



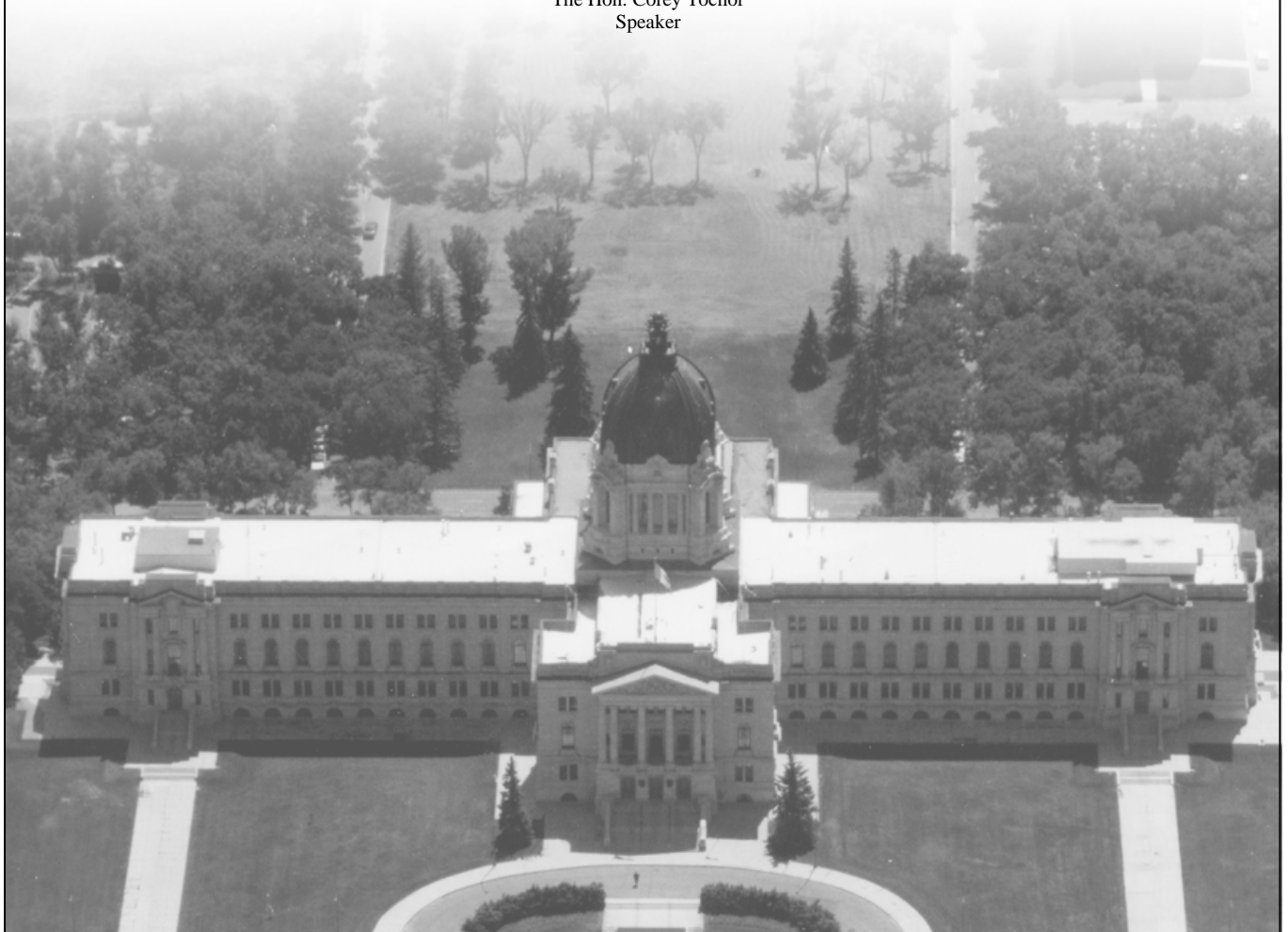
SECOND SESSION - TWENTY-EIGHTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)
Published under the
authority of
The Hon. Corey Tochor
Speaker



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2nd Session — 28th Legislature

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[The Assembly resumed at 19:00.]

EVENING SITTING

The Speaker: — It now being 7 o'clock and 20 seconds, we call this House back to order.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 98 — *The Miscellaneous Statutes (Family Dispute Resolution) Amendment Act, 2017/Loi modificative diverse (résolution des conflits familiaux) de 2017*

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

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of *The Miscellaneous Statutes (Family Dispute Resolution) Amendment Act, 2017*. This bill amends *The Children's Law Act, 1997*, *The Family Maintenance Act, 1997*, *The Family Property Act*, and *The Queen's Bench Act, 1998* to add provisions to recognize and promote early dispute resolution.

The Government of Saskatchewan is committed to encouraging early dispute resolution methods in family law matters for the timely and cost-effective resolution of family disputes. In some cases an out-of-court or early dispute resolution mechanism may be more appropriate in resolving family disputes, as they can achieve a fast result, be more cost effective, and have less of an emotional toll on the parties.

The Government of Saskatchewan encourages parties to use out-of-court dispute resolution processes for family disputes where appropriate. Parties to disputes need to be aware of the range of options available for early settlement and to maximize these opportunities to reduce the financial and emotional cost of separation.

The proposed amendments to *The Queen's Bench Act, 1998* will require parties in certain family law proceedings to make efforts to resolve disputes through an approved dispute resolution process before proceeding with the court process. Parties will be encouraged to attempt resolution through an out-of-court dispute process before filing an application with the court. Where pre-pleading attempts to resolve a dispute are not feasible or do not occur, parties will be required to participate in an approved dispute resolution process immediately after the close of pleadings.

Unlike in regular civil actions before the court, parties to a family law dispute are not required to participate in mandatory mediation. This new process will require the parties participate instead in a form of dispute resolution. This may include mediation, but could also be satisfied by using the services of a collaborative lawyer, having attempted arbitration, or other forms of out-of-court resolution that will be prescribed in the regulations.

The new provision will create exceptions in certain circumstances on application to the court or another prescribed

person. For example, where there is a history of violence, a child has been abducted, or a restraining order is in place, a party may seek an exception.

Where parties choose mediation, they will be required to use the services of a family mediator. The qualifications for this special type of mediator will be set out in the regulations. Family mediators will have special training in family law and have enhanced knowledge of the conflicts that may arise in and the intricacies of family law disputes.

The proposed amendments will amend *The Children's Law Act, 1997* and *The Family Maintenance Act, 1997* to ensure that, where mediation is pursued under those Acts, a family mediator with that additional training is used.

Mr. Speaker, amendments to *The Children's Law Act, 1997* will also include revisions respecting parenting coordinators. Parenting coordinators can offer parties in high conflict relationships an avenue for resolution that does not involve more court applications. Parenting coordinators are trained individuals who can help parties navigate the interpretation of an existing order or agreement such as parenting time, pickup times and locations, and holidays. Parenting coordinators will not create or change parenting arrangements, the division of parenting responsibilities, custody, or access to the child. The bill will set out when the services of a parenting coordinator may be used, the types of determinations the parenting coordinator may make, and the minimum training and practice criteria an individual will need to qualify as a parenting coordinator.

The proposed amendments will amend each of *The Children's Law Act, 1997*, *The Family Maintenance Act, 1997*, and *The Family Property Act* to add a definition of family arbitrator and a specific provision respecting the use of arbitration for disputes under those Acts. These provisions will not require but will encourage parties who would like to use arbitration instead of the court process to proceed towards resolution in that venue.

Amendments are also made in an English-only bill to amend *The Arbitration Act, 1992* to include provisions respecting the arbitration of family law disputes. Amendments are made to *The Children's Law Act, 1997*, *The Family Maintenance Act, 1997*, and *The Family Property Act* to include provisions respecting the arbitration of disputes under those Acts.

This suite of family law amendments will assist to promote alternate dispute resolution methods in family law matters for the timely and cost-effective resolution of family law disputes. Mr. Speaker, it's my privilege to move second reading of *The Miscellaneous Statutes (Family Dispute Resolution) Amendment Act, 2017*.

The Speaker: — The Minister of Justice and Attorney General has moved first reading of Bill No. 98 . . . be now introduced and read the first time. Is it the pleasure of the Assembly to adopt the motion? I recognize the Opposition House Leader.

Mr. McCall: — Thank you very much, Mr. Speaker. Glad to join debate tonight on this first go at Bill No. 98, *The Miscellaneous Statutes (Family Dispute Resolution)*

Amendment Act, 2017. In terms of providing a larger role for family mediators and dispute resolution, certainly, Mr. Speaker, this is a developing field, you know, continues to develop in the field of law generally, but as regards family law, and certainly in being good to the parties and arriving at a resolution that is livable and not marred or scarred by the adversarial nature of some of these proceedings, we think that mediation has a lot to recommend it.

In terms of providing the different definitions for family arbitrator, family mediator, substantiating the role of what is a mediator, that's of course as it should be and well matches this developing area of law.

I guess in terms of how the question of evidence in a mediation session not being admissible in court proceedings without consent from all parties being given, we'd be interested to find out a bit more about that.

And again, Mr. Speaker, I guess one thing that begs the question is, what particular work of consultation has been done with the sector, with mediation practitioners? We certainly know that there have been a good number of mediators that have done some great work at the very highest ranks of the Ministry of Justice, so we have some reassurance in that regard. But we of course don't want to leave these things to supposition. We'd like to find that out from the minister in particular.

In terms of the cost involved, again if you can get to a resolution earlier, that of course would seem to have all sorts of reasons to recommend it, Mr. Speaker. Again not protracted legal conflicts, Mr. Speaker, generally aren't great for any circumstance, but particularly as regards family matters under the law. And in terms of what the projected cost savings are for this, we'll be interested to see what the capacity there is in the system and what, if any, sort of ramping up will be required in terms of mediators and the family arbitrator, as designated under the legislation.

And again, Mr. Speaker, just the broader question of what this does for access to justice issues in terms of, again if you've got the resources as an individual or as a family, generally these matters aren't as pressing. But if these improved solutions or improved means by which to arrive at a resolution in these kind of conflicts, if the financial barrier is still there, it's not much of a solution, Mr. Speaker. So what sort of allowances, what sort of anticipation is made there for the broader access to justice issues that this may entail?

But on the whole, Mr. Speaker, as you might imagine, there's some work of consultation that we'd like to do with the sector, with the experts in the field, and in that regards we'll set about doing that work. And I know that others of my colleagues will have more to say on this bill, but we'll certainly endeavour to get that work of consultation under way in the sector.

But with that, Mr. Speaker, I'd move to adjourn debate on Bill No. 98, *The Miscellaneous Statutes (Family Dispute Resolution) Amendment Act, 2017*.

The Speaker: — The Opposition House Leader has moved to adjourn debate on Bill No. 98. Is it the pleasure of the

Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 84

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 84 — *The Income Tax (Business Income) Amendment Act, 2017*** be now read a second time.]

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

Mr. Forbes: — Good evening, Mr. Speaker. It's a pleasure to rise to this House and again turn to the Bill No. 84, *The Income Tax (Business Income) Amendment Act, 2017*. And the bill before us that we're debating is one that will implement, as the minister said, certain business income tax initiatives that were, of course, announced in the Throne Speech, were, of course, were highlighted in the budget that we saw in the spring where it increases the general corporate income tax rate by a half a point, 12 per cent, in January 2018 and it also cancels a previous change to decrease the rate to 11 per cent in July 2019. And the dividend tax credit rate is being increased for 2018 to reflect the increase in the general corporate income tax rate. It increases the effective dividend tax rate from 10.75 to 11 per cent.

And now one of the interesting things is there's also, and this is one that I think that has been noted, is the threshold is being changed. The small business threshold is being changed from 500,000 to 600,000 as of January 2018.

So this is interesting that we find ourselves here tonight in this debate, and there has been people, members before, and I do want to comment on some of those observations that have been made. It is interesting that we are here. In just a few short months, we've seen several examples of how they've realized that their budget that they delivered was not as well thought out as it might have been, and the impact that it was having was reckless in many ways. And here we are having to debate this here tonight.

And it is interesting. We see other examples. The one we've had questions on, particularly around the PST [provincial sales tax], the increase that my colleague had heard many times on the doorstep in Fairview in the by-election.

And people could rightly make a connection between the dots with that increase in the PST on several items that were hard hitting to families, whether it was children's clothing that was exempt before, or restaurant meals where we saw an increase in the cost of going out for a meal. It was sort of a bit of a tipping point but it was also, for many of us who . . . We have people who work in the service industry. All of a sudden because of that there was a loss of jobs, and the number I think was

something like 2,000 jobs that we saw in that sector because of these kind of actions this government had taken without really thinking through what the impact would be. And here we have this that we're talking about tonight. And we really need to make sure when we present a budget that we act on well-thought-out initiatives that have as few unintended consequences as possible.

[19:15]

I found it interesting. We're seeing one radio show in the morning now, the different members that are running for leadership from the other side are being interviewed. And one of the questions that the member from Silverspring, who's running for leadership, was asked: so what were some of the examples that you would do differently if you could redo that budget? And of course he talked about the PST on insurance. And of course that is one they've heard loud and clear, loud and clear, that they had not thought through all the way what the impacts would be on that.

And interestingly, though, interestingly he referenced the Vicq report, which I thought was very interesting, because I know that this side over here quite often likes to blame us in some weird, twisted way that it was our fault for whatever. So I think that my colleague here and I were blamed for the increase in, or the cut to *The Income Tax Act* for small businesses, I think, in the spring because we had made some comments about the Vicq report, because that was our work that we had done.

And so we had a copy of the Vicq report. And of course it's a very well-thought-out piece of work that talked about how we need to have a suite of tax incentives and taxes that reflect practices in Canada so we are competitive, but that we're not giving away the store either, and not causing unintended consequences like we're seeing in so many fields, so many fields.

So I found it interesting that the member from Silverspring was thinking of the Vicq report. I happen to know Jack Vicq. Jack Vicq and I had served together on the Meewasin board. He's a thoughtful, thoughtful fellow and really researches his work completely and thoroughly. And it would be interesting to see what he means by, what the member from Silverspring means for that, and what his thoughts would be on this.

So we've had several people talk about this. And I think it's one that I know CFIB [Canadian Federation of Independent Business] is very, very interested in. And we know what their comments are, that they appreciate the threshold and the move on that. So we're cognizant of that.

My colleague from Athabasca spoke about the billion-dollar tax cut that we saw because of mismanagement on the other side. And here we have these folks rethinking some of their initiatives, which I think they really, really have to do.

And of course as I said, my colleague from Fairview talked a lot about what the reactions were on the doorstep in August and September in the by-election, when people actually saw the actual impact of their tax increases and tax cuts that these folks have put together. And so that was really tough. And I have to say, and it's really important, when my colleague from Prince

Albert, when she talked about her own personal connection to these cuts and what she has found that to be.

So with that, Mr. Speaker, I know that many people want to get on the record on Bill No. 84, *The Income Tax (Business Income) Amendment Act, 2017*. It's one that we will probably all want to have a few words on that, but at this moment today I'd like to adjourn debates on Bill No. 84. Thank you very much.

The Speaker: — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 84. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 76

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Makowsky that **Bill No. 76 — *The Parks Amendment Act, 2017*** be now read a second time.]

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

Ms. Chartier: — Thank you, Mr. Speaker. It's my pleasure to wade into the debate tonight on Bill No. 76, *The Parks Amendment Act, 2017*. There's a few things that are taking place in this Act, Mr. Speaker, and including the creation of a new provincial park, changing some park boundary descriptions, changing some forestry terminology, clarifying authority to evict for alcohol-related offences, and some housekeeping around language clarity and gender references.

I'll focus the bulk of my comments around the new provincial park as that is actually what the minister did as well. So the government is proposing its second provincial park in the last 20 years. There was a new park proclaimed in 2013 I believe, the Blue Heron Provincial Park, and this one is going to be, well at the moment is called the Porcupine Hills Area Provincial Park, although that's only a temporary name, Mr. Speaker.

I know from my own experience of growing up here in Saskatchewan, provincial parks have been a big part of my life and my family's life, Mr. Speaker. We used to camp when I was a small child. I'm the youngest of seven kids, and camping was the big holiday for us, Mr. Speaker. It was affordable, and it was lots of fun. My mom actually talks about our trips to Candle Lake and heating my baby bottle up on the campfire actually, Mr. Speaker.

And I remember some of those trips. We had a big red station wagon, and we'd all pile into that station wagon, probably not wearing seatbelts. Although my dad was a police officer, and I do remember being like on the cutting edge of starting to wear seatbelts, but I think, in my early years there was no seatbelt to be had in that red station wagon.

I have fond memories of . . . [inaudible interjection] . . . One of my colleagues is suggesting perhaps they let us ride on the roof,

and I suspect that that was entirely possible with seven kids and two adults in that car. But I remember that red station wagon and being at Candle Lake and one of my sisters starting out in a tent and then being terrified of bears and moving into the red station wagon at night.

I remember growing up, my big memory as a child is Candle Lake, but for my own kids, Danielson Provincial Park. My 19-year-old Hennessey, her first camping trip ever was to Danielson Provincial Park when she was about three months old.

Pike Lake and Blackstrap have been important, as someone who lives in Saskatoon. Those are parks that we make frequent day trips. And actually Pike Lake — I have a Boler trailer, Mr. Speaker, and I'm not a very adept backer upper with my Boler trailer — I really appreciated at Pike Lake the ability to drive through my site and park on the one occasion that I stayed overnight and didn't have to worry about backing my little trailer in. So provincial parks I know play a huge role in many of our lives here in Saskatchewan, and I know that's where I've developed my love for the outdoors, for camping, for hiking, for canoeing.

So at first blush the thought of a new provincial park is a really great idea, or sounds really good on the surface. But we have to stop and think about the impacts it might have to others, including concerns that are raised by indigenous peoples here in Saskatchewan, Mr. Speaker. So a new park could be a wonderful thing and protecting land is really great, but if it's a . . . We need to make sure we do a full and meaningful consultations.

The Supreme Court has laid down the duty to consult. It's been articulated fairly clearly that that's a necessity. And I know the minister in his comments, in his second reading comments said that they've been consulting since 2011 on this particular park. And he actually . . . I'm interested . . . I know in committee this will probably be raised, but he in his second reading comments, the minister raises a unique nine-step, raises the fact that the ministry used a unique nine-step process to consult with First Nations and Métis communities. Well I'd be interested in knowing a little bit more about that nine-step process and a little bit further on what indigenous communities are thinking.

I know the day that the bill was first read there were some folks in the gallery from Key First Nation. And it seemed, Mr. Speaker, by the comments in the House, that these were folks who were completely on board with this park. And later on in the rotunda when they were doing media, one of the comments from one of the folks who was here, one of the leaders from the Key First Nation pointed out that it was going to happen anyways, that he believed that the park was going to happen. So they had decided they better fully engage in this process.

But I would flag some concerns that the duty to consult isn't just a one-way conversation where the ministry . . . it's going to happen and so First Nations or indigenous people are then asked to give input at that point, Mr. Speaker. It needs to be full and meaningful. I know they acknowledge that there's some concerns about burial. This is also a place where gathering of medicine is something that's really important to this particular First Nation, so we need to make sure that those issues are

resolved.

But we have a bill before the House, so this is always a case of, well you've consulted and you're going to continue to consult, but you actually have a bill that will be passed by the spring establishing a new provincial park. So there are some concerns that clearly there are folks who don't feel like their needs and concerns have been met.

And I know, with the previous park in 2013, from talking to my colleagues from the North, that there are some First Nations who felt that they were not fully included in the consultation process. And the input that they gave wasn't fully acknowledged, Mr. Speaker, which is a huge issue, especially in this time of . . . We've had truth, Mr. Speaker, and now we have reconciliation or we should be having reconciliation. With the calls to action we need to, I think we need to take that reconciliation lens when we, quite frankly, embark upon just about everything. Whether it's education or the drafting of bills, that lens of reconciliation should be applied. And so I just want to flag some concerns there.

I also find it interesting that the government is talking about its commitment to provincial parks and expanding that land, but in the last two years, for example in the 2016 budget, there was the budget cuts to five urban parks around Saskatchewan, Mr. Speaker. And then in this last budget, in the '17-18 budget, there was the cut to the Meewasin Valley Authority. They lost almost half of their funding, more than \$400,000, which is a big deal. But the other piece which was really important is the lack of . . . the government taking the statutory requirement for funding away from the legislation.

So up until this last spring, Mr. Speaker, there was a requirement that the province and the university . . . It was a partnership, well I guess a tripartite partnership of sorts between the university, the city of Saskatoon, and the province around the Meewasin Valley Authority.

And anybody who . . . I know you live in Saskatoon and know and appreciate how important the river valley is to Saskatoon and to the province. It's about conservation. It is about recreation. There's beautiful canoe launches, the opportunity to walk and enjoy the trails, and it's also about culture, Mr. Speaker. So on one hand here we're talking about the government willing to expand provincial parks, but on the other we've seen urban parks take a huge hit from this government, Mr. Speaker. So that is a huge concern for me.

With respect to this bill as well, some of the other things I had mentioned in it were the park boundary descriptions. And the minister points out in his second reading that there's several park boundary descriptions which are being brought forward for minor amendments, including Christopher Lake protected area, Candle Lake Provincial Park, Danielson Provincial Park, and Greenwater Lake Provincial Park. So these changes relate to some future planning around roadway widening work, canal expansion, and description corrections. And there's a few items of boundary clarification which “. . . the park description requires improved wording to more clearly describe the boundary.”

[19:30]

And I know my colleague from Saskatoon Nutana has worked in that area around, as a lawyer, with land descriptions in her work with the federal government, and pointed out how technology has changed and our ability to map and know more clearly as time goes on with things like GPS [global positioning system], you can better identify some of that land. That's an ongoing process.

And so this is not a bad thing, Mr. Speaker, just something, the usual course of business that I guess over the years will, as we continue to refine those processes, those will change as well.

A third amendment, as I mentioned earlier, is the forestry terminology amendment. The minister points out, this is an administrative amendment to provide a new definition of timber to replace the term "Crown timber" removed from *The Forest Resources Management Act*. He points out that "The forestry amendment also provides clarification that timber harvesting within parks can be authorized under both *The Forest Resources Management Act* and *The Parks Act*, depending on the type of project."

And a fourth amendment here, Mr. Speaker, clarifies the authority to evict for alcohol-related offences. So in the long weekends I believe it is, actually May long weekends, the ministry establishes an alcohol ban. And the Minister points out that, consulting with Justice, they're "... proposing a minor adjustment to close the gap to support an enforcement officer's ability to carry out the annual alcohol ban."

I think many of us ... I don't think it was such an issue for me when I was a little younger, but for those of us who go parks with our families, that there are always those who over-imbibe, and it can have an impact on everybody. Campsites are one of those things, it's communal living and you need to figure out how to live respectfully with your neighbours.

So with respect to this alcohol ban, it adds "... clarification that an enforcement officer may evict for contravention of the annual alcohol ban as is currently supported by *The Alcohol and Gaming Regulations Act*." And he points out that the ban is a last resort and usually officers try to apply warnings and tickets before they go so far as to evict someone from their camping.

And the fifth part of the Act is around housekeeping amendments, around language clarity and gender references, which I've spoken to many times. I always appreciate moving to gender neutral language in bills, and I know in my time here that's happened quite frequently.

Again, the big piece of this Act is the creation of the new provincial park. I just want to flag something else too. So we have the temporary name of the provincial park and, at this point in time, the Minister has pointed out that local jurisdictions and Aboriginal communities will be given a chance to suggest what the park should be named. But I think in the spirit of reconciliation and as this is a ... Clearly this land plays a role in indigenous people's past and present, Mr. Speaker, that it would be a very good thing to think about an indigenous name. But that said, I know I've flagged some concerns with our indigenous people who may not even want this park to go ahead, Mr. Speaker.

But with that, I know I have colleagues who will be adding further comments to this bill, and I know that there'll be lots of questions in committee. But with that, I'd like to move to adjourn debate on Bill 76, *The Parks Amendment Act*.

The Speaker: — The member from Saskatoon Riversdale has moved to adjourn debate on Bill 76. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 77

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 77 — *The Miscellaneous Statutes (Superannuation Plans) Amendment Act, 2017*** be now read a second time.]

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

Mr. Forbes: — Thank you very much, Mr. Speaker. It is a pleasure to rise tonight to enter into the debate on Bill No. 77, *An Act to amend certain Superannuation Acts*. And this one is a very important one, as any superannuation or pension Act is, because it's the kind of legislation that we hope is in place and is pretty solid and bulletproof when we approach the golden age. And we all are looking forward to retiring, and we don't want to see the kinds of things that happened. And we're worried about ... The Sears employees comes to mind right away, what those folks are going through in terms of their pension. And after giving many, many years to your workplace, and you hope your pension is in fact solid and will be able to carry you through the remaining years in a level of dignity that you can feel pretty good about. And so this is one — *An Act to amend certain Superannuation Acts*.

This one really, it seems to focus on *The Liquor Board Superannuation Act*. And I would like to just reflect a bit on the minister's comments. I always find that insightful and a good place to start to launch some of the questions. We know that it is the practice of ministers to come in with prepared comments so that these are comments that are pretty solid. The department or the ministry has taken a lot of time to make sure these are crafted in a way that, if they need to be looked back at in the future, that they can get some clarity around some of the issues.

So the second reading speech for the miscellaneous statutes amendment Act was just on November 6th of this year, 2007, and it talks about the fact that ... The Finance minister talks about, "The first amendment proposed in this bill, Mr. Speaker, is to amend *The Liquor Board Superannuation Act* to designate the minister responsible for the Act as the sole member of the ... Superannuation Commission ..." or the commission that's known for administering the day-to-day goings-on of *The Liquor Board Superannuation Act*.

Now it is interesting that we see with some of the other Acts that in fact they're expanding the boards, but here we have it just being one member. So it will be interesting to know why that is the case. Now it may be that it's the number of people

that are involved with this, and it's becoming a smaller and smaller number. But at any rate, the commission is responsible for the administration of *The Liquor Board Superannuation Act*, or the plan, and the day-to-day administration.

So just to be clear, I had said the day-to-day goings-on. And I should say the day-to-day administration is actually delegated to the Public Employees Benefits Agency, PEBA, which makes a lot of sense, because when the plan now is closed to new members . . . It has been for several years, some 40 years, since 1977. And as of March 2017 there was only two active members. Now I understand my member from Fairview thought there might be three, but clearly the numbers are dwindling.

And so they had looked at both, and both members are actually eligible to retire. And they've taken a look. They've had somebody come in and take a look at their governance, and this is what they've come up with, you know. So it sounds like this is something that, while that was five years ago, the independent consultant thought this was very, very important, because at this point it's really the issue of paying the pension and not so much as collecting the payments. So it's very, very important.

The minister goes on and talks about a second proposed amendment, and that is to allow the restricted retirement options, or we call them RROs, I guess. I don't actually call them that because I don't really talk about them too much. But we are entering the land here, and I have a few of these I will be talking about, acronyms. And it is really something when you start to get into the world of acronyms, especially related to pensions and superannuation.

So they're talking about limiting or restricting the kind of options that are available. So that's one thing to be watching for.

And so, Mr. Speaker, you know, I talked about that there were two active members; that as of December 31st, 2016 last year there are 177 retired employees in the plan.

So the plan is . . . The Act before us just really focuses on the governance issues, and that makes sense as the plan starts to really . . . has less than 180 people engaged in it. It's at the point now, a very mature plan where it's essentially just paying out, and they want to make sure it's still solvent, that it's still a good, solid plan for those 180 people, or 179. And of course that's a major, major concern.

And so we will probably have some questions in committee when we talk about this with the Finance minister about making sure pensions are solid, that these kind of things are planned well, and that there is not the issue of unintended consequences, especially with so few, so few people involved. We want to make sure we're doing the right thing.

And, you know, of course we are seeing the privatization of liquor board stores too, so that's also limiting the number of people. And I don't know what kind of impact that has. It won't have an impact on this because this plan was closed approximately 40 years ago, but on future plans.

So with that, Mr. Speaker, I would move adjournment on Bill

No. 77, *The Miscellaneous Statutes Amendment Act, 2017*. Thank you.

The Speaker: — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 77. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 78

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 78 — *The Municipal Employees' Pension Amendment Act, 2017*** be now read a second time.]

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

Mr. Forbes: — Thank you, Mr. Speaker. And I'm speaking to a few of these bills in order. They have a common theme. It's about pensions or superannuation plans and things like that. And so when you start to look at them, this is the bailiwick, the wheelhouse of the Minister of Finance to make sure these pensions are solvent and that they're in good shape and that we can rest assured that people will be looked after in what we often refer to in their golden years after contributing for many, many years.

And so this Act is a little bit more lengthy. There's more to it. And of course what's interesting, and I always find it interesting when the minister, especially in this case, she does give quite lengthy notes, which is good because I feel that we can understand the bill before us. And this is very important to understand. This is a defined benefit pension plan. So in many ways, many people would think of this as a very good plan when you have a defined benefit plan as opposed to a defined contribution plan. This is the kind of thing that many workers strive for, and actually in many ways, during their working career, make sure that, because they want to retire with dignity and rest easy that they will be able to have their needs met, will forgo significant wage increases to make sure that their pensions are in good shape.

And in this case, the minister talks about as of March 31st, there were close to 25,000 plan members in the municipal employees' pension plan and 737 employers participating in the pension plan. So when we talk about the employers and 737, you wonder how could there be that many in Saskatchewan when we talk about municipal. But these are really — and as the minister identified — employees of schools, rural municipalities, cities, towns, colleges, villages, and libraries, and a variety of other municipal-level employers.

So that's the level that we're talking about, not at the provincial level but at the municipal level. These folks have the option of participating in this. And this shows how important when you have 25,000 members participating in this plan and 737 employers.

One of the interesting things that I found was that in reviewing

the notes of the minister was that they were going to expand the composition of the commission. They were going to increase it by two. So as I was just reflecting on the Liquor Board when they were closing it down . . . But of course this one is active. This one is not closed out. This one, I don't know if it's growing. It would be interesting to know whether it's growing in terms of membership, where it's at with that. That's the kind of question we'll have in committee.

But they are increasing the composition by two members. And as the minister says, one member is to be appointed by employers who employ firefighters and police officers, and the other is to be appointed by the Saskatchewan local of the Canadian Union of Public Employees or CUPE that represent what we call the MEPP or municipal employees' pension plan members. And so I think that's a good thing to see and glad to see that they're on the board.

[19:45]

So some of the things that we are looking for that the minister is putting forward, we would have a question is . . . Well first I want to talk about the framework, the consultation, and unintended consequences, because this seems to be quite lengthy and quite extensive. So we will be consulting with the firefighters, the police officers, CUPE, and others. Are these the kinds of things they're looking forward to seeing? And has there actually been the kind of consultation process that we should see?

For example, this is . . . I'm quoting, Mr. Speaker. And the minister says, I quote:

This Act, Mr. Speaker, proposes to eliminate the portability of the pension benefit for members eligible for pension upon termination of employment. Moving lump sums of money out of the plan at retirement is a financial drain on the pension plan and is in contradiction to the steady stream of payments the plan is funded to provide to members in retirement.

So we get that. Moving funds is a pressure and how big of a pressure that is, we need to know and understand. The question I have would be, what is the exact meaning of that sentence, ". . . proposes to eliminate the portability of the pension benefit . . ."? What is the meaning of that?

So some of these get very technical and we want to make sure we understand fully, we understand fully with our eyes wide open as we're moving forward in this so there are no surprises, that we understood that this is the kind of thing that the minister intended, and that the employees are okay with. Because as I've said quite often, especially at the municipal level employees will, in contract negotiations, really consider the impact of should they take a higher wage percentage or should they make sure their pension is solid. So this is very important. And it doesn't really talk about, oh this is defined benefit pension plan as I mentioned earlier and that's a very, very important thing.

As so you know, and there's other things to talk about, making sure amendments that all employers to remit contributions to MEPP within 15 days of the pay period so that's more equitable and that type of thing. We appreciate that several updates to

language ensure that it's gender neutral and uses modern language and so that's a good thing.

So, Mr. Speaker, Bill No. 78, *An Act to amend The Municipal Employees' Pension Act* is one that as I said, everybody is interested in their pension. It became a topic of significant interest this past year particularly with the Sears closure and the windup of Sears Canada. So everybody is thinking about these kind of things and is thinking too about the impacts on our cities, our towns, our villages. We know this has been an ongoing debate — to make sure the liability is appropriately funded by the employer and the employee. And that's a critical piece. So this is one that we will need to make sure we consult with the firefighters, the civic employees, the people who work at colleges, the libraries, those kind of places to make sure they're on board with this and they feel this is the right kind of thing that needs to be done.

And so with that, Mr. Speaker, I would like to move amendment to . . . not amendment, adjournment to Bill No. 78 . . . [inaudible interjection] . . . I'm not sure if the member who had trouble between standing and sitting today is lecturing my adjournment amendment. So I will take that as a point well taken from my point of view, not that I'm in that place to take that point. But, Mr. Speaker, I would move adjournment to Bill No. 78, *An Act to amend The Municipal Employees' Pension Act*. Thank you.

The Speaker: — The member from Saskatoon Centre has moved adjourned debate on Bill No. 78. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 79

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 79** — *The Public Employees Pension Plan Amendment Act, 2017* be now read a second time.]

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

Mr. Forbes: — Thank you very much, Mr. Speaker. It's a pleasure again to rise on my feet to talk about Bill No. 79, *An Act to amend The Public Employees Pension Plan Act*. Again, as I will say, that's a very important piece of legislation. All these pension pieces are very, very important, for as I have said prior . . . But if people are just tuning in now, or focusing only on this one, that they are there. They will be solid. They will be long lasting and will not be surprises for people who retire after many, many years of working at a particular job and thinking that their pension will be there. And so we take this very seriously.

And I know the people, I know the people who administer of these things and look ahead to make sure that they're solid, are very, very, very careful. And we think this is important. And I did allude to some of the things that are happening in Canada, that have been happening over the past year where we'd see

large corporations fail and employees are the back of the line when it comes to their benefits and getting their fair share.

And so this is an interesting one that we have before us, Mr. Speaker, the public employees pension plan. And I'll review the minister's comments again. She had quite lengthy notes. Always when we're talking about pensions, it gets to be a technical, dry topic, and I am very, very thankful that we have people who do look after these things and really make sure that the money is there and that it's solid.

But as she outlines right off the bat, this one . . . The other one . . . You know, this is the third one that I've talked about. We had the liquor board one which had about 180 people in, two active people right away, and the last one was 25,000 members. This one we have 65,000 members. So you know, between the two, 65 and . . . that's about 90,000 members, you know, in a workforce in Saskatchewan of some 600,000. You can see this is a significant number of people who are in these two plans. And in this case there's 146 employers.

Of course, this is the public employees pension plan and known as PEPP. What's interesting about this one is it's a defined contribution pension plan that's administered by the Public Employees Pension Board.

So the last one I talked about was defined benefit plan where you knew what you were going to be getting out at the end of the day. That was the aim of the plan that those benefits, you would know they were defined, and that was the goal of the plan.

Here is a more . . . has emerged in a more modern thinking, I think. I could be wrong. But it's a contribution where you have defined contributions, whether it's 7 per cent of your salary or 5 per cent, and then that's invested and then you get what you get. So the plan was established in 1977. It provides a means of saving for retirement and means of receiving retirement income for its membership — the employees of executive government, government agencies, Crown corporations, and other employers.

And so, Mr. Speaker, you know as I said, this is something that changed. It happened around 1977. I know when I started — I actually started teaching in 1982 — the changeover date was 1980 for teachers. But this will be interesting to see again what the feeling is, whether there's been good consultation on this because, again as I said, people want to know that things are solid.

The minister is proposing in this bill six amendments, and she says they'll improve the rights of the PEPP members and their spouses and improve the services provided to PEPP. The first proposed amendment would provide immediate vesting or locking in of required member and employer contributions, and that entitles the member of the contributions made by the employer on the member's behalf. And so this will be very interesting. So currently members must wait one year to become vested. Locking in means a member's account balances must be used to provide a retirement income. Locking in happens currently at one year membership, and this will mean that it happens immediately and so I assume that means that it can't be taken out.

Now it's interesting, and I think this is one that my colleague from Prince Albert talked about, because many of us have had, when we were younger, a job that maybe lasted a month, six months, and you haven't really thought about the contributions to your pension plan and where they might be. Where were you working when you were 21 or 22? And now you're 60 or 63 and you're thinking back, where did I work? Did I get my money back from these different places? And so it's very important that people keep track of these because these could be significant amounts of money.

We did some work and I would even thank the former minister of Education for the work they did. We had some 1,500 teachers, or teachers who had worked less than 20 days, 20 days, and they couldn't get their pension out. Only their estate could get their pension out which meant they had to die and somebody had to know if they were a teacher for 20 days. Now if you can think about what the scenario would be: you're 20, you worked for a week or two in a school, realized you hated that job and you wanted to be anywhere else and mutually you moved on, but you did make a contribution.

So what happened was there was something like 1,400 people like this, that were in this spot, and one of them came to me. And it took about four or five years, but we were able to get her money to her. She was retired, and it was about \$800 that we were talking about. It's not a huge amount of money but it was still something, and she felt like, you know, she remembered that she had done this.

Many others would not or may have passed away between . . . Because you're talking about a lifetime between being twentysomething and 65. So it's kind of interesting when we think back about where did we work when we were twentysomething and did we make contributions to a pension plan and what happened to those contributions?

And so this is the kind of thing when I talked about locking in. This is an interesting amendment. And how many people would this impact? And of course, especially for younger people, you know, the fact that they may not be there at 65 to collect their pension. They may not have a spouse. What happens to that money? Of course, that will be interesting to see.

Two other related amendments would also provide the spouses of PEPP members with additional rights. One would clarify that spouses of the deceased member in PEPP keep any amount left to her or him in PEPP. And with respect to that amount, they would have the same rights as any other non-working member of PEPP. So that's interesting. Another one would propose . . . proposed amendment would remove a 15-day waiting period for unlocking voluntary contributions with termination. So there you go with that.

And then she talks about issues administrating PEPP with respect to out-of-province members and the monies which would be subject to laws in other provinces. So I think these are all very interesting and also just a technical thing: changing or recognizing the new union, Unifor, and the name change from Communications, Energy and Paperworkers Union or CEP as we would call them. They do actually appoint one member to the board.

[20:00]

So this is an interesting piece of legislation that we have before us. This suite, I'm sure it'll come together. The minister will bring them together, and we'll have them in committee. But it's one that we do want to make sure that we understand the consequences and that everyone is treated fairly.

I do have some questions about locking in so quickly. And what is the process of getting that money out, and are people going to be aware of that? That's an interesting one because I know as pensions want to have draw on bigger and bigger pools of money, so they're looking at those early contributions because those are the ones that grow over time, and if they can keep them, then that would be very helpful to the plan. But it's also important that we balance the interests of the person who's only worked a short time and whether they should be locked in as quickly as the minister is suggesting.

So with that, Mr. Speaker, I would move that we adjourn debates on Bill No. 79, *The Public Employees Pension Plan Amendment Act, 2017*. Lots there, but I would like to adjourn debate on that this evening. Thank you.

The Speaker: — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 79. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 80

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 80 — *The Municipal Financing Corporation Amendment Act, 2017*** be now read a second time.]

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

Mr. Forbes: — Thank you very much, Mr. Speaker. It's a pleasure to rise on Bill No. 80, *An Act to Amend the Municipal Financing Corporation Act*, and really essentially what this does is increase the allotment that the Municipal Financing Corporation of Saskatchewan can give out. Right now currently it's \$350 million. This recognizes the nature of capital markets and the growth in the expenditures for larger projects, and so they're increasing it to 500 million.

And I'll just take a moment to reflect on the minister's comments and talks about the first change, repeals the financing corporation's 30-year borrowing limit which goes back to the '70s. That's interesting that we haven't changed it since the 1970s. And she talks about, you know, capital markets have evolved since then to permit borrowing longer and more cost-effective terms. Now it is interesting . . . So repealing the 30-year limit and put it more in line with other Crown corporations which have a 40-year time frame. So that's straightforward.

And of course the second change is to increase the debt limit

from 350 million to 500 million. And to give us a bit of a time frame for this, the debt limit was set at 250 million in the 1970s and then raised just seven years ago to 350 million to assist local governments to address their infrastructure needs. And she argues that it's prudent to increase the limit once again to ensure the demand continues to be met and no one is turned away. And so she argues that it's self-sustaining debt, like the debt of SaskPower, SaskEnergy, SaskTel, and does not affect the GRF [General Revenue Fund] operating debt. Local governments are fully responsible for repaying any amounts of the loan to them, and she talks about infrastructure financing and that type of thing.

But it is interesting and one could recognize the fact that we do need to have more resources, more tools in the tool kit for doing this, and it hasn't been increased since the 1970s, which she makes the argument. But in their time frame, this government has essentially doubled their lending limit from 250 million to 500 million. And we've seen a government who particularly in that last budget where the Finance minister was the minister at the time, I believe, in charge of municipal relations, and broke the long-standing contracts with the municipalities around the SaskPower contracts that they had when the province took over the different power utility companies, local companies in each of the municipalities, and promised them a certain return over the number of years. So yes, these municipalities are going to have to do more and more, and allowing them to borrow more and more, I hope, is something that they've been asking for, is not something they're being forced to do.

So this is one that we'll be interested in hearing more from SUMA [Saskatchewan Urban Municipalities Association] and SARM [Saskatchewan Association of Rural Municipalities] about. Is this the kind of thing that they see as the answer to funding infrastructure shortfalls in their community? We do see and we've seen and when we take a look at the bypass that grew from some \$400 million to, I believe, it is \$2 billion. And it gets them aggravated when we talk about the numbers, but those are the numbers. Those are the facts. They don't like to hear those facts. But things that they have created, in many ways, an inflationary cost to a lot of these projects, that if they were planned out and done in a more sustainable way, we might not be facing the kind of pressures we are, that would force a government to break a long-standing contract with their local municipalities.

So this one is interesting. While it seems straightforward and technical in some ways, there's a lot there that we will need to be checking, and I'm anxious to see what our critic will be saying.

Mr. Speaker, we have lots of bills before us tonight, and I know many people will want to get up and speak about some of these issues. So I will be looking forward to some of the answers, some . . . She did not mention whether she consulted on this. This is one that we think there should've been great consultation. And did the municipalities ask for this?

So with that, Mr. Speaker, I'm going to move adjournment on Bill No. 80, *The Municipal Financing Corporation Amendment Act, 2017*. Thank you.

The Speaker: — The member from Saskatoon Centre has

moved to adjourn debate on Bill No. 80. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 81

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hargrave that **Bill No. 81 — *The Traffic Safety (Miscellaneous) Amendment Act, 2017*** be now read a second time.]

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Thank you, Mr. Speaker, to join in on Bill No. 81, *The Traffic Safety (Miscellaneous) Amendment Act, 2017*. Initially there's a bunch of areas where I guess government is making some amendments into this Act. And there's quite a bit of information in the actual that's been provided, and we will be . . . And I know my colleagues have had a dialogue on this and talked quite a bit I think about, you know, some of the issues that many people . . .

But before I get into talking about the bills, I want a little bit of a . . . You know, it's concerning overall when we look at Saskatchewan, and it's nothing to be proud of — our track record with impaired driving, the chances that people take in this province, and those families that have been impacted with the loss of life. And you know, you look at some of the numbers. You know, you're hoping the awareness in 2015, then you have the awareness of 2016. Still the numbers are more impaired driving and more people taking the chances. And when we say that . . . And you know, I say that.

And I know from our side of the House, you know, being a part of the traffic safety hearings that went around the province . . . And I've kind of talked about this a few times. And we went around hearing the issues and concerns that many people, you know, brought forward about the concerns and about tougher penalties. And I have to say it's taken a while for the government to finally hear what the people are saying, that this needs to change.

Saskatchewan has the worst, worst record in Canada, and that is nothing to be proud of. And for those that, you know, take the chances, that go out there and, you know . . . And I think about the families and anyone who's been impacted by a loved one being hit by an impaired driver. You know, our hearts go out to them. And it's happened too many times in this province, and there's too many people willing to take that chance. And I'm going to get into a little bit about some of the changes that are going to be brought forward. And you know, I say to the government, on this side we're saying, you need to be tougher. You need to be harder on impaired driving and holding those people accountable.

And I think sometimes the idea that, you know, you can maybe take a few drinks and you can drive, and you take a chance. And I think people . . . And we have to educate people about that, that you are taking a chance because you just don't know at what point you're going to be over, in the warning range, you

know, where you're going to get pulled over and checked. I think a lot of people in this province and I think really the young people are educating themselves. And I watch that.

And we look at the numbers of loss of life. It's in the rural area. It's in a lot of the First Nations communities. So we see those numbers. They're high. And we know that it has to be addressed and we have to do something. And this is a start.

You know, we implemented new, I guess, penalties for those that were in the .04 to under .08, in the warning range, where they were given . . . you know, they're pulled over, and they've been having a few drinks, and they blew over. There were some consequences, but we said that it needed to be harsher. And I'll get into a little bit about that. And I mean people do it. They jump in their vehicles, and they go have a few drinks, I guess, and they decide to drive.

I'm hoping with education . . . And I know SGI [Saskatchewan Government Insurance] has done that, you know. They're trying to educate the public. They're trying to make sure people are aware. And I think some of the changes in here will hold people accountable and I think that's important that people . . . It doesn't matter who you are. It does not matter who you are, you should be held accountable. If you're going to get in a vehicle while you're impaired or while you've been drinking, you have to understand that you should face those consequences and should face the consequences. And no one should get away with that.

But having said that, there are those individuals that, for whatever reason, will maybe take the chance or whatever, get pulled over. And I see some of the amendments in here. When we think about children. If you're in a vehicle and you're operating a motor vehicle and you've had a few drinks or I guess you're impaired, they're making the penalties stiffer. And I think those penalties should be stiffer. You know, you have children in a vehicle with you and you're operating a motor vehicle while you've had drinks or you're impaired, and I think people need to be held accountable. So now when we see that, if you're under, you know, 16 and you have children in your vehicle that are under the age of 16, you're going to have stiffer penalties.

And they're looking at some of the changes in here. That not only are they saying you're going to have stiffer penalties but, each time, should you reoffend, and I know . . . should you reoffend and you decide . . . You've been found and you're found guilty of it and you get the consequences. But should you do it again? And I think they're going to make it harsher every time to try to send the message. And again on this side of the House, I think it's important that that message be and the penalties be strict and the penalties to save peoples' lives in our province and damage and injury and so on needs to happen, and our children and the public needs to be protected. So these amendments are going to give some more protection.

Other provinces have done already, you know, many different things to try to curb this and it's shown in some of the areas. And you know, me and my colleague, when we're on there, member from Riversdale, you know, we shared that and we had, you know, hearings and we had people give testimonies about that, where you had some provinces that did some harsher

penalties and did the warning range. It helped and it made a difference and it saved lives. And that's what this is about.

So anytime, Mr. Speaker, you have an opportunity to take penalties and make them harsher for someone choosing to do this, I think it's going in the right direction. I think it's education, and we talk about. But unfortunately, sometimes even the education doesn't get through to people. People still take the chances. But when they are going to take that chance, then I think here is, when they have children, there's an opportunity.

It also talks in here the length of, you know, seizing someone's vehicle and in that case, repeat offenders. Like I said, the penalties will be harsher and each time it goes up.

[20:15]

It's also another change that they're proposing in here. Right now, currently, they can look at your record in the past five years. They can look to see, you know, did you have any impaireds, any warning ranges, and anything like that. Well this now gives law enforcement the opportunity to go back 10 years to have a look to see if there is a pattern, and maybe they'll find a pattern in those 10 years and the penalties will be harsher. And again this is something that I know later on when we get into committee we're going to have lots of questions, but for now at least these are some changes we can talk about right now. And I think, you know, it's good as you're enforcing stiffer penalties for those that make that decision.

There is also in here . . . part of it is, my understanding, it's not just the .08 in the Criminal Code that you'd be charged with. There is other areas. And I think in here, my understanding is, should you be under the influence of narcotics or other substances, you as well . . . There is giving provisions for the Criminal Code and you refuse to be tested, or my understanding, you don't want to be, you know, you don't want to take the test that an officer is asking you to comply with and you refuse to, you can be charged. But I know we're going to have to go through in committee and work through that, and that's fine. We can do that.

Also another area in here, we talk about safety. We know that we have emergency vehicles. There has been, you know, whether it's those first responders, tow trucks, different ones that go out there, our Highways workers. And I think about them when they're on the side of the road. We're changing it now. People might fly by them because they're pulled up on the side of the road. Now you will be required, and that's my understanding, and I know in committee we'll ask this, but my understanding of the way the Act is coming out is you will now be required to slow to 60 kilometres when you're passing even a Highways vehicle with their lights on on the side of the road or emergency vehicle or tow trucks, different ones that have certain lighting that indicate that they're an emergency vehicle or first responder. You are required, and there is the change in there that you will, even though they're on the side of the road, you have to slow down to 60 kilometres.

So there are some changes in here. Again there is lots of changes and I know we're going to talk about that. But that's just some of the areas where . . . just quickly to go over some of

the challenges and some of the changes that are being proposed. And I know we'll have more of that.

But having said that, there's some other areas I just want to talk about in light of, Mr. Speaker, the government, you know, selling off STC [Saskatchewan Transportation Company] and that was . . . People are still mad. You go to rural Saskatchewan, the North — many people.

You know, it's interesting. They're changing some of the, I guess the certification, operating authority certification. STC, those that transport passengers in the province, on our highways throughout the province, they used to have to have a certain certification to make sure . . . And there was a list you had to follow. You had to go through and follow and make sure that for safety . . . And that's what we want. This is about the public safety.

But you know what's interesting? We were looking at some numbers. And this is a good time to talk about STC and here STC was one of those that provided a great service but their safety record was, you know, bar — from my understanding — none. There was no other. Nobody else had the safety record the way their . . . Their drivers were very professional and they did what they needed to do to make sure the public was safe.

But you know what's interesting? You have a government who talks about, Mr. Speaker, about oh, well it wasn't used as much as this and that. Do you realize that 90 per cent, 90 per cent of Saskatchewan people had access to STC? I know they talk about the communities, oh, no. But if you look at our population, 90 per cent of Saskatchewan's population had access to STC, had access — 90 per cent of our population.

So when they say oh, there were small towns here and this is why we're not covering, that is actually their way of doing it. But when you look at the numbers, it's shocking that 90 per cent of Saskatchewan residents had access to STC. It might even be 91 but I'm going to say 90 just to try to, you know, to be fair; 90 per cent had access to STC. And here's the government who's doing away with it. And it was a safety thing, and I talked about the safety thing.

So now the government has decided that they're going to repeal. They're going to repeal the certification so that it makes anybody that's taking our passengers, whether it's our kids, whether it's our seniors, those on medical that are going to get on passenger vehicles . . . Because there is no more STC because the Sask Party government shut it down and sold it off. But now we're going to ask residents to get into a vehicle that now the checklist doesn't need to be . . . There's no requirement for those businesses or those individuals operating passenger vehicles throughout the province, there's no requirements for them to meet certain things, whether it's safety. There's certain criteria that they had to meet and SGI, you know, whether at SGI or Highway Traffic Board would enforce that or see that, you know, certain companies that, you know, provided that would do that. And unfortunately they're moving away from that and they're eliminating that.

And I don't know how it's going to work, but I know we're going to have tons of questions and that needs to be because the public wants to know and the public has a right to know. The

public will hold the government to account.

And I've heard that many times just because of STC, that they did away with STC . . . And you know, Mr. Speaker, it's about safety. And they talked about the dollars. And you know, they talked about, oh, we've got 100 million that in five years we'd have . . . That wasn't so. I believe, you know, we were looking at 10 and then we were moving to 11 million. So I mean they want to play with the numbers. Oh, it was 100 million over five years. Now all of a sudden it was amazing how it moved up.

Well there was different ways they could have protected that so that we did have smaller vehicles, which they did have. They bought 22-passenger Mercedes vans or buses that were logoad, sitting there, never used it. But that's amazing.

So I know I've gone a little bit away from the initial bill, but I think when you talk about the certification of a passenger and the buses that STC had to go through and that other, you know, those that provide public transportation, there's certain criteria they have to follow to make sure the public is safe. And here the government's saying, no, we don't need that anymore. It's off. We don't need it, so we're not going to have it.

So again I talked about this. And I say we will have many questions. I know my colleague, the critic for SGI, will also have many questions and will, you know, get a chance to question the minister and his staff and his officials. And we can get some details into exactly what's going on.

So having said that, this just was an opportunity, and I'm glad I had an opportunity to join in on the bill and just to go over a little bit of some of the information that's been provided and that we could share. And I know we're going to have more to say, a lot more to say, and we're going to have a lot more questions when it goes to committee. And I think when you're talking about public safety, we have to hold the government to account.

And the people back, you know, in the constituencies that we represent on this side of the House are going to hold that government. And I know even some of those members on that side of the House have constituents that are not happy with the handling of STC and how they've tried to spin it — you know, oh, it's not a public service. Yes, it was. We provided a public service to Saskatchewan, and you should have asked them before you sold it off. You shouldn't have done that.

But having said that, Mr. Speaker, I'm prepared to adjourn on Bill 81 at this time.

The Speaker: — The member from Cumberland has moved to adjourn debate on Bill No. 81. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 82

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hargrave that **Bill No. 82** — *The*

SaskEnergy Amendment Act, 2017 be now read a second time.]

The Speaker: — I recognize the member from Nutana.

Ms. Sproule: — And thank you very much, Mr. Speaker. Pleased to be able to enter into the adjourned debates here tonight in the legislature, and in particular tonight I'll be addressing the changes to *The SaskEnergy Act*.

The changes seem quite simple on first blush but as I started looking closer into this, Mr. Speaker, while preparing for the debate, I've become increasingly and increasingly concerned about the changes that are being proposed here. The minister gave some very brief comments with some words that seemed quite reassuring if you look at them at first blush. It seemed, you know . . . He uses words like "efficiencies" and "enhancing safety" and "increasing opportunities" and things like that. But, Mr. Speaker, what I see here essentially is a privatization bill.

This bill is proposing to change the way natural gas is being transported in this province. It's always been the purview of TransGas or SaskEnergy and all of a sudden we have some changes in here that will I think affect very much the bottom line of that Crown and of course then will impact on the dividends that they receive from, that the people of the province receive from this Crown.

Now when I look at SaskEnergy's dividends over the last 10 years, we have received over \$400 million in dividends from SaskEnergy since 2006, and 2016 was one of the best years ever for SaskEnergy, or the best years ever for dividends to the people of Saskatchewan. They provided \$64.7 million in dividends in the year-end 2016. Now that's a lot of cash coming into the GRF, Mr. Speaker, \$64.7 million in one year and, as I indicated, \$400 million over 10 years from that one Crown, SaskEnergy.

Now what the minister indicated in his opening comments, he says these updates, the amendments that are in the bill, will allow the corporation to better serve the private sector business opportunities. So when a minister says we're going to change a Crown corporation to better serve private sector business opportunities, Mr. Speaker, that sounds like privatization to me. It sounds like the privatization of significant aspects of what this Crown corporation is currently doing and of course providing these sort of dividends to the people of Saskatchewan, like I said, in the tune of over \$400 million in 10 years.

So you have to really question what's going on here. When we see the minister . . . And I think once we get into committee we're going to have the opportunity to really unpack this coded language in the minister's comments to understand exactly what the net impact of these changes will be on SaskEnergy's bottom line, which of course is the bottom line of us as citizens of the province. This is our Crown. So I find the language he's using quite glib and perhaps understated to the point where you might not really realize that this could be an out-and-out privatization of key services of SaskEnergy.

So you have to ask yourself, okay, well if they're privatizing parts, significant parts of the SaskEnergy service, what exactly

are those changes? He goes on to say, “The major focus of the proposed amendments is on sections 23 and 60, the exclusive rights for distribution and transportation of natural gas.” Mr. Speaker, make no mistake: SaskEnergy currently holds the exclusive rights for the transportation and distribution of natural gas. That’s how it works. When we talk about transmission, we know it’s SaskEnergy providing that, and of course distribution is through TransGas. There was an attempt to privatize that back in the ’80s I believe when the Conservative government was in power. They tried to actually privatize out and out TransGas, and if you’ll recall, Mr. Speaker, that was quite the sensational time because the entire NDP [New Democratic Party] caucus basically walked out and let the bells ring for several days, if I have my facts right. And I may be colouring it a little bit, but something along those lines. But basically the furor that came out of the public when the concept of actually getting rid of this Crown was contemplated caused the government to back down. And in fact there was soon a change in government at that time.

So here we see maybe perhaps an attempt to go through the back door what the previous Conservative government couldn’t do in the front door, and that’s to significantly privatize certain aspects of the work of this Crown, of SaskEnergy, and perhaps significantly cut into their profits and of course the subsequent dividends that we receive through the Crown Investments Corporation.

So okay, let’s take a look at these sections then. Section 23 of the current Act, *The SaskEnergy Act*, talks about exclusivity. This is a key function of this Crown. Section 23, the headline says, “**Exclusive right to distribute gas.**” And there’s a big description of what the distribution of gas is, what’s a metering point, an oilfield facility system, and a supply system.

[20:30]

And section 23(2) says, “The corporation has the exclusive right to distribute gas in and through any area in Saskatchewan.” So it’s pretty clear that that is something that is carved out for this Crown corporation, is an exclusive right to distribute gas. So what’s happening with this bill, Mr. Speaker? How is that being amended?

If you look at clause 5 of Bill No. 82, you will see that whole section’s being repealed and now instead of having that exclusivity determined in the Act, we see it being moved to the regulation authority.

So section 23(1) is now going to read, in this section and in section 24:

- (a) **‘distribution of gas’** means distribution of gas as defined in the regulations;
- (b) **‘exclusive right to distribute’** means the exclusive right to distribute as set out in the regulations;
- (c) **‘metering point’** [now] means a metering point as defined in the regulations;
- (d) **‘oilfield facility system’** means an oilfield facility system as defined in the regulations; [and]

- (e) **‘supply system’** now means a supply system as defined in the regulations.

So they are taking the clear legislative definition that currently exists in this bill and moving it into the regulatory authority which, as you know, Mr. Speaker, and you’ve heard me talk about this before, that means Executive Council can change the rules now without ever coming to this House, without any public scrutiny whatsoever.

And I think that’s something that is . . . [inaudible interjection] . . . Yes, we see it, and my colleague indicated, it’s a theme. It is a theme. We see this on a regular basis. And this is moving to the regulations the essence of the exclusive right of SaskEnergy to distribute gas.

I think this raises all kinds of alarm bells and is certainly being done quietly in this bill. And I think, as we move along and have an opportunity to consult with different people, members of the public, to get a clear understanding of the impact of changing the exclusive rights of distribution, which is a core tenet of this Crown corporation, what is that impact going to be on the profitability of this Crown?

And certainly we know what happens if the bottom line, which is kind of all the Sask Party looks at . . . When we look at STC for example, if they don’t like the bottom line, then they just privatize the corporation through any means possible. So I think this is the beginning of a fairly slippery slope. I think this is the beginning of some very significant changes to the core essence of what SaskEnergy is about.

Now the minister indicated that we see these amendments in section 23, but we also see changes to section 60, which is another section relating to exclusivity. So I’m just going to remind the people looking at this of what section 60 talks about. Again the marginal note for section 60 is called the “**Exclusive right to transport gas.**” This was placed in the legislation. This is part III of the Act. It talks about transportation of gas. And this is, section 60 is about the exclusive right to transport gas.

There’s a bunch of definitions in section 60 again. But section 60(2) says:

- (2) TransGas has the exclusive right to transport gas in and through any area in Saskatchewan.
- (3) TransGas’ exclusive right to transport gas . . . operates notwithstanding any other Act or any consent, permit, right, special franchise or privilege in the nature of a franchise granted before or after the coming into force of this section.

And it goes on to talk about:

- (4) TransGas’ exclusive right to transport gas [this is subsection (4)] . . . does not apply to the transportation carbon dioxide or of gas derived from power generations.

There is some exceptions. There is another exception, subsection (5), on:

- (5) . . . transportation of gas from a gas gathering and

processing system to an oilfield production facility . . . where the gas gathering and processing system and oilfield production facility are owned by the same person.

So those are exceptions to TransGas's ability. When you have an oil company processing in one place and producing in another spot, then it makes sense that they can actually transport their own gas to their own systems.

So that is the essence of this part of this section, part of the Act, part III. And I think it's also the essence of the nature of the Crown and one of the reasons why our Crowns are successful, Mr. Speaker.

So let's take a look at what's happening now to section 60(1). This is section 10 of the new bill. And so in section 60(1) right now we have those definitions that I was talking about. We have very clear definitions of what a gas gathering and processing system is, a TransGas transmission pipeline, transportation of gas — those are the three definitions.

Now what the new section in section 10 is doing in this amending Act is taking out that definition, much as we saw in section 23. And they're saying now the definitions of these very important terms, for example:

'enhanced oil recovery operation' means an enhanced oil recovery operation as defined in the regulations.

The exclusive right to transport, again a key tenet of what this bill is about, here's the new definition:

'exclusive right to transport' means the exclusive right to transport as set out in the regulations.

So once again we have Executive Council being able to change, through an executive order, what exclusivity means without ever coming before this legislature, Mr. Speaker. It's never going to come on the floor of this House and be debated. That exclusivity definition is now entirely within the control of the Lieutenant Governor in Council, which is basically cabinet, Mr. Speaker. I think that's concerning.

I think that's something that the public is going to want to have a thought or two about and have an opportunity to comment because right now if this goes through, this is the public's last chance to comment on what an exclusive right to distribute gas means in this province. And, Mr. Speaker, for me, that is very concerning.

So certainly we're going to be able to take this out for consultation with the public. I'm not sure that anybody in the public actually asked for this bill. I don't think anybody in the public was consulted about this bill. And I don't think that anybody in the public is even aware that these significant changes are being proposed. Now there may be, and certainly we're going to want to consult with those folks who are more up to speed on these kinds of changes to *The SaskEnergy Act*.

There are some other changes that the minister refers to. Some of them are considered what he says, housekeeping matters, and I would agree with that. Funny that they're preventing SaskEnergy's insurance premiums from rapidly increasing at

the same time that they're slapping on PST to every other insurance premium in the province. But those inconsistencies are, I guess, merely observations and leaves you to wonder where the priorities are for sure.

Sections 54 and 64 again are going to allow the Lieutenant Governor in Council to make regulations respecting the exclusive business rights definition. So I just want to take a quick look at that, Mr. Speaker. The exclusive business rights definition, section 54 currently reads . . . And I'll just pull that up.

Oh, this is under the offences and penalties clause. So what they're doing there is they are amending it; 54(1)(d) is amended just by adding "fail to comply with . . . provisions of this Act" and the regulations because so much of this Act is now being bootled over to the regulatory sphere that those kinds of changes are actually required.

So, Mr. Speaker, I don't have a lot more to say at this point in time. I think there's a number of alarm bells that go off for me when you see the minister saying:

These amendments will allow SaskEnergy to provide efficiencies and enhance safety to the corporation and its customers by allowing flexibility to determine the end point of the gas distribution system . . . [and] by allowing for third party trucking to qualified companies . . . and move the exclusive business rights definition from the Act into . . . [the regulations], allowing the corporation to make necessary updates . . .

So this is coded language, Mr. Speaker, and I think we have to be really careful and work hard to unpack exactly what this means. And I believe, as we go forward in the adjourned debates and as we have an opportunity to go out into the countryside and talk to the folks and talk to people who understand this clearly and can explain the implications, then we'll be better set, Mr. Speaker, to go into committee and raise some of these questions and determine what the exact impact will be on the bottom line of SaskEnergy, which of course affects the bottom line of the dividends that this proud and strong Crown corporation provides to the people of Saskatchewan.

So as I said, Mr. Speaker, there's a lot of alarm bells that go off here. There's a lot of concern. There are, I think, some very significant changes being made to the exclusivity of SaskEnergy and TransGas. And as a result, the changes that are being proposed will allow the executive arm of government, the Lieutenant Governor in Council and cabinet, to make those changes without ever, ever consulting with the people of Saskatchewan, I think without ever exposing it to debate on this floor. I think those are things that are going to be quite alarming and would hope that the government would reconsider this.

But at any rate, Mr. Speaker, I know others of my colleagues are going to want to have an opportunity to speak to this as well. So at this point in time I'd like to move that we adjourn the debate on Bill No. 82, *An Act to amend The SaskEnergy Act*.

The Speaker: — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 82. Is it the pleasure of the

Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 83

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 83 — *The Environmental Management and Protection Amendment Act, 2017*** be now read a second time.]

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

Ms. Chartier: — Thank you, Mr. Speaker. It's my pleasure once again to wade into debate tonight, this time on Bill No. 83, *An Act to amend The Environmental Management and Protection Act, 2010*.

This bill, for all intents and purposes, is our resource management legislation. It was originally passed in 2010, so not very old, Mr. Speaker, only seven years old. And it's around . . . The goal I guess of the bill would be to assure that our environmental resources are sustainably managed and that our environment is protected.

Some of the changes in this from the original bill, the first change is expanding the definition of "person" from *The Interpretations Act, 1995*. It expands the definition to include unincorporated associations, partnerships, or other organizations, providing the legislative authority to issue permissions to these types of facilities to ensure regulatory fairness and compliance through expanding the definition of "person."

The next, another piece here, Mr. Speaker, is on the minister for all intents and purposes here giving himself more power. There will be an amendment, there's an amendment that will allow the minister to appoint new members to the Saskatchewan Environmental Code advisory committee in a quicker fashion. The advisory committee members, the argument is that they're changing frequently due to changes within organizations and associations that sit on the committee.

Members currently are appointed by orders in council. The ministry is arguing, the minister's arguing that he can't appoint new or replace members in a timely fashion to keep up with the committee as it meets every second month. And the argument is that by not appointing members in time for the meetings, the members are not entitled to vote or remuneration or reimbursement of expenses. So they're suggesting to replace section 4 of this Act. Instead of an order in council, it will be at the minister's discretion.

I understand here that the minister can perhaps move more quickly than an order in council, which can take some time. This is a committee that has met six times since 2015. And I understand that it's probably simpler for the minister to do this, but again this is a government who it's become very apparent that accountability and transparency is a bit of an issue. So putting more hands, putting more power in the hands of the

minister, I think having more checks and balances is not a bad thing. I understand the rationale but as again, this committee has only met, has met six times since 2015 — so in the last two years — I'm not sure that this is a necessary move.

And I understand why they're wanting to do this, but there's always concern when you're taking power — whether it's taking power out of legislation and putting it into regulations where you have less oversight, or taking power from a larger group from pursuing an order in council to the minister's hands directly, Mr. Speaker — all those kinds of things are a concern. So that's something that's taking place in this bill.

[20:45]

There's one of the other amendments. Right now the bill refers to — this has been apparently at the request of the Water Security Agency — right now the bill . . . I'll just take you back to section 5. It's actually for all intents and purposes just adding the words "human health." So the environment is mentioned, but they're adding a reference to human health for clarity to ensure harm to human health is captured, as water supplied by a waterworks is directly tied to human health issues.

And the ministry argues, or . . . This is consistent with the wording that was in *The Environmental Management and Protection Act* in 2002. There's a new provision being added, an amendment including enforcement provisions to deal with people returning beverage containers where the deposit hasn't been paid here in Saskatchewan, so people who have gotten beverage containers from out of province and try to return them here. Apparently there was under *The Litter Control Act*, which was repealed when *The Environment Management and Protection Act, 2010* came into place, there had been a provision to deal with that. But it was noted that at the time a few enforcement sections previously contained in *The Litter Control Act* were not transferred.

The government had assessed that this particular Act should provide adequate authority to charge any individuals and organizations purposefully redeeming out-of-province beverage containers at Sarcan depots. And they've discovered now, after operating under this particular model since 2015 and having experienced some enforcement challenges in this area, there's a need to add a new enforcement section in *The Environment Management and Protection Act*. So they will be adding something very similar to what was in *The Litter Control Act*. And it will say, adding, "No person shall claim or attempt to claim a refund if the refundable deposit and environmental handling charge mentioned in section 40 have not been paid."

So they're also adding a provision adding new authority to provide the minister, under approval from the Lieutenant Governor in Council authority, to operate a product stewardship program where needed, Mr. Speaker. This is a fairly . . . There's a number of things taking place in this bill. The argument here is that, in these situations, the . . . Sorry, just lost my place here. So as I said, the amendment is adding new authority to provide the Minister, under approval from an order in council, authority to operate a product stewardship program.

I'm just going to go back to section 7. I always have too many papers here on my desk, Mr. Speaker. So section 7, I'm just

looking at the old bill and the new bill here. So section 7 here is being added. Interim product stewardship program is outlining the prescribed product which will be a product prescribed for the purposes of clause 46, product stewardship program. And:

Subject to the Lieutenant Governor in Council, the minister may operate an interim product stewardship program on behalf of any person who manufactures, imports or sells a prescribed product if:

no person holds an approval to operate a product stewardship program for that prescribed product; and

the minister is satisfied that it is in the public interest to do so.

So that's one of the amendments, Mr. Speaker.

I'm just looking at my pages, page 4 here. They're also making a change here, amending, rewording a section from a shall not prohibition from a shall permission in order to make issuing charges more clear. So the argument here, it will now read: "No person shall discard or abandon or cause to be discarded or abandoned or allow to be discarded or abandoned any waste other than . . ." And then there's a list of items. So the Minister argues that that clarifies things a little bit more, Mr. Speaker.

Another amendment here. These double-sided pages . . . sorry, Mr. Speaker. Another amendment here: There will be increasing inspection powers to ensure environment officers have appropriate powers to conduct inspections as well as audits. Another provision is being added to include new provisions to provide environment officers authority to request information from a person in order to determine compliance with an Act and associated regulations.

One of the amendments that caught my eye here, Mr. Speaker, is providing the ". . . ability for persons to request to keep information confidential beyond the five year time period currently provided. The ability for the minister to prescribe other criteria that may need to be kept confidential will . . . be included."

So looking back to the original . . . So with respect to environmental management and protection with public information, the existing bill states that after five years that information can become public. But they're adding within the bill an appeal process for when the minister denies a request to keep information confidential. The appeal process will now be part of the bill rather than at the minister's discretion.

And the amendments for the persons to request to keep information around tests: ". . . information, data, test results, reports, returns and records and responses to a direction of the minister submitted to the minister pursuant to this Act, the regulations, the code or an accepted environmental protection plan are deemed to be public information." So there's an opportunity now after five years for these results to be kept confidential again. So I'm just curious who asked for this and where this is coming from. I think those will be questions that happen in committee.

So there are a number of things taking place in this bill, again

just flagging . . . putting a little bit more power into the hands of the minister. But also I think one thing that's always important to remember when looking at legislation is who requested changes, why are the requests being made, what are unintended consequences. So we can go back to the original bill in 2010 where *The Litter Control Act* was repealed and then there were issues around out-of-province deposits. So it's good to go back and recognize that you've made a mistake and fix that, but it's important to be diligent in the first place, Mr. Speaker.

So I do know I have colleagues, the critic, and many others who will be wading into the discussion on this particular bill, so with that I would like to move to adjourn debate.

The Speaker: — The member from Saskatoon Riversdale has moved to adjourn debate on Bill 83. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 72

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 72 — *The Privacy Amendment Act, 2017*** be now read a second time.]

The Speaker: — I recognize the member from Cumberland.

Mr. Vermette: — Thank you, Mr. Speaker, to join in on Bill No. 72, *The Privacy Amendment Act, 2017* summary. According to my understanding of it, looking at the initial bill here, it's requesting some changes. And I guess right now and sometimes when you're dealing with a situation, I guess whether maybe it's through the courts, when . . . And I don't know if it would be with enforcement, if it would be with the courts, but usually when you go through a process, you normally have to, I guess, prove if you're innocent, guilty, and that is sometimes a challenge people to go through.

And what we see right now sometimes, unfortunately there are situations where to protect people's privacy and for whatever reasons, people have, you know, certain . . . I guess you're in a . . . And where I'm getting this from and probably the best to understand is if a person's in a relationship, I guess, and for whatever reason you're no longer in a relationship or if . . . And I don't know if it's like a dating, a husband and wife, if it's just . . . It can be any type of picture that would be inappropriate. And I guess we'll be asking some questions on this bill to find out. And I know my colleagues and myself will have.

And I don't know . . . We were trying to look at some of the changes that they're proposing, and when you get the initial information, you're wondering exactly, like, for whatever reason. And I don't know if the Justice, the ministry went through and had consulted with individuals or it was complaints brought forward to government or to the Justice ministry with issues and if this is the situation has, you know, come forward and affected different individuals for whatever reason as I said.

But in this one here, it refers to revenge, you know, revenge porn in this bill and that's kind of the wording of it. And so I'm

assuming somebody just goes out there and I guess they're not in a relationship or they have pictures or whatever and they release that to, you know, I guess social media publicly somehow. They make, you know, copies of pictures or whatever and they release that without the person's knowledge and without the permission.

So when I see the obligation isn't going to be on the person who, from my understanding . . . And I will get to the person launching the complaint saying, you know, somebody has taken pictures that were my personal pictures and I didn't want, didn't give permission to anyone to share them with anybody. Nobody had permission to do that. It's not going to be to that person who would be putting in a complaint to say yes, I have to prove that I didn't. It's going to be for the person that posts those pictures. And the way technology is today and posts those online or Facebook or wherever it is, they will be held and they will have to prove that they had, from my understanding, permission of the individuals or individual to share those photos.

So when we're looking at this bill . . . And I know there's going to be a lot of questions and I guess from our colleagues, and the Minister of Justice, you know, will have the opportunity to answer some questions and see where it's coming from. And I don't know if there is a large number, that . . . [inaudible] . . . or if it's something that just in line with the technology and the way things are changing, you know, if the Justice department decided they needed to move on this.

So with that I know we'll have more questions and my colleagues will have more questions on this bill. So I'm prepared to adjourn debate on Bill No. 72.

The Speaker: — The member from Cumberland has moved to adjourn debate on Bill No. 72. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 73

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 73 — *The Insurance Amendment Act, 2017*** be now read a second time.]

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

Ms. Sproule: — Thank you, Mr. Speaker. And it took me a while to figure out what was going on in this bill, and I think for anyone who has looked at *The Income Tax Act* and had their eyes glaze over, just one look at *The Insurance Act* and I think you'll have the same effect. This is a highly dense, complicated bill. Or not so much a complicated bill, but it's a complicated area.

And *The Saskatchewan Insurance Act* was first introduced, well it was under the revised *Statutes of Saskatchewan*, so it's been around forever and it has been amended in many years. It was amended in '79-80, '80-81; it was amended '97-98; it was

amended 2001, 2002, 2003, 2004; amended in 2012; and it was amended in 2015.

But, Mr. Speaker, this government saw it fit to introduce a new insurance Act in 2015. It was introduced . . . I just had the bills here a while ago. I'll see if I can find it. *The Insurance Act* is supposed to replace *The Saskatchewan Insurance Act*, and it was introduced . . . I'm just going to find the page to make sure we understand what's going on here. It's Bill 177, I believe, and I had it here before. It was introduced in 2015 . . . and it's not jumping out for me. I'm sorry. I just had this and I closed my computer.

[21:00]

At any rate, *The Insurance Act* was introduced. Brand new insurance Act, another thick 200-page-long Act. The index alone is 10 pages long. The definition section is about 10 pages long, so that gives you a sense of the type of bill that was introduced in 2015. So you'd think that if the government was going to introduce something that complex, that they would have made sure it was well done. Well, Mr. Speaker, by the time that bill was introduced and debated and brought to committee, they introduced a 17-page amendment to that bill full of things that needed to be fixed a few short months later.

Now when you look at the status of the insurance bill that was introduced in 2015 and got all the way through third reading, it hasn't been proclaimed yet. So it's still not in effect two years later, almost three years later. And so we have this weird situation. In the meantime, the medical assistance in dying provisions were proclaimed by the Supreme Court of Canada. And so those provisions now have to be brought in to insurance. And I'll explain that in a second.

But the weird part about this bill, and I think the name of it is actually somewhat misleading although . . . well, the full name of it is not misleading. The full name of this bill is *An Act to amend The Insurance Act and to make related amendments to The Saskatchewan Insurance Act*, just to be sure that we know that we're talking about two bills and not one. I think it's been shortened down to *The Insurance Amendment Act* for simplicity's sake on the order paper, Mr. Speaker, but really it is amending those two bills.

And why is that? Because one isn't enforced yet. So we still have the old Saskatchewan insurance Act that we have to amend, plus we have to amend parts of *The Insurance Act* that is not yet proclaimed in order to make sure that those clauses will be there when the bill is actually proclaimed.

So if you look at the minister's comments in terms of what they're trying to do here, we have him talking about "Ongoing consultations with industry stakeholders have identified some minor technical wording issues and concerns with this Act." So not only did the 15- or 17-page amendment brought forward in committee in May of 2015 identify that, identified 17 pages of concerns, we still are dealing with fixing the 2015 bill, Mr. Speaker.

And it's quite alarming when you think about it. And this is a pattern I have noted with this government over and over again, is they are in such a hurry to get the bill introduced that there

are often mistakes or oversights or failure to consult that leads to necessary amendments — sometimes as soon as one year later, sometimes two years later, sometimes three years later. But it seems like they're always going back to the drawing board, Mr. Speaker.

So we had the Minister of Justice introduce this on November 7th and talking about industry stakeholders and ongoing consultations. You have to ask yourself why there are still ongoing consultations when this bill was introduced in 2014 I guess and received third reading in 2015 after significant amendments at the time.

Now as the minister rightly pointed out, the Carter decision from the Supreme Court of Canada led to changes to the Criminal Code for medical assistance in dying. And so now what happens with insurance is that we need to make sure that there are provisions regarding suicide which would impact some insurance policies. And so if a person is choosing medical assistance in dying — which is really suicide; it's medically assisted suicide, but it still is suicide — that kind of suicide is now being protected because it's no longer a criminal offence under the Criminal Code.

I know, Mr. Speaker, I had a brother who committed suicide almost 20 years ago now. And he had a life insurance policy, but he got it and waited two years I think. And that may have kept him alive for a couple of years actually because he didn't take his life until after his life insurance policy would have kicked into effect. And so I kind of wonder about the criminalization of his decision, whereas someone who chooses to have somebody help them commit suicide is now not criminalized and therefore allowed to be covered under insurance policies. So it's an interesting ethical debate, and certainly one that I think will continue to be challenged through the legal system. And we know that people who wish to take their own life but are provided medical assistance in doing so are now recognized as that not being a criminal activity, and therefore insurance policies will still apply.

So the changes that had to be made, and rightfully so, would incorporate that definition and ensure that then the insurance policy that would cover the medical condition they had or any kind of terminal illness or whatever their illness was would continue to be recognized as the cause for the purposes of an insurance policy.

So, Mr. Speaker, I think that is something that needs to be done. The irony of what's going on here is that these changes not only are being made to *The Insurance Act*, they're also being made to *The Saskatchewan Insurance Act* which should have been repealed in 2015 but for the problems that exist and the ongoing consultations that this government is still going forward with. So, Mr. Speaker, I think for the ongoing consultations we're going to want to make sure that we have an opportunity to consult as well and to seek out opinions and concerns from insurance providers for sure, and people who will be affected by this significant Act itself. But also, why are there still gaps? Why are there still errors? Why are there still amendments and why is this government still consulting on a bill that was tabled here almost three years ago, or two and a half years ago?

Just to give the Assembly a bit of the flavour of the change of

the Act, medical assistance in dying is being . . . oh yes, here it is. Section 17 of this Act tells us that we have to amend *The Insurance Act*, which is still a bill. It's not proclaimed. We have to amend section 8-118 to do that, and then we're also amending *The Saskatchewan Insurance Act* itself, which would be section 122.

And basically the definition of medical assistance in dying — these are identical clauses — medical assistance in dying, it says that this section “. . . does not apply to an insured who receives medical assistance in dying” and the “. . . insurance money will be paid if a person whose life is insured receives medical assistance in dying, the undertaking is lawful and enforceable.” And it says, “. . . if an insured receives medical assistance in dying, that insured is deemed to have died as a result of the illness, disease or disability for which he or she was determined to be entitled to receive that assistance . . .”

As I've said, Mr. Speaker, people who choose to seek medical assistance in dying are now covered and not those who just choose to take their own life with their own hands or in their own way. I think that may be a little gap that seems a bit unfair. So that may be something that will end up in the Supreme Court in years to come. But as far as the, I think the proposal . . . and it's obviously important that insurance policies reflect the law of Canada and that medical assistance in dying should not be a negative factor when considering insurance.

Mr. Speaker, I know others of my colleagues will want to have an opportunity to speak to this bill, but at this point in time I would like to . . . I don't have any further comments so I'd like to move that we adjourn debate on Bill No. 73, *An Act to amend The Insurance Act and to make related amendments to The Saskatchewan Insurance Act*.

The Speaker: — The member from Saskatoon Nutana has adjourned debate on Bill No. 73. 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. Brkich: — Mr. Speaker, I move that this House do now adjourn.

The Speaker: — 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 21:09.]

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