Hon. Members:** — Hear, hear!

**The Acting Speaker (Mr. Prebble):** — The question before the Assembly is a motion by the Minister of Government Relations that Bill No. 17 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

I recognize the hon. member for Saskatoon Southeast.

[15:45]

**Mr. Morgan:** — Thank you, Mr. Deputy Speaker. It's a bit of a sad testimony on the relationship between the province and the municipalities when we're actually contemplating introducing a piece of legislation that allows the government to claw back and fight with the municipalities because of the possibility of a tax revolt. What I don't understand, Mr. Deputy Speaker, is why this government doesn't try and address the underlying issue of property tax and the cost of education as a portion of property tax.

What instead they're doing is introducing a Bill through the miscellaneous statutes amendment Act that deals with ways that they will claw it back, charge interest, and penalize the municipalities that participate in any kind of a tax revolt.

Mr. Deputy Speaker, we're not in favour of anybody not complying with laws or breaking laws. But what this government should do instead of finding ways to pick fights, attack, and deal with municipalities in this type of fashion, what they really should be doing, Mr. Deputy Speaker, is addressing the issue and the problem of the high cost and the burden on taxpayers that the education component of property tax has become. They have not addressed that issue and it continues to be a huge problem.

The province has off-loaded the cost of education onto municipalities and onto municipal ratepayers to the point where it is actually having an adverse effect on property values and is a disincentive for businesses to want to acquire property in this province.

We right now have a regime in this province where the vast majority of the cost of education is paid for through property tax rather than out of general revenues. And what's happening is that the school divisions in this province — because they're reluctant to raise mill rates because they're under pressure from their ratepayers as well — are often postponing and not doing things that are necessary to provide adequate education to the children of this province.

We're dealing with issues of classroom size, issues of special needs children, children that have autism, children that have a variety of other needs. We're not able to reach out adequately to try and find and target the children that are in our province that have the most need.

The miscellaneous statutes Act is just a tool to try and further beat up and force that unfairness to continue to exist. We have a province right now where, by the government's own numbers, there's approximately 1,000 school-age children in Saskatoon that are not participating in the education system, probably a similar number in Regina. And if you look at it on a province-wide basis, roughly 3,000 children, lost souls as a result of the NDP government's neglect. They're not participating in the education system in a meaningful way.

What's the likely outcome for those children, Mr. Deputy Speaker? Likely those children will become at-risk adults and will likely be in all likelihood the next ones to come in permanent or long-term contact with the justice system. What those children should have is a future. They should have hope. They should be able to become meaningful, participating citizens in our province and have a chance to become taxpayers, to become educated, to become employed, and participate fully in the riches of this province.

But what they are doing by not becoming educated — and this statute is not going to fully address their needs because all it does is just shuffle it around and continue to have their problems stay at that level — is those children are doomed. Those children are ignored by this government, and passing an Act that is really punitive towards the municipalities is going to be punitive because it is going to do nothing more than to force the ongoing, the status quo to stay the same way.

What this government would be better to do would be to target and identify the needs of those people, first by trying to identify who those children are by developing a proper and meaningful database that would identify all of the school-age children in this province and find out which of those children are not in school. But no, that is not what this government has chosen to do. What they're choosing to do, Mr. Deputy Speaker, is by introducing the miscellaneous statutes is . . . what they're doing is they're saying to the school divisions is, it's your problem. You deal with it. You go after the ratepayers and leave it at that level.

Mr. Deputy Speaker, what they're doing is a travesty and should not be allowed to continue to take place. There is a huge problem with property tax in this . . . [inaudible] . . . but that problem is only part of the larger problem of education in this . . . [inaudible] . . . and where it is, the ones that are the victims of this problem, Mr. Deputy Speaker, are the students and the young people of this province.

Another aspect of it, Mr. Deputy Speaker, is that we have school divisions that are now postponing and deferring necessary capital expenditures. There are schools that should be built, schools that should be repaired, upgraded. We now have a litany of problems throughout our school divisions with regard to mould, with regard to air quality, with regard to student/teacher ratio, with regard to our computerization and upgrades. All of those things have been put off, deferred, and

we're not adequately dealing with those things. And we're playing the shell game with regard to how financing of repairs and additions are done.

Thankfully in the last year or so we've seen some additions to and increases with regard to funding on schools in Saskatoon. And I'm pleased to see that that's taken place. But all that is, Mr. Deputy Speaker, is a small step in the right direction.

The miscellaneous statutes Act does nothing to try and address the long-term problems. What it does effectively is says to the municipalities and to the school divisions is, we're going to smack you down. You think about a tax revolt. You think about making a threat like that, and we're going to claw back money from you. We're going to charge you interest. We're going to do everything we can to try and be punitive.

What this government should have done is had some meaningful consultation with school divisions to try and work with them, to try and deal with this in a fair, reasonable, and equitable way so that education is funded appropriately, fairly, and without an ongoing burden, at the same level it is now to the ratepayers of this province.

Right now, when you buy or sell a property in this province, one of the major impediments to buying or upgrading your property is what the cost of education tax is going to be because that is an ongoing burden in perpetuity to have larger or increasing property tax. It's a disincentive to want to build a garage, to develop your rumpus room, because it raises the assessed value of your property.

The mill rates in this province are high and increasing every year. We have some of the highest property tax in anywhere in Canada. And it's an impediment to new businesses coming in because they pay property tax.

But some of the people, Mr. Deputy Speaker, that are the ones that are affected the most adversely on this type of situation are young families starting up because they're reluctant to and afraid to buy a house because of the cost of property tax. And some of the ones that are most tragically affected are our seniors. The seniors in our province have owned their houses, have paid for their houses. They have paid for their dues over their lifetime, and now they're faced with property taxes that they can ill afford.

And instead of getting some relief or some measure of comfort from a government that's had windfall revenues from oil and windfall revenues from various resource revenue through certainly nothing that the NDP government can claim any real credit for — that's happened in spite of, not because of them — what they're doing is those people are being punished.

This government is saying, you'll continue to pay those property taxes. Those property taxes will go up. The miscellaneous statutes Act is part of that heavy-handed remedial process where they are going to go after those people — those seniors, those young families that can ill afford it — and say, you're going to pay those property taxes and if you don't, we're going to go after the municipality that you live in.

Mr. Deputy Speaker, this Act is heavy-handed. It's onerous.

And what it does is it shows that this government completely misses the issue that should be before them and completely shows that they're utterly . . . [inaudible] . . . And that's . . . and I hear the minister over there saying no problem, no problem. And that's the attitude that's going to . . . And I'd like them — when we go into the next election, Mr. Deputy Speaker — I'd like to hear that minister over there, the Prince Albert member, I'd like to hear him go to his ratepayers, his constituents, and his electors and throw up his hands when they come to him with this issue and say, no problem, you're going to continue to pay. I'd like to hear him put that . . . and see him put that in his ads, in his brochures, that that's his attitude. No problem. No problem.

Let him do it. Let him go to his ratepayers. Let him account to them for what he's doing for the municipal property taxes because in his constituency and his area we've seen the P.A. pulp mill that's paying huge amounts of money in taxes. There's businesses up there that are struggling in northern Saskatchewan. There's businesses that are struggling throughout the province because of high property tax. People don't want to do expansion. So what are we going to do? We're going to pass a municipal statutes amendment Act that is going to deal with adding powers so that this province can smack municipalities because of issues with whether they're going to collect or pay this . . . [inaudible] . . . Well hopefully the taxes are going to get paid.

But why doesn't this government sit down; why don't they take a long, close, careful look at what the needs are of the school divisions? Why are we looking at the miscellaneous statutes legislation in any fashion, Mr. Deputy Speaker? Why aren't we dealing with the underlying issue of the needs of our children, the important needs of our children, the future of our province? Why aren't we looking at the needs of our seniors? Why aren't we looking at ways to keep those people independent, to keep them in their homes rather than having financial issues like this that are going to force them out of their homes? Why aren't we looking at businesses and the cost of running a business in this province and the high property taxes that are there?

I have places in my constituency where there are homes that are paying \$12,000 a year in property tax. Admittedly those are upscale homes, but what a disincentive to somebody to want to buy an upscale home whether the taxes are 2,000, 3,000, 5,000, or \$10,000. Why aren't we looking at a better way to fund education rather than smacking people with this type of legislation?

I don't know a lot of people that can afford to have a house that pays \$12,000 a year in property tax but, Mr. Deputy Speaker, we're not going to have wealthy people that want to come to this province, that want to start a business, that will want to build or do something if that's what is happening with property tax in this province.

This is going to be a huge issue as we go into the next election. We've got RMs that have got grave concerns with what they're going to collect because the RMs are the ones that are obliged to collect the property tax on behalf of the school divisions. And in the RMs, when you talk to them, they say we're just the messenger, why shoot the messenger.

But the reality of it is, most ratepayers look to the municipality as being the ones levying the tax while, in reality, it's the school division. And I believe the school divisions are trying very hard to be frugal, careful stewards of our resources.

But right now the ones that are caught in the middle on it are the municipalities because, Mr. Deputy Speaker, those are the people that have to go out and collect the taxes. Those are the ones that mail out the tax assessments. Those are the ones that mail out the bills every year. And those are the ones that are obliged to take enforcement and collection proceedings against their ratepayers.

When we looked at approximately 100 RMs, they were refusing to pass the property tax on to school boards. That's a sign that there's a significant problem. And we shouldn't be having an interjurisdictional problem or a feud or multi-jurisdictional problem between the school boards, between the municipalities, and the province. What we really should be doing is saying, this is a time in our province's history where we can do something for people that own property in this province.

And right now that's a government that sits over there, laughs, makes light of. They don't care. I hear the member for Saskatoon Meewasin sitting in his desk laughing about it. This is a big issue. He lives in a reasonably prosperous area of the city. He too should be somebody that has to go back to his ratepayers and say, I think this is a lark. I'm joking about this. I don't care about it.

He should be standing up saying to his government in cabinet and in his caucus saying, I have concerns about this. I have concerns about the cost of education. I have concerns about the method of enforcement between municipalities. I'm troubled by this type of legislation. Why don't we address the fundamental underlying issue?

He has family. He should be someone that should understand the needs of families. He should understand the needs of education. He should understand the needs of teachers. He should understand the issues that school boards have and school divisions have, trying to deliver effective . . . He shouldn't be part of this type of game that we're playing with this type of legislation.

Mr. Deputy Speaker, I move adjournment of debate.

**Some Hon. Members:** — Hear, hear!

**The Acting Speaker (Mr. Prebble):** — It has been moved by the hon. member for Saskatoon Southeast that debate be adjourned on Bill No. 17. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Prebble):** — That is carried.

### **Bill No. 18 — The Court Security Act**

**The Acting Speaker (Mr. Prebble):** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Court Security Act.

Mr. Speaker, the purpose of this Bill is to provide express authority for general courthouse security. This Bill allows for increased security concerns to be addressed within court facilities, while continuing to provide open access to court facilities and proceedings.

[16:00]

Members of the Assembly and members of the public will of course be aware of the recent incremental steps towards improved security that have occurred in a number of areas in our community, including airports and here in our own Legislative Building.

This Bill will allow Saskatchewan to introduce perimeter or airport-style security at various courthouses across the province, as well as mobile security at those less frequented court facilities where a specific security risk may exist. Perimeter security is the least intrusive security measure which still supports and protects an open court principle. Perimeter security will strike a balance between accommodating access to a court facility and promoting the safety of court proceedings.

In addition to providing express authority for general courthouse security and initializing perimeter security and screening measures, this Bill will also authorize court security staff to perform essential court security activities. Court security staff will be authorized to screen persons both upon and after entering the courthouses and court facilities across the province.

Prescribed screening methods will include the use of metal detectors and entitling court security staff to require an individual to empty his or her pockets of any item in their position, including any briefcase or bag.

In addition any weapons found in the possession of an individual who is either in or attempting to enter a court facility may be seized by court security staff. Further if the individual refuses to relinquish the weapon, he or she will be denied entry to the court facility.

Mr. Speaker, this Bill will authorize court security staff to refuse entry to or eject an individual from the courthouse or court facility where there is reason to believe the individual may be a threat to or disrupt proceedings at the court facility. Where an individual refuses to be screened, that individual may be denied entry or evicted from the courthouse or court facility. Failure to comply with the direction of a sheriff pursuant to these provisions will constitute an offence under this Bill.

It must be stressed that members of the public will continue to be able to attend upon a court facility as a matter of right. The Bill does not require members of the public to provide their name or any other personal information to court security staff. The Bill simply ensures that in exercising their right to access, no individual may endanger court staff or the general public by carrying weapons into a court facility or otherwise disrupting public proceedings occurring in a court facility.

Mr. Speaker, this government's committed to the need for an

open court process as a cornerstone of a demonstrably transparent justice system. Saskatchewan citizens have a right to attend upon our courts and to continue to do so with full confidence in their own safety and that of court staff. This Bill will ensure a safe and secure environment for the conduct of court proceedings while continuing to maintain ready public access to our courts.

Mr. Speaker, I move second reading of An Act respecting Court Security.

**Some Hon. Members:** — Hear, hear!

**The Acting Speaker (Mr. Prebble):** — The question before the Assembly is a motion by the Minister of Justice that Bill No. 18 be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Prebble):** — I recognize the hon. member for Arm River-Watrous.

**Mr. Brkich:** — Thank you, Mr. Deputy Speaker. It's a pleasure to get up and speak to this particular Bill.

When we talk about safety of workers, I mean, that should be foremost in everybody's mind. I think this Bill unfortunately maybe speaks to the sad state of affairs that is happening throughout the world and North America and hopefully does not come here to Saskatchewan.

But I think we've all heard about the tragic shootings and incidents that have happened throughout North America when lawyers and court clerks and people that are working the court system have been threatened. And also some unfortunate instances have happened which have resulted in the death and kidnapping of different people that have been in court at that . . . So with this particular Bill, it addresses that. But it's an unfortunate part of society that it comes to that because it is a right of citizens to go to court and observe the proceedings that are going on, at that end of it.

When you talk about this particular Bill and about why it has to be brought in, you wonder about also the reasoning why. Is it because society itself is becoming more and more used to violence, at that end of it? More guns being carried, more knives being carried, more instances of violence.

You wonder if in the past if maybe the sentencing of criminals has been light. I know that right now, at the federal end right now, that there at the federal end right now there's a Bill that's being debated that's on the three-strike law dealing with violent crimes. And I know that right now that certain parties are holding it up. One of them is the NDP and the Liberals, and I'm not sure where the Bloc exactly stands on that particular Bill.

But I think as we've been door knocking, talking to people, they're worried about the increased violence. And I think they want criminals to be . . . to basically to, when it comes to violent crimes, to spend some time behind jail to answer for their crimes, at that end of it.

And I know that in rural Saskatchewan and throughout the cities we've . . . I've been door knocking recently in Regina and that was a big issue — was crime. People are worried about crime. They're worried about people carrying knives and guns. And as gangs, youth gangs are becoming more prominent here in Saskatchewan, that is a problem. And that needs to be addressed, at that end of it.

This particular Bill, it's dealing with court security. And it's just not in the court. I mean, I was in certain legislators, legislations throughout North America that have brought in metal detectors at the entrances. And I know our particular legislature hasn't done that yet, and I hope it never has to. But it may have to if there's enough violent instances coming up in the future.

And that just speaking to the changing in society and the protection of people that are working in this particular industry at that . . . when it comes to courts, I mean they are dealing with violent criminals, violent instances, you know.

And I know here in Saskatchewan there hasn't been too much of that going on but there has been throughout North America. And as we have the right as legislators — and I should say not even the right but it should be our duty — to protect workers the very best we can in any instances, wherever they're working at. And if this particular . . . will help feel less threat and save lives, yes it's a necessary thing that has to, I guess, has to come, at that end of it.

I don't like violence as nobody does here in this particular court doesn't like it, but it seems to be unfortunately more of a fact of life throughout North America, at that end of it. You read more and more violent instances happening of people bringing guns, knives to different facilities. To court is one of them and the workers shouldn't feel threatened, should be able to go to work and feel safe, at that end of it. And at that end of it, that's their right and our right as legislators to make sure that they have that safety when they proceed to court, at the end of it.

I would like to talk a little bit more about the NDP — federally and provincially — at making maybe stronger sentences for criminals. The three-strike law is becoming at the federal end, and I think that maybe that's something that should be looking here. Somebody that's dealing in . . . that has committed a violent crime with a gun or a knife should spend time, a reasonable time, behind bars, you know, at that end of it. And maybe that would act as a bit of a deterrent and maybe you wouldn't see as many people carrying knives or guns.

I hear some members calling over on the other side. I hope that they're agreeing with that, and I think they would because I mean, we want this city to be safe. I think they want their constituents to be safe, at that end of it, Mr. Deputy Speaker, because I mean, that's what anybody really wants. They want to feel safe, whether it's in a small town, whether you're in a village, whether you're out in rural Saskatchewan at a farmyard or if you're in a city. You have the right to be able to feel . . . You should have the right to feel safe in your home, in your community and you should also have the right to feel safe when you go to work, at that end of it. That should be a necessary . . . Just people that assume that it should be just a right, that they would assume that they would have the right to feel safe.

With this particular piece of legislation, I think it tries to deal with that, at the end of it, making people feel safe at work. I'm not sure about how many instances there have been in Saskatchewan. This is my critic portfolio. I know our critic will make some comments on it further on. But I would be interested to see if the levels of instances have been more in the last 10 or 15 years, at courts, that would bring this on — that the workers that are working there and the people that are dealing with the law have requested it.

And I would hope that the NDP has consulted with them and talked to them and said, you know, this is something that we need, that the sheriffs need there, that we have the right to search people, at that end of it, and yet still provide that people still feel that they can go to court any day and watch the proceedings. Because that is still part of our fundamental constitution, our fundamental right, that our courts and laws should be open and accountable to people, as citizens, to go and view that court proceedings at any given time throughout the day or throughout the year, whatever, because some people have great . . . [inaudible] . . . this.

Some of them have been victims. And maybe the person that's violated them is in court that particular day, so they should be able to feel free to go there and not be intimidated, at that end of it. Yet still there's that balance of being able, that they feel that they have the freedom to move in and out of that particular courthouse without being overly restricted, at that end of it.

We can say it seems to be a trend throughout North America, Europe, and the world that we're moving more into metal detectors, more security at public buildings throughout. And that's not a good thing, at that end of it, but yet we have to be protected, at that end of it.

I'm hoping that . . . And one of the things that has come in, like I said before, when I've been door knocking is safety of people, especially in Regina. We door knocked a lot of older people houses and, you know, security and fear of violence was a big part of it when they came there, at that end of it. They were very scared about home invasions. That's been the scene like, unfortunately, the norm there, and they were asking for tougher sentences especially for repeat offenders, offenders that are carrying guns, carrying knives. We heard that a lot, that they should be stiffer sentences.

A lot of them were supporting the three-strike law. A lot of people, when I talked to them, were in favour of the federal three-strike law that the federal NDP seems right now holding it up. And I'd wonder if this provincial NDP is in favour of that or if they're in favour of Mr. Layton and his argument of why he's holding that up. I'll be kind of looking forward for their comments on that particular piece of legislation as many of the constituents and residents throughout Saskatchewan are because that is a huge safety. That was one of the reasons that Bill was brought forward by the Conservatives because of the door knocking . . . and the Conservatives, the federal ones ran on that ticket. The NDP didn't. And there's 12 of them elected and none NDP.

So I would say that crime is a huge issue here in the cities. In Regina, Saskatoon, Moose Jaw, P.A., it is a huge issue at that end of it. Some of the members are saying, no that wasn't the

only reason. Well no it wasn't the only reason. But it was one of the main reasons when they were door knocking was older people fear for their lives and their safety in their homes. And they should here. So with that, Mr. Deputy Speaker, I will adjourn debate on this particular Bill.

**Some Hon. Members:** — Hear, hear!

**The Acting Speaker (Mr. Prebble):** — The hon. member for Arm River-Watrous has moved adjournment of debate on Bill No. 18. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Prebble):** — That is carried.

**Bill No. 19 — The Securities Amendment Act, 2006 (No. 2)**

**The Acting Speaker (Mr. Prebble):** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Securities Amendment Act, 2006 (No. 2). Mr. Speaker, The Securities Amendment Act, 2006 (No. 2) contains a series of amendments that will further the implementation of the passport system of securities regulation and further the creation of a seamless, harmonized securities regime in Canada where market participants can access capital markets throughout Canada by dealing with one regulator and one set of laws.

In addition this Bill contains additional investor protection and enforcement tools including a civil liability scheme for secondary markets, as well as provisions enabling Saskatchewan Financial Services Commission to make financial compensation orders.

Mr. Speaker, the bulk of these amendments constitute a further step in the creation of a passport system of securities regulation in Canada. 2004 provincial and territorial ministers responsible for securities regulation agreed to establish a passport system that will provide a single window of access for market participants across Canada.

In addition the passport agreement calls for a highly harmonized, streamlined, and simplified securities law. It counselled ministers to facilitate change and ongoing co-operation and a commitment to explore options for further reform. Mr. Speaker, the passport system initially applied to areas where there was already a high degree of harmonization across jurisdictions.

Phase 2 of the passport system includes a series of provisions that adopt uniform definitions and repeal administrator provisions related to registration, prospectus, continuous disclosure, insider reporting, and take over an issue or bids that will be replaced with uniform provisions in a series of regulations that will apply in all jurisdictions.

[16:15]

In addition these amendments expand upon provisions adopted in the spring of 2006 regarding the ability of a securities

regulator to delegate and accept delegation of authority from another jurisdiction.

Specifically these amendments will enable the Saskatchewan Financial Services Commission to incorporate decisions of another regulator by operation of law. They also include a modified discretion mechanism that will allow a regulator to make a decision solely based on a similar decision by another regulator.

Mr. Speaker, these amendments also contain significant protection for investors. Currently all provinces have legislation that provides for a statutory right of action against an issuer for fraud or misrepresentation in offering documents to investors who purchase securities in the primary capital market. The primary market is that part of the capital market that deals with the issuance of new securities.

The proposed provisions give similar statutory rights of action to investors who trade in the secondary market, which is the financial market for trading of securities that have already been issued in an initial private or public offering. Under the new provisions, investors will have a right of action against issuer . . . or the issuer or someone acting on the issuer's behalf makes a statement or releases a document that contains a misrepresentation or fails to give notice of a material change in their business.

These amendments also include provisions which will give the Saskatchewan commission the power to make restitution orders. Under the new provisions, the commission will have the power to order that a person or company who has contravened Saskatchewan securities laws must repay financial losses to investors.

Mr. Speaker, further amendments will update the commission's administrative and enforcement powers and make them consistent with similar provisions in other jurisdictions dealing with a wide range of issues including reviews of reporters; issuers' continuous disclosure, prohibiting front running — and by front running, I'm referring to trading in securities with knowledge of a fund's trading intentions — increasing maximum penalties on a conviction; and the power to make an order against someone convicted of a securities related criminal offence.

In addition the proposed legislation includes several amendments not specifically related to the passport system. These include the repeal of the requirement for mineral release brokers to register under the Act. Saskatchewan is one of only two jurisdictions in Canada that regulates mineral release brokers in this fashion and the only jurisdiction to regulate such brokers under the securities legislation. The commission has now been receiving complaints regarding the industry, and the public interest no longer requires regulation of brokers in this manner. This change will lessen the administrative cost of carrying on business for mineral release brokers in Saskatchewan.

In addition the repeal of these provisions anticipate the harmonization of registration categories that is occurring in the context of Canadian Securities Administrators, CSA.

Mr. Speaker, this legislation also includes a number of administrative and housekeeping amendments including amendments consequential to The Income Trust Liability Act, streamlining of the assignment of powers to self regulatory organizations, as well as enabling the commission to impose terms and conditions on decisions.

Mr. Speaker, these amendments reflect Saskatchewan's ongoing commitment to the passport system of securities regulation in Canada. The amendments seek to continue the harmonization of regulatory requirements and lessen compliance costs for Canadian businesses as well as increase protection for those who invest in them.

Mr. Speaker, I am pleased to move second reading of The Securities Amendment Act, 2006 (No. 2).

**The Acting Speaker (Mr. Prebble):** — The question before the Assembly is a motion by the Minister of Justice that Bill No. 19 be now read a second time. Is it the pleasure of the Assembly to adopt the motion? I recognize the hon. member for Melfort.

**Mr. Gantefer:** — Thank you very much, Mr. Deputy Speaker. It's a pleasure to rise today and speak briefly on the Act to amend The Securities Act, 1988 (No. 2).

Mr. Deputy Speaker, I think that the intent of this legislation is very important. Many, many people in our province indeed find that in order to advance their own financial well-being, it's necessary for them to invest in businesses through the securities process. And it's important that these people have a reasonable expectation that their investments are going to be safeguarded against improper and unconscionable practices by people that may represent their own interests instead of the investor's interests.

I'm pleased to hear in this legislation that it is building on a decision that it sounds like was negotiated by all of the provinces to create a single-desk window of regulatory kind of framework that would apply in all jurisdictions in Canada. I think this is an important step in the right direction. It troubles me that we do this on such a haphazard basis instead of as a matter of course.

It always has bothered me to some extent that in the era and the spirit of free trade and global marketing that the world certainly is involved with, that very often our own provinces, our own provincial jurisdictions put more impediments and barriers to standardization and harmonization of rules and regulations than do other countries and other jurisdictions in the national and international markets. So any steps that can be taken in order to harmonize and to simplify and create a uniform set of rules across the country are important.

Mr. Deputy Speaker, from time to time — and I have to admit that it is getting very much the exception instead of the rule — but there has been in the past from time to time, particularly elderly constituents who would be phoning the office and saying is such-and-such an offering that's being proposed by some investment company or brokerage or whatever, investment dealers? Is it on the up and up? Is it legitimate? Is there, indeed, the proper scrutiny and safeguards that have been

conducted in order for us to know and to have some certainty about . . . will our investments, modest as they are, be put at risk? And certainly it was always difficult, in years gone by, to know for sure if this was indeed the case.

But I have to say that there has been significant progress, in my mind, in that the necessity of going through the proper processes in order to put together proposals for investment consideration are certainly improving. And I think that the investing public can feel more and more satisfaction, more and more comfort in that their basic security is being respected and is being protected against unscrupulous operators.

You know, I think that the people that are most vulnerable in this whole process are not the sophisticated investors. They're not the people who understand how the stock markets work and the various markets in Canada and the speculative markets and the international markets. Quite often the people that are most vulnerable in this . . . [inaudible] . . . are our senior citizens, are the people who are very much counting on a positive return on their investments so that they can have a pension that will sustain them in their older years. And if anybody sort of needs the protection of oversight, it's those vulnerable people.

The sophisticated investors, I think, understand the ups and downs and understand how the market and the processes work well enough that they can safeguard in most instances their own security. But it's the vulnerable people that are the most concerning. And I know, from time to time, that I feel that our seniors feel that they're pretty vulnerable to some schemes, if you like, that are not necessarily in their best interests. They're not only investment schemes, but people that come around trying to sell this or that service that is very problematic for them.

I'm also very pleased to hear that this legislation is harmonizing and is in step with what is being proposed and changed in other jurisdictions across Canada. The explanatory notes that were included with the Bill, Mr. Deputy Speaker, are 97 pages in volume, so that there is a great deal of detail in this legislation. The Bill itself is quite lengthy, 45 detailed pages of very, very technical information. And it probably is necessary.

I also understand that the previous Bill that we had, the legislation that was introduced from 2005 just came into effect on June 1 of this year. So it seems as if there's a lot of movement, that there's a lot of discussion, a lot of negotiation occurring between provinces in order to implement this passport protocol that the minister referred to in terms of having a single window of investment, that they're a single set of standards. And I think that that is very much worthy of consideration.

Mr. Deputy Speaker, in order for us to review properly this very lengthy and weighty document, certainly we want to make sure that we go over it with the scrutiny that it deserves, and in order to facilitate that I would move to adjourn debate.

**Some Hon. Members:** — Hear, hear!

**The Acting Speaker (Mr. Prebble):** — The hon. member for Melfort has moved adjournment of debate on Bill No. 19. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Prebble):** — That is carried.

### Bill No. 20 — The Gunshot and Stab Wounds Mandatory Reporting Act

**The Acting Speaker (Mr. Prebble):** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Gunshot and Stab Wounds Mandatory Reporting Act. Mr. Speaker, this government has over the past several sessions demonstrated its commitment to using its civil jurisdiction to provide tools to our Saskatchewan police services to build safer communities in which Saskatchewan families can live, work, and build strong futures.

Those tools help our police services to prevent crime by creating a hostile environment for organized crime. We have already introduced legislation such as The Safer Communities and Neighbourhoods Act, The Mandatory Testing and Disclosure (Bodily Substances) Act, and The Seizure of Criminal Property Act that will make the jobs of police safer and more effective in dealing with challenges such as gang activities.

Mr. Speaker, The Gunshot and Stab Wounds Mandatory Reporting Act, which I introduced today, reaffirms this commitment by establishing a new procedure for the compulsory reporting by hospitals of gunshots and stab wounds to local police services. The reporting end of this Bill will occur by telephone and will occur as soon as possible after the hospital has received a patient who has been a victim of a stab wound or a gunshot wound, as long as it does not interfere with that patient's treatment.

Mr. Speaker, this reporting will be limited to the identification of the patient, the fact that they have suffered a stab wound or gunshot wound, and the location of the hospital facility where they have been treated. No further personal medical information will be disclosed through this process. The Bill addresses only the immediate information necessary for the police to commence an effective investigation.

For example, the past medical history of an individual will not become subject to disclosure under this Bill. This strikes an appropriate balance between the important privacy rights of patients and the need for public safety, including the protection of both our citizens and our front-line medical service providers. This legislation was requested by the Saskatchewan Association of Chiefs of Police as a tool that allows them to work with the front-line health service providers to improve public safety.

In our discussions with representatives of the regional health authorities, the Saskatchewan Medical Association, and the College of Physicians and Surgeons, it was recognized that in the extreme circumstances of a gunshot or stab wound it was appropriate that the police be notified. This limited disclosure of personal information will allow police services to learn of and investigate violent acts in our communities and to ensure that this community violence does not follow the patient into

that hospital during or after treatment.

Mr. Speaker, Saskatchewan will be the second province in Canada to introduce this type of legislation and the first to apply it to stab wounds. Ongoing consultations with the police community and health care service providers will allow us to refine through regulation in what circumstances a stab wound will properly require reporting under this legislation.

Mr. Speaker, this government remains committed to promoting community safety, to combatting violence, and to striking an appropriate balance between disclosure of information in the public interest and the protection of privacy. Where there are violent acts in our communities, it is imperative that police services are informed of such activities and that they are able to commence an effective investigation. This Bill works with health service providers and our medical community to ensure that this will occur.

Mr. Speaker, I move second reading of An Act respecting the Mandatory Reporting of Gunshot and Stab Wounds.

**The Speaker:** — It has been moved by the Minister of Justice that Bill No. 20, The Gunshot and Stab Wounds Mandatory Reporting Act be now read a second time. Is the Assembly ready for the question? The Chair recognizes the member for Arm River-Watrous.

**Mr. Brkich:** — Thank you, Mr. Speaker. It's a pleasure to get up and talk to this particular Bill. The Justice minister had mentioned that we're the first in this. Well probably the reason we have to bring some of this because we also have the highest crime rate of the country. We have that in the Premier's constituency. We have it in Regina Elphinstone, the highest crime rate, the most violent crimes.

That's one of the . . . Are they dealing with that particular issue? Are they dealing with the crime issue or the gang issue that's constantly growing in this city? Are they? No they're not. They're putting their heads in their sand again at that end of it, putting emphasis on doctors and nurses just to report them. Are they actually addressing the root of the problem?

I addressed this in my last speech at that. This government will not address the root of the problem, which is crime, which is growing in the Premier's constituency, which is growing in a lot of the members in Regina's constituency. Gang activity is growing in this province, and what is this government doing to address that particular problem? They're not doing nothing.

[16:30]

I talked about the three-strike Bill. Maybe he would like to, the minister would like to bring something like that — bring what the people of this province actually want is tougher sentences on criminals, is what they want. So they put more emphasis on doctors and nurses who are already overworked.

They mention hospitals. Well they're closing hospitals throughout this. In rural Saskatchewan this piece of legislation under this particular government may be redundant if they keep closing hospitals. Out in my constituency right now we're understaffed. Every hospital in my constituency as in every

other constituency in rural Saskatchewan and in Regina and Saskatoon is understaffed at that end of it. So they're putting more emphasis on them.

Did they consult? Was there any consulting done? I remember an article about SUN [Saskatchewan Union of Nurses]. I don't think SUN was . . . wanted some consulting. It sounded like they didn't even hear about this particular Bill.

We know the history when it comes to this particular government when it comes to consulting. One of them was today with the SaskPower retirees. Did they consult with them, Mr. Speaker? No, they did not consult with them. That's what they were asking. I've got a constituent that deals with that. He says you know we weren't even asked, he said. They didn't sit down with us and talk about what. . . how we can work this out. This government just brings something in without consulting.

Amalgamation was another one that they did, forced amalgamation. Did they consult with the RMs? No, they wanted to ram that through. Thank God that there was enough of a fight that stopped that.

So that's part of the biggest problem with this government is this old and tired government it just will not consult with the people out there when it passes legislation at that end of it. And right now there is some people that are worried about that. One of them is SUN and the nurses' union and I think they have a right. I think this government should be able to sit down with them and work that out. But did they consult with them? No, they did not. They did not consult with them at that particular time.

You talk about one of the issues that was raised to me by a nurse was, you know, she said, we deal with a lot of cuts. Some of the cuts dealing with in this particular piece of legislation is stabs. Well she says, how do I determine that? She said, I had a guy in there last week. He had cut himself because he had some frozen steaks. He was trying to break them apart with a sharp knife. He cut himself. She said, what do I do? Do I take his word? Mr. Speaker, do I take his word that that's the way it happened or do I report that? Do I have to sit down and file a report? Do I have to do that at that particular end and file a report with the local police at that end of it? She said, that's a concern to me. Now I've got to determine what constitutes a stab wound.

And there's lots of instances. I can go back over . . . She said I can probably, she said, my history as working as a nurse, she said, I could probably go back over 20 years of files, she said, and probably half of them were accidental cuts — guys. It just happens with women and men and kids — just accidents happen. And what constitutes a stab wound? And I heard somebody over there say well it's got to be a stab wound. Well, she said, some of them were actually punctures — guys. Things happen. You know accidents happen.

You know, maybe the members over there are perfect. Maybe they've never ever had a stitch in their life, never had an accident. And a lot of the wounds, she said, that were totally accidental were puncture wounds. She said, now what do I do with that? She says, first of all, she says, I'm overworked thanks to this NDP government. We're run ragged at that end of



it. We're working 12-hour shifts. We don't have anybody to help us. And yet now I've got to make that particular decision with that. No, she wasn't particularly happy with this particular legislation at that end of it, Mr. Speaker.

But that's just one of the things that this particular Bill can deal with because you know why? Because they did not consult with the unions that it's going to be affecting it at that particular time. And this government has a history of not doing that.

But what has . . . And especially what it has not history of, of dealing crime. This is what this particular Bill is dealing with, is dealing with increased crime that's happening in Saskatchewan. A province like Saskatchewan, we shouldn't have increased crime. Why are we having increased crime? Because this particular government refuses, refuses to deal with the issue of gangs, refuses to deal with the issues of violent crime, refuses to deal with the issues when it comes to weapons offences at that end of it.

This government puts its head in the sand and says, oh maybe we support just them doing their sentence at home, putting a bracelet on. You know, as long as they can go to their TV and their fridge and that, that's all right. Don't leave the house. Maybe a two-year sentence. And I'll tell you what. That could be the reason why we're having to bring legislation like this forward in that end of it. And we shouldn't have to. We should be dealing with the root of the problem.

The root of the problem even starts in the Premier's own constituency. I think as you well know and I well know, it is the highest crime statistic almost in Canada at that particular end. Why, in his own constituency, he has the highest crime rate — is he dealing with that particular issue? He never talks about that. I never heard him once talk about that particular issue in his constituency. I've heard some of the other members over there talk about the high crime rate that's happened in their constituency. And maybe I can see why. They're ashamed of it. And they should be.

They should be addressing that particular problem when it comes to that because crime should be addressed at the root of the problem. And it's not being done by this particular government. And that's why we're bringing forward particular pieces of legislation like this at that end of it. But it's not dealing with the root of the problem, Mr. Speaker, at that end of it.

Another issue of it out there is, like I said before, the front-line staff has to deal with this. They have to deal with this particular Bill, this legislation. More paperwork. She says, I need more workers. I've talked to some nurses, talked to some people there. She says, I need more workers. I don't need more paperwork, more things at that particular end of it. She says, why isn't this government addressing the waiting lists that we're to here, the shortage of doctors, the shortage of nurses? She was telling me, why don't we address that particular problem? This government is ignoring that particular problem like it's been ignoring all the problems and that's why it keeps getting deeper and deeper when it comes to crime and worse in this particular province at that end of it.

And that's why our waiting lists are growing at that end of it. In

my constituency we've got Watrous has been waiting to build a hospital for a number of years, waiting I think 10 years. It's had the money in place. Has this government addressed that particular problem, Mr. Speaker? No it hasn't. It's constantly refused to give Watrous a new Manitou lodge at that end of it. They closed a wing in Davidson. We had to argue and fight and finally got it opened at that end of it. So with that, Mr. Speaker, you know that's part of the problem dealing with this particular legislation. There's one nurse maybe on duty in that particular time.

Another issue she talked about this particular Bill and some of the union did, talked about safety, you know, talks about safety. A guy's coming in. He's been hurt. He's a gang member. He tells the nurse, he says, you report me, I'll find out where you live or whatever. You know it talks about safety. That was an issue that they were worried about and I think some of the members should be addressing that. They should have talked to maybe the union of nurses about that because that was an issue that was raised to me by someone who works in the health care profession. She says, I'm a little nervous now, she said. I live in the city; it's a small city. They can find out maybe where I live. If they find out I was the one that reported them on a gunshot wound, I was the one that got them in trouble . . . She said, this is a small city. They could find out where I live. And she was worried about that.

Did you address that particular problem? That's an issue that should be addressed at that particular issue, Mr. Speaker. And I think that was a valid point on her part; is that worried about it she says. And then you get the smaller hospitals where there is only one or two staff members where the guy can say, you know, you report me, I'll come back or maybe I'll just take you hostage right now if you're going to go and report me.

So that safety issue I think is a huge issue and that should be something we should all be concerned about. And I am for the nurses and doctors and I hope the members opposite are concerned about it. I think they would be at that particular time and I think that's something that they should address with the union at that particular issue.

I think that's an issue that has to be addressed with this Bill. And that's why we're having adjourned debate. That's what it's about, to bring forward some of this stuff at that particular end so that everybody . . . because right now the most concern is everybody wants to have a better life here, a better . . . Life should be better here. It should be safe and one of the things is with crime, it's not in this particular province.

The health professionals are working in this system. They should feel safe. They shouldn't feel threatened. They shouldn't feel pressure on them to actually have to report somebody that say might come back to haunt me in a number of times.

Another issue was raised. Then she said, then do I have to spend like most of my time in court? If this particular offence goes to court, am I going to be called to court and maybe spend . . . take two, three days off. She said sometimes in a busy place in Regina we might handle in a week three, four offences. She said, I could be spending half my time in court. That's another issue that wasn't addressed in this Bill or I haven't seen it. I didn't see it in the summary notes that the minister sent over. I

haven't seen it in the Bill. And maybe when it gets to committee and stuff later, we can ask some of the questions. Those are some of the things that should be addressed with this Bill and with this piece of legislation.

Those are concerns. And it stems back from the fact that I don't think this government sat down with the nurses' union and maybe did some consulting and tried to work with them, work with some different people that are actually in the profession — deal with the health care professionals at that end, Mr. Speaker.

With that I would . . . On this particular Bill, because I think it needs some more consulting, I would like to hear that they've actually . . . going to consult with that. These are some of the issues I think that need to be addressed at that particular time. With that, Mr. Speaker, I would like to adjourn debate.

**The Speaker:** — It has been moved by the member for Arm River-Watrous that debate on second reading of Bill No. 20 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion's carried.

**Bill No. 21 — The Evidence Amendment Act, 2006/Loi de 2006 modifiant la Loi sur la preuve**

**The Speaker:** — The Chair recognizes the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Evidence Amendment Act, 2006. This legislation addresses the problem faced by persons and organizations who would like to express regret, sympathy, or offer a sincere apology for the injuries suffered by another person.

Mr. Speaker, in many cases people or institutions do not apologize because they have received legal advice that these statements could be used to establish liability in a future or ongoing lawsuit.

It's also the case that insurance policies frequently provide that insurance coverage may be void if the claimant has apologized. These policies are based on a concern that the apology will be admissible as evidence. Because of this fear, persons and institutions who may want to apologize frequently do not risk the consequences. They follow their legal advice, Mr. Speaker, and do not apologize. This is especially difficult for organizations and individuals who want to apologize and believe that an apology is an important step towards healing.

An example is the churches that administered residential schools in Canada. These churches have offered formal apologies that some commentators have suggested do not constitute real apologies because they have been drafted to avoid legal liability.

Mr. Speaker, the proposed amendments to The Evidence Act will allow people and organizations to make an apology without fearing legal liability in an existing or potential civil action. The amendment provides that an apology does not constitute an

admission of fault and is not admissible as evidence in a court proceeding.

Mr. Speaker, this issue becomes even more challenging when public authorities or officials are involved, as one of our consultees advised us. Public authorities such as the city and police exist to serve the community and depend upon the confidence of the public to fulfill their mandate. When these public authorities are involved in an incident where a member of the public has suffered harm, they currently face a conflict between the desire to account to the public and a fear of jeopardizing their legal interests.

Mr. Speaker, the power of a real apology is currently being recognized in medical malpractice situations. In recent years, research from the United States has suggested that a significant portion of medical malpractice lawsuits would not have gone to court if the doctors had apologized to the plaintiffs. Our mediators who have experience with apologies in the context of mediation have told us that the biggest impact of this legislation will be felt shortly after the events giving rise to the injury if people feel free to say the right thing when it is most appropriate without fearing that it will haunt them later. Mr. Speaker, they have also told us that after hearing a long-overdue apology, participants in mediation often say that if they had heard it earlier, it would have saved them a lot of pain and they likely would not have pursued the matter.

The law reform initiative in this Bill recognizes that our formal processes can get in the way of what people naturally want to do to begin the healing. The amendment allows people to offer an apology without having to be concerned that it will be used against them in a future lawsuit.

Mr. Speaker, I move second reading of An Act to amend The Evidence Act.

**The Speaker:** — It has been moved by the Minister of Justice that Bill No. 21, The Evidence Amendment Act, 2006 be now read a second time. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — The Chair recognizes the member for Lloydminster.

**Mr. Wakefield:** — Thank you, Mr. Speaker. I'd like to take a moment or two and just make some very brief comments on this particular Act, The Evidence Act. As the minister referred earlier, there is some real benefit in terms of apologizing in a certain situation. It's all part of clearing the air. It's part of kind of clearing the soul for moving ahead and getting on with life.

Some of the situations that I could see this happening would be of benefit for those people that in fact did cause or . . . involved in an accident that the causal determination hasn't been clear at this point but there needs to be some kind of an apology for the closure of any particular situation, or the situation where even though you're involved you don't want to admit that you're at fault but there needs to be some clearing of the air. I can see the advantage, I can see the advantage there.

[16:45]

The situation that the government itself has found itself in over a period of time is it's been very frustrating for the people in the province. The government itself and the various departments in government have obviously performed something that wasn't fair for the outcome of justice and yet they refused to comment on the outcome. They refused to make an apology. I guess the assumption was that there would be guilt associated with that.

I think it's important not only for people but also for the government itself to move these things ahead and sort out the consequences of any particular act. When those things happen it's certainly the feeling of the person that had some kind of action placed on them to feel that, unless there's an apology, they would feel that they have really been outside the system, outside of any way of making this thing come together, making them feel better. And in this case I think if the government was to make an apology, or a department or a minister, without admitting that guilt, I think that would go a long way to making people feel that the government as well as the people have to comply with the Act and there is right and wrongs in our system.

I hope that the government will look at this apology, not use it for its own sake and say that, we've made an apology and there is no guilt left. I think that is up for the court. But nonetheless we have to move ahead. There is some consideration that this Act or the amendment to The Evidence Act has been . . . There has been some consultation. I think we want to give it a little more thought and we want to confer with some of the legal advice that would obviously come and associate with this. So at this point I would move that we adjourn debate.

**The Speaker:** — It has been moved by the member for Lloydminster that the debate on second reading of Bill 21 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Bill No. 22 — The Legal Profession Amendment Act, 2006**

**The Speaker:** — The Chair recognizes the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Legal Profession Amendment Act, 2006. Mr. Speaker, the Bill before the Assembly today proposes two sets of amendments to The Legal Profession Act, 1990. The first set of amendments to the Act will allow for unclaimed funds from lawyers' trust accounts to be paid to the Law Foundation. Presently, Mr. Speaker, these unclaimed trust funds are to be paid to the Minister of Finance.

The purpose of the Law Foundation, as defined in the Act, is to establish and maintain a fund for the purpose of legal education, legal research, legal aid, law libraries, and law reform. The Law Foundation receives the majority of its funds from the interest generated on lawyers' trust accounts. The inclusion of unclaimed funds from lawyers' trust accounts will increase the funds available to the Law Foundation to carry out its statutory function.

Mr. Speaker, unclaimed trust funds are directed to the respective law foundations in most other jurisdictions in Canada. Currently Saskatchewan is one of only three jurisdictions that directs unclaimed trust funds to the Crown. Mr. Speaker, the amendments will make Saskatchewan consistent with the situation in most other provinces. Furthermore, this amendment was requested by the Law Society with the endorsement of the Law Foundation.

Mr. Speaker, the second set of amendments to the Act provide specific processes for the protection of solicitor-client privilege during an investigation of a complaint received by the Law Society. Mr. Speaker, these amendments are in response to a recent Court of Queen's Bench decision that the Act did not contain adequate provisions to protect the confidentiality of records subject to solicitor-client privilege during the investigation process.

Most other provincial jurisdictions have legislation dealing with this issue. It was noted by the court that such provisions were lacking in the Saskatchewan legislation. These amendments were requested by the Law Society to codify the common law rules that currently apply and that courts have relied on in the past.

Mr. Speaker, the amendments clarify that members of the Law Society must provide information to the Law Society during an investigation even where this information is subject to solicitor-client privilege. In doing so, the amendments provide that solicitor-client privilege is not breached.

Mr. Speaker, the amendments will allow the lawyer providing the records, any person claiming the solicitor-client privilege, or the court to require the proceedings dealing with the records be held in private and that the public or any other third party be denied access to the records. Further, Mr. Speaker, the amendments provide specific authority for benchers to make rules regarding the handling of information that is privileged or confidential.

Mr. Speaker, I am pleased to move second reading of An Act to amend The Legal Profession Act, 1990.

**Some Hon. Members:** — Hear, hear!

**The Speaker:** — It has been moved by the Minister of Justice that Bill No. 22, The Legal Profession Amendment Act, 2006 be now read a second time. Is the Assembly ready for the question? The Chair recognizes the member for Lloydminster.

**Mr. Wakefield:** — Thank you, Mr. Speaker. I'm pleased to be able to add a few short thoughts with regards to the Act to amend The Legal Profession Act.

I think the essence of our whole society, the essence of how the legal system works, depends upon that element of confidence and the confidence of all members within the society, all members that are involved in legal transactions to have the confidence that there is a system in place that is going to be certainly working on everybody's behalf and still protecting the confidences and protecting the information that people will not necessarily want or should not be put into the public domain.

So in this case there is . . . these provisions I think are actually trying to accommodate something that will add to that level of confidence. And that confidence, as I said, is an important element in the relationship between a client, a lawyer, that person's lawyer, and how it can be used from that point on.

One of the points that is mentioned — and the minister did mention this — is the fact that they are now looking at a situation where a member can obtain credibility in two different jurisdictions. That's certainly an issue that is coming to the forefront in my particular constituency where lawyers need to work on both sides of the border and need to be able to expand both their expertise and their . . . And the backing for their particular work has to be accredited on both sides of that border. And I think that's an important part.

And as the economy of Western Canada expands into a more interprovincial and even global environment, that interjurisdictional practice becomes even more and more important. And I would like to gain some more input from the lawyers that actually work in that environment, both that have been certified on both sides of the border and in fact do practise. And I think those are important issues that should be addressed, and I would like to get some further feedback.

Again part of the confidence level in the Act, I think, needs to be followed when we look at who has access to the files on a particular issue, who has access to the correspondence or any of the solicitor-client privileged information. The minister referred to those situations where it can be certainly kept in confidence and situations where at times there can be a third party that is actually involved in that solicitor-client privilege can become involved. And this Act follows through. And I think that that needs to be expanded further with further advice.

There is also an area where there is some leftover money in a particular client-solicitor reaction. And I note that there is now a recommendation in these amendments to have that money go into something called the Law Foundation account rather than going back to the provincial treasury. I think that's an important part of the confidence level again because the Law Foundation account can direct that money after they have accounted for it. They can direct it to some probably better areas of investment or charities, whatever the case may be, than the government of the time.

We need to spend a little more time working with the legal profession, certainly from this interprovincial jurisdiction point of view, and I would move adjourn debate.

**The Speaker:** — It has been moved by the member from Lloydminster that debate on second reading of Bill No. 22 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. The Chair recognizes the Government House Leader.

**Hon. Mr. Hagel:** — Mr. Speaker, in light of the time of day and to avoid a circumstance where the minister is caught with half of his Bill out and half not out before moving to the

considered remarks by the opposition, I will move that this House do now recess.

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

**Some Hon. Members:** — Agreed.

**The Speaker:** — Be it now very close to 5 o'clock, this House stands recessed until 7 p.m. tonight.

[The Assembly recessed until 19:00.]



## TABLE OF CONTENTS

|  |     |
|--|-----|
| <b>ROUTINE PROCEEDINGS</b>   |     |
| <b>PRESENTING PETITIONS</b>  |     |
| Elhard .....   | 327 |
| Brkich .....   | 327 |
| <b>READING AND RECEIVING PETITIONS</b>   |     |
| Deputy Clerk .....   | 327 |
| <b>NOTICES OF MOTIONS AND QUESTIONS</b>  |     |
| Morgan .....   | 327 |
| Merriman .....   | 327 |
| <b>INTRODUCTION OF GUESTS</b>  |     |
| Calvert .....  | 327 |
| Wall .....   | 328 |
| Junor .....  | 328 |
| Huyghebaert .....  | 328 |
| <b>STATEMENTS BY MEMBERS</b>   |     |
| <b>University of Saskatchewan Huskies Win the Hardy Cup</b>  |     |
| Wall .....   | 328 |
| <b>2006 First Nations Achievement Awards</b>   |     |
| McCall .....   | 328 |
| Draude .....   | 329 |
| <b>A Weekend of Football</b>   |     |
| Iwanchuk .....   | 329 |
| <b>Gala Centennial Event in Saskatoon</b>  |     |
| Morgan .....   | 329 |
| <b>Taking a Stand Against Bullying</b>   |     |
| Forbes .....   | 329 |
| <b>Davidson Branch of the Royal Canadian Legion Celebrates Anniversary</b>   |     |
| Brkich .....   | 330 |
| <b>ORAL QUESTIONS</b>  |     |
| <b>Shortage of Health Professionals Impacts Rural Hospitals</b>  |     |
| Allchurch .....  | 330 |
| Taylor .....   | 330 |
| Duncan .....   | 331 |
| <b>Recruitment and Retention of Health Care Professionals</b>  |     |
| McMorris .....   | 332 |
| Taylor .....   | 332 |
| <b>Departure of Labour Relations Board Official</b>  |     |
| Krawetz .....  | 333 |
| Forbes .....   | 333 |
| <b>INTRODUCTION OF BILLS</b>   |     |
| <b>Bill No. 16 — The Tobacco Tax Amendment Act, 2006</b>   |     |
| Thomson .....  | 335 |
| <b>Bill No. 27 — The Film Employment Tax Credit Amendment Act, 2006</b>  |     |
| Hagel .....  | 335 |
| <b>Bill No. 28 — The Cities Amendment Act, 2006 (No. 2)</b>  |     |
| Van Mulligen .....   | 336 |
| <b>Bill No. 29 — The Labour Standards Consequential Amendments Act, 2006</b>                                       |     |
| <b>Loi de 2006 portant modifications corrélatives à la loi intitulée The Labour Standards Amendments Act, 2006</b> |     |
| Forbes .....   | 336 |
| <b>Bill No. 30 — The Land Surveyors and Professional Surveyors Amendment Act, 2006</b>                             |     |
| Hagel .....  | 336 |
| <b>Bill No. 31 — The Regional Health Services Amendment Act, 2006 (No. 2)</b>                                      |     |
| Taylor .....   | 336 |
| <b>Bill No. 32 — The Superannuation (Supplementary Provisions) Amendment Act, 2006</b>                             |     |
| Thomson .....  | 337 |
| <b>ORDERS OF THE DAY</b>   |     |
| <b>WRITTEN QUESTIONS</b>   |     |
| Iwanchuk .....   | 337 |
| Hagel .....  | 337 |
| The Speaker .....  | 337 |
| <b>GOVERNMENT MOTIONS</b>  |     |
| <b>Removing Non-Renewable Resource Revenues from the Equalization Formula</b>                                      |     |
| Van Mulligen .....   | 337 |

|   |     |
|---|-----|
| Thomson .....   | 339 |
| Cheveldayoff .....  | 341 |
| Calvert .....   | 342 |
| Wall .....  | 344 |
| Recorded Division .....   | 345 |
| Hagel (transmittal motion) .....  | 345 |
| <b>RESCIND TRANSFER TO MOTIONS FOR RETURNS (Debatable)</b>  |     |
| Hagel .....   | 346 |
| <b>GOVERNMENT ORDERS</b>  |     |
| <b>SECOND READINGS</b>  |     |
| <b>Bill No. 3 — The Fuel Tax Accountability Act</b>   |     |
| Thomson .....   | 346 |
| Morgan .....  | 346 |
| <b>Bill No. 17 — The Miscellaneous Statutes (Municipal Collection of Other Taxes) Amendment Act, 2006</b> |     |
| Van Mulligen .....  | 348 |
| Morgan .....  | 349 |
| <b>Bill No. 18 — The Court Security Act</b>   |     |
| Quennell .....  | 351 |
| Brkich .....  | 352 |
| <b>Bill No. 19 — The Securities Amendment Act, 2006 (No. 2)</b>   |     |
| Quennell .....  | 353 |
| Gantefoer .....   | 354 |
| <b>Bill No. 20 — The Gunshot and Stab Wounds Mandatory Reporting Act</b>                                  |     |
| Quennell .....  | 355 |
| Brkich .....  | 356 |
| <b>Bill No. 21 — The Evidence Amendment Act, 2006/Loi de 2006 modifiant la Loi sur la preuve</b>          |     |
| Quennell .....  | 358 |
| Wakefield .....   | 358 |
| <b>Bill No. 22 — The Legal Profession Amendment Act, 2006</b>   |     |
| Quennell .....  | 359 |
| Wakefield .....   | 359 |

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