



THIRD SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

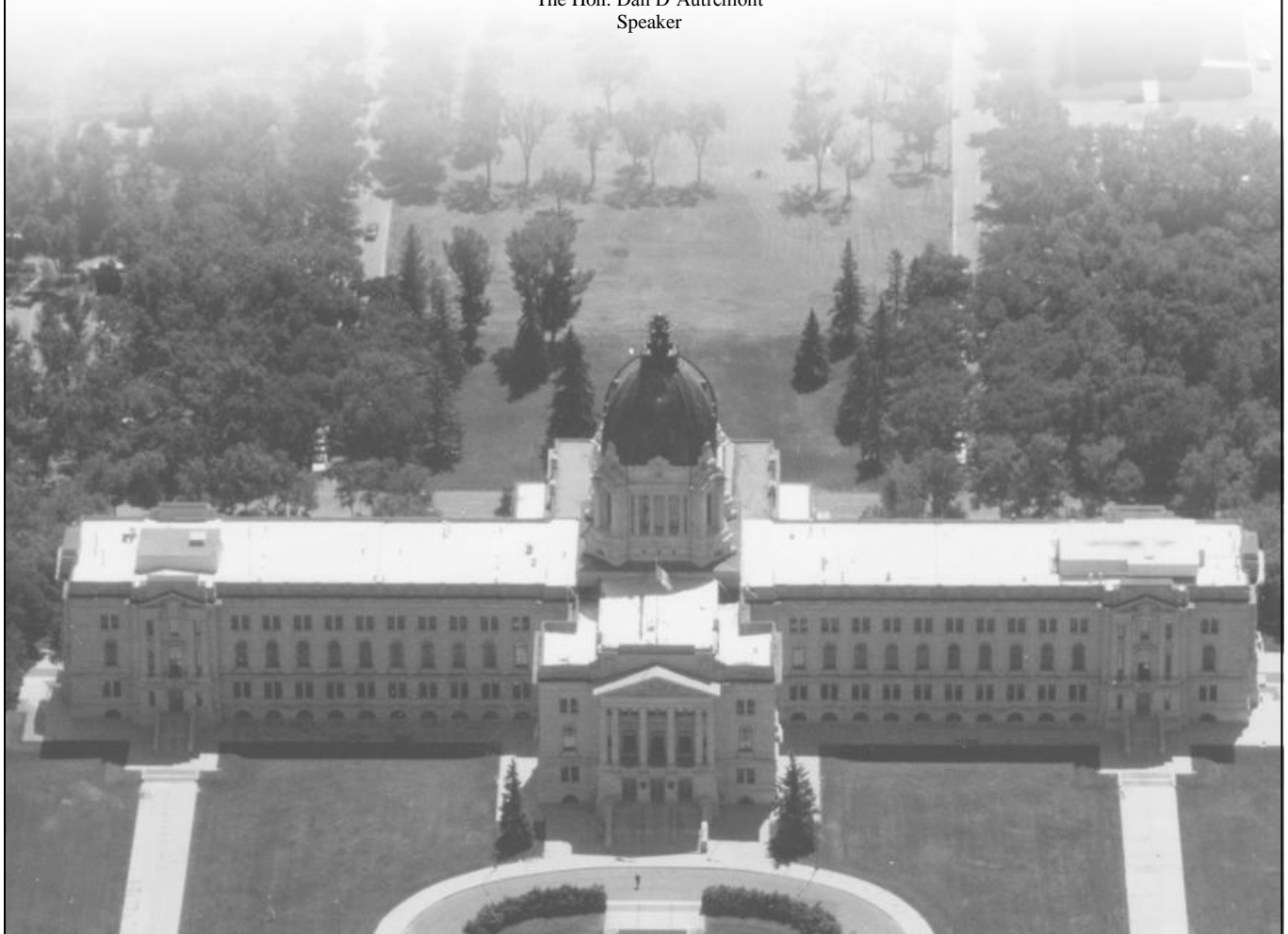
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
The Hon. Dan D'Autremont  
Speaker



## MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. Dan D'Autremont

Premier — Hon. Brad Wall

Leader of the Opposition — Cam Broten

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

[The Assembly resumed at 19:00.]

### EVENING SITTING

**The Speaker:** — It now being 7 o'clock, second reading debates will resume.

### GOVERNMENT ORDERS

#### SECOND READINGS

##### **Bill No. 113 — *The Powers of Attorney Amendment Act, 2013/Loi de 2013 modifiant la Loi de 2002 sur les procurations***

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

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. I rise today to move second reading of *The Powers of Attorney Amendment Act, 2013*. Mr. Speaker, as mentioned in the Speech from the Throne, *The Powers of Attorney Amendment Act, 2013* is being introduced as one of the bills that responds to a recent consultation respecting vulnerable adults.

As a result of these consultations, it was determined there were some aspects of the law respecting powers of attorney that are unclear. For example, the law was not clear about an enduring power of attorney's authority to make gifts from an adult's property. That has been clarified in this bill. The attorney can make gifts in the following circumstances. First, if the document creating the power of attorney specifically authorizes the making of gifts. Secondly, if an amount not to exceed the value prescribed in the regulations, and if there are sufficient funds to make the gift, and there are reasonable grounds to believe that the adult would have made the gift if she or he had capacity. And finally, if the court authorizes the gift.

The bill will also allow regulations to set a fee schedule for someone acting under a power of attorney. The fee schedule will come into effect if the document creating the power of attorney does not specify the fees to be received and if there is no court order establishing the fee to which the attorney is entitled. There are several amendments dealing with the requirement for an attorney to account for his or her handling of the property of the donor. They are divided between accountings that occur during the exercise of the power of attorney and accountings that occur after the power ends.

The Public Guardian and Trustee is given new powers to carry out an investigation to ensure the accuracy of an accounting. Also regulations will prescribe the form of an accounting. For mid-term accounting, the court is given the power to remove an attorney if the accounting is not satisfactory. A final accounting occurs at the conclusion of the attorney's power such as when the donor dies, a property guardian is appointed, or the court removes that attorney. The final accounting must be provided within six months. The bill directs to whom the accounting is provided and gives the court the power to order an accounting if it is not voluntarily provided. With these improvements, Mr. Speaker, the protection of vulnerable adults who have given a power of attorney is enhanced.

Mr. Speaker, I now move second reading of *The Powers of Attorney Amendment Act, 2013*.

**The Speaker:** — The minister has moved second reading of Bill No. 113, *The Powers of Attorney Amendment Act, 2013*. Is the Assembly ready for the question? I recognize the member for Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. I'm very pleased once again to rise in my place to offer our initial comments on the second reading of Bill 113, *The Powers of Attorney Amendment Act*. And, Mr. Speaker, what's again the point that we would make is that this particular fall sitting is all about introducing the bills and introducing the effort behind the bills as to what the government hopes to accomplish.

And as I mentioned to many folks that do indeed watch the channel, I know a lot of people from my constituency pay attention to this particular channel, and what it's all about is having the government introduce their bills, the intent of the bills, and to inform the public of the bills. And then after a period of three or four months we come back in the spring sitting, and this is where we begin to debate the bills. And so the time between the fall sitting and the spring sitting really allows us to research some of these bills.

And what Bill 113 is all about, *The Powers of Attorney Amendment Act*, is basically that people that are given authority through *The Powers of Attorney Act*, the public trustee or guardians are given more powers without having to appear before a judge. That's basically some of the information that we have derived from the bill so far.

And also, Mr. Speaker, there's a bit more information: that it also allows the trustees or the guardians of some of the vulnerable adults that we are dealing with here with this bill, it also allows them to continue to make gifts on that person's behalf if they've known to do some of the gift-giving during their time that they were able to look after their own affairs.

So I think one of the points, Mr. Speaker, it's all about helping seniors. And one of the things that we want to raise in the Assembly all the time is to make sure that, as you age, that Saskatchewan pioneers that have built this province over the many, many, many years — and we all have our stories of the many, many seniors that live in our constituencies or have had a positive effect or impact on your life — as they begin to age it's important that we provide as much support as possible to them.

And what Bill 113 does, it allows them that if they become incapacitated in some way, such as they become too ill or they perhaps . . . before they suffer any mental health issues that many of them do, things like Alzheimer's and so on and so forth, that these vulnerable adults can actually assign someone to look after their affairs once they become to a point where they're unable to do so on their own for a variety of potential reasons that affects their mental state or their overall well-being.

So what they do is they often appoint a trustee or public guardian or somebody that has the power of attorney over their affairs. And so this is another mechanism I think that many

senior citizens often participate in and take advantage of. And what this particular bill does of course it raises the information as to what the bill's intent is all about. And certainly it also talks about a number of changes, such as being able to continue making gifts on an annual basis to certain, I guess, charities that this individual has done over the past number of years, and has been consistently giving contributions to a certain charity, if you will, that that public trustee or the person that is appointed guardian of this estate is able to do so.

So the biggest thing that we would want to support obviously is the support for the seniors. We think that if we allow the seniors the dignity and the time to make up their business and make up their plans in the event that they do get sick, that somebody that they trust, somebody that they have confidence in is able to do all this work beforehand and make sure that their issues and their affairs are taken care of once they get to a point where they're unable to look after these matters on their own.

Now, Mr. Speaker, I think again the seniors, being able to position them well is something that we in the Assembly, and certainly the opposition benches, want to see happen on a continual basis. There's no question that we would be consulting seniors because we think that while this may be something that is of value, we want to make absolutely certain. We want to be clear, and we want to be informed by the seniors groups themselves that are out there that this is indeed . . . Bill 113, that the government says is intending to help them with some of the extra powers and privileges that trustees and guardians might have as a result of this Act, that it's not misplaced. And that's one of the reasons why we need to consult with them and again take the two or three months that we need to look at this bill and involve various groups.

Now, Mr. Speaker, it's important that from our perspective as an opposition we have looked at some of the problems that this government has had with senior care. And certainly, you know, we've heard the stories from some of the private health care or the private care facilities that have our seniors housed in some of these places. We've heard the horror stories of how some of our seniors are treated. And we continually bring home the message that they have to this Assembly, that we have to treat the elders with a lot of dignity and compassion and care.

And basically from our perspective we looked at some of the challenges that many of our seniors have in some of these homes that they are currently being housed in, that we need to be vigilant. We need to be diligent in the sense of making sure that we're not becoming complacent or thinking that everything's rosy in a sense of caring for some of the seniors in our province. We have to make sure that this is the case.

And basically from some of the information that we've certainly been exposing the government on, we're finding more and more evidence that many of these care homes are not providing the care to our seniors. And that's a crying shame. It is a crying shame, and some of the direct reasons why they are not getting the care they ought to deserve is primarily because of the staffing shortages. There's just not enough staff looking after the seniors. And, Mr. Speaker, that's the biggest thing that we're trying to challenge the government on, and we're getting less and less of a response. And we're getting more and more complaints from the people about that particular activity.

Now, Mr. Speaker, the bill again, 113, *The Powers of Attorney Amendment Act* is primarily intended to deal with a trustee or a guardian. So one of the things that we want to bring up is that you must be consistent in any action that you take as a government when it comes to ensuring the dignities afforded to the senior citizens of our province.

You cannot on one hand have care, these private care homes being compromised to a point where it's being brought up in the Assembly on a continual basis, the same time do a measure of this sort because people kind of get confused as to what the intent of the Sask Party government is. It gets, the message gets conflicting. Why would you want to confer extra powers on your public trustee or guardian through a bill of this sort to help to position you to make sure that your wishes are kept through even after you come to a point where you're unable to take care of these matters on your own? Then you turn around and you get housed in a private care home that doesn't show you any attention, that is so short-staffed that the quality of care is severely compromised.

So that's the point that I want to make as the official opposition: on our first blush at this particular bill and some of these second readings is that you've got to be consistent. You've got to be caring, and certainly you've got to be compassionate when you start talking about senior care in the province of Saskatchewan.

So as I looked at this Act, Bill 113, there's a lot of questions again we want to ask. And we want to talk to which senior groups that have been consulted. Have any of the care homes been consulted? Have any of the law firms that could be involved, have they been consulted? These are some of the things that are really, really important.

And again, as I pointed out from our perspective, our leader has been very clear to us as critics and MLAs [Member of the Legislative Assembly] as well, that if the government is doing something properly, then we would support them on that front. If they're doing something not properly advised and something that they want to push down people's throats — because many times they're dismissive, they're secretive in many occasions, that they simply don't listen to people — and this is where we need to make sure we hold them to account and continue to challenge them on a daily basis. These are the directions we got from our current leader.

And, Mr. Speaker, whether it's Bill 113 talking about *The Powers of Attorney Act* or the home care challenges we have in this province, this opposition will continue driving home that message to people, is that you do have the opportunity to impact bills that are coming forward in this Assembly. And all they have to simply do is contact us, or look to the Internet, look at the bill in specific, talk to your groups, get involved.

I would encourage the seniors to get active and to get highly organized. Because they can't simply sit by and hope that this government, who has a very poor record when it comes to senior care, we can't simply afford to let this government give it a clear sailing to impose some of the Acts that they want to impose simply because we haven't been vigilant or fighting back enough or organized enough to fight back. We have to do that work. That's the thing what I think is a very, very clear

message.

So, Mr. Speaker, we have a lot more to say on this bill. We'll take our time, as I mentioned at the outset. We will take the several months that is allowed to talk to our own contacts, to talk to our seniors' groups and to tell them, is this what is needed and is something that you can support? And what are your worries about this bill? That's the intent of this opposition, and we'll continue doing that until the bill is actually proclaimed, Mr. Speaker. And again the opportunity's there for people to participate.

So on that note I would encourage all folks to pay attention to this bill. And I move that we adjourn debate on Bill 113.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 113, *The Powers of Attorney Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Bill No. 114 — *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013***

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

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. I'm pleased to rise again today to move second reading of *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*.

Mr. Speaker, this Act is being introduced as one of the three bills resulting from a thorough review of legislation affecting vulnerable adults. More than 100 groups and individuals were consulted, including people in the area of health and mental health, advocacy groups for persons with disabilities, seniors groups, and many more. Consultation responses identified gaps in legislation or opportunities for improvement.

Mr. Speaker, *The Health Care Directives and Substitute Health Care Decision Makers Act* allows individuals to give advanced health care directives or to choose a person known as a proxy to make health care decisions for them in the event of their incapacity. The Act also directs that the nearest relative can make health care decisions for an incapable person if there is no health care directive or proxy. If there is no nearest relative, two health care providers can make health care decisions. The amendments I am proposing today, Mr. Speaker, will fill three identified gaps in *The Health Care Directives and Substitute Health Care Decision Makers Act*.

[19:15]

The first gap that was identified by the health care sector involves decision making for day-to-day decisions respecting adults who are not capable of consenting to health care. These are relatively minor decisions such as the decision to consent to dental work, for example. What constitutes a day-to-day decision will be listed in regulations after full consultation. The

decision maker will be the caregiver if there is no readily available proxy or nearest relative. Mr. Speaker, again the regulations will prescribe who will be considered a caregiver.

The second issue concerns the ability to apply to admit a person to long-term care or accept placement of the person in long-term care. Until now there was no clear legislation as to who would have the authority in this situation. Mr. Speaker, the proposal is that the following persons could make the decision, in this order: personal guardian, proxy, nearest relative, or two treatment providers.

Mr. Speaker, the final amendment is to clarify that an enduring power of attorney who has been appointed in accordance with *The Powers of Attorneys Act, 2002* does not have the authority to make health care decisions pursuant to the Act.

Mr. Speaker, I now move second reading of *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*.

**The Speaker:** — The Minister of Justice has moved Bill 114, *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion? I recognize the member for Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. Once again I'm pleased to stand this evening to give our initial discussion and comments on the particular bill that's being presented here, Bill No. 114, *The Health Care Directives and Substitute Health Care Decision Makers Act*.

As the minister mentioned, it's really talking about which process would be followed to give consent for day-to-day treatments when there's no personal guardian or a relative that's readily available, and if there's no proxy, Mr. Speaker. And again I go back to the earlier point that when you have somebody that's incapacitated in a long-term care home it is very, it's a very tragic circumstance when you know what is necessary to help that senior. And you know, many times I would assume that a great amount of time on a daily basis and evening basis is being spent by professional staff that are there every day and that are working with the families and of course are paying a lot of attention to that particular patient.

And, Mr. Speaker, care for seniors is one of the most important things that a government does. And obviously there is some confusion as to how we and who would be authorized to administer medicine or medical care of that sort. I imagine the medicine would be something that's probably . . . somebody that's certified, a nurse or a doctor. But nonetheless that if there is some health care that is required for some of these seniors that aren't able to make their own decision — and as was mentioned, the whole notion of dental work as a good example — that they would have a process in place. And the process of course would be that there would be a personal guardian, then a proxy, and a nearest relative, and of course the final option, having two health care staff available to make the decisions on that patient, of course, being in that order.

Mr. Speaker, there's no question that we hope we never see that a senior that doesn't have that option, that doesn't have the

option that we're identifying in terms of having a personal guardian in place because that may occur in this day and age where you don't have a personal guardian, you don't have somebody that has proxy, and the nearest relative may be many, many, many miles away. And then it comes down to the two staff, Mr. Speaker. So hopefully you look at those four options in terms of being able to make a decision on long-term care placement.

These are really trying times for many of those seniors. And I can tell you that, you know, if ever we were able to be lucky to be able to survive till we're older, and then all of a sudden we're in a situation where we can't care for ourselves and we can't make decisions on our care on a consistent, logical basis, that we have to look to others for help, Mr. Speaker. We hope that many seniors are able to take care of that problem long before it becomes a major problem for them to make these choices.

And certainly I would encourage elders, a lot of elders and some of their families in many of the communities that we work with, to make sure that you make arrangements for your loved ones as they age, to make sure that they do have a proper system in place. The proper system of course being that if you get ill, who makes decisions on your care? Who makes decisions on your basic medical care? That was identified in this bill. And clearly what the bill is saying today is that, in terms of being placed in a long-term care home, the options are that if you haven't appointed a personal guardian then there's the proxy. And if the proxy's not available, then you have the nearest relative; it could be any close family member. And if that's not the case, then of course the two staff members are the last fail-stop measure to make some of these choices.

And these are fairly traumatic choices, Mr. Speaker. This is not a choice where you're talking about what type of breakfast to have. This is being placed in a long-term care on a permanent basis. And that's why it's really important we tell people out there in Saskatchewan that you have to take the time to understand what options are there for ensuring that the seniors in your life is properly cared for. There's a number of things that you have to look at.

And, Mr. Speaker, I can tell you that some of the things that I really, really wouldn't mind to have expressed to the seniors that are living out there. Certainly, you know, in many of our constituencies, mine included, there are many seniors that struggle. They struggle every month to make ends meet, and now they find out that they're getting sicker. And as they're getting sicker, they're having more challenges financially. This just doesn't seem to be enough help out there.

And I know of one particular senior that I've been trying to get his will straightened out. He's got no help whatsoever, Mr. Speaker. And then all of a sudden he tries to get some advice, and you know — without mentioning this individual's name — he's got to pay thousands of dollars in legal fees. And he can't afford that, Mr. Speaker.

So these are some of the things that we find with our seniors in northern Saskatchewan. And I'm sure these are the problems with seniors right throughout the province, is affordability of basic things are very, very challenging for them — basic things

like rent, like medicine, like food, and so on and so forth. Now they've got to do other things. Some of them help raise grandkids. Some of them have got to travel out for medical trips. And now some of them have to do extra work and pay extra bills for some of the people that they're trying to help. And then now they have to figure out the power of attorney. Now they've got to make sure that they do get to a point where they're unable to look after themselves or they can't make decisions about their health care, they have to trust others.

So you can see this gets worse and worse and worse for some of our seniors. And that's exactly my point: as a province we have to figure out how we can put together a comprehensive seniors' care package that not only recognizes the fact that they might have these problems, but to ensure that these problems, if they do exist, that we have an answer for them on every front. And, Mr. Speaker, it gets very, very basic from my perspective, is that you've got to have the complete package.

And I often tell folks, the younger people, as I mentioned a couple of times here, that when you're working look after ways and means that you can create your own pension. You know, because I see a lot of seniors in my area, and I imagine they're all over the province, that they never had the opportunity to develop their own pension plans. So many of them are living on 1,100 or \$1,200 a month.

And, Mr. Speaker, that's not a lot of money when you're living in any province or any town, but it's particularly challenging in the North because you've got a lot of costs for heat, and of course the food costs are quite high in northern Saskatchewan. So the seniors have that particular challenge from the North. Accessibility to health care. There's many times they're travelling. The extra costs for food. The extra costs for heating. The extra costs for medicine. Like, you just name the cost, it's always a bit more as you get further and further from our urban centres.

So a lot of the senior citizens throughout our province, they understand sacrifice. And I tell young people they are fairly tough when you look at some of the decisions they make and some of the basic choices that they make when it comes to managing their house or their home or their life. And many times you see the commercials and the commercials are true where some families, and in the case of the seniors, they have to make a decision between their medicines or their rent. And that's very unfortunate in this day and age, given the fact that the government has a lot of money.

So you look at that particular point, Mr. Speaker, when it comes to Bill 114, We are failing on many fronts to make sure that there is proper support for those seniors, those seniors that live on fixed incomes and do not have the necessary dollars to plan and prepare for the day when they become incapacitated, in the sense that they can't look after their own affairs. And here we have a bill that talks about that. And I can tell people that a lot of seniors do not know what options they face. They don't have any of the legal means to position themselves well.

So somewhere along the line you've got to get pretty serious about how we present the complete package for our seniors in terms of helping them set themselves up for their later years in life, to make sure that at least they know the decisions they

make now when they're fully functional will be respected and will certainly be applied and followed when they get to a point where they're no longer able to make these decisions on their own. It's so very important, so very basic.

So I would encourage the government to put the sum of some of these bills, some of these bills — 114 and all the other bills that we've been advocating for and all the other supports that we've been pushing for as an opposition party — to put them together in a complete package. And what would that cost the government to make sure that our seniors were properly cared for, Mr. Speaker? It would not cost a whole heck of a lot of money? And this is exactly my point. Some seniors are fortunate enough to have families that are able to provide them that direction and advice, but there are many, many, many seniors that do not have those options and that certainly do not have that support system in place.

So I would say again, there are many elders, many elders in our province that are suffering in silence. I know that, Mr. Speaker. Some of us are very fortunate in the sense that we hear a few of the stories, but that's just the tip of the iceberg. We know that there are many, many people that are forced to do more work. There are many people that are forced to make critical choices that they don't want to make. It's either, like I said before, it's either your medicines or your rent. We have many, many people that are looking after their grandkids, which add an extra burden onto them.

And I'll tell you today, I'll tell you today that there are some places, there are some places in the country, and I believe it's the Northwest Territories, where the government of the Northwest Territories have said to their senior citizens, we recognize the cost of living, of living in the territories. It's a lot of extra burden on families. So one of the programs they have in the territories talks about free glasses and free dentures once every two years I think, where the province will provide, or the territory in this case would provide the free glasses and the free dentures and a few other things, I think a hearing aid. These kinds of things that would give them, every two years, would give them this free service. And I think, Mr. Speaker, we ought to learn from that. Because what is wrong with that? What is wrong with that support?

So today I think when we sit down with the opposition is exactly what we talk about when we talk about seniors' care, that what we see from the Sask Party is seniors soiling themselves, seniors waiting hours on end for any kind of service from staff that are being, that are short-staffed and certainly under a lot of pressure. We're seeing that they're not open and accountable and transparent when it comes to their commitment towards senior care.

And you have all these other ideas, all these other ideas on how to improve service to seniors. And let me say it again loud and clear: there are many senior citizens in our province that are struggling. They are struggling every day. And thank goodness they were born in an era where they learned to struggle because they are used to struggling. And many times the younger generation, including myself, we've never learned to struggle that much.

And I see a lot of seniors throughout our province, and I have a

lot of admiration for them because I can tell you with some of the sacrifices that they made, and some of the struggles that they went through, some of the hard times that they went through, you know, we wouldn't be able to handle some of those hard times in this day and age. Because the seniors at the time made those tough choices and they went through the hard times, and today they're still going through hard times. And the reason they're able to survive those hard times is because they struggled with hard times many times before. And that's what makes them extra tough and what makes them extra resilient.

[19:30]

And that's why we should do something different. We should do something unique. We should do something that's important to them. We should start taking better care of them. It's very, very simple, Mr. Speaker. And they're not asking for handouts. They're not asking for a handout. They're not asking for pity. They're not asking for anything else except compassion and understanding of the circumstances that they're going through. And what better way to show that compassion and that concern than by making sure that, as you age, you're afforded the proper place to live with the proper supports and that you're able to rest in general comfort? Not expensive comfort. That's not what they're asking for, but in general comfort and certainly with a sense of peace and dignity, Mr. Speaker. That's all they ask.

So today I see some of the challenges that the seniors have and how Bill 114 might be able to help them. And this is where we need to ask more questions. Does it fill a huge gap from the seniors' perspective? Not from the government's perspective because every time we hear from this government, they're taking care of their own. We need to shift the focus to the seniors and to actually see what services, what benefits, and what are we doing to benefit them. What are we doing as MLAs to help out seniors in our community? That should be the focus, Mr. Speaker.

So when we see the government doing one bill here, another bill there, it's disjointed. And we hear all the horror stories in between. And we know that there are affordability issues out there and we are not recognizing those affordability issues. I could go on here all night how we're ignoring and not respecting our seniors and not affording them with the proper care and the mechanisms of care on many fronts, including legal supports and including to make sure that they're able to make decisions when they become too ill to do this on their own, to make sure they have good care as they age in some of these private homes, and to make sure that health care is there for them, and maybe once in a while throw them a bit of support, like I mentioned in the territorial government where they were able to give them free dentures and a hearing aid and free glasses once every couple of years. I don't have all those details, but I hear a lot of those good stories.

And certainly from my perspective, we need to figure out how we can do a better job, a better job of supporting our seniors than doing some of the haphazard things that we're doing in the Assembly, especially when it comes to seniors' care in these private care homes where they have the overworked staff, the very few staff trying to take care of the many seniors that are in there now. And that, Mr. Speaker, is certainly a recipe for poor

service to the seniors. And we've put that right at the footsteps of the Saskatchewan Party government because they know it's happening and they're not doing a darn thing to address it, Mr. Speaker.

So there's a lot of things we want to talk about on this particular bill. We want to talk about a wide variety of issues on seniors' care. And I'm really glad that our leader in our opposition is fighting back for seniors, because every day he gets up in the Assembly and he brings in another story of how senior care is being compromised.

Now one of these days, Mr. Speaker . . . There's two things that I would tell people when you talk about seniors' care is that if we're lucky enough to live that long, we're going to need that kind of help when we get old. And that's one of the messages I think a lot of seniors would tell some of the younger people in this Assembly is that sooner or later, if you're lucky, you're going to be as old as us.

And they don't tell us it's lucky getting that old, because as you get older, things get tougher. So you've got to be tough to be an elder in this province and you've got to be really tough to make it to the age where you're 75, 80, 85 years old. You've got to be really tough. And not that it gets easier. Because everybody thinks as you age, things get easier. No, it gets absolutely harder. And that's why I tell folks out there, when you see a senior, understand that they're struggling a lot of times, that they, you know, they've survived a lot of crises on their own, and for them to age to that age they had to fight their way and they're still fighting.

So imagine fighting every single day to enjoy one thing — quality of life. That's all they want as they get older. And, Mr. Speaker, we have been failing them on many occasions. And today is one example of how one small step in a series of steps that's required, it's simply not going to be sufficient enough to impress the elders and the pioneers of our province.

So I say again when you look at the consultation process, you know, this is why it's so important to talk about consultation. Did they actually deal with seniors' groups that are being impacted by this? Who did the government talk to? We don't know that. We don't know which group has come along and said, we like these ideas or we're opposing these ideas through, you know, through the government. We haven't heard those consultation processes. And I go back to the earlier position I took, is that it is one thing to consult but it's another to get agreement from. So we've got to stop playing the game of consultation and start getting hard core agreement from seniors' groups that we're trying to support and benefit.

And, Mr. Speaker, when you see seniors' groups come into this Assembly and start ratifying and endorsing some of the deals that this government makes, that's when we know we have their agreement. And so far, Mr. Speaker, the balconies in this Assembly have been empty because there has been no consultation this government has taken where they are able to hammer out an agreement with the seniors that they supposedly are trying to help with this particular Act. So we have a lot of work to do. We have a lot of work to do. And one little Act on one little bill ain't good enough. That's the bottom line that I have for this particular government. It ain't good enough,

primarily because we're failing on so many other fronts.

And I can tell you a number of stories from my own constituencies of how older people have to get their own wood, how older people have to sometimes even go hunt on their own, how older people have to borrow at high interest rates so they are able to use some of their money to buy their pills, of how older people are caring for the seniors, and nobody recognizes that. Nobody understands that. Everybody just ignores it. And this is the problem we have, Mr. Speaker, in this day and age is that bills that are intended to help the seniors, like Bill 114, fall far short of the effort required to build a good province for our seniors.

And I like that line and often use that line in this Assembly because I heard it being mentioned once, so I'm plagiarizing a bit here, Mr. Speaker, but I always maintain that this province is not a good province for any one of us unless it's a good province for all of us. And the seniors are the ones that are saying that loud and clear, that this province isn't a good province unless it's a good province for seniors too. They count. They vote. They want to see a different way of dealing with their issues. And, Mr. Speaker, so far this government has failed them miserably.

So on that note, we have a lot more we want to comment about when it comes to health care and senior care in particular. We're going to bring those issues forward. We'll continue bringing them up, and the fight has just begun. The fight has just begun because we're going to fight back with them and, Mr. Speaker, we would invite them to join us to fight this bill if it's not going to be appropriate or fight this bill if it doesn't go far enough, and begin teaching this government how to govern properly for senior citizens throughout this province, Mr. Speaker.

So on that note, I move that we adjourn debate on Bill No. 114.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 114, *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Bill No. 115 — *The Public Guardian and Trustee Amendment Act, 2013***

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

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of *The Public Guardian and Trustee Amendment Act, 2013*. Mr. Speaker, this Act is being introduced as part of a package of bills designed to improve protection for adults who rely on others to make decisions on their behalf, as was mentioned in the Speech from the Throne.

The main portion of this bill moves the provisions respecting certificates of incapacity from *The Mentally Disordered Persons Act*, allowing that legislation to be repealed. Some



changes from the provisions found in the former Act include: a change in terminology from incompetence, which some of the respondents from consultations found objectionable, to a concept of capacity or incapacity; a new ability for physicians to examine a person for capacity without a request from a chief psychiatrist; and a reduction in the time period that can be imposed between re-examinations for capacity from one year to six months.

Other amendments update the powers of the Public Guardian and Trustee by adding the power to revoke an acknowledgement to act that was signed in error, and adding the power to administer the estate of a deceased dependent adult client of the public trustee and guardian pending administration by someone who is not a court-ordered personal representative.

Mr. Speaker, this bill also updates references to legislation in a number of places that adopt the word incapacity and other legislation that references the Act. These amendments will help persons who are using the legislation in assisting vulnerable adults.

Mr. Speaker, I now move second reading of *The Public Guardian and Trustee Amendment Act, 2013*.

**The Speaker:** — The Minister of Justice and Attorney General has moved second reading of Bill No. 115, *The Public Guardian and Trustee Amendment Act, 2013*. Is the Assembly ready for the question? I recognize the member for Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. It gives me great pleasure to rise again this evening to talk a bit more about the senior care issues that the province of Saskatchewan certainly suffers from. And I use the word suffer because there is a lot of suffering out there when it comes to care for our senior citizens.

Mr. Speaker, I understand from the notes, basically there was the definition and a word change between competence, and of course, capacity. And that's one of the things that's really important in this day and age is look at some of the Act, that some of the better language, you know, the more appropriate language be used in some of these bills. And certainly from our perspective that makes a bit of sense. It provides a better perspective on what the Act is intended to do when you start talking about dealing with senior citizens and some of the challenges that I alluded to earlier, how the senior citizens are able to be served better. I think proper wording and certainly proper language, it would certainly help, Mr. Speaker. There's no question that some of the wording of some of the previous bills and bills from many, many years ago, they weren't sensitive to some of the proper terminology to use when you're talking about seniors' care.

I know one particular example. I don't want to speak about that example, but there's a lot better language in some of the bills that we're dealing with in this day and age than was used 40, 50 years ago, Mr. Speaker. But again I go back to the whole issue of competence and I think with Bill 115, again we go back to seniors and accountability. You know, it's a great issue because seniors are getting a bit of attention. They're certainly getting recognition of some of their challenges.

And I will say, Mr. Speaker, when I talk about the seniors, we have to, as I mentioned, ensure that we have a matrix of support. It's not just one little step. It's not just modernizing language. It's not just improving the guardianship, Mr. Speaker. It's about positioning them well before the time comes where they're unable to make their own decisions. How much effort is required to be able to do that? It's a matter of breaking down the challenge bit by bit, Mr. Speaker.

And that's what I'll point out in this Bill 115, that if we're talking about consulting seniors to see how we can be more effective and supportive towards them, then we need to break down the problem. There are some seniors out there that would like to see a modernization of a system of support to them. We know some seniors can afford legal fees, so they position themselves well when it comes to guardianship. We know some seniors are able to position themselves well to take advantage of their early years of employment through a pension plan, when many others don't have that option. And there's a myriad of challenges that each different group of seniors face. Some seniors in southwestern Saskatchewan would have a remarkably different set of needs from those from northeastern part of the province. So it's just a varying degree of seniors out there with different needs and different challenges.

And we need to start taking a looking at our seniors' groups themselves, and looking at their makeup, their numbers, their income, their challenges and begin to, you know, begin to analyze what exactly their issues are. Then we need to start consulting with them as to what they would consider being priority because some places, legal support would be a priority. Other places is to make sure that we have seniors' care for them. Other places will make sure that we have good health care to them. Other places might be affordability of, you know, of a home. There's all kinds of needs out there for our senior citizens.

And yet we're not having any kind of action by this government except on Bill 115 where they're simply clarifying, in my opinion, clarifying and modernizing language about seniors and about accountability. So fine. We can modernize the language. I'm not saying that it's a bad thing to do. I'm just saying that if we're going to modernize language, maybe it's time we modernize our service to the seniors as well. That's an important point that I'd like to mention, that we ought to modernize our approach to what the seniors need in this province. And, Mr. Speaker, if all we're modernizing is the language and not modernizing service and recognizing their unique challenges from each of their areas and their backgrounds and their varying degrees of difficulty, then obviously as a government we're failing them. And I point out again, we're failing them miserably.

[19:45]

So I think we need to get serious about this particular process. This Bill is one of three or four bills that does a little bit of tinkering here and there. All these bills are all about tinkering here and there, not addressing the main issue, and that's what upsets us so deeply on the NDP [New Democratic Party] side, the opposition side, is that you're taking seniors for granted. You're not recognizing their need. You're not addressing their challenges. You're simply tinkering with some of the

legislation to make it appear you're doing something when the net effect of all your efforts is a big fat zero.

So, Mr. Speaker, they have a long ways to go, the Sask Party does, to be able to ensure that seniors are properly cared for. We have the stories here. We have the ideas on this side, how we can do it, serve the seniors a lot better. And, Mr. Speaker, we're asking the groups to get involved with some of these bills, get organized, and give us advice on how best to provide the advice and direction that the Sask Party so desperately needs to recognize what the seniors of this province want from this government and expect from this government and, from our perspective, deserve from this government.

They deserve some of these supports, Mr. Speaker, because they have done so much for our province. And yet they continue to suffer in silence. And I say that should not be the case in the year 2013. There should be better respect and admiration for what they've done, better respect and recognition for what they're going through today. And that's a message I don't think the Sask Party has gotten in the seven years that they're in power, and I doubt very much, Mr. Speaker, that they'll get that message here unless we all collectively send them a message and oust that government and finally start serving seniors like they should be served.

So on that note, Mr. Speaker, I move that we adjourn debate on Bill 115, *The Public Guardian and Trustee Amendment Act*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 115, *The Public Guardian and Trustee Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried. Adjourned debates.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 112

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Krawetz that **Bill No. 112** — *The Accounting Profession Act* be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Nutana.

**Ms. Sproule:** — Thank you very much, Mr. Speaker, and it's my honour to be able to rise tonight and speak to second reading on *The Accounting Profession Act*, Bill No. 112. It was introduced here in the House on November 12th, so a week or so ago. And it's obviously something that's been in the works for quite some time now and something that the Minister of Finance is really taking direction from the accounting profession here in Saskatchewan but also across Canada. So this bill is part of a much larger initiative that has been under way for a number of years now, Mr. Speaker, coming from the national body of the Canadian accountants or the different types of accountants that have been created over the years.

As you know, Mr. Speaker, there's three general kinds of accounting designations that are currently in Saskatchewan by law, and that would be chartered accountants, management accountants, and then general accountants.

So I have to confess this is not an area where I spend a lot of time. I was going to look up some good accountant jokes for the Assembly but I didn't think that would be appropriate so I'm afraid I'm just going to have to keep my content fairly dry. But certainly we see that this type of initiative is one that this government reflects the responsiveness of the government of the needs of the professional organizations. It's not a huge earthmover in any sense for the people of Saskatchewan, but it certainly is something that's incredibly important to the people practising accounting here in Saskatchewan.

So as the minister noted in his introductory comments, there will be a new body that's an amalgam of the three main bodies that exist today. And he tells us there's about 4,400 members right now in the collective body of the three types of designations, and so this will be a merger by those three groups. He indicated there's different types of benefits for the merger. I know that in the materials I read online from the national organization, part of the push to unify these groups and merge is to have a better reflection on the international global scale, that there's a demand for the CPA designation — the chartered professional accountant — which would more closely match what's happening in other countries and therefore the work that's being done by these accountants would be more transferable on a global scale. And that's something that will certainly benefit the individual members here in Saskatchewan.

They're saying that the regulatory regime will be streamlined and modernized. There's material or clauses in the new bill that will reflect best practices for organizations that exist already, including things like codes of professional conduct. When I go through the bill I'll highlight some of the types of clauses that are attempting to accomplish that, Mr. Speaker.

One of the things he indicated in his comments is that this streamlined regulatory regime would give the public some assurance as well that the public . . . And I don't know if you've ever gone through this conversation before, but whenever you're talking about accountants, people say, is it a CGA [certified general accountant] or a CMA [certified management accountant] or is it a CA [chartered accountant]? And there is definitely, I know, in the people that I talk to, a lot of confusion about those designations and people aren't quite sure which one is which. So this will certainly relieve some of that confusion in the general public. And also I think once they have the one designation, then the public will have a better understanding of exactly what it is CPAs do.

The minister, when he introduced the bill, the Deputy Premier also indicated that in his view the bill would provide protection to consumers so that they can feel assured that accountants are qualified to provide a service in their designated specialty. I don't know if I would feel absolutely assured. Any time I think the best method for being assured whether your accountant is good or not is to actually do a reference check. That's one way I would think consumers want to make sure they're getting proper services for the work that they are looking for, and that's in any profession I think, Mr. Speaker. It's important to make

sure that you find the accountant that suits your needs and it would help to go through reference checks for those kinds of things. But certainly having a regulatory regime that establishes the baseline for the requirements for getting certified is something that the public needs and wants to be able to rely on.

There's more in the minister's comments about being able to register both a member and a firm, and I think that must be something that the individual groups of accountants have asked for. And the other thing is that one of the provisions in the Act is to reserve the practice of professional accounting to licensed CPAs. And I don't think that's a whole lot different than what it is now where we have licensed CAs or CGAs or CMAs. There's also provisions in the bill . . . He goes on and describes some of the provisions and the transitional requirements under the bill as well. So that was basically the extent of the Deputy Premier's comments when he introduced the bill. They weren't extensive and he didn't go into a lot of detail on the content of the Bill itself.

We're aware that the accountants of Saskatchewan have met with government and certainly have encouraged this bill. Across Canada right now there's varying stages of progress on the unification of the accountants as a profession. And really only one province so far has actually introduced legislation, Mr. Speaker, and that's Quebec which passed their bill in May of 2012. So Quebec was first on the list to actually do the enabling legislation and it appears that Saskatchewan is the second. So we're actually ahead of the curve a little bit on this one and the bill was introduced, as we know, a few days ago here in the legislature.

So Saskatchewan has introduced the legislation. In other provinces it isn't going quite as smoothly and certainly I think each provincial association has its own concerns about the merger. One of the things that has been recommended by the federal organization and has been adopted I think here in Saskatchewan is the notion that you would still, even though you became a CPA when the new bill is introduced, for 10 years there is a requirement that the individual accountant would also include their previous designation as part of their letterhead or when they sign off on things. So it would be a CPA/CGA or CPA/CA and this is the transitional, what I think the organizations feel is the need for transitional continuity and provide for awareness in the public of what's going on. So after 10 years they would drop that designation and by that time all the new trainees that are learning how to be an accountant would be all certified under the new designation of CPA. So people coming in new would have the new designation but those who are of a different designation when the bill comes in will have to put both down.

There is a number of things that the federal agency is looking for. In terms of unification, there's a number of guiding principles: the single designation, over a 10-year period continued use of existing designations which I just referred to, retention but no expansion of rights so there's no additional rights for people that have certification now, a uniform certification process for new members. And I think that's where the real transition will occur, Mr. Speaker, is once the new trainees come through as CPAs, then there will be the new trend that people will start recognizing. And there's a few other things that the national organization is looking for.

I think one of the reasons that's really motivating this, one of the notes I found in an article on Wikipedia called "Chartered Professional Accountant" indicates that other professional accounting bodies around the world are currently extending their reach through various globalization activities, and the Canadian accounting profession appears to be relatively fractured in comparison. So there was an initiative undertaken in 2011 to work towards a merger that would see this new Canadian organization which would have 125,000 members and would be one of the largest accounting bodies in the world, according to the information on Wikipedia.

So we see Quebec has done, has already passed their legislation. It's not quite so harmonious in Ontario. They're entering into a number of discussions but I think the CMA walked away from the discussions, the CMAs. And then the CGAs were saying they would integrate but only under the right circumstances. But finally it looks like all the members are back at the table and as late as October 24th, CGA Ontario returned to the table to talk. I think in BC [British Columbia], the merger agreement was announced and they're just waiting for the legislation. And there's some other information available on the other, on the other provinces, Mr. Speaker.

I think, based on the discussions we've had to date with the accounting bodies in Saskatchewan, we feel that there is definite support for this type of legislation. We're certainly looking to them to provide comment now on the detail of the bill and, as my colleague from Athabasca indicates, this is the time where we're looking to the people and the public to do that scrutiny, to indicate where there's concerns, and to make sure that this particular version of the legislation, this draft, is one that's actually going to meet the needs of the accountants in Saskatchewan.

So we'll continue over the winter months to talk to people, find out what the feeling is out there. I know that on November 7th, what in Saskatchewan they call the CPA Saskatchewan Joint Venture, they released a press release indicating that they're pleased that the legislation was introduced and they're indicating some of the benefits of the new legislation. And particularly we have Keri Ziegler who is the CEO of the CPA Saskatchewan Joint Venture, and she noted that the new unified body will, and I'm quoting here, noted that "The new unified body will benefit the public by eliminating confusion over the qualifications of the different designations [for accountants] and by improving the standards of the profession." So that's certainly something, I think, as we've indicated in the past, when it makes sense, we're going to support it. And this appears to be a piece of legislation that generally seems to make sense, Mr. Speaker.

The bill itself is broken down into what you would see in any type of I think legislation that establishes a profession. We see there's, off the hop there's an institute established and the name of the new institute is the Institute of Chartered Professional Accountants of Saskatchewan. That's the first part of the bill.

[20:00]

The second part of the bill is who is on the board. And we see here that almost all the board members are elected by their own profession, but there are two members that are appointed by the

government. So that's something that we'll be watching for and certainly, as always, we will be looking for appropriate gender representation on this board. And I think any kind of equity group would look for appropriate representation on these public appointments. So that's the second part of the bill.

The third part just sets out the bylaws procedures. There's two types of bylaws that the organization can pass. And one is what is referred to as administrative bylaws, and then there's also a set of regulatory bylaws. Now the regulatory bylaws have a catch because those are the ones that do have to be approved by this legislature. And under section 14 of the Act, it tells us . . . I just want to find that section. This is section 14(4):

No regulatory bylaw made by the board comes into force until it is:

- (a) approved by the minister pursuant to section 16; and
- (b) published in the *Gazette*.

Oh yes, and that's one interesting thing I found in the definitions, Mr. Speaker, that I haven't seen before, the way the minister is defined: “. . . the member of the Executive Council to whom for the time being the administration of this Act is assigned.” That seems to be kind of circular because they are the minister. So I'm not sure why that wording is there, but maybe it's some popular phraseology that is being used by other drafters. But I found that a rather curious way to describe the minister in this particular bill.

At any rate the regulatory bylaws are needed. They do need approval by the minister. And they also need to be published in the *Gazette*. And that's something, Mr. Speaker, that I think I've talked before about modernizing procedures here in this legislature, and I sometimes wonder if the *Gazette* is effective in reaching as many people as it should. And that might be something that the . . . Mr. Speaker and his staff would look at, in terms of what other organizations are doing in relation to gazetting. Because I know there aren't a lot of people rushing out to read the *Gazette*, but I know it's also hard . . . I'm sorry to bring the bad news to you, Mr. Speaker, but maybe this is a perennial problem that, that it's really difficult to get people's attention at the best of times. So I don't know if we need a Crazy Kiley's ad or something like that to let people know that there's changes to the accounting profession's bylaws. But certainly gazetting is the way that's been around for many, many centuries, and that's the way that's being provided for in this particular Act.

The next section that we go into, so there is a long, long, long, long list of the types of things that this . . . the bylaws can be made for. And that's really the meat and potatoes of this legislation, is the description of the types of bylaws that this board can make and how the qualifications and standards and tests of competency for accountants in Saskatchewan will be subject to and how the training will be defined — a long, long list of the types of things that the bylaws will cover.

Then we get into the membership, and this is where they talk about you can be a member, an individual member, but firms can also be members. And there is different rules for registration, there is also a long section following that on

disciplinary action, which is really appropriate for an agency of this type and a board of this type because, again, it's a matter of public trust. We want to know that when we hire this accountant that they have a professional body that is scrutinizing and that there is ways to deal with individual accountants who are not up to snuff and who are not acting in a competent manner.

So that's the membership and discipline sections of the Act. Following that, there is the general sections that are sort of meat and potatoes or boilerplate type of clauses you would find in any kind of Act where it establishes a professional agency.

And finally of course the last section is the repealed transitional and consequential amendments. So this is where the big change actually happens because this is where the previous bills are going to . . . or Acts are going to be repealed. So we will see the repeal of *The Certified General Accountants Act*, a repeal of *The Certified Management Accountants Act*, a repeal of *The Chartered Accountants Act, 1986*, and a repeal of *The Management Accountants Act*.

And that reminds me, one of the comments the Deputy Premier indicated when he introduced the bill was that one of these bills has never actually been declared. And to me, there is a story there. And we haven't had time yet to really look into that closely, but it's *The Certified Management Accountants Act*, Bill 27 of the year 1999-2000 that was not yet proclaimed. So I may need to check in with my colleagues to find out what exactly happened there and why that wasn't proclaimed. But at any rate, it's going to be repealed, so that's the end of the story for that bill. And it never did see the light of day for some reason, so I found that rather interesting.

I think at this point, Mr. Speaker, I'm at the end of my comments on this bill. We'll look to the accounting profession to have a good scrutiny of the actual details of the bill, to ensure that everything is in order and proper. Again I'm curious about the definition of minister in this particular bill and may want to do a little more looking, look into that a little bit closer. But for the time being, I know my other colleagues are going to want to comment on this bill as well, so I would like to adjourn the debate on Bill No. 112, *The Accounting Profession Act*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 112, *The Accounting Profession Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 99

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Krawetz that **Bill No. 99 — *The Public Employees Pension Plan Amendment Act, 2013*** be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Mr. Speaker. It's my pleasure

tonight to wade into the discussion about Bill No. 99, *The Public Employees Pension Plan Amendment Act, 2013*.

I'd like to start by talking a little bit about what the minister said in his comments. I know the member from Athabasca, being the first to respond to second reading speeches, has made it very clear this is the time where government introduces bills in the fall. And it's a shorter session and between the fall and the spring, we in the opposition and the general public have an opportunity to take a little bit closer look at bills that are before us. And it's our opportunity as the opposition to consult with the public, consult with people who are impacted by bills, and get a little bit better sense if there are any challenges from stakeholders' perspectives around the bill.

But what does Bill No. 99, *The Public Employees Pension Plan Amendment Act*, do, Mr. Speaker? In the minister's own words, this particular Act will amend *The Public Employees Pension Plan Act*. And what the minister has said it will do, it will:

... clarify that a simple majority of board members is required for all decisions made by the board; allow the board to undertake short-term borrowing for the purposes of the administration of *The Public Employees Pension Plan Act*; allow the Lieutenant Governor, by order in council, to designate the default fund into which all member contributions shall be deposited unless otherwise directed by the member; provide that the Lieutenant Governor may order that members who have never chosen a fund for their PEPP funds be moved into the default fund; and authorize the Lieutenant Governor by regulation to permit the plan to receive members and funds from a registered pension plan wanting to become part of the PEPP and to state which specialty fund members transferring into PEPP are eligible for.

I think it's important to talk a little bit about what the public employees pension plan is, and it is a defined contribution pension plan administered by the Public Employees Pension Board. As with all pensions, it provides a means of savings for retirement to its membership. And its membership may include the employees of executive government, members of the Legislative Assembly, Crown corporations, as well as a variety of government agencies.

The minister in his second reading comment pointed out there are in Saskatchewan 53,000 plan holders of the PEPP [public employees pension plan] and it has \$5.6 billion in plan assets. It's important to note that there are 53,000 people in Saskatchewan who are plan holders of this particular plan. It's important to note though there are many people in Saskatchewan and across the country actually who do not have employee-employer pension plans, Mr. Speaker, which is a huge problem.

Today over 11 million Canadians are without a workplace pension plan. And I know some people use that to say, well why should one sector have a workplace pension plan when another doesn't? But I think it's important to recognize that this should be about raising the bar for those who don't have it and not about lowering the bar. Pension plans are a very good way to ensure that people are not living their golden years in abject poverty, Mr. Deputy Speaker. It's good to see you in the chair.

You're the one who I usually I call on or speak to actually; force of habit, Mr. Deputy Speaker.

It's important. There are so many people . . . I know we can go to many, many places here in Saskatchewan today, many workplaces, and see seniors who are employed. And I would argue that many of them aren't there by choice, Mr. Deputy Speaker, people in their 60s and 70s. And no doubt that there are people who are employed in their later years who want to be there, but there are many people — and I've met them on the doorstep in Saskatoon Riversdale — people who are in their 70s, early 70s, who need to work, Mr. Deputy Speaker, because they didn't have a workplace pension plan and CPP [Canada Pension Plan] hasn't been enough for them.

Just going back to Bill 99 — I'd like to talk a little bit about CPP in a moment — but just going back to Bill 99. One of the jobs of the opposition is to ask questions of the government and how bills have come to end up in this House, Mr. Deputy Speaker. So one of the things that we always, a standard question that you always need to ask is, why is this bill before us? Who asked for it? Who has been consulted? And in the minister's own comments he actually didn't outline that often, often when there's been consultation, ministers will outline in their remarks with whom they've spoken or with whom the legislation has been drafted in partnership with.

But in these particular remarks, Mr. Deputy Speaker, the minister simply states that “. . . the world is always changing. Therefore investment options are also always changing. It is desirable, Mr. Speaker, to amend *The Public Employees Pension Plan Act* to do the following.” And then he lists the things that will be done.

So I think it's important for us in opposition again to ask, why has this bill come before us? What exactly does it do? The remarks on the surface are sometimes what they seem to be, but they aren't always. So we will spend the next few months clarifying whether or not there are any concerns with the bill.

But I think it's important to talk, when we're talking about employer pension plans, it's important to talk a little bit about the Canada Pension Plan. It's a big issue right now, Mr. Deputy Speaker, and there's been leadership across Canada actually from provinces calling on the strengthening of our Canada Pension Plan, recognizing that many people, as I had stated earlier, over 11 million Canadians are without a workplace pension plan. So they are very reliant on CPP. And CPP just doesn't cut it for so many people and will not, going into the future as costs continue to rise.

Some of the advantages with having a strong CPP is that it is in fact indexed, secure, and portable across jobs. I know, well it's a pan-Canadian solution for a pan-Canadian problem where people don't have workplace pensions. And I know there are some provinces that have put in place, tried to respond to the lack of . . . the difficulty that people have when they don't have a workplace pension.

In Saskatchewan here in the spring, I believe it was in the spring, we passed a piece of legislation on pooled retirement savings plans, which the opposition supported, but we also recognize that that isn't enough. There's so many people who

can't afford or don't put money into pooled retirement savings. So the opposition has called on our government here in Saskatchewan to, at the federal-provincial-territorial level, be a part of leading that discussion, that we do need some serious changes with CPP in terms of enhancing it.

And here in Saskatchewan, one of the problems where you have a one-off or different provinces trying to address a pan-Canadian problem is that we have worker mobility issues, and with changes to employment insurance in the last year or two, we see that even more of a challenge. You've got people coming from more depressed areas of the country, whether it be Ontario or the Maritimes, coming to Saskatchewan to work. So it's great that you might as a province fill some of the gaps, but it is not addressing the pan-Canadian problem that CPP needs to better support people in their retirement. And there is a way to do it, Mr. Deputy Speaker.

[20:15]

So I think it is incumbent upon our government to join in with the other provinces. Prince Edward Island, Ontario have called very loudly for CPP to be strengthened and enhanced. And our government . . . Well there was a federal-provincial-territorial meeting just a few weeks ago, Mr. Deputy Speaker, where our Finance minister was, and for all intents and purposes Saskatchewan was silent and sat on the benches with regard to CPP improvements. And so we've got Ontario calling for changes. We've got Prince Edward Island, a little province, that has taken leadership on this issue and, I might add — something that's near and dear to my heart — on child care actually. A little, tiny province who's taken some really bold steps around child care.

So Saskatchewan talks about, our Premier and our government talk about being leaders in the country, and we are in so many ways. But when it comes to ensuring that all Canadians have an opportunity to retire with dignity and not living in abject poverty, it is incumbent upon our government to no longer be silent.

In the spring during question period, in a set of questions, the Finance minister was asked about where this government stands on this particular issue. And the Finance minister went on to say that they will, when it comes to the expansion of CPP, they will, at the appropriate time, will make that decision around advocating for modest increases.

Well, Mr. Deputy Speaker, in the opposition we would argue that right now is the time to be arguing for that. You've got other provinces who have stepped up to the plate and are working, calling on the federal government to make some changes. And the stronger voices, the more voices calling on that, the more pressure to bear on our federal government, which would be a much better thing.

We have issues where people who don't have workplace pensions or who in fact are relying on RRSPs [registered retirement savings plan] for their savings, I think the one good point I think that the Canadian Labour Congress makes is that workers who know that CPP will be there wouldn't fear losing their pensions given the misdeeds of both Bay Street and Wall Street. And so we do need to do something, Mr. Deputy

Speaker, on ensuring that all Canadians and all Saskatchewan residents have the opportunity to have a retirement with dignity.

And with respect to Bill No. 99, *The Public Employees Pension Plan Amendment Act*, it's great that 53,000 Saskatchewan residents have this, have a pension plan, a workplace pension plan, as do other Saskatchewan residents. But there are many people who do not. And this shouldn't be about lowering the bar and saying, well why do these folks have a worker . . . or an employee . . . a workplace pension plan, and these ones don't, and if they have it, they shouldn't. And this should be about raising the bar for everybody, ensuring that again that we all have the opportunity to work hard during our working life and retire with dignity.

But as the months go on, as we head into the spring session in a few months from now and even over the course of the next few weeks as we continue with debate, the opposition will talk to appropriate stakeholders, and I know the public will weigh in, and we will continue on this debate. I know that I have colleagues would like to weigh into the discussion on Bill No. 99, *The Public Employees Pension Plan Amendment Act, 2013*, but for now I would like to move to adjourn debate.

**The Deputy Speaker:** — The member has moved to adjourn debate on Bill No. 99, *The Public Employees Pension Plan Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

#### Bill No. 98

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 98 — *The Child Care Act, 2013/Loi de 2013 sur les garderies d'enfants*** be now read a second time.]

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

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to rise this evening to talk about child care legislation. I think we all know in our province we need many more child care spaces, both in the cities, in the smaller communities, and in rural areas across the province. And we have a whole number of challenges related to provision of child care.

My understanding of this legislation is that it's bilingual legislation and that basically it's main thrust is to make sure that the legislation is in both English and French. And I think we all know in this Legislative Assembly that the effort and the time and the money we spend to provide legislation in both English and French is important and it's money well spent. And it's also in response to decisions made by the courts saying that there's an obligation to make sure that our legislation is available in both official languages of Canada. So that particular aspect of this legislation I think is a positive one. This will provide for the legislation around child care.

Now what we have in the legislation itself is pretty well a

reiteration of what has been there for quite a number of years. There are some changes that I've identified when I've looked at the legislation and compared it with the previous legislation, and it seems to be in this whole area of investigations and inspections. And under the old legislation, there was a provision for inspecting child care places and, if there were problems, doing investigations. And what appears to have happened in this legislation is that they've tried to split those things apart and look at the investigations in a way separately from ordinary or regular inspections of private or public child care.

Now I think that's a positive thing, that we would take these steps to improve what's there. I think it's quite interesting that they've added in a clause which allows for investigations and/or inspections to take place in vehicles, of cars, vehicles where children are being transported. So I assume there must have been some problem at some point in this legislation where they needed to get some powers to allow for that type of ability, which is to apprehend or pick up children that were in a care situation.

So those are the kinds of things that are in this particular legislation. But I think the bigger issue is, what's the role and importance of a child care program within the economy of Saskatchewan? Why does enhanced child care mean smart growth for the province? Well what we know, Mr. Deputy Speaker, is that when we make appropriate community-wide provision of child care available, we provide support to children and young families and give them an opportunity to participate in broader activities of the community, including having both father and mother work and contribute through employment or through other activities within the community. We also have a situation where, where there's good child care and there happens to be a single parent, that ends up providing support to that parent in raising a child or children. And unfortunately in Saskatchewan we have not placed as much of an emphasis on this broader public support of child care that we could. And I think we're missing something here.

A few years ago, I guess it's probably 10, 15 years ago, in the province of Quebec, they ended up coming forward with, at that time I think was, a \$5 a day child care program. It ended up, I think now it costs \$7 a day. And it was a bit of a surprise to governments right across the country and perhaps even to the federal government that they would come forward with something that effectively was saying, we as the province, we as the whole community will pay the majority of the costs of child care.

And it strikes me that we haven't asked that question as directly as we should have in Saskatchewan because we know that there are many children in the province whose parents are struggling with the costs of raising them. And if we could have a program of broad support for child care, you can end up having a much more level playing field for all of the young people of the province to get the support that they need to make sure that they can participate in the community in the long term. We know from the studies in Quebec that they are seeing that kind of result of their universal child care program.

And, Mr. Speaker, this legislation today regulates child care. It talks about how you would make sure that children are protected in different things. But it doesn't have that visionary

perspective about how using child care as a social policy would be a benefit to our economy.

Another aspect of child care, which is true in other places, in other jurisdictions, is that a piece of legislation like this would talk about what kind of professional training child care workers need and then basically explain how to provide that training for them so that our children, who are our greatest asset, I would say, in this province . . . No matter what we say about all the mineral resources and natural resources, we always affirm that it's the people and the children that are the greatest asset we have in this province. So this legislation doesn't talk about how we can make sure that we have the most optimum care for the young children, and it doesn't go to or it isn't supported by the budgets that we need to actually provide the best child care we can in Saskatchewan.

Now, Mr. Speaker, I think that when you talk to individuals, there's always agreement that it's important to have support for child care in our society but, for whatever reason, when it gets into the budgetary process, it seems to get pushed off to the side and doesn't get the full support that it needs.

Now I had the opportunity to go to university in Norway, and a number of my friends who were . . . that I got to know over the years in Norway were professional child care workers. And some of them worked with the children from basically one or two months old to age three, and others worked with the ones from age three to when school started, and then others did some of the after school work. But virtually all of those people who worked in that system were professionals with full training through what they call the Spedbarn Academy, which was the academy for training of people to take care of infants and children.

I raise this because we have not been as diligent as a society to recognize the importance of complementing parental care and raising of children with professional care. We've done it for our school children and then we've added kindergarten and we've added some of the pre-kindergarten work, but we haven't looked at this in a way that gives us a comprehensive base. Now we have prominent Canadians like Dr. Fraser Mustard, who is now deceased, but people like Dr. Fraser Mustard who say — who have said over the years, and many others have said the same thing — that money invested in young children ends up benefiting the whole of the community in the long term.

[20:30]

So when we have legislation like the child care legislation, it has a great name, but I think the budgetary supports for this kind of work and just our overall attitude about how to support child care misses some of the points as it relates to provision of care for children. I think that if we had a society that was smart about growing the total economy, we would have a big piece of that as support for women and men, but I think in many ways primarily women who want to combine the use of their good skills in a profession or in a training that they have along with raising of children. And I've had many people contact me or contact my office about how to get appropriate child care that they can trust in the city of Regina or in other communities. So we, I know that we have much more to do in this particular area.

Now it may be that this bill and this bilingual bill is a signal from the Minister of Education — because we note that it was brought forward by the Minister of Education — that there will be some further funding or further support for the expansion of child care. We know that some of the best child care facilities are the ones that are related to the elementary schools and allow for a single place for children's care. Perhaps this is a signal that we're going to see some more of that or something like that coming from the government, but I think based on the record that we've seen over the last few years that's not what we're going to be getting at all.

So, Mr. Speaker, this is an important area. This bill is very important, but what's most important is that there's a willingness on behalf of the people of Saskatchewan for the government to make major advances in their budgeting process and in the training education process to make sure that we have the best child care that we can have for Saskatchewan. And, Mr. Speaker, that would be a smart thing to do both for children and families, but also for the economic life of this province.

So, Mr. Deputy Speaker, I will adjourn the debate on this particular bill at this time and I'm looking forward to comments from some of my colleagues about this child care issue as well. Thank you, Mr. Deputy Speaker.

**The Deputy Speaker:** — The member from Regina Lakeview has moved to adjourn debate on Bill No. 98, *The Child Care Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

#### Bill No. 100

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Reiter that **Bill No. 100** — *The Assessment Management Agency Amendment Act, 2013* be now read a second time.]

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

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. It's my pleasure to rise and speak to Bill No. 100, *The Assessment Management Agency Amendment Act*. This bill relates to the Saskatchewan Assessment Management Agency, or SAMA in common parlance, in Saskatchewan. And it relates to a number of decisions that this government has made over the last few years and it deals with some particular challenges that have been created by the government which we're seeing play out in quite a number of ways and quite a number of places in the province.

Mr. Speaker, this legislation identifies the problem that's now arisen when the government has taken over the whole area of raising revenue for schools on taxation of property. And effectively what the legislation does is remove any references to school divisions around the whole assessment issue and then attempts to clean up the language and deal with some of the issues. Now what I think I want to emphasize here, Mr. Deputy

Speaker, is that people in Saskatchewan have been doing their part to work hard and build the economy. Many young families have made choices to save up money and buy their first home, and they then are into this process of having their home assessed for property taxes. The valuation is needed for the property tax.

And what we see is that we have people who plan their budgets, working together with their bankers or their mortgage brokers, who are now facing big property tax hikes because the assessments are proceeding along. And what we have now is a system of about a four-year rollover, and so because of the increase in the values of some of the properties in some of our communities, they are facing very, very hefty tax hikes based on the assessment from the SAMA, or the Saskatchewan Assessment Management Agency.

So this is the Act that deals with that ability to do the assessments. Now practically, this assessment should be done as concurrently to the increases in values as possible. We see systems in other provinces where that happens on a regular basis, sometimes like almost every year. And it may be that that's where we're going with this kind of legislation, but unfortunately when I looked at this legislation I see some other things happening that cause me to raise some concerns.

And I think I'll start with some of the points that are raised by the Minister of Government Relations who has the job of dealing with the municipal taxation issues. And he's, you know, quite straightforward to say that this system raises over one and a half billion dollars for funding of municipalities and for schools. And so what we know is that that ability of schools to set their taxation has been moved away from the school boards to the provincial government. And so effectively what we have is an assessment of one and a half billion dollars in taxes that's divided between the province as the assessor and the municipalities of the province, whether they're urban or rural municipalities.

And what we then see is that the costs of this agency had traditionally been divided up between the school boards and the municipalities. I think the provisions in the old legislation said it was a 65/35 split. Now effectively what this did was made sure that the Assessment Management Agency had enough money to do its job.

Now when the province took over the assessment or the collection of the revenues for school boards, it ended up causing quite a number of problems which we see now when we hear every day about school boards trying to make plans in their regions without really having any capital plan from this provincial government and without really having any sense of participation in some of the building of the new schools, whether it's the new schools announced that are forced to be a public-private P3 [public-private partnership] kind of operation or whether it's the portables that were ordered by the provincial government last year and still are causing quite a number of difficulties because of the way that that was done. Effectively, school boards no longer have any leverage or any ability to raise their own money through this SAMA, the assessment that we're talking about here, and so they're kind of left on the side.

So what the legislation is doing here is it's saying, okay, the



school boards don't have any ability to deal with the taxation for education anymore. They're referred to in the legislation. Let's move them right out of there. Well that would be fine if there was a stepping up of the ability of the province to actually participate in the Assessment Management Agency, but I thought it was curious that the minister seems to indicate that SUMA [Saskatchewan Urban Municipalities Association] and SARM [Saskatchewan Association of Rural Municipalities] are — that's the urban municipalities and the rural municipalities — are in support of this when he says quite clearly in his remarks that they've wanted to eliminate the 65/35 per cent split sharing for the costs of the assessment of SAMA so that the agency, which is SAMA, can seek greater funding from the municipal sector.

Now I'm not sure if all of the directors of SUMA and SARM have seen this particular statement made by the minister, but effectively what he's saying here is he wants to push more of these costs onto the municipality. Now that's interesting that he would do that and he continues to talk about how SUMA and SARM are really excited about this legislation.

Now there's also a . . . They want to make it easier for SAMA to add further increases around municipal requisitions and providing timelines that are reasonable and make sure it's a properly funded agency. Now I'm not sure from the wording that we get here if it's totally understood that the government is pushing more of these costs on the municipality. There's also a reference here to make it more administratively efficient for the government to make its financial payment to SAMA earlier. Now that may be a good thing in that it will get the assessments done a little bit more quickly. But I'm still not totally certain that we understand what it is that the government is doing here in this particular legislation.

The traditional split has been I think 65 per cent cost to the municipalities and 35 per cent to the school boards. Right in the minister's speech he says that in the last year that we have the full records of the property tax revenues, which is 2012, 61 per cent of the money went to the municipalities and 39 per cent to education. And so it already seems that there's something askew here as it relates to the sharing of the costs. And what we also know is that there are other activities that relate to the costs of SAMA, where the government is holding the line on the amount of money that they have to actually do their job. And the net effect of that is to not increase the number or the frequency of the assessments.

What we know over the valuations of homes over the last five years in Saskatchewan is that there's been dramatic increases in the prices of homes, and so the effect of not doing more timely assessments will be more and more people with very large increases in taxation.

[20:45]

Now one of the issues that actually then comes up is, well what have various of the organizations involved with the Assessment Management Agency said about the provisions that are here? We don't really know from the information that we have so far how, you know, what kinds of suggestions were made by the municipalities. We do know that the school boards are feeling totally left out of this process, and they are identifying a whole

number of areas where they no longer have any control over the flow of money and therefore very little control over their capital building plans or negotiations that are involved.

We know that the vote most recently around the teachers' contract is basically a direct teacher-government negotiation, not the school board-teacher-government negotiation that's been there for many years. So we have legislation that's coming forward to make changes that are putting, looks like, more expense down to municipalities, and we will be asking quite a number of questions around how that works.

Now another aspect of the legislation, which it seems to purport that this is going to increase the frequency and lessen the time between assessments that are made of property . . . We know that that takes more money, and once again we'll be looking at this bill in light of whatever the budget is in the spring to see whether the budget actually follows the kinds of changes that are made here. If the change is to say, well provincial government's holding the line on the amount of funding but we want you to speed up the whole process and spend more money, we know that effectively that's just pushing costs to the municipalities and we'll all pay as taxpayers, but only we'll pay it out of a different spot.

And, Mr. Speaker, I know that that's a plan that often is there, to push some of these costs into some other places so it looks as if the provincial budget is maybe a little smaller. But I think that that's not going to work in this area. And we'll be watching to see how, how they do that.

Now there are a whole number of other changes that are part of eliminating any reference to the school boards in the legislation. I think that, you know, that this is, this is the track that the government has taken. If in fact they start recognizing that they need more local involvement in the school funding and in dealing with some of the capital needs in local communities, by changing this legislation the way they are doing here, they are eliminating the ability to maybe correct some of the mistakes around how they are raising funds for education.

So practically it's legislation that takes us down this step of having basically the province and the municipalities fund assessment for property taxes. We know it facilitates collection — this last year of over a billion and a half dollars — so therefore it's obviously very important to taxpayers right across the province. We'll continue to look very carefully at what they're doing, and we look forward to hearing from different groups who are affected by the legislation, as it moves forward, to make sure that there aren't other mistakes made by this government.

So, Mr. Speaker, I look forward to hearing some of my other colleagues comment on this. We also look forward to hearing from people across the province who are concerned about how taxation of real property in the province is done. And with that, Mr. Deputy Speaker, I conclude my remarks. Thank you. And I adjourn debate.

**The Deputy Speaker:** — The member has moved to adjourn debate on Bill 100, *The Assessment Management Agency Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

**Bill No. 101**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Norris that **Bill No. 101 — *The University of Saskatchewan Amendment Act, 2013*** be now read a second time.]

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

**Ms. Chartier:** — Thank you, Mr. Deputy Speaker. It's my pleasure to enter the discussion about Bill 101, *The University of Saskatchewan Amendment Act, 2013*. I'd like to start by outlining some of the minister's remarks in terms of what he has said this bill is going to do and which also reflects the explanatory notes that we get.

But just stepping back here, one of the things I know the member from Athabasca had said earlier in the debate on this bill, we receive the bills or the bills are introduced in the fall session and it's usually an opportunity between the fall and the spring to reach out to stakeholders and find out if the government has done their consultation, if everything in the bill is good or what are the challenges with a bill, again who has been consulted. But that will be the work going forward over the next three weeks as we continue to sit, and then between the fall and spring session.

But some of the things from the minister's own remarks that he has stated that the goal of Bill 101, first of all it'll help clarify the awarding of diplomas in the list of powers of convocation, and that falls under section 11. Also this bill will help ensure that individuals elected to represent the senate, specifically and especially outside of student members of the senate, they will work to ensure that they represent the senate and they'll be graduates of the university. And that's section 24.

Thirdly the amendments will clarify the process by which student members of the senate are elected, and this is in sections 29 and 32. As well the amendments do amend the term of office for the senate's nominees to the board to allow them to serve a three-year, third three-year term, and that's section 45. And what that section 45 actually, what this does is it authorizes the two members elected by the senate to serve on the board for a third three-year term, as I mentioned, which provides parity with terms of office for the five members of the board that are appointed by the Lieutenant Governor in Council. As per the University of Saskatchewan board of governors bylaws, these are members on the board that are eligible to be nominated for Chair or Vice-Chair.

As well this bill will amend the powers of the council to facilitate the appointment of student members on hearing boards, and they will address the requirements of the corporate seal. And as well I had mentioned the parity between the Lieutenant Governor in Council, the board appointments made essentially by cabinet, and those elected by the senate.

And finally there are remaining housekeeping amendments

which often come before us, bills that haven't been amended for a very long time. And one of the things that I've . . . So those are some of the goals of this bill. And one of the things I've mentioned earlier is, as opposition one of the things we always want to know is who brought the bill forward or who brought the possible changes forward. Who was consulted? Who wasn't consulted?

I know the minister has made clear in his remarks. He said that the University of Saskatchewan in fact submitted a letter earlier this year to the Ministry of Advanced Education requesting these amendments. And the minister goes on to say that his ministry has consulted with the U of S, the University of Saskatchewan, and the University of Regina on the proposed amendments, and both institutions have provided letters of support for these amendments. So it would be good to see those letters of support, Mr. Deputy Speaker. He goes on to say that the University of Saskatchewan consulted with the University of Saskatchewan Students' Union as well as the graduate students' association, and they both provided letters of support for those proposed amendments. So it would be great actually, Mr. Deputy Speaker, for us to be able to see those letters of support.

Again one of the key pieces, key things we look to as the opposition is who has asked for changes, why they've asked for changes. Have all the people necessary who are impacted by bills been consulted? So those are all things that we look to, Mr. Deputy Speaker, and will be looking into over the next several months.

I know the minister in his remarks talks about the support this government has had for our universities, but I think it's important to acknowledge that universities here in Saskatchewan have had some serious challenges in recent years, some of them brought on by funding issues. We can look to a year or so ago, or in the past year, some debt was foisted upon the University of Saskatchewan — 100 million, Mr. Deputy Speaker — that had been committed to being taken care of in the last election, Mr. Deputy Speaker.

We look at rising tuition. Just this fall we heard that tuition at the U of S is up 4.7 per cent. It was the highest increase, 4.7 per cent for undergrads, which was the highest increase of all the provinces, highest percentage increase of all the provinces. So it's interesting. You look at tuition here at the University of Saskatchewan is on average \$6,394 a year for an undergraduate. And that's the second highest undergrad tuition in Canada. As a parent who has a child two years away or three years away from university, that has me somewhat concerned, Mr. Deputy Speaker. My daughter's dad and I have been saving for her education since her birth, but thinking of . . . at right now that's more than \$25,000 in tuition. That's if my daughter went to the U of S and did a four-year degree which she would be paying.

And we've done okay saving, but that has some concern for me. And I know that has some concern for many families across the province. Having the second highest undergrad tuition in Canada is . . . or of all the provinces, is definitely problematic.

I know the university, because of some of the financial crunch, the 100 million that they've had to take on in debt, and because of the financial crunch, there's been layoffs at the University of

Saskatchewan, many layoffs as a matter of fact just in recent months. I know I've got friends who teach at the U of S, and they speak of the low morale on campus or particularly around some of the staff. So this government talks a good talk about supporting our universities, but the reality is there are some serious challenges that our universities are facing, in large measure from funding issues.

We have got the University of Saskatchewan medical school on probation, which this government said would never happen under its watch. And I know the Saskatoon Health Region and other health regions are concerned about that. I know students are concerned about it. There are many people who have huge concerns about our medical school being on probation. So despite the talk of supporting our universities, I think there are some real problems, and the talk doesn't always match the action, Mr. Deputy Speaker.

But going forward as we continue to debate this legislation and other legislation, we will spend some time talking to the stakeholders. We're glad to hear that it does look like in fact the government on these particular changes has consulted with important stakeholders, but and as I said, it would be great to see some of those letters of support. And we will be looking to clarify some of that over the coming months, Mr. Deputy Speaker.

But with that I do know I have colleagues who will be weighing in on this discussion. And with that I would like to move to adjourn debate.

**The Deputy Speaker:** — The member from Riversdale has moved to adjourn debate on Bill No. 101, *The University of Saskatchewan Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

[21:00]

### Bill No. 107

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cheveldayoff that **Bill No. 107 — *The Wildfire Act*** be now read a second time.]

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

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. It's my pleasure to rise to speak to Bill No. 107, *An Act respecting the Prevention, Management, Control, and Extinguishing of Fires*. Now, Mr. Speaker, we know that this legislation is another attempt at bringing *The Wildfire Act* forward. We had legislation last spring that caused quite a bit of fuss across the northern or the north . . . or the central part of Saskatchewan when the legislation came forward. And as a result, the government has taken it back or dropped that version of the legislation and brought forward this version of the legislation.

Effectively this legislation relates to wildfires. And there are quite a number of definitions in the Act which are obviously important in interpreting the Act, and I think ultimately it's interesting I think to maybe put on the record what this Act is about. So there is a definition of wildfire, and wildfire is a single word. And what it says under section 2:

(dd) “**wildfire**” means an unplanned fire that burns organic soil, grasses, forbes, shrubs, trees and associated vegetative fuels in their natural or modified state, and does not include structural, vehicle or landfill fires.

That's the end of the definition. And I think the important part of this definition is that wildfire basically relates to a fire that's in the brush or in the trees, in the grass, in other places, but it doesn't include a fire that would be in a barn or in a car. Or if you have a garbage dump and there's a fire in the garbage dump, it doesn't include that type of a fire.

And why the importance of the word wildfire? Well effectively what this legislation is all about is trying to delineate the responsibility for fighting fires between the provincial government — in other words, Saskatchewan Environment — and the rural municipalities or smaller urban municipalities when a fire takes place which may be both a wildfire and a structural fire together. And so what this bill is attempting to do is deal with a number of problems that arose over the last number of years around the provincial government billing rural municipalities for the cost of fighting fires in brush or other places or trees or grass that's in the rural municipality. And as we know, there are many acres or hectares of provincial land that are right across our province, and especially in that forest fringe area where many of these fires take place.

And what we know is that a few years ago some of the bills that were sent from the firefighting portion of Sask Environment to rural municipalities were so large that it was almost impossible for the residents of a rural municipality to pay those bills. And it became difficult also to decide exactly who should pay them, based on where the fire might have started or where it actually went. And I read this definition of wildfire because you end up then going into a definition of what a wildfire management area means. And these are, you know, fairly complicated ways of doing this, but anyway, under Section 2(gg), as opposed to (dd), we have a definition of wildfire management area. And this means:

(i) a provincial forest, including a provincial forest within the boundaries of a rural municipality or the Northern Saskatchewan Administration District;

(ii) park land; [and then you have to . . . Park land is defined in *The Parks Act*, so you have to go and look at *The Parks Act* to see what that means.];

(iii) vacant Crown land; and

(iv) every quarter section of land lying wholly or partly within 4.5 kilometres of the boundaries of a provincial forest.

So what we have is provincial forest, and then 4.5 kilometres around that provincial forest, even though it may be part of a

rural municipality, will be included in the wildfire management area. Now the wildfire management area is the area where the provincial government does have some responsibility or does take some responsibility. And it's actually this buffer area that brought upon all of the consternation of RMs [rural municipality] last spring which forced the government to come back with a new bill that's been rewritten.

Now there's also a definition under section 2(ff) of wildfire management. And that means "wildfire prevention, detection, control, preparedness, suppression, investigation, research, training, education or reclamation and includes any activities related to the foregoing."

Now I think that detailed definition of wildfire management is there because every one of those things costs some money, and they want to be able to include it in a bill that they might give to a person or an insurance company or a rural municipality who might have some responsibility for fighting a wildfire in one of these places.

Now we know that in that 4.5 kilometre buffer zone — and it's basically 3 miles, so three sections around the edge of provincial forest — they still have this dispute possibility going on. And this in a lot of ways relates to some of those costs. What we then have is something where you have to read very carefully through the legislation to figure out what might happen. Now why is that important? Well there's a few different places where you need to know what the status of your land is and how it affects whether it's included in any of these wildfire management areas or not.

The first one is if you're an RM. If you're an RM and you take some action to control or extinguish a fire within a wildfire management area, the municipality, the RM shall immediately notify a ministry official and shall obtain approval from the ministry officer to continue those actions.

Well there's a wildfire. You're out there doing your best to try to deal with the fire, but you've got to be careful you don't fight it too hard and spend too much money unless you make sure a ministry officer knows. Now hopefully all this land out there will be marked, so you'll know exactly who is subject to which costs and what's going to happen.

Section 4 of that . . . [inaudible] . . . 12 right after this other one about giving notification to the ministry reads like this:

The minister is not required to reimburse the municipality for costs or expenses of controlling . . . [or] extinguishing a wildfire if the municipality has failed to provide the notice required in subsection (3).

I mean, basically this is an issue of dealing with a wildfire that may actually be causing some damage within that community. And we get this kind of a clause which says, well unless you give us that notice and the ministry official says it's okay for you to fight the fire, the minister is not going to pay the RM for the cost of that fire.

Now I don't think there are RMs out there with fire equipment and all that that are just going out fighting fires just so that they can bill the provincial government. But this legislation, the way

it's written seems to be trying to prevent RMs that are out cruising around looking for fires from doing extra billing of the province. So I don't totally understand what the intent of this is, other than to try to put some provincial control on the amount that they're going to contribute when there's fires to be fought in an area.

Now there's also a whole section in this legislation that goes back to the definition of wildfire and definition of wildfire maintenance areas that relates to what they call a burn notification number. And a burn notification number is presumably something like an old fire permit used to be, that at least let people know you were going to set a fire in an area which was covered by the whole burn notification process.

And so, Mr. Speaker, there's some very technical things in this legislation that require one to go back and forth and try to sort out exactly how the Act is an . . . [inaudible] . . . And it's especially, I think, related to the provincial government trying to shirk responsibility for paying for some fires where they have a role in making sure that especially rural municipalities are compensated for some of these costs.

So I think especially members on the government side should be looking at this legislation very carefully and going back and talking with their rural municipalities around what the effect of this is going to be on local taxation in RMs.

Now another piece of this legislation which is a change is once again a way to move costs from the provincial government somewhere else. And what I'm talking about here is they have defined some of the . . . another area where costs can be moved over to another party. And that's in definition under section 2(l) of industrial or commercial operation. And it says:

**"industrial or commercial operation"** means:

(i) an activity carried on in connection with forestry operations, mining, oil and gas operations, mineral exploration, road construction and maintenance, the operation of public utilities, outfitting, peatmoss operations, the operation of institutional camps and railway operations; and

(ii) any activity or development, other than one mentioned in subclause (i), that is prescribed in the regulations or the code.

So, Mr. Speaker, what we have is here is an expansion to put responsibility on railways. Now practically this would have to be provincially regulated railway operations. It's expansion to put the costs on public utilities. Well our main public utilities in Saskatchewan are SaskPower, SaskTel, SaskEnergy, but we also have many forestry operations, mining, oil and gas operations, mineral exploration. And effectively what the legislation is trying to do is to shift some of those costs.

Now traditionally we've had an ability, if a mining operation or forestry operation starts a fire that then causes some damage, there's ability to transfer some of that cost there. But I think where the expansion takes place in this legislation is that it moves some of these costs onto Crown corporations and, like I said, SaskPower, SaskTel, SaskEnergy, where before they were

not included.

Now I think the rationale was that they're both operations within government, and that there is a place for Sask Environment, and the costs that they're spending in fire fighting wildfires is basically you either pay it through the General Revenue Fund, by paying Sask Environment, or you pay it through your power bill. What this is doing is shifting any costs that might come out of firefighting that relates to those utilities over to the utilities so that well the power bills might go up or the SaskEnergy bills may go up or SaskTel bills might go up, but it's not going to affect the amounts in Sask Environment.

[21:15]

I'm not sure if that is totally recognized by the people in the Ministry of Crown Investments or in the various Crown corporations that this is a shift. We haven't seen or heard anything about that in the information that was provided by the minister, and that's not surprising given that it's the Minister of Environment. And his officials are working hard to figure out, how do we contain our costs within our budget? And what they do is then shift them off to other places.

I mean it's clear that the best and most efficient way to fight fires is to do it in one place and have the responsibility for doing that in one place. This seems to start shifting some of those responsibilities to another place so that the costs of fighting fires can maybe be controlled in some artificial way even though maybe that's not the best way to do it.

So what's happening with this legislation? I think that there's been some fairly careful crafting of the legislation and crafting of the words to hide how some of these costs are being transferred onto our rural municipalities or even some of the urban municipalities. I think it's not very clear and it's not being very transparent about how they're trying to shift costs over onto some of our Crown utilities, and I think that that type of activity needs to have much more public discussion, and we need to have much more information from the minister as this whole thing moves forward.

Now we know that a year ago when some of the more direct costs were pushed onto the RMs, they pushed back. I think it was, you know, the RM of Buckland up by Prince Albert pushed pretty hard because of some of the fires that they've had in their neighbourhood, and we also know that there are other of the RMs that have really struggled with the bills that Sask Environment has sent to them.

And I think that we all deserve much more information about how this legislation is intended to operate. And I think in fact the legislation may need to be redrafted or drafted in a much clearer way so that it's quite obvious what the government is doing with this legislation because otherwise I think there could be some nasty surprises, especially for rural municipalities, maybe for our Crown utilities, and I think that we need to be wary when some of these things are done.

Also included in here, as I said earlier, are the railways, and that means the railways that are within the province. And I think we need to have some of our shortline railways that are operating understand what kind of a change this means for them. We also

maybe need to understand what the relationship between this legislation and the federally regulated railways are so that we can deal with that as well.

So I think there are a whole number of questions about this legislation. There are some areas where there's some fairly tricky wording as far as the definitions go and the terms that are used. And I think that we all should be quite careful as this legislation moves forward to make sure that we're not doing something here which is just going to cause a great deal of difficulty, especially in some of the rural municipalities along the forest fringe area of Saskatchewan.

So, Mr. Deputy Speaker, I know that some of my colleagues will have concerns about this. I look forward to comments from some of the Crown corporations and from some of the rural municipalities and shortline railways and maybe even some of our mining operations. All of these organizations are very strong and important parts of our economy, and if we're adding in complicated costs or complicated bills that are going to discourage them from their economic activity, we at least need to have something that's clearer than this to do that.

So with those comments, Mr. Deputy Speaker, I move to adjourn debate. Thank you.

**The Deputy Speaker:** — The member from Regina Lakeview has moved to adjourn debate on Bill No. 107, *The Wildfire Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

#### Bill No. 111

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 111** — *The Personal Care Homes Amendment Act, 2013* be now read a second time.]

**The Deputy Speaker:** — I recognize the member from Saskatoon Nutana.

**Ms. Sproule:** — Thank you, Mr. Deputy Speaker. I'm happy to rise here this evening to address Bill 111, *The Personal Care Homes Amendment Act, 2013*, a fairly straightforward amendment, Mr. Deputy Speaker. What we're seeing here is section 19 of the existing personal care homes Act is being amended to add some new clauses regarding reporting and authorizing publication of those reports. So apparently this is something, according to the minister in his comments, this is something the ministry has decided to do in order to meet some of the comments coming from the auditor's office.

And the recommendations from the Provincial Auditor and the Provincial Ombudsman said that there should be more information about personal care homes available to the public. Now it's not exactly clear to us why this needed to be done through legislation, although I know that in that section of the Act there's quite a long list of the types of regulations that the Lieutenant Governor in Council can make in relation to personal care homes. And I guess this would make it a

legislative requirement, once the regulations are passed, for these personal care homes to actually do this reporting.

So the clauses that are being added in section 19, which is the, you know, the long list of the things that the Lieutenant Governor in Council can make regulations for, they're adding three new things. And the first one is the proposed clause 19(a.1) which would authorize:

... the publication of, or the provision of public access to, information respecting inspections of personal care homes, including the contents of an inspection report and information respecting a licensee's compliance or non-compliance with any Act or regulation.

And the second clause, (a.2), says they can make regulations to describe the period within which the information can be published. And the third clause, (a.3), is proposing to govern the manner of publication or provision of public access to the information.

So the types of information that we're seeing being now imposed upon these personal care homes is inspection reports. And what the minister had to say in his comments was first of all he indicated that it's a response to recommendations from the Provincial Auditor and the Provincial Ombudsman that there should be more information about personal care homes available to the public. And so it's good to see the government responding to recommendations from the auditor and the Ombudsman because we know that those two independent officers' jobs are to comment and review and ensure that the government's actions are appropriate and that the appropriate reporting-type things, like in this case, are being done. What these inspection reports are supposed to do is indicate where homes need to make improvements to meet required standards and then thereby allowing people to make informed decisions when it comes to placing their loved ones in a care home.

I guess this sort of begs the question though, Mr. Deputy Speaker, about the sufficiency of spaces within care homes, not just the personal care homes but of course the long-term care homes and other facilities that are managed by the health regions. And I think you would be aware, Mr. Deputy Speaker, that something that has come to our attention in the opposition on an increasing frequency, sad to say, that there are a number of concerns being brought forward to our attention regarding for example the staffing levels in care homes, in the long-term care homes that the government's responsible for. And certainly we know there are petitions, and the Provincial Auditor in some of those petitions are indicating that many seniors' care facilities do not have high enough standards of care.

So it's not just the reporting that is important. And this legislation only deals with reporting, but it's more than reporting when we know that there's other serious, serious issues that we've brought to the attention of the Assembly in terms of residents being left alone to soil themselves — there's no staff people available to help them get to the toilet — requiring seniors to go to bed at 5:30 in the evening because there's no one there to look after them if they're outside of their rooms. There's all kinds of things that we've been hearing from seniors in that there's chronically low staffing levels in our health care system.

So while on one side it's important that these inspection reports be made available — and we are certainly pleased to see the government bring forward this type of legislation to ensure that the public has the information they need to make the decisions when it comes to putting people in care — I've had a number of people in my constituency office that are very frustrated with the lack of availability of spaces, period. So even if these inspection reports are available, it doesn't mean that there's enough opportunity for people to make informed choices. There simply aren't enough spaces for people to use that information and make it worthwhile.

You know, the information will be there, but I've had many people say they're not pleased with the care their loved ones are getting but they have no choice. There's nowhere else to move them. So it's one thing to report and say that things aren't all great in that personal care home, but if that's the only care home that's in town for example, Mr. Deputy Speaker, then there isn't a lot of option for people or they have to move their loved ones to further away locations. And we know how disruptive and difficult that would be.

So I think, Mr. Deputy Speaker, as I said, this is a pretty straightforward amendment to an Act in response to a recommendation from the auditor and the Ombudsman. It will provide a tool to families when they are wanting to know more about a personal care home, and those inspection reports should be made available. So it's something that I agree makes a lot of sense. But in my view, Mr. Speaker, this is only a very small, small item that's being dealt with here, and there's much more grave and serious items in the realm of seniors' care that aren't being addressed. And the chronically low staffing levels is not going to get better until we see some commitment from the government to assist the health regions to ensure that this chronic low staffing issue is dealt with appropriately.

So by and large, Mr. Speaker, the amendment seems innocuous enough on its own. Of course other of my colleagues are going to want to have an opportunity to comment on this, and we certainly will be looking for commentary from members of the public and people that deal with personal care homes to see if this is an appropriate amendment to this section of the Act. On that note, Mr. Deputy Speaker, I am going to move to adjourn debate on Bill No. 111, *The Personal Care Homes Act*.

**The Deputy Speaker:** — The member has moved to adjourn debate on Bill No. 111, *The Personal Care Homes Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

**Hon. Mr. Harrison:** — Thank you, Mr. Speaker. I move that this House do now adjourn.

**The Deputy Speaker:** — The Government House Leader has moved that this House adjourns. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — That's carried. This House stands adjourned until tomorrow afternoon at 1:30 p.m.

[The Assembly adjourned at 21:29.]





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