



FOURTH SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

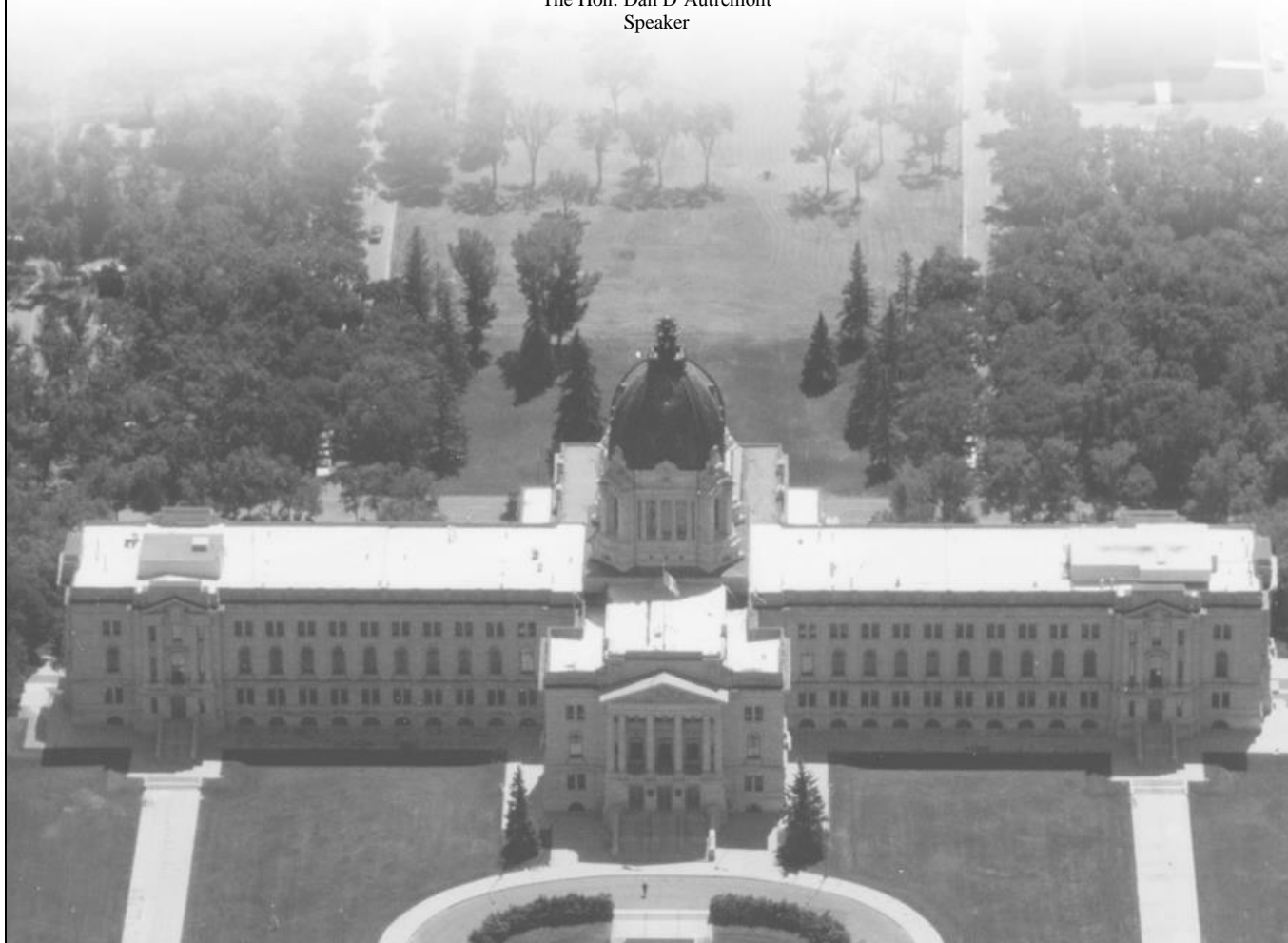
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**DEBATES  
and  
PROCEEDINGS**

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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, Hon. Jennifer	SP	Saskatoon Fairview
Chartier, Danielle	NDP	Saskatoon Riversdale
Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
Cox, Hon. Herb	SP	The Battlefords
D'Autremont, Hon. Dan	SP	Cannington
Docherty, Hon. Mark	SP	Regina Coronation Park
Doherty, Hon. Kevin	SP	Regina Northeast
Doke, Larry	SP	Cut Knife-Turtleford
Draude, June	SP	Kelvington-Wadena
Duncan, Hon. Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, 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
Hutchinson, Bill	SP	Regina South
Huyghebaert, D.F. (Yogi)	SP	Wood River
Jurgens, Victoria	SP	Prince Albert Northcote
Kirsch, Delbert	SP	Batoche
Krawetz, 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
McMorris, Hon. Don	SP	Indian Head-Milestone
Merriman, Paul	SP	Saskatoon Sutherland
Michelson, Warren	SP	Moose Jaw North
Moe, Hon. Scott	SP	Rosthern-Shellbrook
Morgan, Hon. Don	SP	Saskatoon Southeast
Nilson, John	NDP	Regina Lakeview
Norris, Rob	SP	Saskatoon Greystone
Ottenbreit, Hon. 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, Randy	SP	Biggar
Wilson, Hon. Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Wyant, Hon. Gordon	SP	Saskatoon Northwest
Young, Colleen	SP	Lloydminster
Vacant		Prince Albert Carlton

[The Assembly met at 13:30.]

[Prayers]

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you very much, Mr. Speaker. I ask for leave of the Assembly to make an extended series of introductions.

**The Speaker:** — The Premier has requested leave to make an extended introduction. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you, Mr. Speaker, and thanks to colleagues for the leave. Mr. Speaker, obviously we have a number of guests with us today, and I'll be mindful of that in the introductions. But I do have some very special people to introduce to you and then through you to all members of the Assembly and to the rest of our guests.

Mr. Speaker, I would like to introduce to you and through you, sitting in the west gallery, Sharla and Kim Folk of the Chris Knox Foundation. We'd just ask them maybe to quickly stand so we know where they are. Mr. Speaker, Sharla and Kim of course are the parents of the late Chris Knox. And the legacy of Chris is the Chris Knox Foundation, where young people in our province who are battling cancer have the chance at some very exciting, wonderful events, a chance just to enjoy themselves and be kids. And, Mr. Speaker, they have this because of the vision of Sharla and of Kim and of all of those who have helped the foundation in the past.

They have this also because of the generosity of other organizations: the Saskatchewan Roughriders, but other corporations and interests in the province who make these visits possible. It was all inspired of course by Chris and his eventual trip to the 2007 Grey Cup where the Riders won, of course, Mr. Speaker. It is a wonderful foundation and has given us a lasting legacy. And so we want to acknowledge Sharla and Kim and welcome them back to their Legislative Assembly today as we are on the eve of yet another Grey Cup here in Canada.

Mr. Speaker, it's also a pleasure for me to introduce a business leader from the city of Prince Albert, somebody who's involved in the Prince Albert Chamber of Commerce. He's on the P.A. [Prince Albert] Board of Police Commissioners, the Prince Albert Community Futures, the Victoria Hospital Foundation. Mr. Speaker, his name is Joe Hargrave, and I think he is sitting in the Speaker's gallery. There he is, Mr. Speaker. We're hoping one day after the 4th of April he'll join us down on the floor of the Assembly because he is the Saskatchewan Party candidate for Prince Albert Carlton in the upcoming election. Mr. Speaker, Joe and his wife, Fran, have four kids and five grandchildren, so they already have the makings of a great

campaign team. We want to welcome him to his Legislative Assembly as well today.

You know, Mr. Speaker, from time to time we'll give speeches, all of us, on the history of the province and on those who really laid out the foundation for the province that we enjoy today. Mr. Speaker, and then if we're really lucky, beyond talking about those people, those pioneers, we get to meet them and we get to hear first-hand of their experience.

Well, Mr. Speaker, today we're in luck because one of those pioneers and his friends and family have joined us today. And so we welcome Mr. Emmanuel Miller, formerly of the Lipton area and now of Fort Qu'Appelle. With Emmanuel today is his daughter Denise Gadd. In your gallery, Mr. Speaker, is Denise's husband, Ken. Family friends are Reinhard Mohl — Reinhard has joined us on the floor of the Assembly as well — and Con and Colleen Gherasim. Also Lucy Koolen is a rec director, rec worker at the Fort Qu'Appelle Echo Lodge. The staff there do an amazing job in terms of long-term care in the province, and I want to thank them for that. Mr. Speaker, that's where Emmanuel lives. That's where Manny lives.

Mr. Speaker, he is a few months into his second century as he celebrated his 100th birthday on the 2nd of March earlier this year. A few weeks ago, I had the chance along with the Deputy Premier to visit him at the lodge, at the Echo Lodge in Fort Qu'Appelle. The visit was arranged by Dolly Goebel, a caregiver at the lodge, who unfortunately couldn't make it today. I want to thank her though because we just had a wonderful time visiting. It was a blessing for me to be able to spend quite a bit of time with Manny and hear a little bit about his history and his perspective on the province of Saskatchewan and farming in the Lipton area, how he started in farming. Mr. Speaker.

It would have been a difficult prospect and proposition for him to get farming. I think he mentioned to me that he actually was involved in some trapping to raise some capital to buy his first quarter of land, and he has a great deal of experience and advice to offer anyone that would take the time to visit with him.

Mr. Speaker, this summer, when he actually had turned 100, he was combining, is what I can report to the House. Now, Mr. Speaker, obviously the combines would be a little bit different than what he would have used all those earlier years in agriculture. The cab is a little higher and maybe a bit tougher to climb up. So, Mr. Speaker, here's Saskatchewan innovativeness and ingenuity. They used a front-end loader to get Manny up to the cab of the combine and put him to work.

Mr. Speaker, while he served in his community, he served as the Chair of the Lipton Housing Authority, Chair of the committee that published a book about Lipton's history. And Emmanuel and his wife, Ruth, who recently passed away, raised a wonderful family: six kids, three boys and three girls; 11 grandchildren; 10 great-grandchildren.

He is an avid woodworker and carver, and in my office I've got some wonderful . . . some of the work that he has done, Mr. Speaker, including a beautifully hand-carved model of a grain silo. And also I received, Mr. Speaker, a small pill box from

Manny; it was labelled stool sample. He gave it to me with a big grin on his face, and he asked me if I had a sense of humour. I said, I hope that I do, and so he handed me this. And I opened it up and inside was a small, hand-crafted wood three-legged stool, Mr. Speaker. It's also in the Premier's offices, and I invite anybody to come and have a look at it.

He also shared with the Deputy Premier, before I close, Mr. Speaker, of his first visit to this Legislative Assembly. He said it was in 1954, I think, and he was here for a meeting because he was involved in a farmers' union, I think. They had meetings with the government, and the meetings were going to last all day. And he said, at that time smoking was allowed in this building and in public buildings, and he said on that day he smoked an entire pack. And when he went home that night, he shared with his wife and his family that he was done smoking — to throw out all of the smoking materials and he was going to quit — and he has not smoked since 1954, Mr. Speaker. It is our hope that after his current visit, after he sees what, you know, democracy is like in action today, that he's not tempted to take up smoking because he obviously made the right decision back in 1954.

So, Mr. Speaker, what an honour and a privilege it is to have him here in his Legislative Assembly, to pay tribute to him and his family and his friends, and to say thank you to him on behalf of a grateful province. I'd ask all members to welcome Emmanuel Miller to his Legislative Assembly today.

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

**Mr. Broten:** — Thank you, Mr. Speaker. I would like to join with the Premier in welcoming the many guests that we have in the Chamber today, Mr. Speaker, to say a particular hello and welcome to Mr. Miller.

That pioneering spirit that those who have come before us have demonstrated and lived their life out for over a century, Mr. Speaker, we know that's alive and well here in the province. And to have Emmanuel here in the Assembly, to hear about his story and his work in his community along with his family and friends and members of the community, it's a real inspiration to all of us. And, Mr. Speaker, I'm sure after today, smoking won't be on the to-do list for Mr. Miller. I'm sure he'll stick to the miniature woodworking projects that he's perhaps more fond of now. But, Mr. Speaker, I ask all members also to join me in welcoming Mr. Miller to the Assembly here today.

And I would also like to pass on my condolences on the passing of his wife, I understand not too long ago. Ruths are very good wives. My wife's name is Ruth as well. So Mr. Miller, I wish you all the best.

And, Mr. Speaker, I'd like to also join with the Premier in welcoming Sharla and Kim Folk to the Assembly, recognizing the important work that they're carrying on in honouring their child and making sure that other children and people in this province have amazing opportunities, who are going through amazing challenges.

Mr. Speaker, I ask all members to join me in welcoming these important guests to the Assembly. Thank you.

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

**Mr. Makowsky:** — Just real briefly, Mr. Speaker, I'd like to join with the Premier and welcome Kim and Sharla Folk to the Assembly. Our paths have crossed many times over the years at Grey Cups, at other events here in Regina.

But also sitting next to them is Kenda Ashton and Jason Huschi in the west gallery. They are from Harvard Broadcasting. There's an exciting announcement today about partnership, about something that might be happening this weekend with the Chris Knox Foundation. I'll have more to say in a member's statement, but welcome these guests here, please.

**The Speaker:** — I recognize the Minister of Social Services.

**Hon. Ms. Harpauer:** — Thank you, Mr. Speaker. To you and through you, Mr. Speaker, I have the honour of introducing some very important guests seated in your gallery from Egadz in Saskatoon.

Joining us today is Don Meikle, the executive director of Egadz, who recently celebrated its 25th anniversary. Don first worked with Egadz in 1993 as a volunteer to obtain his 200 hours required to become a social worker. And Don has since turned those 200 hours into a 22-year career with Egadz, demonstrating his dedication to helping improve the lives of countless young people and their families.

Joining Don is Amanda Griffiths, who is the assistant coordinator with Egadz, and four young people who make the Action to Employment project very successful and who also inspire so much hope for young people in our province. And they are Robyn Bigsky, Sally McKenzie, Rushnie Partridge, and Stacy King. The strong partnership we have in bringing real, lasting benefits to hard-working families and communities is truly to be commended with those young people.

So, Mr. Speaker, I want to thank Don Meikle and Egadz for the wonderful work that they do, and I want to ask all members in joining me to welcome these dedicated individuals to their Assembly today.

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I'd like to join in with the Minister of Social Services in welcoming Don Meikle and the staff, Amanda and the four young people working. The great work that Egadz does in Saskatoon, and of course the minister alluded to the 25th anniversary. That was just a big crowd that came out to celebrate with Egadz and to note the good work they do in Saskatoon. So I ask all members to join with me in welcoming them to their legislature. Thank you very much.

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

**Hon. Mr. Docherty:** — Mr. Speaker, I'd like to also join the minister and the member opposite in welcoming not only Don Meikle and Amanda, but the participants from Egadz. I've had the intense fortune of working with Don for I'd say two decades if not more, we've known each other. And I'd like to say when I

was part of starting Street Culture Kidz, I borrowed some of Egadz's programming and models. I wouldn't want to call it anything else, but I borrowed it.

They do amazing work. I can't imagine Saskatoon without you. You've done some amazing work with not only the kids but the community, and we're forever grateful for that. I'm forever grateful for having met you and, you know, all your work. With that, Mr. Speaker, I'd like all members to join me in welcoming them to their Assembly, but a big thank you.

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. Mr. Speaker, to you and to all members of the Assembly, I'm pleased to introduce Dr. Janessa Grosenick, seated in your gallery. She is a new graduate from the University of Saskatchewan's College of Medicine and is one of a growing number of new doctors who has decided to stay and call Saskatchewan home, and we'll hear more about that in a member's statement.

Mr. Speaker, she was raised in Radville and in fact, as a part of her training, had the opportunity to go back and be trained and mentored by Dr. Oberholzer and Dr. Helms. And, Mr. Speaker, I'm pleased to say that she has decided to begin her practice in the great city of Weyburn, Saskatchewan. And so I'd ask all members to join with me in welcoming her to her Legislative Assembly.

And, Mr. Speaker, while I'm on my feet, I'm very pleased to introduce two guests that are seated as well in your gallery. First is Dr. Mark Brown. Dr. Brown is a family physician from Moose Jaw. He's been practising there since, I believe, 2001 and earlier this year, in May, became the new president of the Saskatchewan Medical Association.

And joining him today, and joining us today, is his son Stephen. Stephen is 13 years old. He's in grade 9 at Cornerstone Christian School. He's interested in science and writing and tae kwon do. He's very involved in drama in his school. He's a downhill skier and, Mr. Speaker, he even has his open water diving certification at the age of 13.

[13:45]

Mr. Speaker, as good a doctor as Mark is — and he's a very good doctor — he hasn't quite yet cured his son of one bug that his son has, and that apparently is of a political bug. So Steve is going to be joining us here at the legislature for the day and spending some time with me this afternoon and touring the building. And, Mr. Speaker, I would just ask that all members join me in welcoming not only Dr. Mark Brown, but as well his son, Stephen, to his Legislative Assembly.

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

**Ms. Chartier:** — Thank you, Mr. Speaker. It's my pleasure on behalf of the opposition to welcome Dr. Janessa Grosenick, the new grad here. I know we have an opportunity usually once a year to meet with young med students, and we hear from them their strong desire to be able to stay here in Saskatchewan. So it's a thrill to hear that Dr. Grosenick will be here.

Also I'd like to welcome Dr. Brown and congratulate him on his new role as president of the SMA [Saskatchewan Medical Association], and of course his son, Stephen. I have young kids too who are interested in politics, and this is a great place to be, to be at the heart of it. So welcome to your legislature.

And while I'm on my feet, Mr. Speaker, I'd like to say welcome to a couple of special guests in the east gallery, or west . . . [inaudible interjection] . . . east gallery. Thank you, Mr. Speaker. I see Faith Greva here in the gallery here today. She's at Caswell School in the AcTal program. She is my constituency assistant's daughter and she also is my daughter Ophelia's babysitter.

Ophelia is . . . Well I can tell you lots about Ophelia, but I'd like to tell you a little bit about Faith. Faith is quite an accomplished young woman. She plays the guitar. She sings. She crochets, which she is teaching Ophelia, which is awesome because I do not crochet. She enjoys birdwatching. Helping with her brothers, her two little brothers Monty and Ben, and Monty and Ben . . . Ophelia much prefers when Faith has all the time for her. Ophelia much prefers when Faith has all the time for her than Monty and Ben. She likes math and concerts, Mr. Speaker. Faith is her mother's daughter, Mr. Speaker, and is a pretty amazing young woman.

But I'd also like to introduce Zahin Rahman, who I had an opportunity to meet a few months ago at a political rally, Mr. Speaker. Zahin is a big fan of the NDP [New Democratic Party] and was a big fan of Tom Mulcair. And poor Zahin, she was at a rally with Faith and her mother and me and there were many people there, Mr. Speaker, and poor Zahin . . . Mr. Mulcair was very busy at the time and I thrust Zahin in front of Mr. Mulcair to say hello, and I think she was probably a little traumatized at that and wasn't expecting that but she also was very . . . Afterwards, when she had a chance to collect her thoughts, I understand that she was very excited to have that opportunity. So with that, Mr. Speaker, I would like to ask all members to welcome Zahin and Faith to their Legislative Assembly, and all the other students as well. Thank you.

**The Speaker:** — I recognize the Deputy Premier.

**Hon. Mr. McMorris:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce 28 public servants in your gallery, Mr. Speaker. They're here with part of the parliamentary program for public service. They represent ministries such as Advanced Education, Central Services, Economy, Education, Environment, Finance, Health, Intergovernmental Affairs, Justice, Municipal Affairs, also from the Provincial Auditor's office, as well as the Legislative Assembly.

Mr. Speaker, this is an annual program that's put on. They'll be getting an in-depth tour of the legislature. Of course they'll be meeting with members from the opposition. They'll be meeting with myself as well as you, Mr. Speaker, which I always know is heard as the highlight of their trip into the building, Mr. Speaker. But I would like all members of this Assembly to welcome them to your gallery, Mr. Speaker, and welcome them to their Legislative Assembly.

**The Speaker:** — I recognize the Opposition House Leader.

**Mr. McCall:** — Thank you very much, Mr. Speaker. I'd just like to join with the Minister Responsible for the Public Service Commission and saying that with the parliamentary support program, of course, your visit with those public servants is the highlight of their day. I wouldn't want to let any special pleading on the other side get ahead of on the balance. But certainly through the independent office that is represented, throughout the public service, and then indeed Legislative Assembly staff that are here to gain a better understanding of the political side of what is governance and public policy in Saskatchewan. It's always a great occasion, and I look forward to meeting with them later on today. So again I'd join with the minister in asking all members to welcome these public servants to their Legislative Assembly.

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

**Mr. Parent:** — Thank you, Mr. Speaker. Mr. Speaker, I've got two introductions to make. To you and through you and to all members of the Assembly, I would like to introduce 35 grade 8 students and their teachers Tanya George, Kayla Fraser, Sarah Davies, and chaperone, Stuart Fehr, from Caswell Community School seated in your east gallery, Mr. Speaker. Mr. Speaker, I invite all members to welcome these students to their Legislative Assembly.

While I'm on my feet, Mr. Speaker, I would like to introduce Barry Berglund from Saskatoon Meewasin. I've knocked on Barry's door many times over the last 10 to 12 years and never did find out exactly who he was supporting, other than a smile I'd get on his face.

But anyway, Barry is also here with Dr. Scott Francis who is from Regina Wascana Plains constituency. They are from the Leading Influence Ministries and are here to pray for MLAs [Member of the Legislative Assembly] and, God knows, some of us need it. With that, Mr. Speaker, I invite all members to welcome these two constituents to their Legislative Assembly. Thank you.

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker, and I'd like to join the member from Meewasin in welcoming the students from Caswell. Every time kids come from Caswell, I have to say that Caswell's a very, very special school for me. It's one that I taught in in the early '90s in the AcTal program and then went over into politics. I just live around the corner, and I hope to be representing Caswell school in the next election, as the boundaries will be changed and they'll be back in my riding. So welcome to your legislature, Caswell kids.

**The Speaker:** — I recognize the member for Moose Jaw North.

**Mr. Michelson:** — Thank you, Mr. Speaker. Mr. Speaker, in the west gallery we've got 51 students from Moose Jaw, from Palliser Heights School. Mr. Speaker, they're accompanied by their teachers, Leanne Lariviere and Stephanie Tiernay. They've also got chaperones: Virginia Wickenheiser, Darin Ashby, Brigitte Gregoire, Curtis Woloschuk, Kathy Deak, and Kathy Robinson.

Mr. Speaker, I had the pleasure of being in their classroom when the grade 5s and 6s were there. What a great bunch of students, and what a great preparation the teachers have done for these students. One of the first questions they asked me — and they sent me a list of about 102 questions — one of the first questions, why don't people vote? And that's a hard question to answer. But I would ask everyone to welcome them. We had a picture taken. We had another question-and-answer period just before now, and I'd like everyone to welcome to their Legislative Assembly.

Mr. Speaker, if I may, while I'm on my feet, I want to congratulate Emmanuel Miller on his 100th birthday. Emmanuel was a neighbour of ours just north of Lipton and great neighbours they were. They were also close friends. I can remember having meals at their place. I can remember the work that they'd done together, Emmanuel and my dad. And whether they were butchering cattle or sawing winter wood, it was a bit of a social for them, even though there was long hours of hard work. We worked back and forth.

His second son, Delmar, was my best friend from my earliest age, and he's here with his daughter, Denise, and her husband, Ken. I'd like to welcome them. They were great supporters of the community, like the Premier said, great neighbours and great friends. It's nice to see them here. The only down part is that Ruth, his wife for 75 years, couldn't join them. We called them Uncle Emmanuel and Auntie Ruth because we knew them that well. It's so nice to have you at the Legislative Assembly, so welcome here.

Mr. Speaker, I'd like to acknowledge Dr. Brown, who is one of my constituents. And he may not know it, but we have an appointment on Friday morning. And as much as it's a pleasure to welcome him here, I know it's not going to be as big a pleasure when I see him on Friday morning, but welcome Dr. Brown and Stephen.

**The Speaker:** — I recognize the member for Cypress Hills.

**Mr. Elhard:** — Thank you, Mr. Speaker. In the continuing, maybe never-ending list of introductions today, there are a few people that had been missed at this point. The Millers seem to have a widely expanding list of connections to this legislature. Mr. Miller's son was my lawyer in Medicine Hat at one time, so I had that connection.

But more importantly today, Mr. Miller's nephew and niece by marriage are in the east gallery, Don and Marion Miller. Don and I go back as friends to when I was about seven years old. We met at a church camp at Echo Lake, and our friendship was so intense he invited me home to Lipton. We surveyed that town. We ran wild in that town for about three days, raiding gardens and doing all the things that us young kids do. But the one thing, the one thing I never forgot is that Don Miller taught me how to braid binder twine. And you know, that was a special skill in those days, and it was put to good advantage when you wanted to go gopher hunting. And I never did forget that skill, and I want to thank Don for introducing me to that.

But more importantly, I met Don and Marion as a couple when we attended Bible school together in later years in Medicine Hat. Our friendship has continued over the years, and more

recently they've been very strong prayer warriors on behalf of my wife and I as my wife fought her life-and-death struggle with cancer. You can't overestimate the value of prayer, and I want to thank them for leading the charge in that regard. Thank you, Mr. Speaker.

**The Speaker:** — I'd like to take this opportunity to introduce to you someone who is no stranger in this Assembly, but to my knowledge has never before been introduced, that being Darlene Trenholm. She is operating the Hansard panel in the gallery above me.

Today is the last day that Darlene will be operating the microphones in this Chamber. She has operated the microphones here and in the committee rooms for more than 15 years, and for most of those years she has been the Hansard production manager. Now after 25 years of service with the Legislative Assembly Service, Darlene will be retiring next month. I would like to wish Darlene and ask you to wish her well in her retirement.

**The Speaker:** — I recognize the member for Last Mountain-Touchwood.

**Mr. Hart:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to join with you in wishing Darlene a happy retirement. I think it's about a year or two ago we finally figured out that we grew up in fairly close proximity. It seems to be Lipton day today. Darlene grew up in Lipton. Our families attended many social events and that sort of thing. Darlene's mother grew up very close to where my parents grew up. So as I said, I'd like to wish Darlene a happy retirement. I know her mother currently lives in Regina here in a seniors' facility, and Darlene will have much more time to spend with her mother and enjoy her presence here in Regina.

But I would be remiss if I didn't also extend a welcome to Mr. Miller who currently lives in Fort Qu'Appelle but has spent most of his life at Lipton. And as other members have said, he certainly has a wide range of contacts in the Assembly, and so I would welcome him and his family here.

And in particular, there are two of his guests in the west gallery, Colleen and Con Gherasim, who again live in Fort Qu'Appelle but raised their family and farmed for many years in the Dysart area. Their sons played for the Dysart Blues. My sons played for the Cupar Canucks and, unfortunately, the Blues prevailed most of the time. They had very talented hockey players. So I'd like to welcome them to their Assembly.

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

**Mr. Broten:** — Thank you, Mr. Speaker. I'd like to join with you and with the government side in offering our thanks to Darlene for her service. The folks at Hansard do amazing work. They allow us to do our jobs and are so instrumental to what we do. And from her vantage point, she's seen us maybe in some of our finer moments of giving speeches and remarks, and probably some times that we've stumbled through remarks as well.

So thank you for her keen eye and making sure that the microphones are on, that the recordings are going. And I wish

her a happy retirement keeping busy, I'm sure, with that new grandchild as well. Thank you, Mr. Speaker.

[14:00]

## PRESENTING PETITIONS

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

**Mr. Forbes:** — Thank you, Mr. Speaker. Today I was asked to present a petition concerning massage therapy in Saskatchewan and the fact that it's not a regulated body for the professionals who practise massage therapy. And we all know the benefits of a good massage, and we all know that it's an excellent career choice for those who want to enter the health care sector.

I'll read the information. The citizens of Saskatchewan are concerned that massage therapy in Saskatchewan is a non-regulated profession in the health care sector. And the prayer goes:

We, in the prayer that reads as follows, respectfully request that the Government of Saskatchewan take the necessary steps and actions to establish a regulatory body to register, monitor, and regulate the profession of massage therapy for the benefit of patients, massage therapists, and the general public.

And, Mr. Speaker, the people that have signed this petition come from across the province, including Vibank, Gray, Southey, Moose Jaw, Martensville, Saskatoon, Regina Beach, Regina, Prince Albert, and Dalmeny, and right across the province. I do so present. Thank you very much, Mr. Speaker.

**The Speaker:** — I recognize the Opposition Whip.

**Mr. Vermette:** — Mr. Speaker, I rise today to present a petition asking for stronger supports for people with disabilities in the Creighton-Denare Beach area. Northerners who live with physical and intellectual disabilities deserve access to high-quality care, and there is a shortage of services in Creighton and Denare Beach. And the prayer reads:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the provincial Government of Saskatchewan to establish and build a residential and day program in the Creighton-Denare Beach region to support the immediate and ongoing needs of the community so that persons with intellectual disabilities thrive in their respective communities.

It's signed by the good people of La Ronge, Air Ronge, Creighton, Denare Beach. I so present.

**The Speaker:** — I recognize the member for Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. Once again, I stand in my place to present a petition as it relates to cellphone coverage in northwestern Saskatchewan. And the prayer reads as follows, Mr. Speaker:

To cause the provincial government to improve cell service

coverage for northern communities like St. George's Hill, Dillon, Michel Village, Dore Lake, Michel Point, and Sled Lake and to provide similar quality of cell coverage as southern communities currently enjoy. This would provide support to our northern industries as well as mitigate safety concerns associated with living in the remote North.

Now, Mr. Speaker, we have presented petitions here day after day as it relates to cellphone coverage. And the petitions that I'm presenting today, the pages rather, are signed from the many good people of Beauval, Christopher Lake, Regina, Meath Park, Edam, Dore Lake, Big River, North Battleford, Meota, Maymont, Bonnyville. And I so present.

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

**Ms. Chartier:** — Thank you, Mr. Speaker. I'm pleased to rise again today to present a petition yet again in support of better seniors' care. Mr. Speaker, this petition grows out of a seniors' care crisis we have here in this province and a government who is unwilling to admit there's a seniors' crisis and to address that crisis, Mr. Speaker. I would like to read the prayer:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the provincial government to immediately undertake meaningful steps to improve the quality of seniors' care, including creating more spaces and more choices for seniors; ensuring higher standards of care in public facilities, private facilities, and home care; ensuring appropriate staffing levels in seniors' care facilities; and restoring regulations that provide minimum standards of care; and providing more support to help seniors remain independent in their own homes for as long as they desire.

Mr. Speaker, this petition is signed by citizens of Regina and Saskatoon. I so submit.

**The Speaker:** — I recognize the Opposition House Leader.

**Mr. McCall:** — Thank you very much, Mr. Speaker. I rise to present a petition from residents in the province here concerned about the high cost of post-secondary education. In the prayer that reads as follows, the petitioners respectfully request:

That the Legislative Assembly of Saskatchewan take the following action: to cause the provincial government to immediately increase the funding for post-secondary education in this province with the legislated provision that this increase in funding be used to lower tuition fees.

Mr. Speaker, this particular petition is signed by citizens from Regina. I so present.

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

**Mr. Nilson:** — Thank you, Mr. Speaker. I'd like to present a petition in support of better schools, and these are Saskatchewan residents who are concerned that far too many of our classrooms are overcrowded and under-resourced, and that

the Sask Party government has eliminated hundreds of educational assistant positions. So they state:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan call on this government to immediately stop ignoring schools and start prioritizing students by capping classroom sizes, increasing support for students, and developing a transparent plan to build and repair our schools.

Mr. Speaker, these petitions are signed by people from Regina and Saskatoon and Whitewood. I so submit. Thank you.

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

**Ms. Sproule:** — Thank you, Mr. Speaker. I rise to present a petition in opposition to P3 [public-private partnership] schools. The individuals who have signed this want to bring to your attention the following. New schools are needed to be built as quickly and as cost effectively as possible to meet the needs of the province. The P3 approach to rebuilding schools will drive up costs and leave communities out of the design process, and that building schools using a P3 method may sacrifice transparency, resulting in public money being used for contracts or arrangements that are kept secret from the public:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly call on this government to use a traditional build model rather than a P3 privatization model to build new schools for Saskatchewan.

As in duty bound, your petitioners will ever pray.

And these individuals are from Regina, Mr. Speaker. I so submit.

## STATEMENTS BY MEMBERS

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

### Retention of Medical Graduates

**Mr. Norris:** — Thank you, Mr. Speaker. Mr. Speaker, following upon the introduction offered by the Minister of Health, it's important to note that a growing number of family medicine graduates are calling Saskatchewan home. Thirty new family doctors are now practising in the province. Overall, the retention rate of family medicine graduates trained by the University of Saskatchewan has jumped over the past two years from 58 per cent to 75 per cent.

Mr. Speaker, this means three out of every four family medicine graduates are now choosing to stay and practise in Saskatchewan. These new physicians join a provincial workforce that has grown by more than 500 physicians in the past eight years — 500 physicians.

Mr. Speaker, together with health regions, we've retained our family medicine graduates through a number of initiatives, like offering a competitive compensation package for physicians,



one of the best in Canada; doubling our postgrad physician training seats; expanding our undergraduate education seats from 60 to 100; doubling our residency positions from 60 to 120; training more family medicine residents in communities outside of Regina and Saskatoon; offering financial incentives to recruit recently graduated family physicians to rural communities. We also reward rural physicians who adopt a full scope of practice by providing a 10.5 per cent premium on their earnings.

Mr. Speaker, we are pleased to welcome these new doctors, and we thank them for their commitment to high-quality, patient-centred care right across Saskatchewan. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member for Athabasca.

#### Northerner Heals With Music

**Mr. Belanger:** — Thank you very much, Mr. Speaker. As a northern MLA, I often attend funerals and wakes for many people in our communities who have gone before their time. One person who has helped countless families heal in their time of sorrow is Carl Crane.

Carl comes from a family of 12 and was born and grew up in Cumberland House. His parents lived off the land until the building of the E.B. Campbell dam forced them to relocate to The Pas where Carl's mother still lives.

Carl worked for much of his life in construction and in the northern mines, but most people in the North have come to know him for his music. Carl was introduced to gospel music through listening to his father who played the keyboards and sang Cree hymns at wakes and funerals in Cumberland House and at The Pas. His love for country music came from listening to the radio at the trapline.

Carl often volunteers in musical events in northern Saskatchewan, including Voices of the North. Carl's many listeners, including myself, really enjoy his soothing voice and strong faith. Carl is now done and travels to perform the music he loves at gospel events, funerals, and wakes. Through responding to invitations from all over the North, Carl met Dean Powder, who plays guitar and who became his musical partner. These days Carl lives with his wife, Cathy, and three foster children near Prince Albert.

As well as helping people heal with music, Carl makes time to talk to people who are trying to overcome addictions, a challenge he experienced in his youth. Mr. Speaker, I ask all members to join me in thanking Carl Crane for his kindness and his gestures of faith to those families who need this help in trying times. Thank you.

**The Speaker:** — I recognize the member for Cut Knife-Turtleford.

#### Bowling Master Competes at National Level

**Mr. Doke:** — Thank you, Mr. Speaker. It's my pleasure to stand today to honour a master from my constituency. Mr. Speaker, Theresa Martin, age 19, from Maidstone joins an elite

sporting accomplishment that few people ever achieve. That accomplishment is making it to the 2015 five-pin masters tournament, the Canadian national bowling championship.

This is the next achievement in what has already become a celebrated bowling career. Theresa has been bowling since the age of four, first with the Unity youth bowling club, and then with the Maidstone group, starting at age nine. At the age of 16, she represented her community and age category with distinction at the 2012 children's Winter Olympics in Moose Jaw.

Mr. Speaker, the masters of bowling tournament, is a huge accomplishment for any competitive bowler, but even more impressive for her age. One has to place in the top five at four different competitive ladies' tournaments to be able to join the team from Saskatchewan. Mr. Speaker, the team Theresa was on included three ladies from Saskatoon and one from Rosetown.

This tournament was a great opportunity to compete with the best. Theresa plans to become a regular competitor at the national tournament level. The next one will be in BC [British Columbia] this summer.

Mr. Speaker, Theresa's success came down to hard work and dedication, a lot of effort from her coach, Brian Anderson, and support from her family and friends. Mr. Speaker, I wish Theresa good luck in her bowling career. And thank you very much.

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

#### Abbeyfield House Celebrates Anniversary

**Ms. Chartier:** — Thank you, Mr. Speaker. Abbeyfield House is a home for independent seniors in Holiday Park and is an integral part of our community. On November 9th, I had the pleasure to attend Abbeyfield's 10th anniversary celebration. Abbeyfield is home to 11 residents, each with their own bedroom and bathroom. The shared spaces include a kitchen, living and dining room, games and hobby areas, a laundry room, and a large yard with garden spaces. It really is a lovely place, Mr. Speaker.

Residents make their own breakfast in the common kitchen when they choose to start their day. The staff prepares daily lunch and supper meals for residents to enjoy together. Volunteers provide Abbeyfield residents with hours of valuable companionship, joining with residents in the home's activities and, Mr. Speaker, the residents gladly open up their home to others for these community events.

Teachers and grade 2 students from nearby St. John's School plant and harvest a vegetable garden on Abbeyfield grounds. Residents enjoy watching as the children learn skills planting, tending, and harvesting the gardens. Older students prepare a harvest meal at school using the produce. Students also share poetry, stories, and singing with the residents.

Abbeyfield House has developed partnerships in the community to raise necessary funds. Ten years ago, a grant from the

centenary affordable housing program and a mortgage with the Saskatoon Credit Union gave the home its early start, but today Abbeyfield House organizers work hard to raise funds to maintain and expand this valuable option, with so many seniors looking for quality housing choices.

Mr. Speaker, I ask all members to join me in congratulating Abbeyfield House on its 10th anniversary providing quality affordable living for seniors in Saskatoon. And I encourage all members to find ways to better support this kind of housing option for our seniors. Thank you.

**The Speaker:** — I recognize the Government Whip.

### Action to Employment Program

**Mr. Merriman:** — Thank you, Mr. Speaker. I'm pleased to rise in the Assembly today to tell members about a great program called Action to Employment that offers seasonal yard care services to people in Saskatoon who require assistance. Supervised by Egadz staff, young people receive training and experience, gaining employment, safety, life, social, and leadership skills while community members gain reliable quality and generous support to help them live in their own homes.

Mr. Speaker, using youth to assist people in need for a little bit of help around their homes is a win-win scenario for everyone. I am proud that our government, through the Ministry of Social Services, supports action for employment initiatives along with community partners including Saskatoon Health Region, Saskatoon Truck Centre, Saskatoon Community Foundation, and Canadian Tire stores. These strong partners are bringing real, lasting benefits to hard-working families in our community.

Mr. Speaker, the overarching vision of Egadz is, "Every child grows up to be a contributing citizen." These strong partners bring real, lasting benefits to hard-working families and communities. I invite all members to recognize the hard work of those involved in this amazing program. Thank you, Mr. Speaker.

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

### Chris Knox Foundation Makes Dreams Come True

**Mr. Makowsky:** — Thanks, Mr. Speaker. I'm pleased to rise in the Assembly to recognize the good work of the Chris Knox Foundation. Chris Knox was a passionate young Saskatchewan Roughriders fan who bravely battled cancer in 2007.

I clearly remember the 2007 Labour Day Classic, Mr. Speaker. Kerry Joseph runs 40 yards for the game-winning touchdown, last play of the game, euphoria at Mosaic Stadium. Most importantly, Mike McCullough heard about Chris prior to the game, went up into the stands, brought him down into the locker room, high-fives everywhere. It was certainly a very special memory, I'm sure for him as well as all of us.

[14:15]

But because of this, word of Chris's story spread and inspired Saskatchewan residents, including the Premier, to launch a fundraising campaign to send Chris, his mom, and his palliative care nurse to Toronto to attend the Grey Cup. Mr. Speaker, the campaign was so successful that Chris's dad and girlfriend as well as 10 other sick children and their families were also able to travel to Toronto for the game. Watching the Riders win the Grey Cup was a great way to give these families a happy distraction from their cancer battle. Sadly, a short time after the Rider Nation celebrated the big Grey Cup victory, Chris passed away.

But in true Saskatchewan fashion, when faced with a loss, Chris's family thought of others. They launched a foundation in his memory to help children and young adults with cancer attend sporting, fine arts, and cultural events to give them a reprieve from their illness. So far 1,461 dreams have been distributed by the foundation including every Grey Cup since '07.

Mr. Speaker, I am pleased to announce today that the government caucus is partnering with Harvard Radio and the Chris Knox Foundation to help a Saskatchewan family's dream of seeing the Grey Cup come true this weekend in Winnipeg. Thank you.

**The Speaker:** — I recognize the member for Moose Jaw Wakamow.

### Opposition's Position on Trans-Pacific Partnership

**Mr. Lawrence:** — Mr. Speaker, members on this side of the House are in favour of the Trans-Pacific Partnership agreement, an agreement with a market of nearly 800 million people and a gross domestic product of twenty-eight and a half trillion dollars. These countries represent about 71 per cent of Saskatchewan's total exports. To say this trade deal is important for Saskatchewan, particularly our farmers, would be an understatement.

But the NDP won't put a position on the record, so much so that the member from Lakeview has spent five and a half hours filibustering in order not to take a stand. Now that's nothing new. The first thing the Opposition Leader did was put his tree book policy paper in witness protection, and he hasn't taken a solid stance on anything since. But this should be pretty cut and dried, Mr. Speaker.

On the best value in procurement bill, members opposite spoke in this Chamber for two and a half hours. On the municipal conflict of interest bill, just over two hours. On the essential services legislation, members opposite spoke for a whopping three hours and 16 minutes. But they will spend five and a half hours, with more to go, to ensure a seat on the fence, Mr. Speaker.

On this side of the House, we will make our choice clear to support free trade for our Saskatchewan producers.

### QUESTION PERIOD

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

### Quality of Care in Long-Term Care Facilities

**Mr. Broten:** — Thank you, Mr. Speaker. We're joined by several family members and former front-line workers who are sick and tired of this government's inaction when it comes to the seniors' care crisis, including Carrie Klassen, who was the first person to come to the legislature to raise alarm bells about seniors' care about three years ago.

She's back today because she is frustrated by this government's inaction, and she's joined by others, some who have been here before and some who are here for the first time, including family members and health care workers. They want meaningful action now. No more delays, no more excuses. What does the Premier have to say to the people who have joined us here today?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you, Mr. Speaker, and I thank the member for the question. What I have to say to our guests today and through you, Mr. Speaker, to members in the House and to the people of the province is that this side of the House understands that there is much more work to be done in terms of improving long-term care for people in the province of Saskatchewan. Mr. Speaker, we understood that that was the case in 2007 when we were fortunate enough to get elected and inherited a system that had actually been closing long-term care beds, Mr. Speaker, and had been underfunding human resources to the point where the nursing shortage was fully 1,000 nurses that we needed to have in the province.

And so, Mr. Speaker, we have been working to address some of those issues. And I can report to the House that as a result of those efforts, as a result of more investments made, there are now 800 more people working in terms of care, in some capacity in long-term care than there was in 2007. Mr. Speaker, across the system, there are 40 per cent more licensed practical nurses than there were in 2007. There is 6 per cent more registered nurses, and care aids are also up 11 per cent. Mr. Speaker, we've also understood the importance of home care in this, and so we've increased home care investments by 40 per cent. There's been a number of capital investments as well to improve long-term care facilities themselves.

Mr. Speaker, the Leader of the Opposition and the NDP opposition have brought forward, in an effective way, very compelling cases of those who have felt that the system has let them down or let their loved ones down, Mr. Speaker. This unfortunately has been a fact in the province for some time, transcending different governments. It doesn't make it any more acceptable, Mr. Speaker. We don't want that for anyone in the province, and so we're going to continue to make additional investments in long-term care. We're going to pursue some innovations — I'll talk about it I'm sure in a moment, Mr. Speaker — and we understand that there's much more work to be done.

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

**Mr. Broten:** — Mr. Speaker, we hear from the Premier the same lines, the same lines that we've been hearing for years, Mr. Speaker. The same dismissive approach where the

government is pretending that these are isolated incidents, Mr. Speaker, all while we have had family after family come to the legislature.

Lynn Emerson is here today. Her mom is 101 years old. She lived in a care home in Wolseley and now lives in a care home in Indian Head. Lynn says most of the workers are incredibly caring and do their absolute best. But the staffing levels are horribly inadequate in both homes, and the quality of care for seniors — seniors like her 101-year-old mother — is not acceptable. What does the Premier have to say to Lynn Emerson today?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Well, Mr. Speaker, I would say that we don't want that experience for anyone in long-term care, and certainly we would want to not have any family members, any loved ones going through that on behalf of their loved ones that are in care in various institutions, Mr. Speaker, and I would point this important fact out.

And you know, the Hon. Leader of the Opposition says these are just the same lines. They're not. They're the record of the government, and we can debate about whether they're adequate or not. We're saying that more needs to be done.

But, Mr. Speaker, I don't think it's fair for members opposite to attribute some sort of lack of compassion or lack of interest in the issue when we are highlighting for the members in the House and for the public the investments we've made to hire more front-line workers, to increase facilities, Mr. Speaker, to add new long-term care beds in the province, to pilot with more dollars new home care initiatives, Mr. Speaker. For this is our record. And we understand that more work needs to be done, Mr. Speaker.

The specific question that was asked just now by the Leader of the Opposition was with respect to the complement of staff. I can tell members of the House that there are 800 more staff working in long-term care across the province today than there were when members opposite had a chance to make decisions in long-term care with roughly the same complement of patients. So, Mr. Speaker, that doesn't at all take away the concerns of the family in this regard or any other family, but it is the fact. The fact is that this side of the House, after getting elected, has sought to hire 800 more workers in front-line care with roughly the same number of patients. So we agree that more needs to be done, Mr. Speaker, but this is improvement over where we were just eight years ago.

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

**Mr. Broten:** — Mr. Speaker, families aren't repeatedly coming to the legislature raising concerns and new people coming forward as we have today, Mr. Speaker, because they see improvement. They are coming forward because they see problems and they're concerned with how they have been treated, Mr. Speaker, when they've raised these problems.

Lynn was so frustrated by the inadequate care and she knew other family members and residents were frustrated as well, so she collected three pages, three pages of complaints, and she

sent them to the health region. Do you know what she was told? She was told that complaining could get her in hot water because of *The Health Information Protection Act*, HIPA. She was essentially threatened with a \$50,000 fine or a year in jail if she spoke out about her own mother's care and if she helped other residents raise concerns that they were seeing. To the Premier: how on earth is that acceptable?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you, Mr. Speaker. We take the issue that the member has just raised on behalf of the family very, very seriously. Mr. Speaker, we actually have implemented on this side of the House a survey process where we are actually seeking that input, whether it's good news or bad news, frankly, whether the experiences have been positive or negative. Well the member for Cumberland is dismissing that. We're very, very serious about this, Mr. Speaker.

In fact, the Minister of Health has stated very publicly that anyone and everyone should feel free to come forward with these concerns, and if any such threat of fines have happened, I would ask the Leader of the Opposition to please furnish us with the specifics because, Mr. Speaker, the Minister of Health will look into it immediately and if it is happening, he will put a stop to it.

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

**Mr. Broten:** — Mr. Speaker, Lynn is here. The Premier can speak with her today, Mr. Speaker, and hear first-hand. And we have seen their approach, Mr. Speaker, not with just families but also with health care workers.

Gena Ferguson Peters is here today too. She was a front-line worker at the Indian Head nursing home. A letter was sent directly to the Premier, directly to the Premier, signed by a large group of staff and residents from that care home, Mr. Speaker, including Gena. That letter raised major concerns about the state of senior care, and it was sent directly to the Premier.

But he didn't take it seriously. In fact, the staff who signed that letter were reprimanded for raising concerns. Just like Lynn Emerson, those staff were threatened with a \$50,000 fine or jail time after writing to the Premier, simply for telling the Premier the truth, the truth about the state of seniors' care here in Saskatchewan. What does the Premier have to say about this?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, I would say that the situation as has been characterized by the Leader of the Opposition in this regard is unacceptable, and our . . . my office will look into it.

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

**Mr. Broten:** — The Premier said on previous occasions that, when it comes to health care workers, “. . . they need to provide very direct and honest input, both to the regions and to the elected Government of Saskatchewan, any elected member indeed in this House, without any fear at all.” But then when workers wrote to him, they were threatened. This is what Gena

says: “They're shutting down people who try to stand up and be heard. Nobody will talk. They're threatened by HIPA. HIPA is being used as a club to silence people.”

Of course personal health information needs to be protected, but threatening a daughter who raises concerns about her own mother's care, or threatening front-line workers who write directly to the Premier, raising their concerns about seniors' care? I think that's absolutely disgusting. How would the Premier describe it?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, on the initiation of the Minister of Health and the Government of Saskatchewan, we have required that every long-term care facility have a resident-family council that also involves the staff for precisely this purpose, for providing feedback to the government and to the health region. And so, Mr. Speaker, we'll want to look into the specifics of the matter, because what the member has just described is not acceptable.

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

**Mr. Broten:** — You see, Mr. Speaker, these are the types of lines and responses we've had for so many years from this Premier and from this government as concerns around seniors' care have been brought forward. But then when we see what the reality is, when a family member or staff come forward with concerns, we have threatening of huge fines and jail time. That's not right. That's not right, and it shows an inconsistency with what is actually happening on the ground compared to the lines that we're getting from this government.

Gena actually met with the Health minister and asked for an independent investigation into the problems at the care home. Now the Health minister just sent those concerns back to the care home manager that was part of the problem. So Gena then faced intimidation for speaking to the Health minister. She says, “If you bring up an issue, they cover it up; then they get rid of you. This intimidation is endemic.” They cover up problems, and intimidation is endemic. We have been hearing this for far too long. When will the Premier finally start taking this seriously?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. Mr. Speaker, I would presume that the Leader of the Opposition has been able to provide the House with a consent form to be able to bring this material up, but I can say in a general sense, Mr. Speaker . . . [inaudible interjection] . . . Well we have rules, Mr. Speaker. But I will say that I know that the Deputy Premier is the member for Indian Head-Milestone and he has indicated that these concerns have not been raised in his office. But we will certainly be looking into these types of concerns that the Leader of the Opposition has raised.

[14:30]

We have taken these issues very seriously since the time that we formed government, not only trying to address the backlog in terms of the infrastructure in long-term care, in the staffing

issues within long-term care, Mr. Speaker. And we do take it very seriously on this side of the House, and that's why the Premier has made a commitment. I will make the commitment as well to look into these issues.

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

**Mr. Broten:** — Mr. Speaker, the people that are concerned are here today in the Assembly, Mr. Speaker. They're looking down on this debate in disbelief that the Health minister of the province of Saskatchewan and the Premier of this province, Mr. Speaker, will start talking about consent forms when the family and the health care workers are right here in the Assembly.

It speaks volumes, Mr. Speaker . . . [inaudible interjection] . . . And the member from Wascana Plains, I think she's from, she's saying this is theatrics. You're saying this is theatrics when there is a mother here, concerned about her mother? This is theatrics? Look at their approach, Mr. Speaker. It is disgusting. No wonder, no wonder we see more and more of the same from this government when we have people heckling like that, Mr. Speaker, on this issue, when we have the Health minister ducking accountability and trying to hide behind some talk of forms, Mr. Speaker, instead of actually looking at the issue when it matters to people here in the province, Mr. Speaker.

Mr. Speaker, this is ridiculous. When will this government start to take this seriously? When will they drop the intimidation, stop the excuses, and start listening to people who have the first-hand experience about what it is like in long-term care facilities?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, let's be clear. We had recommendations that were made by the Privacy Commissioner that all members agreed to, Mr. Speaker. Mr. Speaker, this is a process that everybody in this House agreed to. Mr. Speaker, we want to abide by that process and we will be abiding by that process.

And I hope that the member opposite, in order for us to look into this information in a proper way, will be able to provide that information, Mr. Speaker. Because in the past, we have had cases — and I don't think I need to remind the House but I will — we've had cases where the Leader of the Opposition has raised an issue using a family member to back up their case, Mr. Speaker, and what had turned out was, in that case, that a court had ruled that that family member in fact could not speak for that family member that was in long-term care.

So we need to take these issues very seriously, and we do on this side of the House, but we also agreed as a House to follow the recommendations of the Privacy Commissioner. And I believe the members opposite agreed to that as well.

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

**Mr. Broten:** — You know, Mr. Speaker, this government's changed. Once upon a time, once upon a time, Mr. Speaker, when families came to the legislature — and I'm thinking right after '07 — I think maybe they would have listened. You wouldn't have seen these types of excuses being made. You

wouldn't have seen, Mr. Speaker, this bureaucratise that's coming out from the minister, Mr. Speaker, about real concerns.

You know, the Premier got a letter about problems. The only thing that changed, Mr. Speaker, the only thing that changed was that front-line workers who sent that letter were threatened with a \$50,000 fine or jail time.

You know, the Health minister met with a front-line worker, Mr. Speaker. The only thing that changed, Mr. Speaker . . . [inaudible interjection] . . . Now we have the Minister of Social Services getting in on the heckling after the member from Wascana Plains, Mr. Speaker. It's very sad, Mr. Speaker, that it's come to this.

The only thing that changed after the Health minister met with the worker is that that worker was intimidated. She says this: "Just like the fellow in Saskatoon, I started to be vilified. Instead of investigating themselves, all they're investigating is the people complaining."

Mr. Speaker, when will this government take these concerns seriously? When will they stop intimidating people and when will they start listening to the folks that bring their concerns forward?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, again I will say this as clearly as I can. We take these issues very seriously on this side of the House. And I think that while there is still more work to be done, I think demonstrated by the fact that this government on this side of the House is opposed to the members opposite that closed 19 long-term care facilities, closed 1,200 long-term care beds, Mr. Speaker, and laid off staff across this province, Mr. Speaker, we have done a lot of work in terms of adding additional staff into long-term care, making improvements in equipment and in training for our staff and in the facilities themselves, renewing them and maintaining those facilities. So that has been the policy on this side of the House and we'll continue to do that work.

But, Mr. Speaker, with respect to the specific cases, I will be happy to look into those cases and provide to the public the information that I can obtain, either from the region or the ministry as it pertains to somebody raising that concern. But the Leader of the Opposition knows that, based on the recommendations of the Privacy Commissioner, we need a consent form to be able to do that. I can find the information, Mr. Speaker, but I need that form. We need that as a House, and the Leader of the Opposition knows that.

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

**Mr. Broten:** — Mr. Speaker, the minister needs to talk to the people that are here today, Mr. Speaker, and they'll clearly hear, Mr. Speaker, their concerns.

You know, Mr. Speaker, in the seniors' care reports released today, both the reviews of the Wolseley facility and the Indian Head facility, they are practically glowing. Neither of them even mention staffing problems. But the people that are here today, Mr. Speaker, know that that's not even remotely true. So

it's clear once again, yet again, we cannot trust these reports. That's how dismissive and how flippant this government is still being with the seniors' care crisis as we have seen on full display here during question period.

My question to the Premier: how can the Premier possibly explain this?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. So, Mr. Speaker, we've gone through a process over the last three years where we've asked our senior leaders in the health care system to actually go to the front lines and speak with residents and their family members, and to staff, and to report back on that, Mr. Speaker. I do not hold the pen on those reports, Mr. Speaker. That is up to the senior leadership to write those reports. And in those reports . . . And I think it's fair to say, and I think it's pretty clear to the public, that those reports I think will show that there has been improvement where improvements have been made. But they also do indicate where there are concerns still within long-term care, Mr. Speaker.

But let's keep in mind, up until this government made those changes, there was no accountability to the public in terms of what our front-line staff, what our senior leaders were seeing in long-term care. In fact, Mr. Speaker, there was a requirement in legislation for the Ministry of Health to inspect long-term care facilities that ended in 1996 and they finally repealed the regulations in 2002, Mr. Speaker. So even for a period of about six years they were required — the government was required — to inspect long-term care, and they just stopped doing it, Mr. Speaker. We're trying to add back that transparency and accountability, Mr. Speaker. But there is more work to be done.

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

**Mr. Broten:** — My question to the Premier: why don't the reports that were released today reflect the concerns that families have brought forward to the legislature today?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Well, Mr. Speaker, I think if you look at the reports, I think that they do reflect the concerns, Mr. Speaker. Obviously though, they have to be written by an individual or a number of individuals that take part in those tours. Mr. Speaker, those senior leaders are there in the facility for a day, perhaps for part of a day, perhaps over a number of days, but they're not there every day. So it is basically, Mr. Speaker, what they hear on that day that they're able to talk to residents and staff and family members. And those reports I think are reflective, if you look at them in detail, Mr. Speaker, of not only improvements that have been made, but as well, areas that we still have to continue to work on.

But Mr. Speaker, this is a far cry from the days when the members opposite never actually did what was required of them by law and that was to inspect long-term care facilities, Mr. Speaker, because they stopped doing that. We're now moving back towards increasing transparency and accountability in the long-term care system. More work does need to be done, Mr. Speaker, but I think the people of this province see that the

work is happening by this side of the House.

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

**Mr. Broten:** — Mr. Speaker, the reports of these facilities don't even talk about short-staffing. What they talk about are cracks in sidewalks, Mr. Speaker. Perhaps the cracks are there, Mr. Speaker, but we have family members and people with first-hand experience here today, Mr. Speaker, that know that short-staffing is a major problem in these facilities, and no explanation about why that is not covered in the reports for these facilities at all, Mr. Speaker.

My question to the Premier: why is it that we have reports not reflecting the reality that families who are here in the legislature today have brought forward? Why is that?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Again, Mr. Speaker, so what we've asked our senior leaders, including our CEOs [chief executive officer], is to go to our long-term care facilities on an annual basis, ask for feedback from residents and families, family members, as well as our staff, Mr. Speaker, and to submit a report to the Ministry of Health based in a general way on the feedback that they received.

Mr. Speaker, if the member opposite would like me to speak with the senior leaders that would have been at this particular facility to find out who exactly they spoke to and what time of day that they were there at and, Mr. Speaker, report back on what exactly they saw, Mr. Speaker, I think that that is already indicated; certainly, the feedback is indicated in that report.

Again, this is during a visit to that facility that we are requiring now by this side of the House, Mr. Speaker, and I think the reports will clearly show where there have been improvements made and they will clearly show where there are concerns that still exist within our special care homes.

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

**Mr. Broten:** — It's very concerning, Mr. Speaker, to hear such a flippant tone coming from the minister with respect to these reports. Mr. Speaker, Linda Wacker is speaking out today. She has decades of experience as a social worker in our health care system. She says the needs of residents in care facilities have totally changed and staffing levels simply have not kept pace. She says the government talks about putting more money into the system but she doesn't see it.

Linda wonders why it makes sense to have legislation when it comes to child care facilities but not for long-term care facilities. Residents in long-term care facilities are vulnerable and they deserve so much better. She says that this is simply a matter of priorities, and I agree with her. My question to the Premier: when will he agree with that?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, one of the priorities of this government has been to make improvements within long-term care. Mr. Speaker, we know that the needs of residents have

changed and are changing and that's why we are making changes and making improvements in terms of the training that we provide to our staff.

So now we are rolling out across our health regions gentle persuasion training to help with those residents that have some form of dementia or Alzheimer's. We are increasing more consistent type of rounds that are done in long-term care, so our residents know that a staff member will be looking in on them at a more consistent basis. And we've seen improvements in the number of health regions who their residents believe, or we know that there are fewer falls and fewer call bells going unanswered because of that more consistent rounding that is now taking place.

But, Mr. Speaker, first and foremost what we've done as a government is we've added to the complement of staff in our long-term and integrated facilities. Nearly 800 more full-time equivalents than were under the members opposite, Mr. Speaker. More work needs to be done but we are making improvements in the system.

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

**Mr. Broten:** — Mr. Speaker, Linda has years of experience, knows the system very, very well. She says, Mr. Speaker, that the needs for long-term residents have changed greatly. My question to the Premier, Mr. Speaker: does he agree with Linda that those needs have changed, and why is it that Linda can't see where the money has gone?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, you know I can indicate to the House that under this government we know that there are considerable needs in long-term care and we have worked to address those needs over the last number of years including in the last year. For example, in the 2014 report, one of the things that was pointed out as a concern at Central Haven Special Care Home in Saskatoon was, "Many beds are more than 10 years old. We need more low beds." And so in this year, the report would reflect that there are now 15 new low beds. Four lifts have been purchased.

In LutherCare Communities in Saskatoon, the concern in 2014 was tubs are old and they require low beds. So in 2015 the new report would indicate that there are 15 low beds added to that facility, a brand new tub, and five lifts have been purchased.

We've had nearly 700 lifts and slings and tubs and beds added, new mattresses added to the system, Mr. Speaker. That's the work that we're doing on this side of the House. You know, in 25 minutes of question period, we haven't heard one solution from the Leader of the Opposition, and we're three months away from the next election.

**The Speaker:** — Why is the member on his feet?

#### MOTION UNDER RULE 61

#### Extension of Legislative Session

**Mr. Belanger:** — Mr. Speaker, before orders of the day, to

seek leave under rule 61 to move a motion of urgent and pressing necessity. And if there is unanimous consent to do so, I would be prepared to move the following brief motion:

That this Assembly extend the fourth session of the twenty-seventh legislature to conclude at the daily adjournment on Thursday, December 10th, 2015 to allow for proper scrutiny of the mid-year financial updates and the senior care report, along with the appropriate debate on other issues . . .

[14:45]

**The Speaker:** — The member has requested leave to move a motion under rule 61. Is leave granted?

**Some Hon. Members:** — Agreed.

**Some Hon. Members:** — No.

**The Speaker:** — Leave is not granted. Order . . . [inaudible interjection] . . . Same for you. Order.

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

**The Speaker:** — I recognize the Government Whip.

**Mr. Merriman:** — Mr. Speaker, I wish to table the answer to question 1,095.

**The Speaker:** — The Government Whip has tabled a response to question 195. I recognize the Government Whip.

**Mr. Merriman:** — Thank you, Mr. Speaker. I wish to order the answer to question 1,096 through 1,098.

**The Speaker:** — The Government Whip has ordered responses to questions 1,096 through 1,098.

**The Speaker:** — Why is the minister on his feet?

**Hon. Mr. Wyant:** — Mr. Speaker, I'd ask for leave to move that a humble address be presented to Her Honour the Lieutenant Governor.

**The Speaker:** — The minister has requested leave to order a humble address to Her Majesty. Is leave granted?

**Some Hon. Members:** — Agreed.

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

#### MOTIONS

#### Appointment to the Public and Private Rights Board

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. Mr. Speaker, this address will recommend that John Glen Gardner of Regina be reappointed as a member of the Public and Private Rights Board pursuant to section 6 of *The Expropriation Procedure*

*Act.* This reappointment would be effective April 15, 2016 for a term of five years.

Mr. Gardner was first appointed as a member of the Public and Private Rights Board on April 15, 2011. At that time he served as a director of the dispute resolution office. Mr. Gardner continued to serve as director of that office and in February 2014 also assumed the role of assistant deputy minister of innovation for the Ministry of Justice.

The Public and Private Rights Board is appointed pursuant to *The Expropriation Procedure Act*. Under that Act, the board is granted authority to review matters respecting the appropriation of land or the intention to acquire land by expropriating authorities. The board investigates claims and manages negotiations between landowners and expropriating authorities to help the parties achieve a resolution. Landowners may request the board to review the route, situation, or design of a public improvement and/or the amount of compensation offered for the expropriated land.

Because the role of the Public and Private Rights Board is focused on dispute resolution, Mr. Gardner remains an appropriate candidate for reappointment. Mr. Gardner has worked with the dispute resolution office since 1988. He has significant experience employing dispute resolution techniques to help parties achieve fair outcomes and has also spent many years teaching dispute resolution methods as a sessional lecturer at the University of Saskatchewan College of Law.

In his new role as assistant deputy minister of innovation, Mr. Gardner has taken on various initiatives to promote dispute resolution and increase access for justice to Saskatchewan residents. Mr. Gardner's experience with dispute resolution techniques, combined with his commitment to providing fair and accessible justice to all Saskatchewan residents has been valuable in his role as a board member.

So, Mr. Speaker, I therefore move, by leave of the Assembly:

That an humble address be presented to Her Honour the Lieutenant Governor recommending that John Glen Gardner be reappointed as a member of the Public and Private Rights Board effective April 15, 2016, for a term of five years pursuant to section 6 of *The Expropriation Procedure Act*.

Thank you, Mr. Speaker.

**The Speaker:** — The humble address presented by the Minister for Justice and Attorney General:

That an humble address be presented to Her Honour the Lieutenant Governor recommending that John Glen Gardner be reappointed as a member of the Public and Private Rights Board effective April 15, 2016, for a term of five years pursuant to section 6 of *The Expropriation Procedure Act*.

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

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

## ADJOURNED DEBATES

### GOVERNMENT MOTIONS

#### Trans-Pacific Partnership

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Harrison:

That this Assembly supports the Trans-Pacific Partnership trade agreement, the largest and most ambitious free trade initiative in history, and calls on the Government of Canada to ratify the finalized agreement at the earliest possible opportunity.]

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

**Mr. Nilson:** — So thank you, Mr. Speaker. It's a pleasure to rise again to speak to the motion from the government about the Trans-Pacific Partnership trade agreement. It's acknowledged that this trade agreement . . . And perhaps for those new viewers this afternoon, I'll identify the countries involved. Obviously it's Canada, then Australia, Brunei Darussalam, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States, and Vietnam. And, Mr. Speaker, these countries are located on four continents around the Pacific Ocean, and they have been working for a number of years to develop this trade agreement which covers 40 per cent of the world's trade.

And I think it's important to once again emphasize the very first paragraph of the preamble related to this agreement. There are about 6,000 pages in this agreement, but this is on page 1. And what it says:

The Parties to this Agreement [these 12 nations are], resolving to:

**ESTABLISH** a comprehensive regional agreement that promotes economic integration to liberalise trade and investment, bring economic growth and social benefits, create new opportunities for workers and businesses, contribute to raising living standards, benefit consumers, reduce poverty and promote sustainable growth.

Now, Mr. Speaker, I have read this paragraph a number of times in my discussion of this TPP [Trans-Pacific Partnership] agreement because what it identifies is the fact that this is much more than just a trade agreement. It encompasses many parts of the life of Saskatchewan citizens and Canadian citizens. And it's clear from the number of comments, the number of pieces of information that I've received from people who were listening to me speak yesterday and last night, that people are interested in this and also concerned what it means for Saskatchewan people, for Canadians.

And one of the items that was forwarded to me is something which I think is quite appropriate to start off this afternoon's discussion, and this is the editorial from *The Globe and Mail* newspaper dated Thursday, November 12th, 2015. And the title on this editorial is, "Read the entire TPP text? No way. That's Parliament's job." And here's what the editorial board at *The*



*Globe and Mail* says:

U.S. President Barack Obama made a suggestion to the American people this week: Go online and read the text of the Trans-Pacific Partnership trade pact before making up your mind about it. Chrystia Freeland, Canada's Minister of International Trade, has said the Liberal government is "committed to reviewing the agreement . . . and, crucially, to giving Canadians a chance to read it and to respond to it."

Okay, listen. Really? Canadian and American citizens are going to read a 6,000-page legal document that contains two million words and, in paper form, weighs 45 kilograms? It's a noble goal — no question of that. But come on.

To read the TPP and understand it would require legal training and the experience in international trade to place the proposed deal in the context of current agreements. You'd need to be a student of Canada's economy, with a specialty in its marketing boards, its exports and its tariff structure. You'd have to bone up on our laws on intellectual property, banks, labour and telecommunications. A familiarity with Vietnam's tariffs on "meat of horses, asses, mules or hinnies, fresh, chilled or frozen" wouldn't hurt either, not to mention . . . what a hinny is in the first place.

While we have faith in the intellectual capacity of Canadians, we doubt they have the time and patience to wade through so complex and long a document. But that's what is disingenuously being asked of them in this new era of selective governmental "transparency," to use Mr. Obama's word, in which deals like these are posted on the Internet so that politicians can boast that they didn't hide anything from the public, while other critical documents of equal public interest are classified or kept out of easy reach by bureaucratic firewalls.

It's all too much to ask of Canadians and Americans. Politicians are telling them to read *War and Peace* four times in a row, which they might as well do in the original Russian for all the average person will get out of it. And they will have to absorb the deal's implications over the din of interest groups and politicians squawking for their attention and support.

This isn't fair or right. The duty to dissect the deal's implications doesn't fall on average Canadians, even if it behooves them to inform themselves. The responsibility for analyzing the benefits and downsides falls on their elected representatives. In Canada's case, that is the job of Parliament.

For Parliament to fulfill its duty in the best way possible, the Liberals need to break the pact down into its various parts and send those parts to the relevant Commons or Senate committee.

The TPP, it must be admitted by all parties, is a more than just a free-trade agreement. It contains many requirements on sovereign governments to change their laws in order to

make them uniform with those of the other countries in the deal. This is not just about eliminating tariffs any more.

One of the bigger examples of that is the requirement for all signatories to keep copyrighted material out of the public domain for 70 years after the death of the author. In Canada, the protected period is 50 years. What will the implication be if Canadian companies suddenly have to pay royalties on works for an additional 20 years? Some have argued it will cost our economy hundreds of millions of dollars.

The TPP contains similar language in many areas, including the Internet, the environment and the protection of trade secrets. Canada would be obliged to change its laws, including the Criminal Code, or adopt new ones, in order to benefit from lower or eliminated tariffs on its exports.

Is it worth the tradeoff? Agreements that liberalize trade are good for Canada's economy. For the most part, the TPP does just that.

But if Ms. Freeland and her party are serious about making sure Canadians understand its implications, they will have to give Parliamentary committees the time and resources to go over it section by section and hear testimony from neutral experts. Parliament will have to report back to Canadians in plain language about what they are getting and what they are giving up. And then the government will have to make an argument for ratification, or demand further negotiations to protect Canada's interests.

There is no rush. The deal needs to be ratified by a partisan, electioneering Congress, and Mr. Obama is facing an uphill battle on that front. That's part of the reason he is appealing directly to the American people to read the TPP in the hope they will see its appeal and pressure their representatives to ratify it.

It doesn't have to work that way in Canada. The defeat of the Harper government — a government that reduced Parliament to a rubber stamp — is solid evidence that Canadians want their representatives to do the job they were elected to do. That is, protect Canadians' interests in an informed, non-partisan manner. The TPP debate is the place to start.

End of the editorial from *The Globe and Mail*. And, Mr. Deputy Speaker, I submit that we, as the legislators in Saskatchewan, have a similar responsibility to our citizens to take apart this whole massive agreement and look at various aspects of the agreement as it relates to what's happening in Saskatchewan.

And as I pointed out yesterday and I'll point out further today, there are many clauses that relate directly to our most important businesses, our most important industries, whether it's the GMO [genetically modified organism] clauses relating to both plants and animals, whether it's the various types of phytosanitary/sanitary certificates needed for the international transfer of meat products, whether it's the issues around how we organize some of our state businesses — all of these kinds of things and there are many more of them. I guess the ones

relating to trademarks, relating to some of these other issues, all of those are crucial for what happens in our province.

[15:00]

And I think it's important that we as legislators, obviously with the leadership of the elected government of the day, that they need to take a look at how all of this is going to affect what happens here in Saskatchewan. We then would obviously prepare our material as it relates to those things that are of special concern to us and make sure it goes to the federal government. But we know from the things that are happening over this next week that the new national government is including provinces and premiers and other ministers in trying to sort out a number of these kinds of issues.

And I think *The Globe and Mail* is quite direct in saying that's parliament's job. That's part of the heading of that editorial. And that's why coming forward with a two- or three-line motion without any kind of discussion or information or chance to set up a procedure to review this is maybe moving a little faster than we should be. What we know is that the process has just started. We have a text and, as I have indicated, the text at the top of every page says "Subject to Legal Review in English, Spanish and French for Accuracy, Clarity and Consistency Subject to Authentication of English, Spanish and French Versions."

And if any of my colleagues here in the legislature has been able to get to the very end of the agreement in their reading, the very last paragraph . . . I read you the first paragraph of the agreement but the very last paragraph, chapter 30.8 says "Authentic Texts." And that last paragraph says "The English, Spanish, and French texts of this Agreement are equally authentic. In the event of any divergence between those texts, the English text shall prevail."

So you'd look at sort of the economic power of the people who have put this agreement together, and obviously the English ones have the majority at what's going on. But practically what that means is that this text has still got some movement to it. There are still some areas where further clarification needs to be made. I identified a few of those areas yesterday but I think, using the expertise we have in the province of Saskatchewan, there are other areas where we would be able to point out things that need to be fixed or new words be used so that it will be appropriate for Saskatchewan.

Now last night I was in the middle of chapter 17, dealing with the issue of state-owned enterprises and designated monopolies. And this particular chapter deals with basically the commercial interests of international companies and many of them are based in some of these 12 nations that we have, and there is sort of a definite suspicion I guess, if I could put it that way, is how I read this text of state-owned or state-controlled companies.

So one of the aspects of this chapter relates to transparency, and I thought it was interesting to look at the clause around transparency. It's actually quite a few pages long because that seems to be the issue that we don't know which companies in some of these countries are state owned or not, and we can't really tell what the ownership rules are because they have different ways of providing registrations.

So what the clause says in 17.10 is:

1. Each Party shall provide to the other Parties [so each nation shall provide to the other nations] or otherwise make publicly available on an official website a list of its state-owned enterprises within 6 months after the date on which this Agreement enters into force for the Party [or the country], and thereafter shall update the list annually.

So in other words, it must not be totally obvious which companies are state-owned companies. And there's a concern that that information be very public, so that I guess some people trying to make deals don't end up being partners in a state-owned company, or selling property or assets to a state-owned company, and they don't know that that's happening.

Now that's an issue that we have in Saskatchewan. We know that the Minister of Agriculture dealt with a number of issues around farm land in Saskatchewan and who actually can buy some of that land. And so it's related to this issue, in that are pension plans included in this kind of a situation or not. Also there's situations where we know, now recently, in northern Saskatchewan that one of the companies that has been traditionally a Saskatchewan company that is involved in staking claims for minerals, has now obtained substantial Chinese interests. One of the mining operation companies, there's a substantial, that does a lot of work in Saskatchewan, has now got a substantial Chinese interest. And that's not necessarily a bad thing, but it is something that becomes an issue for all of us here in this legislature.

And so when we look at the definition of the state-owned enterprises, it does look at how independent pension funds are treated, and it also looks at how sovereign wealth funds are treated. That's another area of concern to us here because we know that one of the goals of our province and our citizens is to have a sovereign wealth fund. Unfortunately, all the money has been spent in times of boom; there's been no money that's been set aside like they've done in some other jurisdictions, whether it's Alaska or Brunei or Norway. We had a very sort of simple look at how we might do this in Saskatchewan but, I think, clearly in the long term we need to look at how we can create some kind of a wealth fund here which allows us to have a cushion to deal with downturns in the price of oil or downturns in the agricultural business or other areas like that.

But this agreement relates to some of those kinds of initiatives, and how it relates is not entirely obvious on the first glance of how that's done.

Now, as I've said before, each chapter has its own annexes, but each chapter also seems to have its own committee. And this . . .

**The Deputy Speaker:** — Why is the Premier on his feet?

**Hon. Mr. Wall:** — Mr. Deputy Speaker, I'm seeking leave to introduce a guest.

**The Deputy Speaker:** — The Premier has asked for leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — I recognize the Premier.

### INTRODUCTION OF GUESTS

**Hon. Mr. Wall:** — Thank you very much, Mr. Deputy Speaker, and I thank the member for Lakeview for the chance to make this introduction today. To you and through you, Mr. Deputy Speaker, I want to introduce someone who is no stranger to the Legislative Assembly although when last I saw him he wasn't sitting in that particular part of the Legislative Assembly, in your gallery.

It's Tim McMillan, who is the president, CEO of the Canadian Association of Petroleum Producers, of CAPP now, of course formerly a member of this House and a member of the cabinet. Mr. Deputy Speaker, it should be a source of pride for the people of the province that CAPP has chosen one of our own to lead them through a time of some significant challenge. And so, Mr. Deputy Speaker, it's good to see Tim back here in his Legislative Assembly, and I'd ask all members to welcome him today.

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

**Mr. Wotherspoon:** — Requesting leave to introduce a guest.

**The Deputy Speaker:** — The member has asked for leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — I recognize the member.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. It's my pleasure to join with the Premier very briefly and welcome Mr. Tim McMillan, president of CAPP, here today to his Assembly. Certainly, as was mentioned, he knows this Assembly well. It's a pleasure to have him back in the Assembly here today, and also we look forward to the discussion here tonight with him, with a bit of a dialogue. We're thankful for his service that he provides, certainly to the economies of Western Canada and certainly to this province, in his representation of very important members within our economy. So it's a pleasure to welcome Tim McMillan to his Assembly. Thank you, Mr. Speaker.

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

### ADJOURNED DEBATES

### GOVERNMENT MOTIONS

#### Trans-Pacific Partnership (continued)

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. And I'd like to join with my colleagues in welcoming Tim McMillan back to the legislature here. And I know if he was here, he'd be one of the few people that would be listening to my whole speech

because this is an area that he's especially concerned, which is international trade and all of the issues there. And clearly there are issues that affect the oil and petroleum industry that need to be identified as well.

So, Mr. Speaker, I was just talking about chapter 17 and the issues around state-owned enterprises and designated monopolies. And clearly this is an area where the oil industry has been involved. But Article 17.12, which is in chapter 17, says that there's going to be a committee established, but it's called the committee on state-owned enterprises and designated monopolies, and each country will have a representative. And this whole committee doesn't necessarily have a clear mandate other than to develop co-operative efforts and do some consultation.

And I think what that reflects is that this is a touchy area in this whole agreement, the area around state-owned enterprises, and different of the countries involved have different histories, different perspectives on the role of state-owned enterprises. And so, much as the power of the United States in the negotiation of this plays through, this is an area where they've had to be, I think, somewhat careful in how they outline the terms that are going to be used.

And so in this area we then get to the appendices and/or the annexes. The first annex, annex 17-A, relates to a threshold calculation. And effectively what this does, as it says, there's a certain value of companies that are to be caught in this kind of a situation, and the value is based on 200 million special drawing rights, or SDRs. And that's not a term we hear very often unless you're very deep into the financial pages, but basically special drawing rights were created in 1969 in the International Monetary Fund as a basis for having a value which was related to the US [United States] dollar but was not totally dependent on the US dollar.

And I think at the present time there are four currencies in this mix, and it's the US dollar, the British pound, and Japanese yen. And I'm not sure if it's the Deutschmark or the euro; I think it's the euro that's involved. And so what it means is that this agreement is only going to apply to some of the larger entities that are involved.

The second annex, 17-B, relates to the process for developing information concerning state-owned enterprises and designated monopolies. Once again, Mr. Speaker, this paragraph or this page and a half shows how sensitive this topic is within the overall agreement. And so it sets out some very careful rules about how state-owned enterprises are described, what kind of information will need to be provided in the list that each of the countries provides or each of the parties provides, and then how, if the values or the percentage of ownerships are disputed, there is a process to deal with some of those disputes.

[15:15]

Now there are also a commitment — I guess, in a way, a sunset clause — which is annex 17-C. And it says, let's see how these rules work for five years, and then we commit to actually reopening or renegotiating these particular clauses as it relates to this area. That's once again a sign that the whole issue of state-owned enterprises is contentious.

Now the next annex, 17-D, is one that applies directly to Saskatchewan, and it's one where I think the government needs to look carefully at how this does apply or doesn't apply, depending how it all plays out. And this is called "Application to Sub-Central State-Owned Enterprises and Designated Monopolies." And sub-central states are provinces or territories in Canada, as we saw in an earlier chapter, the definition.

And as it relates to Canada there are a number of exemptions that Canada seeks to basically have a protection for the provinces in Canada. And they relate to issues like non-discriminatory treatment, commercial considerations, courts and administrative bodies, non-commercial assistance. So in other words, does the state or the province provide some assistance to a state-owned corporation that it might not provide to a private corporation? And also then the transparency question, and the transparency question then goes back to that point I was talking about, which is the written request, where there is a request for information about a policy or program adopted or maintained by a sub-central level of government.

What annex 17-D does is that Canada says this agreement's not going to apply at this time to these kinds of documents, or that kind of information. But that's why I mentioned the fact of there being a sunset clause. It looks as if there's pressure on all of the countries, because virtually every country has a whole list of exemptions as it relates to state-owned enterprises, and so practically that request is something that will be reviewed within five years if Canada finally ratifies this agreement. And so the question then becomes how much more will we know in five years about this? Are we prepared now? Do we know if there are any things that affect how our provincially owned assets are dealt with?

And so then practically this whole chapter, as I said before, related to state-owned enterprises is a sensitive one among the 12 nations. And it's clear that there's a request, most likely from the United States, to get more information, more transparency, so that if there are challenges that can be made. I think other exemptions that we would see if we were looking at the other 5,000 pages of this agreement would actually go back and relate to this area as well because the various countries have institutions that they want to protect, state-owned enterprises that they want to protect.

And so we need to understand what Saskatchewan's position is here and also how these things affect Saskatchewan, and that's the role of the government members of the executive of our province and the civil servants to review that. I think a procedure that might facilitate that would be the ability to have committees of the legislature have witnesses attend. They'd be usually neutral experts who could go through and explain what happens. And then I think after a thoughtful review, I think our legislative colleagues in this place could provide good advice, whether it's in agriculture or whether it's in certain businesses, state-owned enterprises, health care, social services. There's a whole number of issues that are of concern.

The next chapter, 18, deals with intellectual property. And as you know from some of my comments yesterday as we were moving towards this chapter, this is one of the hottest issues in the whole trade agreement we're dealing with here because of the substantial number of patents around very specific things in

the whole telecommunications world, in the IT [information technology] world, and also, I have to say, on a number of the issues around how do you patent life forms. And that relates to some of the GMO issues. It relates to some of the sort of embryo enhancement that's done other than through our traditional breeding.

And so some of the rules and some of the things that we're agreeing to, if we finally go into this agreement, will directly affect our producers that are here at Agribition. It'll affect people that are at the . . . you know, the grain farmers as well. And so once again we need to be vigilant. We need to be careful so that we understand what it is that our country is pulling our very good world traders into and make sure that they are protected as we go forward.

But this chapter 18 starts off to basically recognize that there are many agreements already in this area, and that they're attempting to build on those agreements and not in any way cause a disruption in those other areas. But the objective of the chapter, and I'll read article 18.2:

The protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of . . . [technical] knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations.

And so that's that paragraph, and you see already in the wording these . . . protection of privacy, protection of individuals, advancement of the social cause of the community. And at the same time you want to protect the entrepreneurs who risk money building things and people who think up new ideas. And how you balance those tasks is quite difficult.

We know that that's our constant challenge here in Saskatchewan as we try to balance the protection of individuals' information over and against improving things in our community, and we continually try to do some of the similar kinds of issues. But this is dealing with it on an international basis. We know this addresses or attempts to address issues like piracy, like people abusing the access to things, I suppose, like Netflix and other things. It's got a whole array of direct connections to what happens in everyday life. And we know that some of the changes that are being proposed here are not fully understood and need to be discussed.

Now once again, article 18.8 deals with national treatment. And what this says is that of these 12 countries, if you treat your Canadian citizens in one way, then you're going to treat the citizens of all these other countries in the same way. And if you move away from that equal treatments, then you have to have some pretty clear reasons for doing it, and you must do it in a way that once again is transparent but also fair.

There are many, I guess, legal issues that are interwoven into this whole chapter as well. And I think after I've gone through in a bit of a summary way, I'll maybe go back and look at a couple of them because they are ones that are concerning to us.

So the first section basically is setting out, once again, an

aspirational goal of co-operation of people working together to make sure these kinds of things work. And as we know, we're quite used to using a cellphone in our pocket to get access to anywhere in the world instantaneously, and that doesn't happen without many, many agreements that are tied together with that. And so what we need to understand is how this agreement is going to affect that ability in the longer term. Clearly our hope would be that it would further enhance our use of that, and also protect privacy of people who are using the Internet or other data forms.

And what's interesting is that in this area there is the sense of co-operation. It relates to how can small- and medium-sized enterprises more easily become involved in world trade. And that's always a goal when the main people at the table are the big companies that are going to benefit, and how that can happen isn't always clear. And we have in Saskatchewan some of the international large players in certain industries, but we also have many of the small- and medium-sized enterprises that wish to develop world markets.

And so I think to understand how these intellectual property issues that are going to be assisting our smaller businesses compete on a worldwide basis, I think it's important that we understand what's being done here and maybe give some examples or ideas about how this kind of an international agreement can benefit our local IT businesses or just local businesses that use IT in an international way.

There's another paragraph, which is article 18.15, which is called Public Domain. And once again it's just a straight, in a way, a straight statement. And it just says, "The Parties recognise the importance of a rich and accessible public domain." And as I talked about yesterday, there's a public Internet or public data system, but also increasingly there are very private and very controlled and hidden connections that are not public. And how and where those intersect and who controls the public domain or these other domains is important in the long term for, especially individuals but also for small and medium businesses. So there's an aspirational goal that says . . . or something that says here, yes, this is important.

The next paragraph is interesting, and once again I think it relates very directly to Saskatchewan. And that's article 18.16, and it's called "Cooperation in the Area of Traditional Knowledge." And paragraph 1 states:

The Parties recognise the relevance of intellectual property systems and traditional knowledge associated with genetic resources to each other, when that traditional knowledge is related to those intellectual property systems.

Now it's not quite clear what's being referenced here, but I think it's a recognition that in some jurisdictions — the United States — they have developed patents on genetic resources and they are . . . This whole chapter really comes from the American negotiators. And there's a desire that their system, which recognizes patents on genetic resources, would also be right across the 12 nations. And so how this can take place is then what's set out in this chapter. And this is crucial for Saskatchewan. It's crucial for our farmers and ranchers.

[15:30]

And so paragraph 2 goes on to say:

The Parties shall endeavour to cooperate through their respective agencies responsible for intellectual property, or other relevant institutions, to enhance the understanding of issues connected with traditional knowledge associated with genetic resources, and genetic resources.

So it's traditional knowledge associated with genetic resources and the genetic resources themselves.

And then paragraph 3 says:

The Parties shall endeavour to pursue quality patent examination, which may include:

(a) that in determining prior art, relevant publicly available documented information related to traditional knowledge associated with genetic resources may be taken into account;

(b) an opportunity for third parties to cite, in writing, to the competent examining authority prior art disclosures that may have a bearing on patentability, including prior art disclosures related to traditional knowledge associated with genetic resources;

(c) if applicable and appropriate, the use of databases or digital libraries containing traditional knowledge associated with genetic resources; and

(d) cooperation in the training of patent examiners in the examination of patent applications relating to traditional knowledge associated with genetic resources.

So this chapter or . . . Article 18.16 deals with this code word which is traditional knowledge associated with genetic resources. And this gets to the heart of this question about whether somebody can own a gene manipulation thing. We know that this one area, which affects us in Saskatchewan — that's on a human side, not on an agriculture side — relates to some of the medications for breast cancer that are related to who owns some of the genetics around some ways of treating breast cancer.

And so I'm not sure what the total result of that kind of paragraph will be in the long term, but it's once again an area that we need to understand before we finally ratify this agreement — before, hopefully, we even sign the agreement. And it is an area where the intellectual property lawyers, the patent lawyers, are raising red flags and they're saying, be careful. Make sure you know what's being done here, and recognize the fact that much of this chapter comes from a US law base which is different than the other countries that we have here.

There also are issues in this area. When they use the word traditional knowledge, it goes toward some of the issues around First Nations and Métis people in Canada and some of the information, the knowledge that they have, and then therefore the duty to consult in the patent process before somebody appropriates information.

We know in the pharmaceutical world there are many books written about discovery of new drugs, and when you actually then go back and really examine what happened, it is an appropriation of traditional knowledge associated with genetic resources, either human or animal or plant in a community, that are then taken to the lab and reproduced. And there is clearly a duty there on the companies involved or the people that are applying for the patents to consult with First Nations and Métis people.

Now the next section in this intellectual property area is trademarks. And it starts with article 18.18, and it says the types of signs that are registrable as trademarks. And I think everybody might like to listen to the discussion about this because it raises some really interesting points. And I'll read it sentence by sentence so we can talk about this:

No Party shall require, as a condition of registration, that a sign be visually perceptible, nor shall a Party deny registration of a trademark only on the ground that the sign of which it is composed is a sound.

So in other words, trademark we always think of as something you can see. But what this is saying is it's also possible to trademark a sound.

So what kind of sounds would be trademarked? Well a good example is the kind of sound that a computer company puts on their computer to tell you that a message has arrived. And everybody kind of recognizes those sounds, and they don't want anybody else to use that sound on their computer or for any other purpose. And so there's a sound that they want to register.

Maybe in the Saskatchewan legislature we want to put a trademark on the sound of the bells calling us all to vote because we all know what that sounds like and it probably shouldn't be used anywhere else than here. And you know, is that something . . . I'm not sure it has any great value that's worth trademarking, but it is the kind of thing to talk about, which is a sound.

Now let's go to the next sentence that says, "Additionally, each Party shall make best efforts to register scent marks." So scent marks, clearly what that is is the perfume industry. The perfume industry wants to know that if they develop a very specific scent, then they have the scent mark — the ability to have that mark be theirs and that they can then sell it.

What we know or what you can see is that when you travel in certain countries in the world, they will sell the knock-off scents based on all of the most expensive perfumes in the world. And you can probably even find some of them in Saskatchewan, where there are attempts to imitate these expensive scents. So the industry has made the point that this is a type of thing that should have a trademark as well.

I know one of my legislative colleagues who used to be a member of the state legislature in the state of Maryland left his work in the legislature and now works for, you know, I think it's called the American perfume association. And this is the kind of work that he is doing, is to help the industry as a whole working together to get protection for their scents.

And so when I saw this here, I said, well that's probably as a result of the work of companies right across all 12 countries or 12 parties to this agreement, but I'm sure a lot it comes out of the work that John is doing in Washington, D.C. [District of Columbia].

So the next sentence in this short paragraph is this: "A party may require a concise and accurate description or graphical representation or both as applicable of the trademark." So what this is saying is, even if you can trademark a sound or you can trademark a scent, you have to have a way of describing it that makes it clear that that's the sound or the scent that you're going to get a trademark for, or a mark for, they call it, a sound mark or a scent mark.

So that's kind of interesting and it says that the parties will try to develop systems in their countries that will deal with these new or old ideas. I guess it kind of depends which jurisdiction that you're in.

And then it goes on to talk about other trademark issues that are more general. One of the issues that arises when you have 12 countries join together is that some marks or some kinds of signs or symbols maybe overlap with marks of another country. And so there are some rules here to try to deal with that particular issue and sort out how a mark will be protected or not protected.

Then it goes on to well-known trademarks. In other words, these are ones that have an international flavour already, or are there. And it says, effectively, in article 18.22:

No Party shall require as a condition for determining that a trademark is well-known that the trademark has been registered in the Party or in another jurisdiction, included on a list of well-known trademarks, or given prior recognition as a well-known trademark.

And so effectively what it's saying is each country might have their own well-known trademarks — some might be fully registered under the international system; some others won't — but there's going to be a recognition that these kinds of trademarks will be included in whatever protections come under this legislation. Then it goes on to say that each country should or will . . . I guess it says shall provide so I guess it's very definite, provide an electronic trademark system so these can be checked very quickly right across all of the 12 nations.

Now I think we'll move on from the trademark area and go into another area which is of interest to Saskatchewan people and probably to all of us, and that's the issue of domain names. And this system has been developed in an ad hoc way, I guess would be the best way to put it, and what this is trying to do I think is make sure that how they interrelate for these 12 countries, how the domain names interrelate for the 12 countries will be uniform, they'll be appropriate, and any disputes will be resolved quickly and fairly and equitably.

What this means is that some rules that might be different than primarily the American rules will probably have to be brought into or introduced into an American-like system, and how that happens could affect various operations we have in our province. It's another area where we would need some expert

advice or some practical advice from people who are involved in that world.

But if this is adding an extra cost or if it's changing dramatically how we do things in Canada, we need to know that because it's part of the cost of doing business. And once again, looking at the whole document, it's all about making sure that countries don't use their own local rules, whether it's certification of employees or others, to restrict trade. And in this area we want to make sure that a country doesn't set up domain name systems that make it difficult for international domain names to fit into their system and therefore restrict trade.

Now the next section, D, of this agreement is very short. It's called country names. And it doesn't say the subcentral country names but just country names. And I'll read you the paragraph, article 18.29:

Each Party shall provide the legal means for interested persons to prevent commercial use of the country name of a Party in relation to a good in a manner that misleads . . . [customers] as to the origin of that good.

And that's the end of it. And what does that mean? Well if everybody thinks that Canadian maple syrup is the best in the world, they don't want somebody to create a brand in Australia that's called Canada maple syrup. And there's a way of changing that. Now I don't know if this applies to Canada Dry, the pop company that's in the United States, but I mean it's that kind of an issue. But it sets out the fact that among these 12 countries, businesses have this clause here that says, be careful how you mislead people about where something is from.

[15:45]

Now the next section is about geographical indications, and this one I think it relates to . . . And once again it's a short paragraph, 18.30:

The Parties recognise that geographical indications may be protected through a trademark or *sui generis* system or other legal means.

And once again this is setting out where a product comes from. It's the issue of, I suppose, terroir in production of food and wine and things like that, that it's important where a product comes from. And if somebody else is going to use that name, then they have to be careful. The most obvious example of that presently — it doesn't relate just within the 12 countries — but it's the question of whether the California wine growers could use the name champagne because they grew the same kind of grapes that grew in the Champagne area of France and made similar wines. And ultimately it was said, no, you can't do that. And so practically it's an area of concern.

So then we go on into a whole number of different areas. I know that the members across the way don't really want to take a good look at this agreement even though it's pretty clear that the public wants us to be careful when we enter these agreements, and there is a responsibility on the members of this legislature to spend time looking through and being, and examining carefully what we are entering into. The good thing is that we do have time. There is no pressure on us to move

forward on this issue until such time as we actually have a final text.

**The Deputy Speaker:** — Why is the member on his feet?

**Mr. Phillips:** — Mr. Deputy Speaker, I ask leave to make an introduction.

**The Deputy Speaker:** — The member from Melfort has asked for leave to make an introduction. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — I recognize the member.

## INTRODUCTION OF GUESTS

**Mr. Phillips:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce Islay Ehlert from Watson, a member of my executive back home, also a town councillor with the town of Watson, a very hard-working community leader, and somebody I'm very, very pleased to have in the . . . although it's so far away my eyes didn't pick her up right away, if the truth was known. But very happy to introduce her today and I ask all members to help me welcome her to her Legislative Assembly.

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

## ADJOURNED DEBATES

### GOVERNMENT MOTIONS

#### Trans-Pacific Partnership (continued)

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. I'll continue to talk about chapter 18 related to intellectual property. And there are now some proposed rules that are to be harmonized right across the 12 countries related to patents. And I guess that we can say quite clearly, in patent law the devil is in the details and some of those details can be worth millions of dollars.

And so the wording in this area is important for our industries in Canada. This is the particular area where concerns have been raised by Mr. Balsillie from Research in Motion, the BlackBerry company, because of the fact that many of the proprietary interests that they had in certain techniques and certain telecommunications issues are what generated the millions and millions of dollars which allowed their company to do very well.

And some of the rules that are being brought forward here have an effect on that business and relate to what happens with American law being applied in Canada, and so how that's done is part of the issue.

Now I know that the Deputy Premier's always interested in things that will protect Saskatchewan people, but I'm not sure that he's totally following what's happening to the whole issue of pharmaceuticals in this agreement. And what we know is that there is a proposal that adjusts the patent term. And it's hidden. It's not directly stated in many ways, but the simple wording of

the very first paragraph in this article 18.48 is:

Each Party shall make best efforts to process applications for marketing approval of pharmaceutical products in an efficient and timely manner, with a view to avoiding unreasonable or unnecessary delays.

And the second paragraph:

With respect to a pharmaceutical product that is subject to a patent, each Party shall make available an adjustment of the patent term to compensate the patent owner for unreasonable curtailment of the effective patent term as a result of the marketing approval process.

And then, paragraph 3:

For greater certainty, in implementing the obligations of this Article, each Party may provide for conditions and limitations, provided that the Party continues to give effect to this Article.

And then 4:

With the objective of avoiding unreasonable curtailment of the effective patent term, a Party may adopt or maintain procedures that expedite the processing of marketing approval applications.

So this paragraph or article 18:48 relates to drug companies applying to get approval to market a product in Canada, in Vietnam, in Australia. I know in Australia they're watching and are very concerned about this paragraph.

We have the example of drugs where it takes a year or two or three to get the approval for the marketing. And what the drug company is saying in the country or where it takes a little longer to review some of these drugs, they want to have those three years added on to the patent protection at the other end. And that is often a huge cost to the health system of the province or of the country. We don't actually even know what kind of costs this will create.

It also relates to some sad, sad history in our health system in Canada and the United States over the last 50, 60 years because we know that in Canada we had a fairly quick approval of thalidomide for use with pregnant women. In the United States they had a woman who just died recently, who happened to be a Canadian doctor, who said no, there's something wrong here, and she stopped, wouldn't let the matter go forward and be marketed.

And in the United States they didn't use the thalidomide. So they don't have the same issue around people who are seeking compensation, because they never did approve it for use by pregnant women. And in Canada because it moved faster, well as a result of that type of an incident, in Canada we got much more diligent in dealing with approval of patented medicines, and sometimes we take longer than what they take in the United States.

This particular clause is a clause that tries to get extra dollars out of the patent medicine through changing the rules in various

countries. And I think it's one we need to look at very carefully. We need to have our health officials, our pharmaceutical review team which we have, includes some of the people from the University of Saskatchewan, give some example of how this would affect what we do in Saskatchewan and what we do in Canada.

So now this whole area also deals with the question of how new products are brought on to the market and it sets out some fairly strict rules about how you do that. And it does it in a way where we need to understand how much of a change it's going to have in Canada. It's not totally obvious from the text, and that's obvious from the various commentators who have looked at the text and tried to put examples to it. Now what it does say is that there are methods of protecting public health that a nation or a country has if they make a declaration under what's called TRIPS, which is the trade-related aspects of intellectual property under the World Trade Organization. But that's a fairly heavy hammer and it's one that has consequences in a number of different areas, and so how that's done is crucial.

Now we move from the pharmaceutical products and a related product which is biologics. And biologics are basically some of these new, very individual, specific types of drugs. You've heard about people who get a drug that's designed just for them. And obviously it's an expensive process to do that, but it's also a whole area of new forms of medication. And so practically there's a clause here that tries to protect. It starts right out with regard to protecting new biologics, and then it sets out how the rules are to be created in a country. And that relates to the fact that when you draft some of these kinds of agreements, you don't always know what's going to be caught in them three years or five years down the road. If this agreement had been put together 20 years ago, this wouldn't have even been in here.

Now I think we basically will then go on in, back into the intellectual property issues, away from the pharmaceuticals into industrial design. A lot of the clauses and the lengthy area in this chapter 18 relate to how do you deal with the knock-offs. We know that somebody can produce a very good piece of machinery in Saskatchewan, it's sent to another country and they figure out how it's made, and there's a copy made and all of a sudden that shows up on the world market. How are those kinds of things protected? And so once again they're saying it should be protected; it doesn't necessarily say how.

Then we get into the whole issue of copyright and related rights. And as we know, copyright can be written, can be music, can be film. It relates to a whole number of different issues and the whole mix of all of these things together. And so this is an area that once again is about how do you make sure that your national artists, your artists in your country are protected on the international stage.

And we know that the ability to have pirate copies of movies, pirate copies of music, pirate copies even of artwork go around the world very quickly ahead of the law is a major problem for artists, but also for those companies that work with the artists as agents, as they try to obtain enough money to run their business. And so this agreement says that we're going to have similar laws across the 12 nations.

So then that raises the question: well whose laws, and how are



those laws going to work? And this is where Canada and US law is relatively similar. There are some different concepts, and the article that I read yesterday from Michael Geist talks about how there is a very specific Canadian clause in here that says we can use our Canadian law as it relates to protection of Canada, but no other country can use some of the concepts that Canada has — and effectively, you know, sort of isolating how we do things in this international perspective.

[16:00]

And so we need to know over the longer term how that's going to affect the markets for our Canadian writers or Canadian musicians or Canadian artists. And that question is one obviously that will be discussed at a national level in Canada, but I think it's also one that we as a provincial legislature should have the ability to look at and have some of our local experts say, okay, for me, my music that I want to sell to New Zealand, all of a sudden it's, you know, into a different world and the protections that I thought I had or that I do have under Canadian law don't apply over there. And how is that going to work?

So this is obviously a moving target in lots of ways, and it's an area that's developing very quickly as the technology changes. But once again it's an important area for many people whose livelihoods depend upon copyright and how we deal with that.

We heard earlier that one of the more obvious changes is that copyrights are to be extended 20 more years past the end of a writer's life, and that's something that does end up costing money in a society. And where does that money go? And that becomes once again a question, but that's the kind of question that we can ask in a committee and get some of the experts in the publishing fields or others to say, okay, this is what it means for what we're doing in our community.

Now what also happens is that the extended rules that are here do end up probably creating some new protections and some new opportunities, and that's another thing that I think that the legislature needs to understand and needs to review as we go forward with this.

Now the next area relates then to enforcement. How is all this going to be enforced? And once again, enforcement is always about power, who has the power. And what appears to be clear here is that this is the US system writ large over 12 countries with a sort of a carve-out for Canada. And so then how is that going to affect our businesses here in Canada, but also how is it going to affect a number of these other countries?

Now if in fact the net result is a common system where everybody benefits and there's access from Vietnam into New Zealand and into United States and to Mexico, to Chile, well I think that's probably a good thing. But if in fact it's something that gives extra power to the dominant copyright place in the world, which is the United States, then it's something that we need to look carefully at as we move forward. And this has many pages on the crimes that can be committed, the penalties that can be brought forward.

Now I'm going to slow down again and talk about article 18.78, which is trade secrets. And this section and some of the

following sections are quite interesting because we in Saskatchewan have some very important intellectual industries developing — things like, as we've known, the satellites that are used in telecommunications, a lot of it's been developed out of Saskatoon. We know at the synchrotron there, there's much work that's being done that enhances businesses around the world but especially across Canada. And so how are some of the things that are learned protected? Well this clause 18.78 talks about trade secrets. And basically it says:

For greater certainty, this Article is without prejudice to a Party's measures protecting good faith lawful disclosures to provide evidence of a violation of that Party's law.

In other words, this clause is on top of whatever laws you would have in each country under the other agreements, including the Paris Convention and other places, to add a further protection around trade secrets or a further enforcement method if you have people who are stealing secrets, industrial secrets. And that ends up being a recognition that every country has to review what kinds of criminal law procedures they have that protect secrets that deal with industrial espionage.

Then you go on to article 18.79 which is protection of encrypted program-carrying satellite and cable signals. And this once again is saying that there are some very sort of straightforward concerns about the ability of encrypted signals that go right around the world that can have a massive effect on an industry if certain kinds of secrets are developed. And so what I know is that there's clearly an attempt here to add a further protection of the industrial secrets.

Now if anybody's looked at the numbers of patents worldwide in, I think the year is 2014 — so it's last year's information — the number one country in the world is United States and number two is Japan. And so if you think about this whole area and all of the protections that we have in here around patent, copyright, and some of the other issues, it is about those two countries. Canada is, based on the number of people we have, we're right up there as well. But it is very much a protection of the intellectual property, the knowledge that's been developed in our countries over and against, not these 12 countries, but other countries around the world.

And so there is a discussion there and, I think, a point of review around what does this mean for Saskatchewan. What does this mean for Canada? What does this mean for the very smart people we have in our province who are inventing things, developing things that they want to be properly compensated for when they become involved in a commercial operation?

Now the next part of this intellectual property chapter relates to Internet service providers. Basically an Internet service provider is:

a provider of online services for the transmission, routing, or providing of connections for digital online communications, between or among points specified by a user, of material of the user's choosing, undertaking the function in Article 18.82.2(a) (Legal Remedies and Safe Harbours); or

a provider of online services undertaking the functions in

Article 18.82.2(c) or Article 18.82.2(d) (Legal Remedies and Safe Harbours).

And so when you go and look at 18.82, which is the next chapter, you can see that the concern here is that the Internet service providers will assure the users of the Internet that the kinds of information that they've put through their systems will actually be the same when it gets to the other place where they're sending it. And when you understand or talk about how the Internet works, this is quite an interesting question because effectively what happens when a message is sent or material is sent or data is sent, is that it's broken down into many pieces and not all the pieces go the same way to get to the end place.

And sometimes clauses like this are quite interesting to see from a legal standpoint because it clearly talks about what's going to happen at the end: it's all going to be back together the way it was. And that's what an Internet service provider is; it's somebody who takes this material, sends it through the system in sometimes millions of pieces, and then puts it all back together again when it gets to the other end.

And so one of the issues here is, how do you deal with copyrighted material? How do you deal with, whether it's, you know, created material that's printed or music or others? And you want to make sure that if it's being sold through an Internet service provider or being delivered, that it ends up being the same thing as what was sent. And so this is the rules around how that should take place and basically says that nations, the countries that are involved in this agreement, have a role in making sure that the Internet service providers in their jurisdiction have enough capacity, are capable enough of making sure that material will go where it's supposed to go.

I don't think we have a concern about that in Canada at the present time. But if we get in a position where we're behind in our technology or behind in the kinds of equipment that we have, this can be a very expensive issue to remedy for a nation or for a province. So once again it's something that needs to be monitored by the province. We need to get advice from people who are involved in this business. We're fortunate enough in Saskatchewan to have SaskTel as an agency which would be involved as an Internet service provider and would understand some of the international agreements that are presently in place. And so clearly advice from them would be of assistance as we move forward with this.

So we end up then with that chapter 18, which is the intellectual property area. And we've looked at quite a number of different issues, and we know that ultimately the purpose of the TPP is to protect and enforce intellectual property rights in a way that contributes to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of the producers and the users. So co-operation is the theme, but also the whole idea of eliminating barriers, of smoothing out procedures, of doing things in a common way means that some countries will have to change how they do things. And Canada has negotiated a bit of a carve-out on some of these issues, and how that's going to work in the long term for our people who are trying to protect their rights under our laws is something that we all need to understand.

And so this chapter is one where many of our intellectual

property lawyers in Canada have been attempting to take it apart I guess and see, well how is this going to affect the clients that they're dealing with? And some of the first articles about it are saying we need to be careful because there are certain things that we do in Canada that are probably smarter than what happens in the United States, and so will those continue to be here or will they be in some way changed?

[16:15]

So the next chapter is chapter 19 on labour. And once again this is directly related to this session of our legislature because it goes right to say that the International Labour Organization, which is basically . . . And their declaration of fundamental principles and rights at work and its follow-up in 1998 is part of this TPP agreement. And so I think it's quite telling when you look at it. We can look at the definitions.

Why don't we go right to the labour rights section, which is . . . Well first the statement of shared commitment in 19.2, and this is one I think that the members of our government here in Saskatchewan should listen to. It says:

1. The Parties affirm their obligations as members of the ILO, including those stated in the ILO Declaration, regarding labour rights within their territories.
2. The Parties recognise that, as stated in paragraph 5 of the ILO Declaration, labour standards should not be used for protectionist trade purposes.

And then we go into article 19.3, labour rights:

1. Each Party shall adopt and maintain in its statutes and regulations, and practices thereunder, the following rights as stated in the ILO Declaration:
  - (a) freedom of association and the effective recognition of the right to collective bargaining;
  - (b) the elimination of all forms of forced or compulsory labour;
  - (c) the effective abolition of child labour and, for the purposes of this Agreement, a prohibition on the worst forms of child labour; and
  - (d) the elimination of discrimination in respect of employment and occupation.

And then it goes on to say:

2. Each Party shall adopt and maintain statutes and regulations, and practices thereunder, governing acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

And, Mr. Speaker, this session one of the major pieces of legislation that was passed was legislation that corrected a situation where our present provincial government enacted legislation which was contrary to our commitments under the International Labour Organization declaration and contrary to the labour rights stated here around the effective recognition of the right to collective bargaining.

Now the positive thing after all these years of rancour and

litigation and applications to the ILO [International Labour Organization], but more importantly the Supreme Court of Canada, is that our Premier and this government have singlehandedly put right into the Constitution of Canada recognition of the right to strike. And labour and management for, you know, centuries to come but for sure the next 40, 50 years will thank our Premier and the cabinet for that particular provision that is now very clearly enshrined in the Canadian Constitution. So that, in a way, makes it easier for our country to say that yes, we are committed to the rights that are set out in this TPP trade agreement.

Now practically the other rules that are here are a recognition of ILO provisions. And it's not entirely clear whether there are issues that will affect how we proceed, but one of the clauses though, the very next one after the labour rights one, is the non-derogation clause. And this clause says:

The Parties recognise that it is inappropriate to encourage trade or investment by weakening or reducing the protections afforded in each Party's labour laws. Accordingly, no Party shall waive or otherwise derogate from, or offer to waive or otherwise derogate from, its statutes or regulations:

(a) implementing Article 19.3.1 (Labour Rights), if the waiver or derogation would be inconsistent with a right set out in that paragraph; or

(b) implementing Article 19.3.1 (Labour Rights), or Article 19.3.2 (Labour Rights), if the waiver or derogation would weaken or reduce adherence to a right set out in Article 19.3.1, or to a condition of work referred to in Article 19.3.2 (Labour Rights), in a special trade or customs area, such as an export processing zone or foreign trade zone, in the Party's territory,

in a manner affecting trade or investment between the Parties.

Now this, this is very interesting. I'm not sure how many people in the legislature have travelled to countries where you will see enclaves very close to the airport, whether it's in Colombo in Sri Lanka or I think in parts of other countries around the world. They do create these special zones, and the question is whether those zones are kind of taxation havens or whether they're actually havens from the labour laws. And what this clause says is that that type of creation of a special area is against this agreement. And in a way, it's not really strong language because it just says it's inappropriate. Now whether . . . how that's going to be enforced is another question.

But it also raises the question of whether the Saskatchewan government or any government in Canada is in a situation where they're offending these agreement rules when they effectively privatize jobs, say from the correctional centre to an operation which maybe doesn't have unionized workers. And is that the type of thing that would offend the rules that are here? I think it's probably something that should be looked at.

I think there's strong opinions on both sides around that, but the goal clearly is to have a level playing field. I know that in Australia they are very concerned around the labour rules in the

TPP and they are attempting to figure out for them how it affects the rights that they have in their constitution and in the things that they do. There is a clear reference here to the ILO and declaration, but how does that affect some of these things that seem to be able to go ahead without much opposition or without much sense of the fact that we're doing things against the international rules?

Now we know that the legislation that this government introduced in 2007-2008 was ultimately declared unconstitutional by the Canadian courts and it was also declared as being against the ILO rules. And so how that would then fit into this agreement is an interesting question.

And when the member opposite brings forward a motion just to approve this without even taking a look at some of those kinds of issues, it's an example of, well we're not too concerned about the details; we're just going to do whatever we feel like doing. And I think that's a dangerous way to operate a government. It's a dangerous way to make public policy. It's a dangerous way to enter into an international trade agreement without actually doing the work of understanding what it's all about.

Now one of the parts of this whole area on labour is once again the question of co-operation, and I think that's important to state that. And it sets out pages of issues that need to be dealt with in a co-operative fashion. And I think it's . . . Actually it's probably a bit of a checklist for us in looking at our Saskatchewan legislation to see whether we have dealt with these issues in a reasonable fashion.

And I'm looking at article 19.10.6, and it says:

Areas of cooperation may include:

(a) job creation and the promotion of productive, quality employment, including policies to generate job-rich growth and promote sustainable enterprises and entrepreneurship.

So that's a question of full-time jobs or not full-time jobs and how does that all work. Well I think we're doing things to create jobs. We need to be very vigilant about what kinds of jobs we create.

"(b) creation of productive, quality employment linked to sustainable growth and skills development for jobs in emerging industries, including environmental industries." Well that's clearly one that's been a hot topic this week, and finally after eight years we have a bit of words, not really any action yet, but some words around what it would mean for Saskatchewan to have environmentally . . . industries, green industries that are leaders in the country. We can do it. There's no question about that. But we do need an atmosphere and a place that is supportive of that, and so hopefully that will come.

"(c) innovative workplace practices to enhance workers' well-being and business and economic competitiveness." I think we have a number of businesses that do that, and we applaud them for that kind of work. But that's an area where we all need to continue to work.

Then we go into (d), “human capital development and the enhancement of employability, including through lifelong learning, continuous education, training and the development and upgrading of skills.” And we have institutions in the province to do that. We have businesses that do that. I think it’s something that we all need to continue to work on, but clearly we have some good examples in our province of how this is being done.

“(e) work-life balance.” And that’s always a challenge, but it’s important to keep it always on the checklist as to what you’re doing.

“(f) promotion of improvements in business and labour productivity, particularly in respect of small and medium enterprises.” And that’s once again an area where government can be of assistance because some of the small businesses can’t always do all of the things that the larger businesses are able to afford. And so how that works is important.

“(g) remuneration systems.” I think that’s something that we have pretty good operations here.

“(h) promotion of the awareness of and respect for the principles and rights as stated in the ILO Declaration and for the concept of Decent Work as defined by the ILO.” I think this is an area where we have some work to do. And once again it’s about education, but it’s also about the ultimate commitment to these rights which are known worldwide. And Canada is part of that and Saskatchewan is, and that’s been shown by some of the cases that we’ve taken . . . have been taken. They are from Saskatchewan.

“(i) labour laws and practices, including the effective implementation of the principles and rights as stated in the ILO Declaration.” Well this is one where we fixed a few things, but there’s more that we need to fix to have an effective implementation of the principles. And it might take a change of government to get that one right, but we’ll see how that goes.

Then we go to occupational safety and health, and we know that this is an area where we have been falling down and we have a lot of work to do. And so the question becomes, at what point will we go back and review the really important work that was done in the early ’70s and say, how do we prepare our occupational safety and health rules for the next 40 or 50 years? There’s a lot of work to do in this area, and we need to have some clear leadership on this one. And that’s another one where it may take a change in government to get that right.

Now then (k) is “labour administration and adjudication, for example, strengthening capacity, efficiency and effectiveness.” We have I think some pretty good work in Labour Relations Board and arbitrations, and so we have the processes. Whether they all are operating at full capacity and full efficiency, that’s another question.

[16:30]

Then we go to the issue of collection and use of labour statistics. I think we have some statistics, but they’re not always

as transparent, if I can use a TPP word, as we would like. These are things that should be available for everybody to allow us to develop proper policy for our workers in Saskatchewan.

Next one is “labour inspection, for example, improving compliance and enforcement mechanisms.” Now this is an area where we know we have problems in Saskatchewan. We don’t have sufficient people that are doing this work. And it’s not dissimilar to what’s happening in health care with seniors’ care, that you’ve got very good people doing what they can, but they need more people doing that work. So the checklist there shows that we’ve got some work to do.

And then we go to (n), which is:

addressing the challenges and opportunities of a diverse, multigenerational workforce including:

promotion of equality and elimination of discrimination in respect of employment and occupation for migrant workers, or in the areas of age, disability or other characteristics not related to merit or the requirements of employment; [and]

promotion of equality of, elimination of discrimination against, and the employment interests of women; and

protection of vulnerable workers, including migrant workers, and low-waged, casual or contingent workers.

And basically there are many, many issues and questions. And when the economy flattens out or when there’s some challenges within the economy, it’s often the people who are migrant workers or people who are new people in the community, they’re the ones that end up having difficulty with their jobs and then some of the discrimination issues arise very directly.

And so we also have the issue now . . . Well it’s not a new issue but it’s an issue that’s more on the top of the agenda which relates to integrating refugees into Canada in a more public and a more direct way. And so it’s interesting that it shows up on this list in the TPP.

And then we have (o), which is “addressing the labour and employment challenges of economic crises, such as through areas of common interest in the ILO *Global Jobs Pact*.” And this is a really interesting one because, depending on which part of the world you’re in, you may need a lot more workers in one area opposed to another. And how do you make your rules work so that people are able to move to where the jobs are, or sometimes where you can move the work to where the people are? And that becomes a major trade issue and also an issue for this agreement.

Then we go to (p), which is “social protection issues, including workers’ compensation in case of occupational injury or illness, pension systems and employment assistance schemes.” We have quite a number of good schemes in Canada and in Saskatchewan but they’re continually being pushed with various issues. And so once again it’s on the checklist for review.

Then we go to (q), which is “best practice for labour relations,

for example, improved labour relations, including promotion of best practice in alternative dispute resolution.” We have some of those options. And I think, every time we develop new legislation, we’ve got more learning, if I can put it that way, that’s incorporated in the legislation. But you can never get it 100 per cent right so you need to always be listening and understanding how your processes work.

Then we go (r), which is “social dialogue, including tripartite consultation and partnership.” And clearly, that’s a discussion about how unions or labour organizations and businesses and government work together. And there are many things that can be resolved if there’s a co-operative discussion and that’s what this whole checklist is about, is about co-operation.

And then (s) is “with respect to labour relations in multi-national enterprises, promoting information sharing and dialogue related to conditions of employment by enterprises operating in two or more Parties with representative worker organizations in each party.”

So in other words, two or more countries with unions in each of those countries, how does that all work together? And understand that there may be some differences in the contracts and labour rules. This is one between Canada and US we’re seeing some fairly direct issues around in the automobile industry. But it also relates to workers that may be in Japanese companies that are in Canada or US, and how are the employees of different branches treated?

And then we have (t) which is “corporate social responsibility,” which is straightforward. And then (u), such “other areas as the Parties may decide.” And so what we do have then, here in this section around labour, is a checklist of the many issues that need to be discussed and dealt with. And once again this TPP creates a labour council which is composed of representatives from every country, and they have the task of doing some of the co-operative work and also deal with some of the tough issues that arise.

So I think it’s important that labour issues are directly dealt with in this agreement. I think it’s also important that government, like the Government of Saskatchewan, is part of the conversation as to what Canada’s position is on this as we move forward . . .

**An Hon. Member:** — Who takes a leadership role in that?

**Mr. Nilson:** — Yes. And in other decades, we’ve taken leadership roles, but it’s not so obvious that that would happen in this decade. But that may change soon. So we’ll see how that works.

Now as you could’ve probably figured, if you’ve been listening through the many hours of discussion, there are some issues where this TPP has basically tried to deal with some very difficult issues where there’s not total agreement among the 12 countries.

The next area is chapter 20, the environment. And this one I think there is consensus that we want to promote, and it states here:

. . . promote mutually supportive trade and environmental policies; promote high levels of environmental protection and effective enforcement of environmental laws; and enhance the capacities of the Parties to address trade-related environmental issues, including through cooperation.

But the key point here is very directly 20.2.3, and what it says here . . . and this is I think one we need to look at, and maybe talk about a bit:

3. The Parties further recognise that it is inappropriate to establish or use their environmental laws or other measures in a manner which would constitute a disguised restriction on trade or investment between the Parties.

And so what does that mean? Well it basically is saying trade trumps the environment. And if that is how that is ultimately interpreted, I think we all have difficulty with that. Because there will be environmental issues in every party, you know, every nation that’s part of this agreement where the local people will have one perspective and sort of the international economic interests will have another. And there’s no way that we as Saskatchewan people, as Canadian people, should sign on to something like this which gives extra power to those international interests that would override environmental concerns. And so I think that in this area, we need to listen very carefully to the strong leaders that we have coming from the environmental movement.

I know that once again in Australia and New Zealand there are major concerns around this trade override of environmental issues, and I think the commitments and the statements throughout this article 20 do always talk about mutually supportive trade and environmental policies. But that one clause in 20.2.3 effectively says that the trade policies will trump the environmental concerns.

Now it may be that this point will be a sticking point as the process moves forward as to a signatory, as to getting signatures to the agreement, and then ultimately the ratification. And I think as Canadians, as Saskatchewan people, we may want to add our voices to that discussion, to say, no, the overriding of trade over environment is no longer something that we would do in the 21st century. We see the consequences of man-made influences on climate change. And perhaps out of the Paris discussions next week and the things that follow that, there may actually be a stronger way to state this, which will actually come back and override clauses like this which are in various trade agreements around the world.

But we have an opportunity here as Saskatchewan legislators, as Saskatchewan people, and as Canadians to say, no, let’s make this a stronger statement about protection of the environment, and have it recognized by business that it’s good for their business for them to recognize those issues where environment trumps trade. And we’re hoping that — and we actually know, I think — that good environmental stewardship goes hand in hand with good business, and many of the best countries in the world have shown us that for the last 30, 40 years. But there still are many who don’t understand that, and part of this clause then is about that issue.

Now what kinds of issues show up in this environment chapter are interesting, but if you think about it, what they are is existing issues that have been part of international agreements. So they go to protection of the ozone layer. Well, that's something that, I think, there's agreement around the world that there's a problem there, so that's included.

It goes to protection of the marine environment from ship pollution, and this relates to the use of the cheapest kinds of fuels that actually are very polluting. They use them out on the ocean but not on land or close to the land. It's about the dumping of garbage from ships. It's all of the different kinds of things. We've finally realized that even the Pacific Ocean, our largest ocean on the earth, is not able to handle all of the garbage that is thrown into it. And when you read about some of these massive plastic artificial islands in the middle of the Pacific, it makes you realize that practices over the past hundreds of years are now finally catching up to us.

So those are the two direct things that are in here because, I think, they've been part of other agreements. But the other environmental issues, they are not necessarily spelled out in a very direct way. And so then we go on to . . . And so the issue of climate change is downplayed or put to the side in a way that's kind of unbelievable in 2015.

Now we then move on to some other chapters, and I'll just hit a few of them here because it looks like nobody wanted me to keep speaking on Monday, given their reaction to our motion. But practically . . . I might not even get to finish the whole agreement.

But we get into article 20.13 which is trade and biodiversity, and that relates to, you know, the practices of protecting the biodiversity of the Earth but also of, specifically of these 12 countries. And you know, that's a good goal, but let's have some clear rules about how to do it.

It has, 20.14 is invasive alien species. And then we go into the transition to a low emissions and resilient economy. I think this might be the code word for the climate change issue, but it's also a very short area. But it's a recognition that the issue is there.

Then we go to the marine capture fisheries — in other words, the wild capture of fish as opposed to the farmed capture — and there are a number of rules about that as there's a clear recognition that the ability to just do that without controls is not going to work.

[16:45]

So then we end up going on to another topic that's got more detail, is around conservation and trade, and that relates to the trade of things like ivory or other body parts or plant parts that are endangered.

And there's a very short section on environmental goods and services. That's an interesting one for Saskatchewan, because there is a fair debate about whether Saskatchewan, as a green haven on Earth, will eventually be a place where people . . . or the Earth will have to pay us to keep parts of our province green as, well, kind of the lungs for the Earth is one way I put it. And

so this talks about environmental goods and services.

We know that ranchers who we deal with, we know that farmers understand this concept about preserving the prairie for the next generations. But the question becomes, well how does trade and investment . . . or how does a trade agreement include that kind of a term in its context? Well it's because there may be a situation where there's value; there's money that would flow to make sure that the prairie remains.

We know that in England many of the large landowners are being paid out of a common fund to keep the rolling green hills and little, you know, stone fences and things like that as agricultural land, but also as a green space for people to use, and there's direct compensation around that. So how that happens is part of some of this as well.

And then we, I think, once again have an environmental committee set up. So we've got a lot of committees, lots of work for many people, and it will deal with these co-operation issues but also some of the very tough issues that are there. Now I think the fact that some of the issues we're concerned about are mentioned is good. But once again it's these types of issues where we want the Canadian government, the Saskatchewan government to be part of the conversation so that our Saskatchewan perspective can be part of the final wording of this agreement, or if it's not in this original agreement, in the agreement as it evolves over the years.

The next chapter is 21, co-operation and capacity building. And once again this is just on the straight co-operation of all the countries as it relates to a whole number of issues. And basically it says we're going to set up another committee, and their job is to think about areas where we can co-operate. Well that's not a bad thing to do. And so it's probably a clause that was put in the final negotiations to say, okay, that very specific topic you have doesn't deserve its own chapter, its own page, but we're going to put this here and this will be a grab bag to put all those issues which are important to one of the 12 parties, or two or three, and there'll be a place where you can put your person that's going to come and discuss that. So that's a traditional mediator solution, and I'm quite used to understanding how that works. So I think that was probably a smart thing to do.

Then we get to chapter 22 which is competitiveness and business facilitation. And the one word they define in this chapter is supply chain. And supply chain means "a cross-border network of enterprises operating together as an integrated system to design, develop, produce, market, distribute, transport, and deliver products and services to customers." And then basically it doesn't say anything other than it sets up a committee on competitiveness and business facilitation.

And so once again I say this is kind of a grab bag clause for all of those issues that different nations or different countries brought forward that didn't fit into one of the other chapters, and that's where it will go. And I think that's not necessarily a bad thing, plus it also deals with this very interesting issue which we understand in Canada around the building of automobiles is that different parts are made in different places and assembled and basically the supply chains work, provided

that the border barriers are dealt with in an appropriate fashion.

Now the next chapter 23, development, is an interesting one because it deals with an issue that in Canada we have had some very heated discussions over the last 10 years. Our previous prime minister had a very strong view about development as only being based as something to support business. And he effectively changed CIDA, the Canadian International Development Agency, rolled it into sort of a business support kind of area, and changed very much how most of us ended up describing what development is. And so in this agreement the development provision is this. It says in 23.1:

1. The Parties affirm their commitment to promote and strengthen an open trade and investment environment that seeks to improve welfare, reduce poverty, raise living standards, and create new employment opportunities in support of development.

And so here the paragraph which is number 1 on the list which talked about reducing poverty, here is the one place where those words are actually used. Obviously creating jobs is a way to reduce poverty, but it's interesting how this here is placed in this clause. But it does, I think, recognize that the policies around development are important and that they need to be discussed in a trade agreement and there needs to be a recognition of where and how these things are done.

And so then when you look at the topics, well it's broad-based economic growth; it's the role of women in economic growth; it's education, science and technology, research and innovation; and how these things can be part of this. And then how there could be joint development opportunities across the 12 nations that are part of this TPP.

And once again we have another committee set up which is the committee on development and its job will be to facilitate the discussions and able to, you know, basically to provide further work in this area. And I suspect once again there might have been a few countries that were really supportive of this, and others that were less supportive, and so therefore it's a little farther back into the list.

The next chapter relates to small and medium businesses, and it's one of the shortest chapters. But I think the importance of this is that small- and medium-sized businesses are not left out of the picture. But this is I think just in a physical way a recognition that who's negotiating this agreement on behalf of these countries are the large, international financial interests and corporations, and so that anything that affects some of their work gets a detailed list of what should be done. Here the goal is to make sure that they have the ability to trade among the countries. And obviously there's further work to do. But once again, there's a committee on small and medium enterprises and they will have people available to do that kind of work.

Then we go into the regulatory conference, which is chapter 25 . . . or regulatory coherence. But it's basically the whole issue of reducing the regulatory dissonance between different jurisdictions so that it makes business better and, you know, you end up having less jobs involved in trying to sort out all the rules . . . [inaudible interjection] . . . That's right.

And so I think here, once again though, one of the results is a committee on regulatory coherence, article 25.6. And it's giving some issues, but it's kind of like a provincial government setting up a red tape committee. And you know, there's good work that can be done, but it also has a strong sort of flavour of politics, if I can put it that way, in there.

The next chapter, 26, deals with transparency and anti-corruption. And this is a little longer paragraph, or longer, you know, chapter. But what it deals with really is something that we've noticed as we've been going through the whole agreement, is that the issue of transparency, the fact that all of these 12 countries and their business people, the people involved in the various aspects in each of the countries — one of the key things for them is to be able to understand and see and have in a place where they can look at the rules that operate in various countries.

And this chapter deals with that, but it also deals with the issues of complaints where there's corruption. And corruption is undue influence, or it's people getting some kind of special leg up because of how they've treated a business. And it really is a dispute resolution area.

And it's interesting, the main annex to this chapter is called annex 26, chapter 26-A, "Transparency and Procedural Fairness for Pharmaceutical Products and Medical Devices." So we know this comes from the US negotiators. We know that under George Bush's laws related to Medicare and Medicaid, they put a whole cloud over access to information around the pricing of pharmaceuticals in the United States, which has affected markets all over the world. But what appears to be here is a method whereby large international companies can complain about the fairness of the rules, the speed of the rules, and what happens when their products are brought into a country and then are to be reviewed.

Now some of the challenges do relate to how much information the various companies will provide to the jurisdiction. And here it's interesting to note that for Canada, the agency that is part of this annex is the federal drug benefits committee. And then it says, "For greater certainty, Canada does not currently operate a national healthcare programme within the scope of this Annex." And that's basically, you know, the previous government's perspective of Canada just lets the provinces do their stuff. Now I think this kind of a clause may get changed as we move forward into the new government because there will be a return to a more co-operative presence in how things are dealt with.

And so then we get to the last chapters. I think 27 is administrative and institutional provisions, and for those who like commissions and committees, well this is the big one. This is the Trans-Pacific Partnership Commission that runs the whole thing. And it sets out the rules of how that goes, and all of the various committees will report to the commission. So you know, that's how these things work, and that's not bad.

And then 28 is the dispute settlement section, and there's lots of pages here. And I think it's based on some of the more recent disputes that have happened and how they're resolved. So I think that's appropriate and it does include methods to use alternate disputes systems.

So I think that the last section that we have here is exceptions and general provisions, and then I guess the final one is the final provisions. But anyway chapter 29 is the exceptions and general provisions, and effectively it's security issues. And I think each country is going to protect their genetic interests as that goes back to some of the other ones.

But clearly I needed more time to work on this. We still have, I think, 5,000 pages related to all of the country annexes to this agreement, and there are issues there that are important for Saskatchewan.

But I thank the members of the legislature for giving me this time to present information about this very important . . .

**The Speaker:** — It now being after the hour of 5 o'clock, this House stands adjourned to 10 a.m. tomorrow morning.

[The Assembly adjourned at 17:00.]



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Minister Responsible for Corrections and Policing

**Hon. Gordon Wyant**  
Minister of Justice and Attorney General  
Minister Responsible for SaskBuilds