



FIRST SESSION - TWENTY-EIGHTH LEGISLATURE

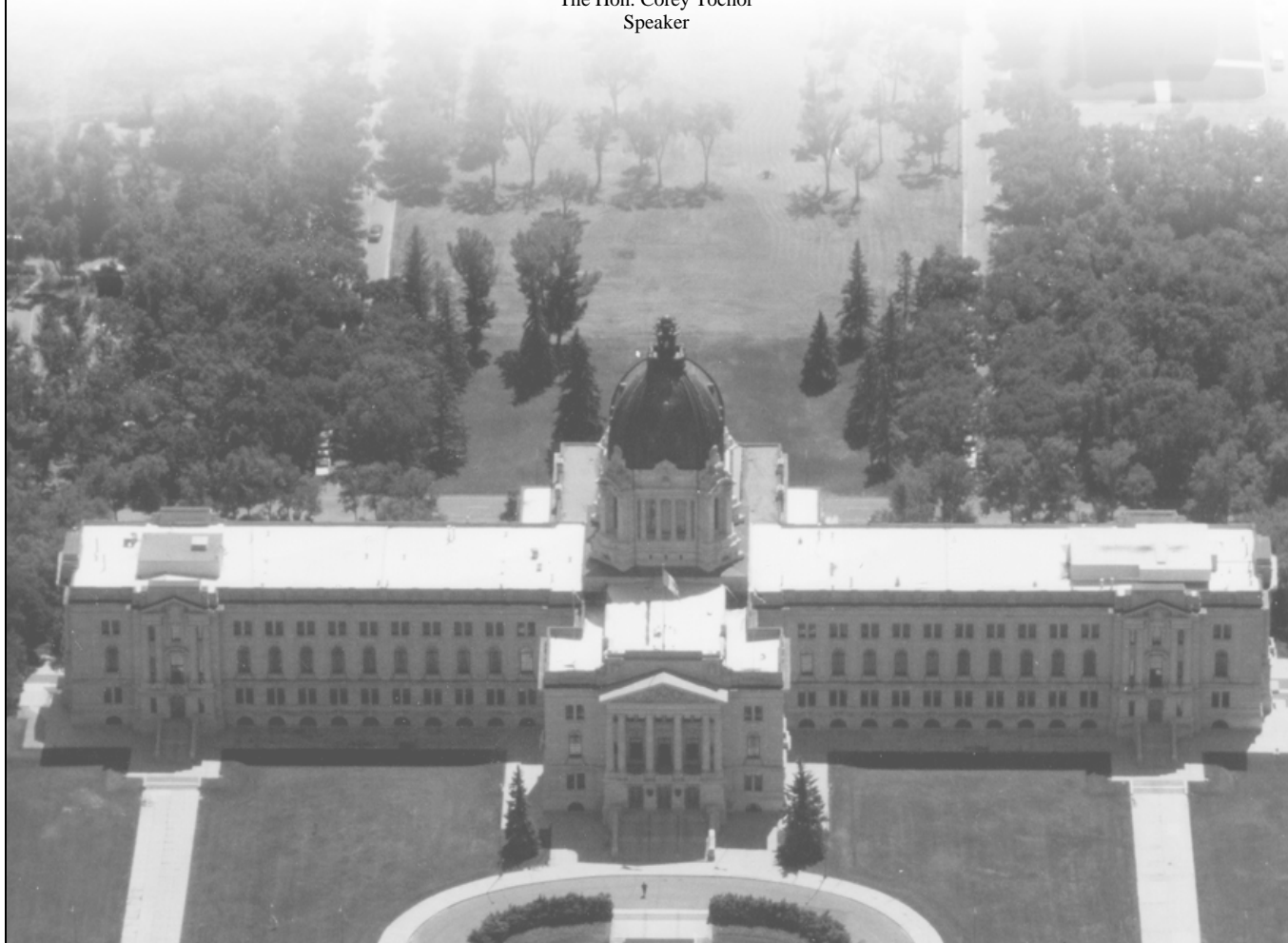
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

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The Hon. Corey Tochor
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
1st Session — 28th Legislature

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Party Standings: Saskatchewan Party (SP) — 50; New Democratic Party (NDP) — 10; Independent (Ind.) — 1

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[The Assembly resumed at 19:00.]

EVENING SITTING

The Speaker: — It now being 7 p.m., I call this House to order.

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 13

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 13 — *The Cancer Agency Amendment Act, 2016*** be now read a second time.]

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

Ms. Sproule: — Thank you very much, Mr. Speaker. And it is indeed my privilege to be able to rise in the House this evening and to start things off with continuing debate on Bill No. 13, *The Cancer Agency Amendment Act*.

There's some minor changes in this Act I think that are not hugely concerning in any way, but I think they are interesting and I do want to just point out a little bit about the changes that are being proposed.

First of all, as the minister pointed out in his second reading speech back in May, he indicated that cancer care has expanded in the 85-year mandate of the Cancer Agency, and in fact the services provided by the Cancer Agency has gone quite a bit wider than it originally started out as. So one of the things that they're wanting to do is to talk more about not just caring for people with cancer but also controlling cancer.

He pointed out some alarming statistics. For example, new cancer cases in Saskatchewan are projected to increase 54 per cent by 2036. So that's a pretty hefty increase, Mr. Speaker, and we all know the costs associated with diagnosis, with treatment, with care, and with palliative care as well that goes along with that.

So one of the proposals that this bill deals with is changing the phrase "cancer care" to that of "cancer control." And that comes in quite a few times in the bill itself.

The other piece I guess that is also added is some of the reporting requirements when ministries of Health become aware of a reportable cancer through, for example, a billing from an out-of-province treatment. This information isn't currently available to the Cancer Society, so they're going to want to be able to get that information out to the Cancer Society.

So there's an amendment in section . . . I have to look at it here. Section 16 as amended. Section 9 of the Act goes on to give some provisions for how the minister or the ministry will now provide this information to the Cancer Agency, of course taking great care to ensure that people's privacy is protected. So this wouldn't be

disclosable by the ministry, for example, if they came upon that information through conversation with an individual that was speaking to the ministry. This is only where the ministry itself is providing some funding or comes into that information in a certain prescribed way.

So in terms of the definitions themselves, one of the things I found interesting as I went through this is that I believe there's an error in section 5(3) because it says in there that you're going to amend subsection 9(3) by striking out "care" (a) wherever it appears in clause (a).

So if you look at section 9(3)(a), there is a reference to cancer care but there's also a reference to health care. So the word "care" shows up twice in that clause and I believe, and I have brought it to the Minister of Health's attention that there is an error in this particular clause and that they didn't mean to turn health care into health control because that simply wouldn't make any sense.

So I think that's something that needs to be fixed. I'm not sure the best way, and it certainly would be up to the minister in terms of how he wanted to fix that. But health control doesn't make any sense at all in the context of that clause, and so I have brought that to the minister's attention.

Another interesting change is in section 9(2)(a)(ii), and in this case the services that the agency is responsible for is being extended to include palliation services. And we know that that's an area that requires a considerable amount of attention in this province. Palliative care is probably in crisis as much as it ever has been. And the services required, I think my friend from Saskatoon Riversdale has been very eloquent on this topic and the fact that palliative care is in need of much attention. So perhaps adding this part of the responsibility for cancer palliation to the agency itself may indeed deal with some of the needs that we're seeing in palliative care.

Some other minor changes: in section 13 of the Act, and this is one that's of interest to me, 13(1)(c) currently reads, "information respecting individuals who receive treatment by the agency." This is in relation to the collection of information. They're changing that to read, "information respecting individuals who receive services from the agency." So why "treatment by" is being changed to "services from" is a bit of an interesting proposal. And in terms of the explanatory notes for that particular clause — let me find it — the idea is that treatment is not broad enough. So "services from," they're intending to expand that meaning from just treatment to including all services provided by the agency.

So, Mr. Speaker, other than the particular error that seems to be made to clause 9(3)(a), I think this is fairly non-substantive changes, ones that reflect the true nature of the Cancer Agency and I'm sure others of my colleagues would be interested to step into the debate on this topic as well.

At this point, I will adjourn debate on Bill No. 13, *An Act to amend the Cancer Agency Act*.

The Speaker: — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 13, *The Cancer Agency*

Amendment Act, 2016. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 14

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Stewart that **Bill No. 14 — *The Horned Cattle Purchases Repeal Act, 2016*** be now read a second time.]

The Speaker: — Recognize the member from Regina Lakeview.

Ms. Beck: — Thank you, Mr. Speaker, for the opportunity to speak on Bill No. 14, *The Horned Cattle Purchases Repeal Act, 2016* and I thank the Minister of Agriculture for his briefing notes on this bill.

I did some reading prior to getting up tonight speaking on this bill and learned a little bit about the Act. In 1939, came into force. I understand that the intent of this Act initially was to discourage the sale of horned cattle from coming to market. Initially the price per head was pegged at \$1 per head of cattle heading to market, which was upped for the last time in 1949 — which was certainly some years ago, Mr. Speaker, before my time — to \$2.

I understand that the reason for enacting this legislation back in 1939 was to discourage horned cattle from coming to market. Of course, methods of transport for cattle at that point were much different than they are today. At that point, many cattle were taken by rail and certainly we have other methods of transport at this time.

Of course, as is reasonable, there are concerns when handling horned cattle for risk, certainly to those handling the cattle but also to other animals and sometimes to the animal itself, were they to get their horns caught in chutes or prevent them from feeding and things like that. So certainly those were some of the things that were on the minds of those who initially put this legislation forward back in the last century, Mr. Speaker.

Of course, some things have changed since then. We have genetic improvements with the cattle and fewer . . . I understand at one point it was up to about 19 per cent of cattle that were brought to market were horned. It's considerably less at this point, Mr. Speaker, and I think anyone who's been around the barns at Agribition can tell you that while there are still some cattle there with horns, it's more of a rare sight than it once was.

I guess this . . . getting up tonight to speak on this legislation has provided an opportunity to do a little bit of a trip down memory lane, back out to the farm and thinking of some of the methods that we used to use to deal with horns, first in the young, in the calves, when you remember a caustic paste that we were warned not to touch because it does work, Mr. Speaker.

I also remember a long, almost like a piece of floss, although metal, that was used to saw off horns, which I don't remember

as being particularly fun for either the cow or for the person trying to saw off that horn. And I don't remember using that a whole lot.

Other methods that were used in the past, Mr. Speaker, as we're strolling down the lane, I believe there were some big shear-type devices that were used to get those horns off and I think later development was an electric device to cauterize, Mr. Speaker. So certainly, you know, those are some of the methods that have been employed. And I can't attest to being up-to-date on the methods that are being used today but I do understand, Mr. Speaker, from the minister's remarks, that there is some ask, some willingness, and some desire on the part of cattle producers in the province to repeal this Act as being in part outdated, that the penalty doesn't cover the administration costs of enforcing that \$2 per head penalty.

Mr. Speaker, when reading the minister's comments though, I did notice that the Cattlemen's Association were in agreement with the repeal of this bill, but there were some concerns noted with that . . .

The Acting Speaker (Mr. Docherty): — Why is the member on his feet?

Hon. Mr. Duncan: — Mr. Deputy Speaker, with leave to introduce guests.

The Acting Speaker (Mr. Docherty): — Is leave granted?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — Carried.

INTRODUCTION OF GUESTS

Hon. Mr. Duncan: — Thank you, Mr. Deputy Speaker, and thank you to my colleagues for providing leave to introduce guests. Mr. Speaker, in the west gallery we have a number of guests that are with us who were part of the reception for MLAs [Member of the Legislative Assembly] this evening. These are members of the Saskatchewan Land Surveyors Association. Mr. Speaker, this is an organization that has been in operation in our province since 1910, although certainly the history of surveyors goes back even further to that, to predate the province of Saskatchewan.

The Land Surveyors Association is the organization that has been entrusted with the stewardship and standards of the legal survey profession, Mr. Speaker. They really are foundational to everything that happens in our province, every land tenureship, really almost every single development in the province, a land surveyor is a part of that. So they really are foundational to everything that makes up what is Saskatchewan today.

Mr. Speaker, they are a fairly small group in terms of the numbers in the province. But I can say you can ask any one of them about the history. They certainly are proud of the history that the land surveyors have played in this province.

Joining us this evening are a number of guests. I'll ask them to maybe just wave when I introduce them. And I apologize for any mispronunciations of names: Carlo Monette, Darren

Patkau, Calvin Bourassa, Travis Wolfe, Jamie Lehmkuhl, Ernest Muller. And, Mr. Speaker, two guests that I've known for some time, commission number 243, Pat Maloney, and commission 295, Ryan Maloney.

Mr. Speaker, I ask all members to not only welcome these guests to their Legislative Assembly, but please join with me in thanking the Saskatchewan Land Surveyors Association for everything that they do, each and every day in our province.

The Acting Speaker (Mr. Docherty): — Why is the member on her feet?

Ms. Sproule: — I, too, would like to ask permission to do an introduction, Mr. Speaker.

The Acting Speaker (Mr. Docherty): — Is leave granted?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — I recognize the member from Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. Thank you, and I would like to join with the minister opposite to welcome these gentlemen to the Assembly tonight. Unfortunately, we weren't invited to the reception; otherwise we would've tried to get there, so very much appreciate you coming here tonight and sharing in some partakings here in the Assembly.

I have to say that in a former career I did a lot of work with Saskatchewan Land Surveyors and Canada Lands Surveyors. And one of the things that I had to do was go back to the original township surveys and examine the notes for the surveyors. And these guys actually were the most meticulous, organized, and hard-working gentlemen that I think the history of our province has experienced.

And in fact, I understand they saved the RCMP [Royal Canadian Mounted Police] or the redcoats on a few occasions when they were coming across Western Canada and they ran out of supplies. But the land surveyors always had the supplies ready, so they saved the redcoats' bacon a few times. But I highly regard the work of these individuals, and whenever I was examining land survey plans or township plans in the course of my work, I always knew that I could count on the work that was done by Saskatchewan Land Surveyors.

So I really appreciate the work that you do. Continue the good work, and welcome you all to your Legislative Assembly. Thank you.

[19:15]

The Acting Speaker (Mr. Docherty): — I recognize the member from Regina Lakeview.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 14 — *The Horned Cattle Purchases Repeal Act, 2016* (continued)

Ms. Beck: — Thank you, Mr. Deputy Speaker. And with that, we'll resume my comments on Bill No. 14, *The Horned Cattle Purchases Repeal Act*.

Mr. Speaker, I was nearly wrapping up my comments on this legislation, but I was drawing attention to one of the comments made by the minister that there was some concerns with this repeal, but that most agreed that the existing legislation is outdated and that a new approach should be considered.

Mr. Speaker, I would welcome more information on those concerns and also some of the marketplace solutions, producer-led solutions, that have been discussed as the minister noted.

I would also make note that Saskatchewan is not alone in this discussion and that there has been a move to repeal horned cattle legislation in Alberta and Manitoba. And I understand from the minister's comments that British Columbia is the only other province at this time with similar legislation.

So, as I noted, I'm sure that my colleagues will have more comments and perhaps more questions as we move along here, but with that I would move to adjourn debate on Bill No. 14, *The Horned Cattle Purchases Repeal Act, 2016*.

The Acting Speaker (Mr. Docherty): — Thank you. The member from Regina Lakeview has moved to adjourn debate on Bill No. 14, *The Horned Cattle Purchases Repeal Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — Carried.

Bill No. 15

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 15 — *The Provincial Court Amendment Act, 2016*** be now read a second time.]

The Acting Speaker (Mr. Docherty): — I recognize the member from Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. I'm pleased to rise to enter the debate on this bill to amend *The Provincial Court Act*. A little bit of a mixed bag of changes that are being proposed in this particular bill, none of them of which are particularly controversial, as far as I can tell.

The first change is to take out the requirement for Lieutenant Governor in Council or the cabinet to have a list of people eligible as temporary judges. And what is happening is that is being moved into the purview of the minister. So that's under section 18, and it's just a matter of changing it from Lieutenant Governor in Council to minister and also allowing the minister to publish that list in the *Gazette* rather than doing an order in council.

And if I understand correctly, Mr. Speaker, the orders in council are a fair bit of work that have to go through a number of levels, but this is devolving the responsibility for that to the Minister of Justice who will be then responsible for maintaining the list of temporary judges. So that was what the minister indicated in his comments. It's just going to give more flexibility for the minister.

The other thing it will do is give the judicial council greater flexibility in the conduct of their reviews. So the judicial council is responsible for conduct reviews and investigations into allegations against a member of the bench. What these additional clauses do, under changes to section 55, will allow the council itself to ask the chairperson to conduct the review, or allow the chairperson to find someone else to conduct the review, and then that's deemed to be the finding of the council. So again I think it's just devolving some of the responsibility, in this case, from the council as a whole to their chairperson or one of their, someone designated by the chairpersons.

The other thing that that bill is doing is changing the notice requirements for the appointment of court-appointed legal counsel. And I think this is consistent with changes that are already being proposed to *The Queen's Bench Act* and *The Constitutional Questions Act*. And I think I spoke to that bill the other day.

I'm afraid I've bored our gallery guests, Mr. Speaker, and they're hightailing it out of here now. So *The Queen's Bench Act* changes or *The Provincial Court Act* changes are probably not of a huge entertainment value, that's for sure.

There's another clause. The final change in this bill is to set out to establish fees through the regulations in order to allow for the introduction of further cost recovery. And I believe that is in clause 65 which is being amended. It's clause 6 of this bill, but amending clause 65, allowing — and that is the usual catch-all regulatory clause that you find at the end of most Acts — and this is actually repealing 65(i).

Now 65(i) reads currently, the amount of fees for documents and copies, and this is broadening out. This used to be just relating to copies and photocopying and such for the members of the public. This is actually extending to any fees and charges with any action required to be taken pursuant to the Act. So it's broadening out that authority for the Lieutenant Governor in Council to make regulations in relation to that. So I think that's pretty much the grab bag for this bill.

Yes, and I didn't speak too much about the notice of requirements that are being changed for appointing an individual. I will share with you what the minister is saying there, is that these "... are being proposed to improve consistency in the application of rules for the appointment of court-appointed lawyers." I know when I was speaking to the changes to *The Queen's Bench Act* there are some concerns about the way this list of court-appointed lawyers is going to be used and some concern about the independence about that.

And so I think my comments from that particular bill will stand on this bill as well, *The Provincial Court Act* amendments, and that we have to be very vigilant in terms of how court-appointed counsels are being used and we can never, ever inhibit the

independence of the judiciary. And my colleague from Regina Douglas Park has indicated that there are considerable concerns about the way these provisions are being changed and that it may in fact inhibit the independence of the judiciary. So I would say those concerns exist here as well, and certainly my colleagues in committee are going to ask some hard questions about that itself.

So at this point that's the extent of my comments on this bill, and I would move that we adjourn debate on *An Act to amend The Provincial Court Act, 1998*. That's Bill No. 15.

The Acting Speaker (Mr. Docherty): — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 15, *The Provincial Court Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — Carried.

Bill No. 16

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 16 — *The Adoption Amendment Act, 2016*** be now read a second time.]

The Acting Speaker (Mr. Docherty): — I recognize the member from Regina Lakeview.

Ms. Beck: — Thank you, Mr. Deputy Speaker. I rise today to speak on Bill No. 16, *The Adoption Amendment Act, 2016*. Mr. Speaker, this bill of course is of great importance to those who are involved with adoptions in Saskatchewan, of course those who as children find themselves involved in an adoption, and of course both the birth parents and those adopting children in this province, Mr. Speaker.

I understand the first part of this bill contemplates some definition changes, Mr. Speaker. The removal of the term "simple adoption" is contemplated in this bill, Mr. Speaker, and it's my understanding that the reason for that removal has to do with the Hague Convention and Canada being signatory to that convention. This is the reason for that update. Of course those who know that the Hague Convention is an international convention that aims to safeguard the rights of children and birth parents and is intended to reduce incidents of child trafficking or unlawful financial gain, Mr. Speaker.

This is very important legislation of course. When we live in a world that is, you know, is global and we do see international adoptions, Mr. Speaker, it is very important that we ensure that the rights of the child, the rights of the birth parents, and the rights of the adoptive parents are all taken strongly into consideration within those international adoptions. So I understand that the term "simple adoption" simply does not adequately contemplate the stipulations in the Hague Convention and that is the reason for that update.

I will note there is a change to the determination of the child's best interests, and one of the changes that wasn't noted in the minister's comments was the removal where "... pursuant to this Act, a person or the court is required to determine the best

interests of the child . . .” Sometimes when contemplating an adoption, there is a report prepared that does contemplate that child’s best interest and sometimes the children themselves are called as witnesses to that. The determination looks at the child’s physical, cultural, mental, emotional, and spiritual needs, Mr. Speaker.

The updated legislation, I understand, removes the term “psychological” interests. And I’m just curious and perhaps my colleagues will have time to ask more questions about why that term was removed from those interests. I think that’s very important.

Another major change that’s contemplated with this bill is increasing the number of days post adoption that a parent, the birth parent, can revoke their consent, moving from 14 days now, as anticipated with this bill, up to 21 days. I understand that that is in line with majority of other jurisdictions, although there is a fairly significant amount of variance across the country on that.

That’s, you know, that’s an important time of course for both birth parents and for prospective adoptive parents, and I think it’s really important to pay a lot attention to that and be sure that we get that right. As you can imagine, the decision to give up a child for adoption is a very significant decision that has implications for many people and also a time that, a period where that adoption can be revoked is wrought with a lot of anxiety for adoptive parents as well. So I think it’s really important that we pay some attention to that. And I understand that there was some consultation to arrive at that number of 21 days, Mr. Speaker.

Another note in this proposed legislation is allowing the minister to enter into payment agreements directly with youth between the ages of 18 to 21 if the youth is engaged in educational or vocational plan, Mr. Speaker. This agreement also recognizes the youth’s independence from the family unit and allows the minister to continue with a support plan if the adoptive parents pass away after the youth turns 18.

Mr. Deputy Speaker, I know that many in this province understand that that period of transition for youth is very important and isn’t something that we have always gotten right. So it’s really important to ensure that those supports are in place for those children and young adults to ensure a smooth transition and a transition that allows them to go on to be productive and engaged and supported young adults.

I understand that previously when we were talking about hearings into the best interests of the child that there were no defined parameters for age when calling children as witnesses. This bill proposes that the age of seven, seven and up, be implemented as the age at which children would be called. I would be interested to hear more about how the age of seven was arrived at. I think that that is important. I do, again, understand that there was some consultation, but it’s important that we know the reasons for that age seven, which I suppose . . . You know, there’s a lot of variability in seven-year-olds. So I would be interested in looking at those reasons, Mr. Speaker.

[19:30]

This bill also proposes a new section allowing for a court order against people who are not complying with provisions of the Act and regulations. I guess some enforcement, Mr. Speaker. And it also contemplates removing family services boards. I understand that *The Child and Family Services Act* had anticipated those boards, but they were never established in the adoption process, Mr. Deputy Speaker.

Again I am sure that my colleagues will have more questions and more observations, more consultation with those who are most impacted by these proposed changes, and perhaps more to ask in committee. But I think I will conclude my remarks there, Mr. Deputy Speaker, and with that I will move to adjourn debate on Bill No. 16, *The Adoption Amendment Act, 2016*.

The Acting Speaker (Mr. Docherty): — The member from Regina Lakeview has moved adjourn debate on Bill No. 16, *The Adoption Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — Carried.

Bill No. 17

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Boyd that **Bill No. 17 — *The Power Corporation Amendment Act, 2016*** be now read a second time.]

The Acting Speaker (Mr. Docherty): — I recognize the Opposition House Leader.

Mr. McCall: — Just barely. No, thanks very much there, Mr. Deputy Speaker. I’m really warming to the job you’re doing there. I don’t want to, you know, engage in debate from the Chair or anything, but you know, all just higher and higher.

Anyway, Bill No. 17 is one of those bills where it’s sort of like a bit of a treasure hunt, Mr. Speaker, in terms of, you know, you go through it and it’s clause after clause of amendments that say, you know, by adding “or her” after “his” or “his” after “or her,” you know, reflecting the housekeeping nature. Most of the amendments contained herein, which are about moving to gender-neutral language, which is, you know, fine and good. You know, it’s the 21st century and welcome to it. There are a number of changes that have to do with, you know, moving to singular language from plural language, you know. Also you know, fine enough. That kind of precision certainly would have gone over well in my grade 10 English class with Mrs. Hynd, and I’m sure she’d appreciate the effort.

But you know, you get further down the path. And you know, it’s a three-page bill, Mr. Speaker. First page, a lot of housekeeping; the second page, still more housekeeping. It’s the third page where you get to section 43, which is amended by striking out \$8 billion and replacing it with \$10 billion.

And you know, it’s kind of a discovery, Mr. Speaker. You get through the bill and you’re like, well I’ll be darned; they’re going to increase the borrowing limit of SaskPower by \$2 billion to \$10 billion. And you know, you know, it’s interesting.

You listen to the minister's second reading speech and the different reasons that he gave out for why that needed to be so, raising the borrowing limit from \$8 billion at SaskPower to \$10 billion. And the minister had some fine things to say about how this is moving around within the acceptable, you know, debt-to-equity ratio and how, you know, the infrastructure needs have never been greater.

And I guess what went unmentioned, Mr. Speaker, is the fact that this is a corporation. You know, you wonder how is it that you can spend 1.5, \$1.6 billion for about 100 megawatts of power on a 4500-megawatt grid. And well here's how, Mr. Speaker. You raise the borrowing limit from \$8 billion for SaskPower to \$10 billion. You underwrite that kind of behaviour by just racking up the credit card.

How do you afford smart meters, Mr. Speaker? How do you afford the whole debacle that was entailed in that exercise? Well you jack up the borrowing limit for SaskPower. And then you also look over at the overall debt load of the province of Saskatchewan and the fact that we've got consolidated books now and the fact that, you know, what happens on the Crown side is very much incorporated in what's the overall debt load of the province.

You know, despite the mighty efforts of the Premier to convince folks otherwise, it is debt that winds up being carried by the people of Saskatchewan one way or the other.

And what we see here in Bill No. 17 is an effort to increase the capacity of that government to borrow another \$2 billion on the credit card of SaskPower. You look at, you know, how is it that you can afford the kind of piggy bank treatment that SaskPower came in for in the Global Transportation Hub land square dance? You know, how was that underwritten, the I believe \$25 million that suddenly popped up for the minister to purchase some land that sits fallow? And you know, the plans are uncertain.

Well here's how, Mr. Speaker. In Bill No. 17 they're raising the debt limit from \$8 billion to \$10 billion. So it's a heck of a, heck of an operation, Mr. Speaker, where you know, you wonder how they're able to underwrite all these different activities. Well here's how: they're racking up the credit card, and when they hit the debt limit they bring forward Bill No. 17 to increase the debt limit yet again.

The problem is, it's not just SaskPower that's on the hook. It's not just that cabinet that's on the hook, Mr. Speaker. It's the people of Saskatchewan that will pay and pay and pay for the way that this government has underwritten incompetence and questionable behaviour time and time again.

So, Mr. Speaker, we've got a lot of questions about Bill No. 17. We've got a lot of questions about the impact on the Crown sector, on the province's fiscal situation. And we've got a lot of questions about how it is that, you know, this government hits the debt wall and they just move it further back. And that's the solution.

And we've heard a lot from the . . . I think of the smart meter fiasco. What happened there is that this was going to be somehow absorbed by the corporation. Well it wasn't absorbed

by the corporation, Mr. Speaker. It was underwritten by two rate increases in the last year alone. And when that's not enough, here we go with the debt limit being increased.

So this, Mr. Speaker, is the kind of thing that shows up in a first quarter report that this government didn't have the guts to table, despite, you know, other jurisdictions managing to figure that out. But you know, this is a telltale sign of what's only worse to come in terms of what the finances of the province are going to be going through, and the way that the people of Saskatchewan are going to be on the hook for this government's incompetence and dubious choices.

So Bill No. 17, *An Act to amend The Power Corporation Act*, really packs a wallop, Mr. Deputy Speaker. And with that I'd move to adjourn debate on Bill No. 17.

The Acting Speaker (Mr. Docherty): — The member from Regina Elphinstone-Centre has moved to adjourn debate on Bill No. 17, *The Power Corporation Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Acting Speaker (Mr. Docherty): — Carried.

Bill No. 19

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 19 — *The Film and Video Classification Act, 2016*** be now read a second time.]

The Acting Speaker (Mr. Docherty): — I recognize the member from Regina Lakeview.

Ms. Beck: — Thank you, Mr. Deputy Speaker. I rise today to speak on Bill No. 19, *The Film and Video Classification Act*. I have to admit when I saw the title of this proposed bill I was a little bit excited that maybe we were going to address the decimation of the film industry in this province, but alas, I didn't find that in the proposed legislation.

I bring that up, Mr. Speaker, just . . . It's something that I heard a lot on the doorstep, was the impacts of the decision to cut the film tax credit in this province and the impacts of families in my community. And I think it would be remiss if I didn't take the opportunity to note that that has had very real and — although we don't hear perhaps as much of about it these days — lasting impacts on the community.

But as I noted, Mr. Speaker, this legislation repeals *The Film and Video Classification Act* and proposes this new legislation. Mr. Speaker, in his notes the minister stated that the intent of this legislation is to allow the administration of the industry to be performed by an official, one person, and rather than as is currently done by the board of classification, Mr. Speaker.

I understand that there must be some reason behind that. I know that the minister spoke in his comments that currently much of the classification work is done in British Columbia, and Film Classification Office classifies many of the films that are shown in our province and has that as by way of reason for making the move from the current board to a director.

Of course, Mr. Speaker, the classification of films and videos for anyone who works with children or has children is important. I know that my kids learned very, very early which films they could and couldn't see, sometimes catching it when I didn't.

So you know, certainly having those classifications are important. It provides some guidelines for, you know, be it showing materials in schools, when purchasing video games for example, or going out to the movie. I recently had the opportunity to take my kids to a movie that was shot in the Cathedral area of Regina, in my constituency, and unfortunately that's all too rare of an occurrence these days, Mr. Speaker, but we certainly did look at the classification on that movie before we headed out.

I think that there are . . . My colleague, when she was speaking previously to this bill, the member for Riversdale noted that she had some questions about exactly who was consulted and the content of the feedback that was provided by those who were consulted around this legislation. So I'm certain that the critic will have some more questions and perhaps my other colleagues will have some questions or comments that they want to make around this bill. But for now I think that I will wrap up my comments, and with that I move to adjourn Bill No. 19, *The Film and Video Classification Act*. Thank you, Mr. Speaker.

The Speaker: — The member from Regina Lakeview has moved to adjourn debate on Bill No. 19, *The Film and Video Classification Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 26

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 26 — *The Patient Choice Medical Imaging Act*** be now read a second time.]

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

Ms. Sproule: — Thank you. Thank you. Thank you very much, Mr. Speaker. This is an interesting bill, and it's hard to really know where to begin and where to end with this bill. It's obviously part of a long story that has been taking place in health care here in Saskatchewan particularly and across Canada for many, many decades now. But it's about universality, Mr. Speaker, and how people access health care services, diagnostic services in particular, in our province and of course how that impacts across Canada.

Now you'll recall, Mr. Speaker, that back . . . I believe this was assented to a year ago in November. There was a bill on the floor called *The MRI Facilities Licensing Act* and that was one that got through before the election. And what this did is it took this out of *The Health Facilities Licensing Act*. What they did is they took out MRI [magnetic resonance imaging] services out of *The Health Facilities Licensing Act*, and they created a new Act for that and it's simply called *The MRI Facilities Licensing*

Act. This is a bill now referred to as *An Act respecting the Licensing and Operation of certain Facilities providing Magnetic Resonance Imaging Services and making consequential amendments to other Acts*.

[19:45]

So that was, I forget the number of that bill, but it was assented to, became law very quickly in November of last year. Now we're back again at it and the government is proposing an entirely new bill. They're repealing that bill that was passed only a year ago, and they've decided to add a whole lot more to the bill. And in particular, and it's very clear one of things they're doing is they're removing what they call computerized axial tomography services, which commonly are referred to as CT [computerized tomography] scans. So these computerized axial tomography or CAT [computerized axial tomography] scans, I guess, CAT scans, these are now being removed from the ordinary delivery of health care through the universal system into a user-pay model in a new bill.

And I think the thing that I find most, I have the most difficulty with at this point, Mr. Speaker, is the name of this new bill because it's not called the MRI CAT scan bill; it's called *The Patient Choice Medical Imaging Act*. And as far as I can tell, there's as little involved of choice in this particular Act as it is about people who can afford to pay as opposed to those who can't afford to pay. And that really isn't anything to do with choice, Mr. Speaker.

So it suggests to me that the government is actually trying to be fairly political with this name. And it's almost too cute, Mr. Speaker, to suggest that patients have the choice, in terms of whether or not they can afford to pay for medical imaging, thereby jumping to the front of the queue which puts them in a better situation with respect to all the medical treatments and services that they are entitled to following that queue jump.

And it really is about, I think it should be called the lack of patient choice medical imaging Act. That might be more appropriate and indeed more accurate, because I really take offence to the way this bill is titled. And I think much should be said and much ado should be made about that because it's misleading, and I think it's insulting to the people of Saskatchewan who, for whatever reason, can't afford \$900 for an MRI or a CAT scan.

And I know my colleague spoke quite eloquently to this issue last fall when we were talking about this in the context of, when we were talking in the context of MRIs alone. But to add to this, we are now talking about CT scans.

And another thing that I think is very concerning in this bill, and this is all simply hidden in the . . . or not hidden, in plain sight in section 2 of the bill, which is always the definitions section. So we see there's a new definition here defining medical imaging services, and this is where the rub is. First of all, we're including magnetic resonance imaging services, which was taken out of the health facilities licensing bill last year. We're also now taking out computerized tomography services. The word "axial" is missing so I'm assuming that CAT scans and CT scans are one and the same diagnostic. And here's the catch — they're also adding any other prescribed

medical imaging services. So now we're giving the Lieutenant Governor in Council the ability to add anything they want to the definition of medical imaging services.

So this goes much broader than what was promised in the platform for the Sask Party in the election this spring which talked about CT scans, but it did not talk about broadening this out and opening it, blowing it wide open to add pretty much any other kind of imaging services that may come along or that may exist already. And you can imagine, Mr. Speaker, of the number of diagnostic services that are currently available through the universal health care system for all kinds of imaging services.

And one wonders why they're going so far beyond at least what they promised. Now this is, I hate to say it, but this is one thing they did promise in the election that it seems that they're intent on proceeding with. But why blow it out even wider to include other prescribed medical imaging services?

You try and find out what's going on in the explanatory notes but a little problem there, Mr. Speaker: there are no explanatory notes for this bill. And one of the reasons that's given is in fact it's treated as if it is a brand new bill, as if it's brand new and it isn't simply amendments to *The MRI Facilities Licensing Act*. But if you go through it, Mr. Speaker, you can see. Even if you look at the table of contents for the new bill, the brand new bill as opposed to *The MRI Facilities Licensing Act*, it's the exact same table of contents with a few minor changes.

Obviously the definition of MRI is gone and we now have this expanded, blown-up definition of medical imaging facilities and services. The Cancer Agency is now being brought into this bill as well. It wasn't in the MRI bill and I assume that's because of changes being made to *The Cancer Agency Act* as well, that I just spoke to, but also that some of these diagnostic services that are currently managed by the Cancer Agency will now also fall under this jump-the-queue bill. So that's a big change.

Throughout though, I mean other than the addition of the Cancer Agency and the change to what a medical imaging facility is, it's almost identically the same bill so . . . oh and of course the name of it, which is I think an insult to most people in Saskatchewan.

There is a few other changes. For example in the former section 7 of the bill, there was a . . . It's the decision to issue or refuse licence. There's a new clause in there where . . . And I think we need to take a really close look at that. It's the new bill, section 7(2)(d). And I just want to make sure I have a reference to the old one just to make sure. Originally this is when the minister can decide to issue a licence for the services: if it's an efficient and effective use of public resources. In this case, they've added there's also a need for the medical imaging facility and the medical imaging services are to be provided at the medical imaging facility.

So there's a whole new question here that's being introduced, and that is of need. Well I think what you have to look at in terms of our universal health care system is that needs are to be provided by the universal health care system. This isn't something that we want to slip in to this private diagnostic fee-for-service type of health services. And I think we need to take a very close look that. It's still early days in this, in the life

of this bill, and I know other people are going to want to have a look at it. But this is something that for me is a huge red flag, is whether or not there's a need for this medical imaging facility.

That's how they can get a licence over and above whether it's an effective and efficient use of public resources, and I know there's all sorts of debate even on that clause itself, Mr. Speaker, in terms of whether this is in fact an effective and efficient use of public resources. And I'm afraid that's been turned into political debate rather than an empirical debate. And indeed our critic for Health, the member from Saskatoon Riversdale, challenged the minister in the last go-round on this bill to prove, provide the empirical evidence that shows that in fact this is an efficient use of resources of public dollars. And now we have to add to that and ask whether there's empirical evidence that we should be providing these facilities licences to meet a need in our public health care system. It seems to me if we have needs in our public health care system, that's something our public health care system should be allowed to provide. So that's concerning as well, Mr. Speaker.

As I go through the rest of the Act though, it's almost word for word for word exactly the same as the previous bill. So I really question the intent of the minister, in this sense, to introduce a brand new bill with a name that really doesn't speak at all to the content of the bill. If you read this title, *The Patient Choice Medical Imaging Act*, you're thinking, well what does this mean? Does it mean the patient gets to just decide which image it wants or what sort of diagnostics? And I mean, that's clearly not the intent of this bill. And as I said earlier, there are thousands and thousands of people in Saskatchewan, including those folks that can't even get into the doors of the Lighthouse, that don't have any choice in the kind of imaging that they're going to be able to access. The patients that are able to choose are the patients that have money, and that is a direct and I think flagrant contravention, if maybe that's something the courts have to decide, but it definitely is a thumbing your nose at the universality clauses in the *Canada Health Act*.

So I think these decisions and these types of services are going to be definitely challenged in the courts to see whether or not they actually do, in fact, meet the provisions of the *Canada Health Act*. And there's a lot of consequences that will come down upon the Government of Saskatchewan and other provinces who choose to contravene *The Public Health Act* and those consequences are going to have direct impacts on patients and people living in the province. Because one of the things the *Canada Health Act* does, or is proposed to do, is to reduce the amount of money that we get. And what the government alleges they're saving, that will be directly taken off of what we get under the *Canada Health Act* for Canada transfers or health transfers.

So I'm not sure if there's any gain even in the long run on this type of bill, despite the short-term gains that the government is claiming, without, of course, as I suggested earlier, any sort of empirical evidence or studies that suggest this isn't the case. And in fact my colleague from Riversdale referred to, in her comments last year, where there's actually . . . where there are situations like this. For example in Alberta the waiting list for MRIs is actually longer instead of shorter. So I don't know where the empirical evidence is, what it is that's driving this government to take this kind of change, but I would wonder

with the naming of the bill as a patient choice bill, I would think there are some politics at play here, Mr. Speaker, and ones that are going to have pretty concerning consequences for the people of our province.

Not too long ago, we had done an information access request for any of the reports and analysis that was done by this government in relation to this transition to user-pay CT scans or MRIs in Saskatchewan. So we did this just recently, and what we got back from the government was rather interesting. I wouldn't say it's informative, Mr. Speaker, because most of the relevant and substantive portions of the request were redacted.

But here's something we were interested in looking at, and this is right from page 6 of the government report that we did get. And here's the introduction. It says:

Ministry officials contacted their counterparts in British Columbia, Alberta, and Ontario to gather information regarding the different frameworks and outcomes of private payment for diagnostic imaging services, example MRIs and CT scans in each province.

And we go in there and there's a whole bunch of questions, and guess what? They are almost entirely redacted, pages upon pages of redactions.

Questions like, "Have you experienced movement of radiologists out of the public system to these clinics? If so, to what extent? What about technologists?" Redacted. "In your experience, did patients who were able to pay privately for MRI and CT have a shorter care pathway?" Guess what, Mr. Speaker. Redacted, entirely. Next question: "Is your jurisdiction already or is it considering disallowing user-pay services? If so, what precipitated the decision?" Once again redacted, except for Ontario where we do have a note that was allowed to be provided, and it says Sask follow-up research found in Ontario it was allowed in 2002 to 2007 and disallowed in 2007. So we don't know why Ontario disallowed user-pay services, but we do know it was disallowed in 2007. And there's question after question after question regarding practices in Alberta, British Columbia, and Ontario that we are not able to access the information to.

So once again they're using, we call it the FOIP [*The Freedom of Information and Protection of Privacy Act*], freedom of information protection Act, barriers to obtaining information that I think the public should probably have access to, but for some reason it's a cabinet confidence. I'm not sure what it is that allows them to make the claim, but that is what's being claimed by the government.

All kinds of things that they were asking, impact on the public system, that's all redacted. "Has your jurisdiction experienced any legal actions from beneficiaries seeking cost coverage?" Again that's redacted, and so on and so forth.

And then we get to a very interesting page and it's quite colourful actually, Mr. Speaker, but we asked for a policy analysis. And there was an extensive policy analysis that was done on things like legislation, legal actions, appropriateness, financial implications, human resources, all these really important things that inform policy decisions that would lead

into this kind of quite radical change from the current public health care system. And we see that this is again entirely redacted, so we're not able to look at any of that information.

There was also some legal analysis that was done, and relevant legislation. They even redacted some commentary on the relevant legislation. So I'm a curious person and I would love to know what's being held back, but unfortunately because of barriers in the access to information laws, we're not able to see that.

[20:00]

We were allowed to see some information about the *Canada Health Act*. And there's some comments about third party delivery of insured health services, which is permitted as long as the services are publicly funded and administered. So I don't know how that relates to where patients can pay outside of the public funding of it.

There's also *The Medical Care Insurance Beneficiary and Administration Regulations* which state that, they talk in there about diagnostic X-ray procedures and whether or not that's an insured service. So I guess the question this leads to is, are we also going to be talking about X-rays next? Is that the next step in terms of the privatization and user-pay service for diagnostic imaging? So I think X-rays could very well be next up on the line for people to be able to user pay; those who have money, pay. And again the lack of patient choice, instead of patient choice, which is the unfortunate name of this current bill.

So diagnostic X-ray procedures, they go in and say, well what are they? Where are they insured services? Well it's outside a hospital where it is provided by:

a specialist in radiology

a physician who is serving as a locum tenens for a specialist in radiology . . .

a person employed by a specialist in radiology . . .

So there's very careful attention being paid to X-ray services here, so I'm just flagging that. I know that we don't have a lot of the analysis and implications because again, Mr. Speaker, the entire analysis of the relevant legislation is completely redacted. So although the government is saying they've done their homework, we don't know exactly what that is.

Under appendix A, legislative framework, you would think where we're talking in an appendix that there wouldn't be any redactions. But there are actually are redactions under the *Canada Health Act*. So there's a few clauses, and I referred to them earlier, when they were mentioned about third party delivery of insured health services.

And then again this whole business about uninsured services or exceptions under *The Saskatchewan Medical Care Insurance Act*. And they're saying there's some services for diagnosis and treatment of cancer. Some services are, I believe this says, uninsured. And this is really the first time I've had a chance to look at that. So I'm just sharing it with the Assembly without really being certain as to the intent.

Laboratory services provided by under the supervision of specialists in pathology other than services that are prescribed in the regulations for the purpose of this clause. And I know pathology shows up in a couple of other spots. So, Mr. Speaker, then again, what about diagnostic imaging services that are provided by pathologists? What about X-ray services? Are these next? And I think this incremental change in the bill that's being facilitated by just adding that one clause, kind of whatever shows up in the regulations is going to be considered medical diagnostic imaging. We are going to see some radical changes in the way our imaging services are not only provided but how they're paid for. And again, I think the idea that patients have choice is extending this almost to — what's the word? — it's surreal. It's almost surreal to suggest that this is actually giving patients choice.

I do have a number of comments regarding queue jumping that have been actually studied by other organizations. And there's a number of concerns raised by CUPE [Canadian Union of Public Employees] with Bill No. 179, which was last year's version of this bill. And their analysis, they came to the conclusion that the bill would, and that applies to this bill:

Permit queue-jumping, increase existing inequities in the current system, poach workers from the public sector, [increase public] wait times, and increase public health costs.

And I think this is based on a study of what's happening in other jurisdictions when this happens.

The other problem, of course, is the *Canada Health Act*. And that was passed into law in 1984, and we know it is the foundation of our Canada health system. It came through the whole medicare process. As we know, it all started here in Saskatchewan under the wise eye of Tommy Douglas and his people that he put together. Despite, I think, considerable resistance at the time, it's now regarded as the jewel of our entire health care and also of Canadian health care. As you know, Mr. Speaker, it was extended to Canada a few years later.

Anyways the *Canada Health Act* says that there's five key principles that provinces must meet in order to receive their full share of the federal funds through the Canada Health Transfer. Health care services must be comprehensive, universally available, portable, accessible, and publicly administered. And I think it's the universally available concern that we are raising now and have considerable concerns about because if you are allowed to jump the queue in order to get your MRI, then you are able to access other services much more quickly.

And I think that's the biggest concern in terms of people's viability and people's medical conditions is, you know, whether or not I can afford to get in that queue. I don't know if I can, and I know I certainly have a good salary and a good income. And I just know many, many, many more people won't ever be able to do that. So this may have to play out in the courts ultimately, Mr. Speaker, but I think it's raising a lot of very concerning questions in relation to what is universality and whether or not this is a violation of the *Canada Health Act*,

The big concern is, if it is a violation to the *Canada Health Act*, then Saskatchewan is going to be deducted that money. So

we're no further ahead even if this does prove to save money, which most studies say it won't. This study from CUPE says on page 5, and I'll quote:

Private user pay clinics will create a two-tier system because they allow people to get faster access to health service in two ways: first, they gain faster access to the test itself; and second, once they have a diagnosis they are able to get into the public queue faster for surgery or treatment.

And they go on to say:

Allowing queue jumping through private-pay MRIs [and now CT scans] violates the "accessibility" principle of the Act. When some residents can jump the queue by paying for services privately, it means that not all residents are receiving publicly-insured services on uniform terms and conditions.

It goes on to say:

The Romanow Commission found it problematic that diagnostic testing performed in a hospital is considered medically necessary in terms of the *Canada Health Act* but the same test in a private clinic is not.

And all of these determinations, and it's complex, Mr. Speaker, but all of those determinations are really critical to how we continue with the medicare system and whether or not we meet those provisions of the *Canada Health Act* under universality, and of course as just raised, under accessibility.

I just do want to share a couple comments from Mr. Romanow on page 64 of the Commission on Future of Health Care in Canada from 2001. Here is what he said:

If medicare is to thrive, it must adapt to the changing nature of health care. Diagnostic services are a case in point. Many, perhaps most, diagnostic tests can now be performed safely and efficiently outside hospitals. Blood tests and X-rays have been performed in this manner for many years. More recently, a growing number of MRIs and CT scanning tests have been performed in specialized, free-standing clinics. Diagnostic services are the essential "front end" of medical care that precedes critical interventions, including, for example, surgery and chemotherapy in cancer treatment.

He goes on to say that if . . . This is in relation to people who jump the queue or buy access to MRIs. He says:

But, if the test results reveal a serious condition requiring immediate treatment, the patient who has privately purchased an MRI can queue-jump ahead of others waiting for diagnosis and potential treatment. This raises a problem. Access to cancer treatment, for example, is on the basis of urgency of need. But this cannot be determined without proper diagnosis through one or more tests. If these could be purchased privately, that initial access is being determined by ability to pay rather than need.

It is true that all medically necessary diagnostic services are within the principles and conditions of the *Canada*

Health Act in two ways. First, if they are provided within a hospital, they are automatically considered to be “insured health services.” Second, if they are provided or ordered by a physician as a “medically required service,” then they are also insured under the Act. But the difficulty lies with the phrase “medically necessary.”

So I’m not going to go into it in more detail than that, Mr. Speaker, but I think Mr. Romanow’s comments from 2001 have as much relevance today as they did then.

There’s a whole host of other issues that he identified that I won’t talk about today, but I know my colleague did raise a lot of these when she spoke to the previous bill on October 21st of 2015. So if people who are reading this in the future want to have access to her comments, it’s on basically page 2421 of the *Hansard* in Saskatchewan on October 21st, 2015. And she had a lot of good quotes about, again about empirical evidence, about poaching of staff, and this is a very serious concern that has been highlighted by other provinces as well. And so that was the comments made by her.

And again I brought a page with the five main principles in the *Canada Health Act* — universality being one and accessibility being another. Of course portability, comprehensiveness, and public administration on a non-profit basis.

So it’s clear to me that this type of bill is putting us in jeopardy on those two principles in particular, universality and accessibility. It’s not a good thing for the government to put us in this position. And as I say, whether or not this will withstand a challenge in the courts remains to be seen. Obviously someone who cannot pay for medical imaging is unlikely to be able to pay for a court case to the Supreme Court of Canada to challenge this bill. So I’m not sure where someone will be able to do that kind of challenge.

But as I said earlier, this bill is almost identical to the one that was passed last year, so it’s a real curiosity to me why they chose to redact or rescind that bill that we just passed and pass another bill that’s very similar.

I take particular issue with the title of this bill, *The Patient Choice Medical Imaging Act*, when clearly so many people in our province do not have a choice. So I think that’s really a slap in the face to some people who won’t be able to purchase these medical images and will be in fear for their life in terms of their medical condition. So it’s just, it’s causing a lot of pain and distress I think for a lot of people in our province, rather than treating everybody fairly, universally, and ensuring that everyone has the accessibility as they want.

Again I’m concerned about clause 7(2)(d)(i), which is a new addition to the previous bill, talking about need for these medical imaging facilities. If this government sees a need for medical imaging facility, it should be provided. That’s the whole basis for our health care system, and why the Saskatchewan Cancer Agency is being brought in, although I know that they provide a lot . . . Their clients in particular need a lot of this diagnostic imaging. And we all know, that the first thing your doctor is going to do when there is a suspicion of a lump or something concerning in terms of your general well-being and it doesn’t really seem to be anything apparent,

you’re going to want that diagnostic image and those tests be made available. That’s modern medical science. And to throw it away like this for people who can’t afford to pay is something I think that we’re going to pay for in the long run, and it’s very concerning.

So I know other colleagues . . . I’m one of the first to be able to have comment on this new version of the medical or the MRI Act but again, once again, I just am really concerned about the title of this bill. I think it’s insulting and demeaning, and I would urge the government to change the name at least. But I would also urge them to really reconsider what’s happening here and the impacts it’s going to have on our health care system as we go forward.

So at this point, Mr. Speaker, I would move to adjourn debate on Bill No. 26, *An Act respecting the Licensing and Operation of certain Facilities providing Medical Imaging Services, repealing a certain Act and making consequential amendments to certain Acts*.

The Speaker: — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 26, *The Patient Choice Medical Imaging Act*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 28

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 28** — *The Extension of Compassionate Care Act, 2016* be now read a second time.]

The Speaker: — I recognize the Opposition House Leader.

[20:15]

Mr. McCall: — Thanks very much, Mr. Speaker. I’m glad to join debate tonight on Bill No. 28, *The Extension of Compassionate Care Act, 2016*. And of course this is an amendment to *The Saskatchewan Employment Act*. And you know, it’s . . . Why they didn’t call it an Act to amend *The Saskatchewan Employment Act*, I can only guess has to do with not wanting to freak people out because generally when this government approaches labour legislation, all sorts of exciting things happen. You know, we get a Saskatchewan trip to the Supreme Court. You know, there’s all sorts of exciting outcomes when this government gets into the labour legislation move.

But this particular piece of legislation is . . . The main sort of event in this legislation is something that is very much a good thing, Mr. Speaker, and that is of course the extension of the compassionate care provision. This is following changes that were made at the start of 2016 by, of all people, Mr. Speaker, the Justin Trudeau federal Liberal government, and making sure that the compassionate care provisions in Saskatchewan keep up with the changes that the feds had made under the *Employment Insurance Act*. So changing to provide for up to 28

weeks of leave, 26 weeks of benefits after observing a two-week cooling-off period. And again, Mr. Speaker, this is a good thing. And certainly for those that have had to rely upon these kind of benefits, it's not something that's entered into lightly. And certainly this can make all the difference for families in some very tough times, so we're glad to see this particular measure being brought forward.

There are other components in the bill, however, beyond the extension of compassionate care benefits, and those are technical amendments giving a number of powers to the registrar of the Labour Relations Board, such as the ability to select the adjudicator for wage assessment, the responsibility to set a date and time of hearings before the Labour Relations Board, and to serve papers upon the interested parties. Mr. Speaker, we presume that these are about expediting process and speeding up matters. Again we'll do our own due diligence on that to ensure that that is in fact the impact.

But also where the bill requires the adjudicator to follow the regulations regarding the procedures by which the hearing will proceed, this particular measure falls upon regulations which have yet to be released. So again the thrust is good, but we await the regulations.

And then finally, the allowance of cabinet to make wide-reaching regulations regarding the duties of adjudicators, the rules for appealing decisions of the board, or any other rules related to hearings and appeals. Again, Mr. Speaker, that would speak to a certain consolidation of power within Executive Council, moving that from the legislation into the fiat of an order in council that could be passed by this cabinet. So if that meets the express intent of rendering the legislation more effective and providing better service for folks that find themselves before different of the boards covered by the employment Act, we'll see.

But again, Mr. Speaker, as is often said in this Chamber, the best indicator of future behaviour is past behaviour. And when it comes to labour legislation, we've seen this government go some pretty interesting places, labour whispering of the current minister notwithstanding. But with that, Mr. Speaker, I move to adjourn debate on Bill No. 28.

The Speaker: — The Opposition House Leader has moved to adjourn debate on Bill No. 28, *The Extension of Compassionate Care Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 29

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 29** — *The Justices of the Peace Amendment Act, 2016/Loi modificative de 2016 sur les juges de paix* be now read a second time.]

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

Ms. Beck: — Mr. Speaker, I rise this evening to speak to Bill No. 28 as noted, *The Justices of the Peace Amendment Act*. Mr. Speaker, in reviewing this proposed legislation, I note that substantively these changes, the amendments to this Act are aimed at specifically some of the duties that are currently performed in the traffic safety court of Saskatchewan, specifically taking the duties and powers now formerly accorded to the traffic justices and replacing those traffic justices with justices of the peace, specifically senior justices of the peace. And there is a proposal to add another classification, the assistant justices of the peace.

Mr. Speaker, I understand that there was a request by the Saskatchewan Justice of the Peace Association for the ministry and the minister to request these amendments. As stated, the aim of these amendments are around improving and clarifying those roles. Another main part of this bill, once contemplating the new roles and the new position of the assistant Justice of the Peace, is around the regulation and having a commission to establish compensation for these roles, presumably I suppose given the new duties and the new position, and also establishing some parameters around discipline and measures that would deal with the performance and the behaviour of people in those positions. I note a couple of times during the minister's comments that he noted that there was some agreement with the Justice of the Peace Association.

A question that I have that isn't referred to specifically in here is the opinions of certainly the traffic justices within this proposed legislation but also others involved in that court. Some of the powers, for those who don't know, that are currently afforded to traffic justices include requiring attendance at driving improvement programs and some related duties around that, Mr. Speaker.

I note that I'm not the first of my colleagues to speak to this bill. There are some questions that have previously been raised and I think are worth raising again, specifically around the work of the proposed commission on compensation. Just talking about pay ranges, are there any parameters for that pay that have been contemplated? The selection of the senior Justice of the Peace, the new position of assistant Justice of the Peace, I think that's worth looking at and how those will be appointed and just how they will be distributed around the province. I think those are valid questions for sure.

I think given those, some of the other duties as noted that would be undertaken by the senior justices of the peace who would take over the duties of the traffic justices would be imposing, in addition to being able to order drivers to take driver training courses, but also be the ability to impose fines.

So I think that with that I will leave some room for my colleagues to ask additional questions at a later time, but I will move that we adjourn debate on Bill No. 29, *The Justices of the Peace Amendment Act*. Thank you.

The Speaker: — The member from Regina Lakeview has moved adjourn debate on Bill No. 29, *The Justices of the Peace Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 30

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 30 — *The Freedom of Information and Protection of Privacy Amendment Act, 2016*** be now read a second time.]

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

Ms. Sproule: — Thank you very much, Mr. Speaker, and I am rising to speak to Bill No. 30, *An Act to amend The Freedom of Information and Protection of Privacy Act*. Based on the comments from the minister when he introduced this bill back in June of this year, he indicated that the Information and Privacy Commissioner had prepared a report, and in his annual report issued last summer, he gave a number of amendments for priority consideration.

The minister indicates that this bill deals with some of them. It certainly doesn't deal with all of them, and he has promised with his comments that they are continuing to look at the other items which may be dealt with through policy or further consultation is needed for some of these other priority changes.

So hopefully that will take place eventually but at this point in time we're seeing things, a number of changes: duty to assist applicants for information, a duty to protect personal information, extension of LAFOIP [*The Local Authority Freedom of Information and Protection of Privacy Act*] to police services, creation of a new offence for snooping. And I'm not exactly sure how that clause is looking. I haven't got to that part of the bill yet, but I think it's really interesting to have a snooping clause. And I just wonder about creeping on Facebook, but I guess that's public information so I don't think that's what the intention of this clause will be. And one of the things that I think is most interesting, and it's one of the things that this government was found in violation of by the commissioner awhile ago, and that's what happens when personal information is released by MLAs or cabinet ministers.

And we know what happened when actually the Premier's office itself released some personal information to the media when someone spoke out about the poor quality of seniors' care in Saskatoon. So that is what is leading to these changes and the recommendations that the Information and Privacy Commissioner . . . [inaudible interjection] . . . The member opposite is talking about the budget, and I'm afraid I'm not making the connection, so he'll have to explain to me afterwards what the reference is. But we were talking about release of personal information by the Premier's office, is what we were talking about. So that's something I think was quite egregious and certainly commented on by the Information and Privacy Commissioner.

And I think there was an effort made to ensure that the release forms . . . For example, in the course of our work with clients and constituents and our casework, we often need to consult with ministers' offices about that particular case, and we now have a form that's been provided. I just found out the other day that some government agencies won't accept that form and are

insisting that we use their form, which is what I think the Privacy Commissioner was trying to avoid and get around. So there's still obviously some work to be done in that area.

But some of the recommendations we have: the new offence for snooping and, as I just mentioned, the rules for our MLA offices and cabinet ministers' offices, and of course that would extend to the Premier's office in terms of releasing personal information. So some of those changes are coming through in this bill.

Some of the things that aren't included, and I think is worth noting here, Mr. Speaker, is that the commissioner asked for a change in the maximum time for a response from 30 days to 20 days. He sees a timely response as part of the integrity of the Act. Sadly I think we quite often see it go the other direction where requests for extensions are made and granted. And this is really a very slow, pedantic way to get information.

I do know it is a lot of work for public servants when freedom of information requests come in, having been a public servant at the receiving end of those. So I understand how much work this is for public servants, and I assure them that certainly when we make those kinds of requests, we're fully aware of the kind of extra work that they are required to do and we appreciate all that work.

[20:30]

The other thing that hasn't been included is that the commissioner recommended that the Act include a requirement that it be updated every five years to respond to modern technology. That has not been included at this time. There's no explanation by the minister why that is the case although he does promise to further look into it and make sure that . . . He says he's committed to protecting personal information while providing access to information.

So in terms of this bill, Mr. Speaker, those seem to be the main clauses that are being changed, and this is going to require all offices of the members of the Assembly or members of the Executive Council. Well the Executive Council was in there previously but this now extends to our offices as members of the Assembly. So this affects all of us, and I think it is a good move in order to protect people and make sure that their personal information is protected to the extent that it needs to be and at the same time with the balance of allowing access to information for the public to know what government is doing.

So at that point, I think I will move to adjourn the debate on Bill No. 30, *An Act to amend The Freedom of Information and Protection of Privacy Act*.

The Speaker: — The member from Saskatoon Nutana has moved adjourn debate on Bill No. 30, *The Freedom of Information and Protection of Privacy Amendment Act, 2016*.

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

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 31

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 31 — *The Local Authority Freedom of Information and Protection of Privacy Amendment Act, 2016*** be now read a second time.]

The Speaker: — I recognize the Government . . . or Opposition House Leader.

Mr. McCall: — Well someday, someday, Mr. Speaker. Would dare to dream, dare to dream.

But again good to join debate tonight on Bill No. 31 and falling on the heels of my learned colleague. And I mean that sincerely, not in a snarky sort of lawyer-to-lawyer kind of way. But it's with *The Local Authority Freedom of Information and Protection of Privacy Amendment Act*. It's a lot like FOIP [*The Freedom of Information and Protection of Privacy Act*] in the changes that are proposed and have just been discussed by my colleague but of course for local authorities.

And again in terms of following on several of the recommendations coming from the Information and Privacy Commissioner, although not entirely, Mr. Speaker, but in terms of the duty to assist applicants for information, the duty to protect personal information, the extension of the definition of the local authority to include police services, and the creation of a new offence for snooping.

Again, Mr. Speaker, in this particular respect, the inclusion of the police under the legislation is a new step and one not without its controversy. Certainly in past, various of the police authorities have spoken up against that. In terms of the questions that that begs around how those . . . the concerns that have been raised will be dealt with, Mr. Speaker.

When it comes to the execution of *The Local Authority Freedom of Information and Protection of Privacy Act*, that will make for some interesting discussion in committee, I am sure. But it does, you know . . . Certainly the police are no strangers to accountability and certainly transparency on other fronts, and it would make a certain amount of sense for this step to be taken.

So it's also referencing the minister's second reading speech wherein he states that “. . . Saskatchewan will be one of the last provinces to take this step,” in reference to the fact that we're one of the last provinces to include the police under the local authority freedom of information and protection of privacy legislation or its equivalent in other jurisdictions.

So again, Mr. Speaker, there are a number of technical matters that will certainly, I'm sure, make for lively discussion come the consideration of this bill in committee. And I'm also certain that other of my colleagues will have their own unique perspectives to bring to bear on this piece of legislation.

So for the time being, Mr. Speaker, and in aid of further due diligence on this legislation, I'd move to adjourn consideration of debate or move to adjourn debate on Bill No. 31, *An Act to amend The Local Authority Freedom of Information and Protection of Privacy Act*.

The Speaker: — The Opposition House Leader has moved adjourn debate on Bill No. 31, *The Local Authority Freedom of Information and Protection of Privacy Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 1

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McMorris that **Bill No. 1 — *The Crown Corporations Public Ownership Amendment Act, 2016*** be now read a second time.]

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

Ms. Sproule: — Thank you, Mr. Speaker. I'm really pleased to rise to enter the debate again on, in this case, on Bill No. 1, *An Act to amend The Crown Corporations Public Ownership Act*, one of the first Acts of this government upon the results of the election back in April when we first convened in May. In fact this was introduced, I believe, in June. I guess second reading was June 14th, so it would've been introduced some time then after the budget debate.

This is one that has received a lot of attention throughout the election period and I guess in years prior to that. And it will continue to receive attention, and that is the removal of the Saskatchewan Liquor and Gaming Authority from *The Crown Corporation's Public Ownership Act*. As you know, Mr. Speaker, the Act was intended to, as it says, protect public ownership of Crown corporations, and there's a list of corporations that were specifically listed here.

We know that the first thing the government did early in its jurisdiction here was to remove and privatize Information Services Corporation, which was not included on this list. So that was easy pickings. Now they're going after these corporations, one at a time, and we see the first up is the Liquor and Gaming Authority.

So the bill itself is half a page, less than half a page. There's only one clause and what that clause does is it takes, removes the Liquor and Gaming Authority from the list of Crown corporations to be found in *The Crown Corporations Public Ownership Act*.

My colleague from Regina Lakeview made a number of really relevant comments in regarding to this in committee on June 13th of 2016. And first of all, she identified that because the promise on the election campaign was only in relation to 40 particular liquor stores through the entire removal of the SLGA [Saskatchewan Liquor and Gaming Authority], and the bill now opens the door for further privatization without consultation and without, as she said, the oversight and opportunity for input. So that's one of the changes that this bill is doing that. It actually goes beyond what was one of the campaign promises.

The other thing is we really need to keep an eye on is whether or not, as the previous minister described, this as a . . . not come

at a net loss to the General Revenue Fund. And it still escapes me how that can possibly happen. So as my colleague indicated, we need to pay special attention to the net income to the GRF [General Revenue Fund] as a result of the change. And that is something that I will be undertaking to do in my capacity as critic for Finance, Mr. Speaker.

What is happening to the existing or the remaining SLGA stores? There's some concerns that they will not be treated with the attention and care that they need. They won't be upgraded as they needed to be. And certainly the biggest loss, I think for many people, is the loss of good, mortgage-paying jobs, Mr. Speaker.

We're proud of our Crowns. We're prouder of the fact that people get those good, mortgage-paying jobs, and I don't know why people take offence to that. It's beyond me. But that is something that is happening right now through the closure or the sale of the 40 stores that have been identified to date.

So there's a number of serious concerns. One clause in one bill, Bill No. 1, is affecting so many people and also I think really putting in jeopardy our revenues, for one, but also just the impact this is going to have on . . . I've had many people come with theories about how this is going to change access to liquor and the impacts that may have on families and our abilities to ensure that the public is protected as well. So there's also I think a lot of confusion and competition between individual licence holders. Who gets the licence? Who doesn't? Particularly in small communities where I know this has already raised a lot of concerns and consternation in terms of who gets it and who doesn't, what the process is.

So there's a lot of moving parts to this, Mr. Speaker, and we will continue to observe and pay attention to what's being said. All my colleagues, I'm sure, are going to want to have considerable input on this as well. And of course we will have a lot of questions on this once it moves into committee just to get some of those things in place and ask some of those questions.

So at this point, Mr. Speaker, I think much has been said on this already and much of this will continue to be reviewed. We know the Standing Committee on Crown and Central Agencies has looked at this as well and provided a report. And I know my colleague from Lakeview was on that committee and is very able to also comment on the impact of this particular one little clause bill that, as I say, has a huge impact on many people and on the revenues that we rely on to provide services such as addictions counselling and matters like that.

I have nothing further to add at this point and I move that we adjourn debate on Bill No. 1, *An Act to amend The Crown Corporations Public Ownership Act*.

The Speaker: — The member from Saskatoon Nutana has moved adjourn debate on Bill No. 1, *The Crown Corporations Public Ownership Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 32

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McMorris that **Bill No. 32 — *The Automobile Accident Insurance (Benefits) Amendment Act, 2016*** be now read a second time.]

The Speaker: — I recognize the Opposition House Leader.

Mr. McCall: — Thank you very much, Mr. Speaker. Thank you very much, Mr. Speaker. Good to join debate on Bill 32, *The Automobile Accident Insurance Act*. I guess I divide my remarks in this regard on the bill into sort of two sections: one is to the actual contents of the bill itself and in another lesser extent to sort of the context in which we're having this debate here in the House, Mr. Speaker.

But as to the bill itself, this falls on the heels of a few different rounds of consultation. Certainly one of the means of consultation was the Traffic Safety Committee, all-party committee of this Assembly, Mr. Speaker, chaired by then member from P.A. [Prince Albert] Carlton, Darryl Hickie. I'm free to say that now that he's no longer a member of this Assembly. And deputy chair of that was of course the member from Saskatoon Riversdale. And there was certainly a lot of participation from other members and a lot of good recommendations put forward that informed a lot of the work that you see realized in this piece of legislation, Mr. Speaker.

And certainly the work to increase the amount of weekly benefits for employed injured persons equivalent to 40 hours at minimum wage for a fully disabled people and 20 hours a week at minimum wage for partially disabled persons or those confined to a hospital bed or wheelchair; the prohibition of SGI [Saskatchewan Government Insurance] from paying benefits to a person who is in prison; the prohibition of SGI from paying benefits to a driver who is more than 50 per cent responsible for the collision, convicted of or charged with causing death or bodily harm via street racing, being negligent, or fleeing a peace officer; or has been found guilty in the last five years of causing death or bodily harm by street racing, being negligent, or fleeing a peace officer — those are the guts of the legislation, Mr. Speaker. And certainly there are related elements to be considered coming shortly in the consideration of *The Traffic Safety Act*.

[20:45]

And I guess, Mr. Speaker, you wonder if these items of legislation, both Bill 32 and Bill No. 37, *The Traffic Safety Amendment Act*, whether or not there will be more legislation coming very shortly, Mr. Speaker. Because the recommendations of that Traffic Safety Committee that I'd referenced were not taken up in full, and we've seen in some very high-profile ways the way that dangerous driving — and, you know, in this particular case, drunk driving, Mr. Speaker — poses a danger to public safety, and that this is not a response, it's not something that exists outside of this place but it's something that has an impact right here in this Chamber.

And I guess, Mr. Speaker, for the items in the legislation, for what's contained in Bill 32, you know, the adequacy of the measures contained therein, we'll be interested to see how that

stands up in committee where greater questioning and more complex discussion is possible with officials.

But like I say, Mr. Speaker, we'll be looking to see what further legislation is coming in the days and weeks remaining to us in this fall session because, like I say, the work of the Traffic Safety Committee was not taken up in full by this government, and there's a hope that some sad events of the not-too-distant past, Mr. Speaker, can be learned from and that hopefully some good, some willingness for further change, for further action on the whole front of dangerous driving can be taken. And we await those measures with great interest, Mr. Speaker. But with that, I would move to adjourn debate on Bill 32, *The Automobile Accident Insurance Act*.

The Speaker: — The Opposition House Leader has moved adjourn debate on Bill No. 32, the automotive accident insurance amendment Act, 2016. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 33

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 33 — *The Child and Family Services Amendment Act, 2016*** be now read a second time.]

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

Ms. Beck: — Thank you, Mr. Speaker. Of course I rise to speak to this bill, *The Child and Family Services Amendment Act*. I note that this is a fairly significant piece of proposed legislation here, Mr. Speaker, and has some very, very real impacts potentially on the way that *The Child and Family Services Act* is implemented in the province, Mr. Speaker.

The first part of many of the changes in the bill deal with, you know, simple housekeeping issues, replacing the term department with ministry as is reasonable and replacing *The Children's Law Act* with *The Children's Law Act, 1997*, certainly again. Also some updating, some modernizing of language around what was previously referred to as people of Indian ancestry rather, Mr. Speaker, to the term Aboriginal people.

Some of the parts though that I want to pay particular attention to, Mr. Speaker, are regarding the agreements and proposed changes to agreements, specifically with First Nations Child and Family Service agencies. Mr. Speaker, it's an interesting time for this legislation to come forward. Certainly we recently had a report from the Children's Advocate regarding some concerns that he had with a specific service provider.

Also providing context, Mr. Speaker, are the Truth and Reconciliation Commission of Canada's *Calls to Action*. Mr. Speaker, many will know that the Truth and Reconciliation Commission conducted for several years hearings and meetings around this country with the aim of first of all looking at the

truths that exist, truths that we haven't always been upfront with, Mr. Speaker, in this country. And at the conclusion of that commission there were several calls to action that were put forward.

Under the heading of legacy in the *Calls to Action*, in the very first section, Mr. Speaker, because of, I think, the importance and because of the history regarding child welfare regarding the treatment of indigenous children in this province and in this country — right up there the first recommendations are around child welfare. The first call is:

We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of . . . children in care . . .

Mr. Speaker, that is certainly something that has needed to be dealt with for a long time in this province. That isn't necessarily what this legislation stated or otherwise that the goals are present in this legislation. But one thing that really did catch my attention is no. 4 on the *Calls to Action*:

We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes [the following] principles that [and I draw attention to the first under that]:

Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.

I note that, Mr. Speaker, because one of the provisions in this proposed bill is around giving powers to the minister to terminate with 90 days' notice agreements with First Nations and Family Service agencies and other prescribed agencies that don't include a fixed term when the minister believes that it's in the public's interest to do so. And the agreements, it states, must "be terminated . . . in accordance with the procedures and on the terms prescribed in the regulations." It's worth noting that at last check those regulations haven't been brought forward, so we're left to wonder what is in those regulations.

Mr. Speaker, certainly it's understandable that the minister needs to take steps, and sometimes in legislation and enact legislation when current agreements aren't working. But I think, you know, legislation is part of that but certainly also is relationship and respect and communication. And I think that that, particularly given the context in this province and in this country, particularly with regard to children, indigenous children in the province, and with regard to *The Child and Family Services Act* and the history of apprehension and children in care and the disproportionate numbers of indigenous children in care, that that relationship . . . We should lead with that relationship, Mr. Speaker. I suppose legislation if necessary, but really, you know, drawing attention to the need to develop, maintain those respectful relationships.

I note that in many of the other bills that I've spoken to tonight, the ministers speaking, when speaking to the bill, have noted the amount of consultation. We heard that with the horned cattle Act. We heard it with the justices of the peace. And I note it's noticeable in its absence, Mr. Speaker, is the references to consultation with those First Nations Child and Family Services

agencies in the minister's comments. So I draw special attention to that, Mr. Speaker, and special attention to the fact that the regulations that are mentioned several times throughout the bill simply haven't been released yet. So it's really hard to have a full and transparent discussion without having laid eyes on those regulations.

And again just one more call to, you know . . . This bill is proposed in the context, the current context, and at a time when we're seeking reconciliation and really should be paying attention to the calls to action that have been put forth by the TRC [Truth and Reconciliation Commission].

I know that there will be a number of my colleagues who will have other points to make on this proposed bill and certainly have a number of questions. And I think it really is important to get the opinions of those who are most impacted by this proposed bill. And with that, I think I will conclude my comments for this evening and move that we adjourn debate on Bill No. 33, *The Child and Family Services Amendment Act*. Thank you.

The Speaker: — The member from Regina Lakeview has moved to adjourn debate on Bill No. 33, *The Child and Family Services Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 34

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Stewart that **Bill No. 34** — *The Provincial Lands Act, 2016* be now read a second time.]

The Speaker: — I recognize the Opposition House Leader.

Mr. McCall: — Thank you very much, Mr. Speaker. It's a pleasure to join the debate tonight on Bill No. 34, *The Provincial Lands Act, 2016*. This one is a . . . It's as big as the province itself, Mr. Speaker, in terms of its sweep, the issues that it encompasses, and just the span of the thing in terms of the . . . As the minister referenced in his remarks, Saskatchewan is spanning 161 million acres. And the fact that more than 100 million of those acres are Crown land, it's, you know . . . If you go someplace like just in around the turnoff to Montreal Lake First Nation on the road to La Ronge, Mr. Speaker, where you hit the centre of the province, you realize just how vast Saskatchewan really is.

And in this piece of legislation, you come into a number of issues that it will be interesting to see, to verify certain of the undertakings that have been made by the minister in his second reading speech.

Certainly First Nations in the province of Saskatchewan have a keen interest in this piece of legislation, Mr. Speaker. And where the minister talks about, and again this is in his second reading speech, June 15th, 2016, where the minister says:

While the government is focused on protecting the land,

we also recognize its importance to the many people of Saskatchewan and, in particular, our First Nations and Métis communities. Revisions to the Act will not impact those communities and their ability to exercise treaty or Aboriginal rights or carry out traditional uses. The duty to consult was triggered in relation to these proposed amendments, and the province met its legal duty to consult and accommodate. The Treaty Land Entitlement Agreement remains unchanged. Amendments to the Act will not affect that agreement or have any effect on its process. The government will continue to meet obligations and commitments under the Treaty Land Entitlement Agreement.

So I'd again draw your attention back to the statement that "The duty to consult was triggered in relation to these proposed amendments, and the province met its legal duty to consult and accommodate." And again, Mr. Speaker, it will be interesting to see how that is verified because this is a contentious piece of legislation in a number of respects. The kind of division that this legislation reveals between agricultural producers and leaseholders, Mr. Speaker, those kind of issues alone, it will be interesting to see the minister respond to those squarely.

[21:00]

But it will also be interesting to see if the statements are accurate that the duty to consult was in fact, the duty to consult and accommodate was met. It will be interesting to see if that assertion holds water with the folks who've had their treaty rights impacted by this legislation. And you know, Mr. Speaker, we see in places in Saskatchewan but certainly across North America where, when you get that wrong, it's bad for everyone. So we'll be looking to get that verification that that is in fact the case that the duty to consult and accommodate has been met, and we'll be watching with great interest on that front.

I also look forward to the intervention to come from my colleague from Saskatoon Nutana who is, you know, an expert on these kinds of issues in a number of respects, not the least having worked on lands issues with the federal government for near to two decades. So we'll be looking to see what she has to say about this as we'll certainly be looking to verify the statements around the consultation that has taken place to date, Mr. Speaker. In terms of various of the objectives under the legislation, you know, fair enough. But the real proof will be in the pudding of whether or not the contentions in the minister's speech are borne out with the folks affected, Mr. Speaker.

So again I know I've got colleagues that have got a lot of wisdom to offer up on these questions. I'll certainly be looking forward to their interventions on these matters, and I'll also be looking forward to the more complex and direct discussion that this kind of legislation will afford at the committee hearing stage. And with that, Mr. Speaker, I'd move to adjourn debate on Bill No. 34, *The Provincial Lands Act, 2016*.

The Speaker: — The Opposition House Leader has adjourned debate on Bill No. 34, *The Provincial Lands Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 35

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 35 — *The Small Claims Act, 2016/Loi de 2016 sur les petites créances*** be now read a second time.]

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

Ms. Sproule: — Thank you very much, Mr. Speaker. This is a bill that is actually repealing the existing small claims Act and creating a brand new one. So the minister explained in his comments on June 15th that it is attempting to do quite a number of things that are apparently part of his justice innovation agenda. So he has undertaken to make justice services much more accessible for Saskatchewan citizens.

I actually went through a small claims process last year. It was quite interesting. It took a while to get it all resolved, but I have to say the services that the court provided were very helpful. And this is a case where an out-of-province vehicle backed into my car, and SGI couldn't provide me with the deductible under my plates. It had to come from the other plate holder. And of course, SGI couldn't go after this person for some reason, so I had to.

My only concern, and I don't see it here in the amendments to the way that the Act is now being proposed, was that I had to actually travel to Prince Albert to file my claim in person because the accident took place north of Prince Albert. And the defendant was from Manitoba, so there was absolutely no advantage for either one of us to be able to . . . for me to have to drive up to Prince Albert and do the claim there. Also I had no ability within the Act to claim for my time and the expenses that it cost me to have to do that, and also the time and expenses it took for me to put together the appeal or the claim and all of that.

So, Mr. Speaker, and ultimately the defendant never even showed up for the trial. So I got my judgment, which was good, and managed to see justice I guess. But it certainly was an inconvenience on my part, and although I, you know, am complaining about the process, I am actually very thankful that it was there and available to me. I wasn't able to reclaim my costs, but I certainly was able to get what I needed in terms of the deductible for the repairs that were required.

The minister identified basically five or six main changes. The first is that the small claims monetary limit is being increased from 20 to \$30,000. I think that will help a lot of people who are in contract disputes for buildings, construction, or those types of things where often disputes arise and often the money gets up there pretty fast. So this is going to be helpful for people who don't want to go through the whole process of hiring a lawyer to file it in the civil courts.

The second change is that the court can award costs to be paid from one party to another, especially when people are trying to delay the proceedings. And I think that would be responding to real-life situations where that was occurring.

Thirdly, they're going to grant the authority to award general costs of the collusion of a matter based on factors such as the behaviour of the party. This is something that may have helped me out, Mr. Speaker, because of the delays that that party caused in terms of the finalization of the claim. And I would say that person was fairly uncooperative, so these changes would have helped me in my situation. So I look forward to those.

They're also going to require defendants to file their reply to a claim. Again that would have been somewhat helpful in my circumstance, and I can imagine in many circumstances where you have no idea what the defence is. In any other court's action you are required to . . . you are entitled to see the defence, so this will be helpful for plaintiffs for sure, or claimants.

And then the fifth thing is, if the defendant fails to reply or participate in any part of the proceedings, a default judgment can be awarded even at the earliest stage without having to go to the trial. So that may have helped me out as well.

And then, finally, there's an opportunity to cite individuals for contempt, and again I think this may be situations arising that are real-life situations. And I would think these types of changes are going to make the system fairer and, as the ministry indicated, would provide citizens better access to the service of small claims court.

So at this point, Mr. Speaker, I think these changes appear to be in order and I think that's all I have to say. I'm sure other of my colleagues are going to want to weigh in on this bill, so for now I would move that we adjourn the debate on Bill No. 35, *An Act respecting Small Claims and making a consequential amendment to another Act*.

The Speaker: — The member from Saskatoon Nutana has adjourned debate on Bill No. 35, *The Small Claims Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 36

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 36 — *The Small Claims Consequential Amendments Act, 2016*** be now read a second time.]

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

Ms. Sproule: — Once again, Mr. Speaker, I'm pleased to rise and in this case to speak to Bill 36, a very minor bill which, all it does is it changes the name of *The Small Claims Act* in a number of other bills to what this previous bill I just spoke to, *The Small Claims Act, 2016*.

So the bills that are impacted by this are *The Direct Sellers Act*, *The Legal Profession Act*, and other Acts include *The Automobile Accident Insurance Act*, *The Builders' Lien Act*, *The Condominium Property Act*, *The Consumer Protection and*

Business Practices Act, *The Fee Waiver Act*, and *The Saskatchewan Insurance Act*. So for some reason I think the minister decided it was better to do these separately, and I think part of that is because some of those bills are non-bilingual bills. And I believe *The Small Claims Act* itself is a bilingual bill. That's correct.

So it's kind of the reverse of the situation we often see. In this case, we're using the new bilingual legislation and *The Small Claims Act* is affecting a number of unilingual Acts. So there's no, really, cause for any further comment on that. And at this point I will move to adjourn debate on Bill No. 36, *An Act to make consequential amendments resulting from the enactment of The Small Claims Act, 2016*.

The Speaker: — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 36, *The Small Claims Consequential Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 37

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McMorris that **Bill No. 37 — *The Traffic Safety Amendment Act, 2016*** be now read a second time.]

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

Ms. Beck: — Thank you, Mr. Speaker. I rise today to speak to Bill 37, *The Traffic Safety Amendment Act, 2016*. Mr. Speaker, I note that when the former deputy premier rose to speak to this legislation in June his comments were fairly brief, and I certainly intend to keep my comments fairly brief and just outline some of what is contemplated with these proposed amendments, one of the . . . really broken down into three main parts, Mr. Speaker.

The first is around providing provisions for SGI to cancel licences or registrations, registration renewal for someone who has large amounts of unpaid debt with SGI. It's important to note, not only unpaid debt, but also not having a plan to pay that debt off, Mr. Speaker. I think it is important that people be afforded the opportunity to make a plan to pay off that debt so that they aren't, you know, without licence or registration and perhaps the ability to get to work and to continue to pay off that debt.

Also one of the questions I have when looking at this, Mr. Speaker, is the means by which those who've had their licence and registration revoked, how they would be notified. I think that's important protection so that we don't have folks driving around without insurance and not knowing about it. So that's my main point on that part, Mr. Speaker.

The second amendment that's proposed focuses on vehicle impoundment, Mr. Speaker. Currently when there's an unregistered vehicle that's abandoned, it sometimes is difficult

to determine who should be paying that impoundment fee if it's abandoned. Mr. Speaker, certainly this legislation seeks to make clear that it should be the person who's operating the vehicle at the time that the vehicle is impounded who should be responsible for that fee, so that the person caught driving the vehicle will be penalized rather than the known owner of the vehicle. I think some mention was made in the cases when that vehicle belongs to the driver's employer. That has caused problems in the past, Mr. Speaker.

The third key amendment deals with the three-wheeled vehicles. It's proposed that the transportation of children under seven on three-wheeled vehicles be prohibited. And certainly we have from time to time had very awful tragedies as a result of young ones falling off the back of those vehicles or being harmed otherwise. I'm not sure about the reason that seven was chosen as a threshold, but certainly it is important to provide some direction and protection for those who might be harmed by those vehicles. And I think little ones often are more susceptible to that.

[21:15]

Finally, Mr. Speaker, this bill proposes some changes that clarify rules for passengers on motorcycles. I know that there has been some comment about this. Specifically the new rules would state that a passenger on a motorcycle must wear a helmet, have eye protection, have their own footrests, and cannot sit in front of the driver which, Mr. Speaker, seems like a very good idea. I don't ride a motorcycle, but that does seem to be reasonable that the passenger wouldn't sit in front of the driver on a motorcycle.

There may be motorcycle riders and people with questions and comments amongst my colleagues, but certainly I think I'm at the end of my comments, and with that would move to adjourn debate on Bill No. 37, *The Traffic Safety Amendment Act*.

The Speaker: — The member from Regina Lakeview has moved to adjourn debate on Bill No. 37, *The Traffic Safety Amendment Act, 2016*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

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

Hon. Mr. Merriman: — Thank you, Mr. Speaker. I move that this House be now adjourned.

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

Some Hon. Members: — Agreed.

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

[The Assembly adjourned at 21:17.]

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