



SECOND SESSION - TWENTY-EIGHTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

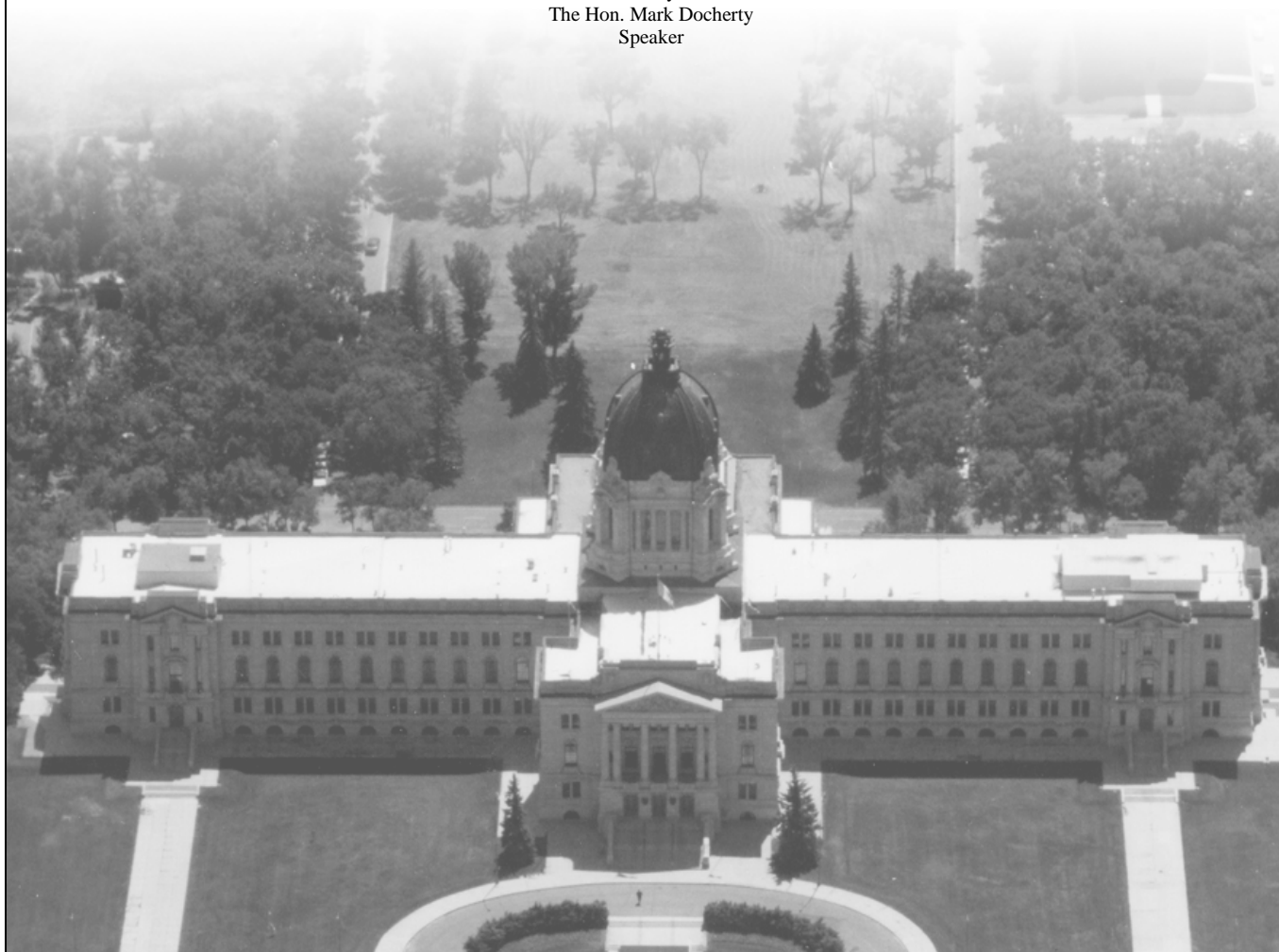
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

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The Hon. Mark Docherty  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**2nd Session — 28th Legislature**

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**Premier** — Hon. Scott Moe  
**Leader of the Opposition** — Ryan Meili

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Vacant — Regina Northeast

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**Party Standings:** Saskatchewan Party (SP) — 48; New Democratic Party (NDP) — 12; Vacant — 1

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**Law Clerk & Parliamentary Counsel** — Kenneth S. Ring, Q.C.

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[The Assembly resumed at 19:00.]

**EVENING SITTING**

**The Speaker:** — It now being the hour of 7 p.m., we can resume proceedings.

**GOVERNMENT ORDERS**

**ADJOURNED DEBATES**

**SECOND READINGS**

**Bill No. 107**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Makowsky that **Bill No. 107** — *The Provincial Emblems and Honours Amendment Act, 2017* be now read a second time.]

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

**Ms. Mowat:** — Thank you, Mr. Speaker. I also want to take this opportunity to congratulate you on your election to Speaker as so many of my colleagues have done today. You know, we were really gunning for our colleague from Saskatoon Riversdale as well, but I do want to congratulate you and wish you all the best with the position. And, you know, it is a very important role in this Assembly so I think you're taking it on with that level of enthusiasm, so I commend you for that thus far.

I do want to enter into adjourned debates on Bill No. 107, *The Provincial Emblems and Honours Amendment Act, 2017*. This bill makes the T. rex our official fossil emblem in Saskatchewan. When the Minister of Parks, Culture and Sport was giving his second reading speech on this bill, he discussed the fact that, and I quote:

Saskatchewan has a number of provincial emblems that celebrate its rich heritage, including the provincial bird, which is the sharp-tailed grouse; provincial animal, it's the white-tailed deer; provincial tree, the paper birch. The provincial sport is curling [which I am well acquainted with but not excelling in, with some exception]. The provincial flower is the western red lily, and provincial mineral [of course] is potash.

So the purpose of the amendment to the Act, Mr. Speaker, is to establish the Tyrannosaurus rex as the official fossil emblem of the province of Saskatchewan. As the minister identifies, our fossils in Saskatchewan are of tremendous value to scientists, and designating a provincial fossil will help bring attention and recognition to these aspects of our province's natural heritage.

He also cites the public engagement process that was used by the ministry in determining the T. rex, which could be seen as a controversial choice, given the options in Saskatchewan. And so he talks about the fact that:

In November of 2015 the Royal Saskatchewan Museum

generated a province-wide campaign encouraging people to help select the new emblem to represent Saskatchewan, as well as to discover more about the province's rich fossil history.

So he says, through this process, the public voted through a paper ballot at the museum or there was a province-wide online vote for one of seven fossil candidates. I did not participate in the vote. I don't know if any of our other colleagues participated in the vote for the fossil, Mr. Speaker. Maybe you participated in the vote yourself. I see some nods. But the seven options for voting for what our Saskatchewan fossil . . . Not, like my colleague from Saskatoon Nutana is alluding to, the fact that some of us in this institution are fossils. Not related to that. But the seven options were . . . and you'll have to excuse my pronunciation of the language of dinosaurs. It's not exactly my specialty, Mr. Speaker.

The long-necked plesiosaur Mo, found near Ponteix — you cannot make this up; it's written in here — Scotty the T. rex that was discovered near Eastend, which is also one of the most complete T. rex skeletons that has even been found; Kyle Mammoth; Herschel, the short-necked plesiosaur found near Herschel; the brontothere, a rhino-like mammal found near Eastend; and Big Bert, which was a crocodile found near Carrot River; and then there was the thescelosaur, a plant-eating dinosaur that was found near Eastend.

So ultimately out of these seven choices, the T. rex was selected on May 17, 2016. The results were revealed at the Royal Saskatchewan Museum. And while Manitoba and Nova Scotia have a provincial fossil and a number of states in the US [United States] have a state fossil, Saskatchewan will be the first province or state that has the T. rex as its official emblem. So that is the sole change that is being suggested in this bill.

I have not had the pleasure of seeing Scotty the T. rex or touring the Royal Saskatchewan Museum at either of the locations actually, but being a Saskatoon dweller I've spent a lot of time at the Museum of Natural Sciences on the University of Saskatchewan campus, and I know that kids across the province are going to be so excited to have the T. rex as one of our provincial emblems.

I think about . . . [inaudible interjection] . . . Yes. I think about kids when I see them, you know, just in awe at the Museum of Natural Sciences on the University of Saskatchewan campus and just how excited they get about the idea of being able to see a dinosaur, and I know that enshrining this into our provincial history is going to be quite exciting for them and it will be an exciting thing for them to learn about.

I have a young nephew who has had a fascination with dinosaurs for a couple of years now — even, actually, probably about four years now — and I remember him at a dinner once just getting up on the table and roaring really loudly because he was just excited at the might of dinosaurs. So I think it's something that is very capturing for young kids, and that's when we learn about most of these provincial emblems and start to internalize them. So I know that that's going to be a big piece. I can already see all the kids lighting up as they think about dinosaurs.

And it's cool that we can think of Saskatchewan as the home of a T. rex and start to really put some of this knowledge into place. If I had voted I think I might have voted for Big Bert the crocodile from 92 million years ago because I think it speaks to the way our planet changes and, you know, how we think of this as not being the land of crocodiles necessarily.

But I understand the appeal of Scotty the T. rex and why Scotty received such massive support. I should say that even though the minister didn't mention this in his second reading speech, school groups also had an opportunity to participate. Classrooms could submit videos and this sort of thing to be able to help make the decision. I also understand that the Royal Saskatchewan Museum also received the Gil Carduner Marketing Award at the 2016 Sask Tourism awards so that is definitely something that's showing their leadership in this area.

So some details about Scotty, because we're all going to need to know this as we are educating the next generation: Scotty is a 65-million-year-old fossil that was discovered in 1991 in southwestern Saskatchewan. And we're adding Scotty to the list of provincial emblems, which is including a couple that are my favourite: so the western red lily as our flower, and this is depicted in our party's official logo, actually, so the red, the lily has always been a favourite. The Saskatoon berry, of course; we all love our Saskatoon berry pie and take great pride whenever we see Saskatoon berry on the menu somewhere. And the wheat sheaf, which some governments are better at depicting than others, which has come to symbolize our government programs and organizations. I know this is a particular passion of my colleague for Saskatoon Centre, wearing his wheat sheaf pin today. And the wheat sheaf of course is meant to express the growth of the province and the vitality of its people.

So the T. rex alongside these other provincial emblems will be a new piece of our history in Saskatchewan — a new old piece of our history in Saskatchewan — that I think we can all come to take as meaning that we are a part of this place. And, you know, it'll certainly become part of the story about Saskatchewan that our younger generations are being told. So with that, I'm sure many of my colleagues will have much more to say about this . . . I'm sure much of my colleagues will have much more to say about this, Mr. Speaker, but I will at this point move to adjourn debate on Bill No. 107, *The Provincial Emblems and Honours Amendment Act* of 2017.

**The Speaker:** — The member from Saskatoon Fairview has moved to adjourn debate on Bill 107, *The Provincial Emblems and Honours Amendment Act, 2017*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 108

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 108** — *The Statute Law 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 tonight and enter into the debate of Bill No. 108, *The Statute Law Amendment Act, 2017*.

You know, we get these from time to time when they want to amend and straighten the language out around different issues and, of course, we saw their last brave attempt last spring when they thought they'd introduce Bill 40 and straighten out the definition of privatize and we saw where that went.

And so here we have another attempt, but it's a little bit more straightforward and not as controversial as that one. But when these folks get into the language business, you really have to watch yourself, Mr. Speaker, because you don't know what you're going to end up when they start deciding that they're the ones who know best for defining words and what words really mean.

You know, I have to . . . I just want to say in a shout-out to my colleague from Athabasca because he gave a very good second reading speech on this and talked a little bit about the difference with "shall" and "may" and how it was important, and if there ever were a wordsmith, I think my friend from . . . the MLA [Member of the Legislative Assembly] from Athabasca really is one and he really knows his way around the English language. So it was very interesting reading his points of view on this Act, this Act to amend the statute law.

I also had a chance to review the minister's remarks and while that was . . . that was worthwhile as well. I mean, he gave us a bit of a lesson in Latin and *ex parte*, and that was a fine thing to do indeed. And he thought he'd do his bit to help make language simpler and more straightforward for those who can't afford the high-priced lawyers that might be hanging around the courtrooms, to make life easier. So *ex parte* — I think I'm pronouncing it right from what I've heard on the TV shows — that is one contribution.

But you know, one thing I do have a question. This afternoon I talked a little bit about Enterprise Saskatchewan, but we can never get over . . . And the member from Athabasca asked, why did we change from departments to ministries? And here we are 10 years later, you know, straightening out the Act. They finally figured out that it wasn't in the legislation. So why is that? Why is that 10 years — 10 long, long years, Mr. Speaker — figuring out the difference between ministries and departments? I'm sure the Minister of Environment every once in a while gets referred to as SERM [Saskatchewan Environment and Resource Management], probably hears that term every once in a while . . . [inaudible interjection] . . . There you go. I don't think I quite fit into that category like the member from Carrot River who . . . It was a pleasure to hear his reference in that last speech.

But having said that, you know, it's funny how language stays with us, and we're not quite sure what was the logic between changing between ministry and department. You know, and of course the member before, the member from Saskatoon Fairview really actually raised a very good point. And I remember, I remember, and I do wear this badge with honour, this wheat badge, the wheat sheaf, coming from a family . . .

Our farm has been in our family for over 100 years now, and that was our main business, was wheat.

[19:15]

And how these folks, when they came along and decided to change from department to ministry, also thought it might be a good time to get rid of the wheat sheaf, I can't ever imagine why that would have been. Why would they ever get rid of that symbol, the wheat sheaf? Now that's before the Minister of Highways arrived on the scene. I don't know if he would have done that. He would have probably stuck up for that. He would have said, hey, the wheat sheaf is something pretty, pretty important. Or you know, I think of Nebraska. I think of Nebraska, the corn. And I mean, they've diversified. We've diversified but, boy, you can't get around Nebraska very much without talking about corn and knowing your way around a corn field.

So, Mr. Speaker, I digress a little bit, but not much I don't think, from the bill before us, *The Statute Law Amendment Act*, and how we are curious about when these folks . . . Really this is a sign, Mr. Speaker, of a tired, weary, old government, when halfway through, halfway through their mandate this is the kind of legislation we have before us: two or three pieces about cleaning up their language, their trail through legislation. So while this isn't very exciting, it is a sign that's it's getting tired and weary and they can't think of much. They're asking Justice to say, so what do we need to do? And they look back at the shelves of stuff that they . . . You know it's housekeeping but housekeeping halfway through the . . . You know, the election was just in 2016, just two short years ago. Not even two years ago and this is the kind of thing we're doing before us.

Now we might say it is interesting and we can reflect on this, you know, updating the references of the Court of Queen's Bench so that it's uniform through all pieces of legislation. And something like that is very, very important, and of course updating references of Her Majesty to the Crown. And I think we've been through this before. We've been down this road before because we are worried about the Queen's health and what the future may hold for her and whether or not it's appropriate to refer to the Queen or the King in anticipation of what might happen. The Queen, while she is in great health and Prince Philip looks good too, we just know that they are aging and we do have to be prepared for that.

But that's the kind of legislation that we find ourselves debating on a Tuesday night when we should be talking about the bigger issues before us, in terms of climate change, in terms of legislation to promote energy conservation, that kind of thing. And here we are, here we are talking about references to Her Majesty. And I hope she does live long and well and prosper, but we have to be prepared for what might be down the road.

But as I said, you know, it is an interesting trail that we have before us, of a tired, weary old government, that this is the kind of exciting visionary legislation that we have before us and the kind of issues that we deal with.

It's actually quite a long piece of legislation and I don't know whether . . . It is interesting because it looks like it's in alphabetical order starting with the adult guardian

co-decision-making Act, and that's where you find the Court of Queen's Bench reference corrected, and it goes through the whole list. So clearly somebody spent some time doing this, and that's good on them for doing that. I'm not sure that it is going to really solve a lot of issues. And we could go through this at quite a length, but I know we've got a lot of legislation before us, Mr. Speaker, tonight. So with that, again as I said, it is interesting that after 10 long years, here we are correcting the references to ministries from departments. It is an interesting sign that we have before us.

So with that, Mr. Speaker, I would like to adjourn debate on Bill No. 108, *An Act to Amend the Statute Law*. Thank you very much.

**The Speaker:** — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 108, *The Statute Law Amendment Act, 2017*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 109

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 109** — *The Statute Law Amendment Act, 2017 (No. 2)/Loi n° 2 de 2017 modifiant le droit législatif* be now read a second time.]

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

**Ms. Sproule:** — Thank you very much, Mr. Speaker. And I too would like to add my congratulations to your election as Speaker here in the Assembly. I certainly look forward to your sitting in the Chair and wish you all the best actually. And we'll do our best to make sure we make your life easy, so . . . Well we'll see how that goes.

The bill I'm speaking to tonight is another statute law amendment Act. This is number two in the suite of *The Statute Law Amendment Act* bills that are before us here in this session. And I'm just going to first of all start with some of the comments made by the minister when he introduced the bill here back in November.

As he indicated, the bill is making a number of housekeeping changes to different pieces of bilingual legislation in order to update and modernize their provisions. So he's talking about, again, things like the outdated term *ex parte* as a Latin term being removed and different housekeeping changes in the bill; replacing outdated cross-references to legislation and updating the phrase for extraprovincial corporations that is used in the French version of *The Non-profit Corporations Act*. So they're entirely housekeeping in nature, and I'll just take a few minutes here right now, Mr. Speaker, to go through some of the changes that are being proposed.

So the first section we're looking at is in the amendments to *The Administration of Estates Act*. And this is different things, like subsection 9(1) is amended by striking out *ex parte* and substituting "without notice." And that *ex parte* reference is

also referred to in subsection 24(3), subsection 26(2), and also clause 32(2)(b) and clause 32(3), subsection 36(1), and subsection 45(2). So that's from *The Administration of Estates Act*.

Then we have *The Adoption Act* also being amended, *The Adoption Act, 1998*, where *ex parte* is referred to in section 5(2.2). The same changes, I believe, are being made . . . no, the definition of child is being changed in *The Children's Law Act, 1997*, and here it's in the English version they're going to change the definition of child to a person. A child means someone who is under 18 and never married. So I don't have a copy of the original bill in front of me here, Mr. Speaker, but it looks like this change is . . . I don't know if it was under 18 or never married, which is now being changed under this definition. Also a couple of *ex parte* references there for *The Children's Law Act*.

We also have a change in *The Constitutional Questions Act, 2012*, again referring to *ex parte* now as "application without notice." And if I recall correctly, I think *ex parte* is when you can make an application to a court without the other person having to be there or getting an order from a judge despite the fact that the other person isn't present in the court. So you can get these applications without notice in certain Acts, and apparently this is now, or it has always resided in *The Constitutional Questions Act, 2012*, but it's changing the Latin language to English.

And I think that's a common technique that is used by legislative drafters where, I remember back in law school learning about plain language and how, you know, we say, "cease and desist," things like that, which is like the French version of the word and the Latin version of the word, but it really is the same meaning.

So I think when you think about wills, how they used to say, I devise, bequeath, and bequest this to my heirs, those three words actually really have the same meaning; it's just from three different languages. So quite often what we see our legislators doing and the people in our Department of Justice, is they are constantly combing through our legislation, particularly when there is a bit of time in the legislative schedule and just finding some of these things that we take for granted and often don't even realize that they're there, but there really is overkill.

So in terms of being clear, it's always best I think to use one word instead of filling it up with meaningless or similar language, except maybe for second reading speeches, as is pointed out by my colleague, where we tend to avoid pithiness at all costs and try to stretch things out a little bit sometimes. And in the spirit of that, I will continue.

*The Co-operatives Act, 1996* is also being amended here in *The Statute Law Amendment Act*. And what we have here is the repeal of section 81(1), and now it's talking about a substitution where the ". . . member, the registrar or any interested person may apply to the court, without notice or on any notice that the court may require, for an order directing that an investigation be made of the co-operative or any of its subsidiaries or affiliates." And then *ex parte* is also being removed in a couple spots in *The Co-operatives Act*.

In *The Enforcement of Canadian Judgments Act*, we have another section: subsection 7(4) is being repealed and substituted. And I think this is one in reference to enforceability of judgments. So that's right there in the Act.

Then changes are being made again on the *ex parte* language in *The Enforcement of Maintenance Orders Act, 1997*. And *The Family Maintenance Act, 1997* was also amended for a few things; for example, striking out the Department of Community Resources and Employment, which is an old name of the Ministry of Social Services, and now they're substituting "ministry responsible for administration of *The Saskatchewan Assistance Act*." So as my colleague from Saskatoon Centre pointed out, on the first version of this bill, the reference to department, it still exists in some of our legislation and apparently our Justice officials are still combing through legislation to use the newer language that this government has chosen.

And again, you kind of wonder why. I remember when they changed the name of the STI [Saskatchewan Technical Institute] to SIAST [Saskatchewan Institute of Applied Science and Technology], and changing SIAST . . . is now polytechnic. So it's just, I think, language that's faddish perhaps, or the ministry wanting to make itself known for something. So anyways, this is what we see from time to time when governments want to leave their mark, I guess, kind of like dogs with their trees sometimes.

But the removal of *ex parte* is being taken also, or happening in *The Family Maintenance Act* several times. And again the Minister of Community Resources and development is also being struck out in *The Family Maintenance Act*.

Also *The Family Property Act* is being amended in this bill, and here it's another application without notice. So again an *ex parte* application, but the language is being switched to using the words "application without notice."

*The Jury Act* is also being amended in similar ways. And then again, another reference to the "Department of Justice" is being changed to the "Ministry of Justice," so all that work that our colleagues in the Ministry of Justice are hard at work finding these small oversights.

There's also *The Justices of the Peace Act* is being repealed, section 14 that is, of *The Justices of the Peace Act* is being repealed and I'm not sure what the context is there. We'll have to look at that when this goes before committee. But section 14 is now referring to certain provisions of the Criminal Code.

*Non-profit Corporations Act, 1995* is amended as well and that is . . . We have different definitions, repealing the definition of "Canada corporation" and substituting a new definition of "Canada Corporation." They repealed the definition of "commission." And they're repealing the existing definition of "extraprovincial corporation" and substituting a new one. So this is something I think the minister referred to in his comments. And then there's some reference to a number of changes in the French version as well.

Things like, looks like there's a phrase "*personne morale extraprovinciale*" is being substituted with "*société*"

*extraprovinciale.*” So it looks like a language change there. Some changes to federal laws as well and then good old “*ex parte* proceedings” or “*ex parte* applications” are being changed to “application without notice” and “proceedings without notice.”

[19:30]

There’s a whole host of further changes, Mr. Speaker, that are referred to in this bill and again many of them are the *ex parte* changes. So at this point I think I’ve touched on quite a few of them, and I know that other people will want to speak to this bill as well. So I would like to at this point adjourn the debate on Bill No. 109, *An Act to amend the Statute Law (No. 2)*.

**The Speaker:** — The member for Saskatoon Nutana has moved to adjourn debate on Bill No. 109, *The Statute Law Amendment Act, 2017 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 110

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Stewart that **Bill No. 110** — *The Animal Protection Act, 2017* be now read a second time.]

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

**Ms. Mowat:** — Thank you, Mr. Speaker. It’s my pleasure to rise again this evening to enter into adjourned debates on Bill 110, *The Animal Protection Amendment Act, 2017*. So according to Animal Legal Defense Funds’ *2016 Canadian Animal Protection Laws Rankings*, Saskatchewan was actually ranked in the bottom tier. So we are ranked 11th, which includes the provinces and the territories. So we’re the lowest of all provinces in Canada.

Whenever I see some sort of study, I immediately ask about the methodology, coming from a sociology background. And so how this was determined is that all provinces and territories were numerically ranked based on cumulative scores on their 60 questions over 12 categories. And this was based on proclaimed legislation, not anything that was in the works. And this is all while our neighbours directly to the east in Manitoba were ranked first.

Now many of us don’t need this study to know that our animal protection legislation could use some work. I can clearly remember a very tragic situation in Saskatoon where 14 dogs died as a result of a malfunctioning thermostat. This happened about a year ago where the dogs died of heat stroke and dehydration after being left unattended overnight. This incident brought public attention to the fact that there are no legal requirements for kennels, trainers, and groomers, only recommended codes of practice.

So proposed changes in this Act will now allow animal protection officers to enter kennels without a warrant during

regular business hours. They will also consider animals kept in unsanitary conditions as distressed — so that’s changing the definition of “distressed” — and will give veterinarians no choice but to report suspected cases of animal abuse.

We also saw in the news on March 10th, just a few days ago, that there was a Saskatoon-area woman worried about horses that were starving. So she believed that they had not been fed. About two-thirds of the horses in question were removed following her initial complaint to animal protection services, but the woman took to social media this week to express her frustration that the remaining group of about 10 horses or so were still there.

So we see these situations come up. They often come up in the news and we feel for the owners of these animals, you know. We feel for the situation. But we know that there is work to be done in this area.

So changes that are being made in this particular piece of legislation, I understand that the entire Act is being repealed and a new one is being brought in place. So it replaces *The Animal Protection Act* of 1999. Several pieces from the old Act are being maintained, like the section on protection of service animals. It expands the definition for an animal in distress to include conditions that would cause the animal extreme anxiety or impair an animal’s well-being over time. And it expands animal care duties and what is expected of individuals who are responsible for animals; changes the language from “humane societies” to “animal protection agencies”; includes limits on transporting animals who would suffer unduly during that transportation.

It includes a section for humane slaughter and euthanasia. It changes the fact that veterinarians would have a duty to report when they have reasonable grounds to believe someone isn’t caring for an animal. And it outlines the ways that animal protection officers can relieve an animal in distress, like entering premises, vehicles, etc., and the rules that apply to animal protection agencies across the province.

There is still, despite these changes, going to be immense pressure and exists immense pressure right now on the animal welfare resources that are in the province. So there’s still concern that there is quite a bit of pressure on these agencies and that changing the legislation won’t change that. So it’s still an area where there’s more work to be done outside of this legislation.

The press release that the government put out on November 27th talked about some of the accolades that this legislation has received for some of the changes that it’s proposing, so I want to talk about that a little bit.

So there’s approval from the Sask Vet Med Association, SVMA [Saskatchewan Veterinary Medical Association]. So President Dr. Lesley Sawa said:

Updating *The Animal Protection Act* will go a long way in helping ensure the health and welfare of animals across the province. The SVMA requested provisions for mandatory veterinary reporting of animal neglect and abuse and we are pleased to see that included.

So they're talking about the fact that this was actually requested by the organization.

It's also been endorsed by Animal Protection Services Saskatchewan. And the executive director, Kaley Pugh, said: "The humane treatment of animals in Saskatchewan is our priority and the suggested legislative updates support our mission to provide effective animal welfare education and enforcement."

We've also seen some accolades in the news talking about how some of these changes are necessary in the legislation. So we have a news article, I have a news article here from *paNOW* on November 28th and the headline is "Veterinarians welcome changes to Sask. animal protection laws." So they talk about how these changes are being welcomed by veterinarians as well as the Saskatchewan Horse Federation. And I'll just quote from the article here:

Dr. Anne Allen, a practising veterinarian with the Saskatchewan Veterinary Medical Association, said she was delighted to read about the updates to the act in regards to reporting suspected animal abuse or neglect.

"Though it is our moral obligation, it has not been our legal obligation," Allen said. "Many provinces have mandatory reporting required of veterinarians in the same way it's required of other professions."

The article goes on to talk about the fact that cases of abuse or neglect are rare or uncommon, but it's good to see the province taking note of the issue.

Audrey Price, executive director of the Saskatchewan Horse Federation, echoed Allen's appreciation for the updated act.

She said:

The provincial government did ask for our input when they were considering the proposed changes.

The article goes on to say the Agriculture minister said:

... he was glad to hear the praise from the ... organizations. He noted the Saskatchewan government took plenty of time to consult with as many stakeholders as possible to ensure the updated laws work for everyone.

And I'll just note, Mr. Speaker, it is very nice to see that the Sask Party can provide adequate and meaningful consultation when they want to. And I encourage the Agriculture minister for doing that, and I would say that some of the other ministers have something to learn from him.

I've got another article here from CKOM News that's dated November 28th, "Sask. government shores up Animal Protection Act." And what that article is talking about is the executive director of the Saskatoon SPCA [Society for the Prevention of Cruelty to Animals] also being pleased with the changes — Patricia Cameron is her name — and she states:

"Expanding the locations that could be inspected without a

warrant to include things like kennels and grooming services ... will be all in the better interests of animals," she said, adding the change will take away the "significant complexity" of getting an inspection order. [Which is a complaint that we've heard in the past.]

... But despite these amendments, Cameron said there's immense pressure on animal welfare resources in the province, not just Saskatoon.

"When you include agricultural animals, literally millions of animals, and the area is under-resourced, there are not enough officers," she said.

For Saskatoon, there are three animal protection officers — two full-time and one casual.

Cameron said the organization receives well over 1,000 concerns a year, with a smaller number being serious cases of neglect or abuse.

"It's difficult to get to all of the calls as concerns come in and that's true of all our agencies, we're all small."

Saskatoon, Regina, Moose Jaw, and Prince Albert humane societies provide animal protection services in their communities — funding for which is provided through donations. Cameron said the Saskatchewan Animal Protection Services handles all other calls in the province.

So outside of Saskatoon, Regina, Moose Jaw, and P.A. [Prince Albert].

So there's some important work being done in these proposed changes, Mr. Speaker. It's heartening to see many of our provincial bodies that are behind it, but there is still work to be done in terms of the service agencies feeling a little bit too taxed in the work that they have to do right now. So we're not entirely in the clear yet, but it is promising to see these changes, especially in light of some of the animal tragedies we have observed.

I know my colleagues will have more to say on this particular piece of legislation, but with that I would like to move that we adjourn debate on Bill 110, Mr. Speaker.

**The Speaker:** — The member from Saskatoon Fairview has moved to adjourn debate on Bill No. 110, *The Animal Protection Act, 2017*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 111

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Doke that **Bill No. 111 — *The Municipal Tax Sharing (Potash) Amendment Act, 2017*** be now read a second time.]

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



Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker, and I would like to congratulate you on your role, on your election, and the duty you'll fulfill to this Assembly. I'm proud to have a fellow Campion grad in the Speaker's Chair. I know that you'll treat me as fairly as everyone else despite the fact that we come from the same club, but thank you very much for your service, Mr. Speaker.

I'm pleased to enter into discussion here this afternoon, this evening, on Bill No. 111, the municipal tax sharing amendment Act. Certainly it's critical that we get this piece of legislation right. And it's critical that the consultation that government has undertaken on this front has been listened to because we're dealing with certainly very important stakeholders in the province. We're dealing with a potash industry that is vital to our province by way of the investment that it makes, the jobs that are created and sustained, and certainly the royalties paid to government, back to municipalities, and all the spinoffs of this very important industry.

It's important as well that we have the consultation where it needs to be with our hometowns and with our rural municipalities, so with SUMA [Saskatchewan Urban Municipalities Association] and with SARM [Saskatchewan Association of Rural Municipalities], and making sure that that's reflected in the changes that have been brought forward.

Certainly I understand the need for some of the updates that have been brought forward, and I've read the minister's justification. I've done some consultation with stakeholders. I look forward to much more, and I know our critic within our caucus will certainly be engaged on this front as we enter into committee.

[19:45]

It's fair to say, Mr. Speaker that our faith in this government's ability to listen in a sincere way with stakeholders is greatly diminished, and greatly diminished with these very stakeholders. We're talking about our municipalities, municipalities that quite frankly were blindsided by this government over the course of the last year, a government that surprised municipalities, our hometowns on budget day last year in a way that I know those hometowns will never forget, and I know that taxpayers are all too well aware of right now, as they see the hikes that they're absorbing and being passed along to them as a result of the broken agreement, the ripped-up contracts with respect to grants-in-lieu, Mr. Speaker.

[19:45]

Looking at this Act, certainly it was originally established in 1968 as the industry developed and grew within the province and as communities developed and grew within Saskatchewan, Mr. Speaker. And the whole premise of the board or of the municipal potash tax structure is to have an equitable and fair distribution of taxes within a radius, I believe, it's 20 kilometres or 20 miles; I know part of this Act updates the measurements as well to the metric system. So a 20-mile radius is what this is, recognizing that municipalities within the vicinity certainly need to make sure that things like roads are maintained and that

there's certainly the wear and tear that occurs in those regions that needs to be supported, but also that the villages and towns within the area have the support that they need, recognizing that they deliver services. So they're there to make sure that we have the serviced lots and the water and the waste water, make sure that we have the rinks in place and the recreation infrastructure that will support those working in this important industry to have the quality of life that they deserve and appreciate as well.

So this is an important structure. I think there's a fair question, as we engage in consultation with our municipal partners, with SARM and with SUMA, to make sure that they've been listened to through this process, that this Act in fact meets their needs. I know there's some question for sure with respect to the urban sector on this front because we have communities that . . . I know there's an update in this bill to allow the revenue sharing with resort villages, for example, and that certainly makes sense.

But there's no accommodation and no change to support cities, Mr. Speaker. And I think of communities like Humboldt and I think of cities like Yorkton that certainly play an important role in supporting the potash sector and so many of those workers and their families and the services that they depend on as well within the community, the parks infrastructure through to the rinks. So it's important that we have this balance right and that we have distribution of dollars going to our rural municipalities who are playing a very, very important role within this, but also making sure that we've properly understood the impacts within the urban sector.

So I would like to learn more, Mr. Speaker, as to why cities like Humboldt and Yorkton were left out of this because certainly, you know, I know a city like Humboldt has undertaken significant planning for, for example, the BHP potash project that's been advanced over a period of time. It's taken a lot of planning, a lot of resources, and what they're looking for is to . . . And what they've done has really worked as a region. They've worked very closely with the neighbouring RMs [rural municipality] and with the neighbouring towns and villages as well to make sure that, as that project advances, that they as a region are able to meet the needs of workers and of the sector.

And this is important as well to the industry because I know the stability for the industry is very important. And a key part of that is making sure that a labour force is able to have its needs satisfied, and front and centre within that is where you live and the services that you count on as a family and depend on. So it's critical to make sure that, for the potash industry, that we have those neighbouring municipalities properly supporting the workers who will work within those mines.

So there's a question on that front in making sure that the distribution of dollars is appropriate to the municipalities, urban and rural, whether or not the dollars are sufficient within that. But certainly it seems . . . I'm interested in following up to find out why these two cities that are directly impacted were left out, or why cities were, on that front. These are smaller cities, but cities that are growing and really fulfill and offer so much, so many of the services that people within the community — within the region, I should say — count on.

Some of the other changes that were brought forward expands

the membership of the actual board. And I think that that change has brought forward a representative now of SUMA as well, and that certainly is only reasonable. Certainly it's critical that our rural municipalities have strong representation and a voice within this board. But it's important as well that the hometowns have a voice within this structure. I believe there's changes that have extended the period of appointment for those board members, I think from one year to two year, and I think that that seems very reasonable to ensure sort of the efficiency and effectiveness of those boards.

And there's a few other impacts that have been brought forward. It speaks of a standardization of the mill rate across all regions. And I look forward to exploring that a little bit more as well, I know our critic will, and likely to . . . understand where things may not have been standard before, what the reason for that, you know, what the reasons were. So this could be something that makes sense and that's fair, but there may have been unique needs or unique realities that were experienced in certain regions and there were certain arrangements that were committed to. These are questions that certainly I'll have for, or we'll have for municipalities as we move forward.

It does state that there's going to be some flexibility built in for municipalities. And I think that's important; I never like seeing a provincial government trample on the rights and autonomy of another level of government. And we've seen that too often with this Sask Party government and with municipalities. And so it's important to make sure that there's flexibility built into this process, Mr. Speaker, for municipalities who have distinct needs and have powers, Mr. Speaker, as well. And these are certainly things that we'll be exploring in committee.

I believe the minister's referenced that the standardization was around a concern of improper calculations in the past of the royalties that were being paid. And I don't know what sort of errors were occurring, and I don't know how those were dealt with, but those are important matters certainly for the industry and certainly for municipalities that would be impacted as well.

And you know, again, just to the point that we really need to recognize that this is a partnership. And I know that that's how the industry would see this. They very much have a strong relationship with those neighbouring RMs and with the neighbouring hometowns that really also play a very important role in supporting the mines and supporting the investment and supporting the labour force that's required within mines. And you know, communities like Esterhazy and Rocanville and so many more have really done such tremendous work over so many years to support this incredibly important sector to our province.

So it's important that, when embarking on changes to legislation around royalty structures and relationships with stakeholders like that of a very important industry — the potash industry in Saskatchewan — and with our hometowns and with our rural municipalities, that this government gets it right. And I know that many across the province have lost tremendous faith and trust in this government. Far too often they feel that the answers are within and that they know best. And far too often they're willing to trample on the rights of other levels of government, rip up agreements with municipalities, take rights away from our democratically elected local school boards, and

that just doesn't serve us well, Mr. Speaker. It doesn't pay the respect to those other levels of government, and it doesn't empower them to do the very important work that they do within our province. And to consolidate all that power and place it within the Premier's office is just not the way that I think this province is best served, Mr. Speaker.

There's a few other changes within this bill that seem to be largely housekeeping in nature. I could go through a few of them here. One of them that certainly is important is that there's now the inclusion of resort villages. And I understand that that wasn't the case before, so that's important. But again I think the question is, is the distribution of funds correct to the affected municipalities and why aren't smaller but growing and vital cities to these industries, like Humboldt and Yorkton, excluded.

And there's also some changes here as well to allow, I guess, a transition into this structure for new mines. And certainly new mines are important and it's important to have clarity for the industry and for those mines, but also clarity for the municipalities that are planning and anticipating. And certainly that would be encouraged as well by the possibility of those mines and seeing them come to fruition, but they need to be able to plan accordingly.

So I think this is another area that's important to make sure that both industry, the potash sector itself, those companies, to make sure that they've been properly consulted on this front because certainly we want a stable investment climate. We want one that's respectful to the municipalities, the neighbouring municipalities, so we also need to make sure we've got that consultation with hometowns and with our rural municipalities in a way that's been listened to and then reflected in the changes within this Act.

There is quite a few other little changes within this bill, but I think that that's the heart of it. I think that the important work now, and we'll be looking to hometowns across the province to connect with us and we'll be doing that with them, we'll be doing that with rural municipalities across the province. That consultation is important. It's critical that we get this right and it's critical that we have the potash industry, this very important potash industry in our province that creates very important investment, that creates jobs across our province, and that provides revenues back to the province of Saskatchewan proper, to these neighbouring municipalities, and also the revenues that flow from the economic spinoffs of these projects.

I would just want to also identify that it seems a bit strange that we have changes to the municipal potash structure being brought forward but no resolution to the restricted drilling area in around Rocanville, for example. Mr. Speaker, this is a matter that the former premier, the one that just went out the door, was very clear about in advance of being elected to say that he was going to resolve. The former minister of Energy and Resources and the GTH [Global Transportation Hub] that has also just gone out the door was very clear that he would fix this as well. But what they've left is a community and a whole bunch of mineral right holders high and dry for the past decade, Mr. Speaker, with no resolution, no activity, and no solution in sight.

[20:00]

And the reality, when I speak with many within that RM and many within that area — and I've held meetings right out in Rocanville, Mr. Speaker, on this front — the reality is that many of those mineral right holders are actually passing away, dying, Mr. Speaker, waiting to . . . while waiting and working to find a resolution.

So I think that this is an important area for the local MLA to roll up his sleeves, to take the time and meet with his constituents and those impacted and then to work with government, because when the Sask Party was working to become a government it was very clear by Bill Boyd and Brad Wall that they were going to fix this. This was what they put in plain language to the people impacted in this region. And it's past time. And now it's taken possibly another premier to go out there and resolve this and a new MLA for the region as well. So I would impress upon an MLA, the new MLA, to take the time with those constituents that have been reaching out to him and that have been working for a long time to have this matter resolved, and to work to find a fair resolution for those with their mineral rights within the potash restricted drilling area in the region that I've identified.

With that being said, Mr. Speaker, we welcome the input of all across the province and all within the sector. We have the SARM convention here this week, and certainly we'll be out there. And they're very important stakeholders in this industry, very important partners in this agreement right here, so we'll look forward to their continued involvement on this front. We'll look forward to the continued involvement of SUMA representing the hometowns across our province, and we'll continue to work with and listen to that very important potash sector within our province that's so important to us as a province today, but so important to our future.

So with that being said, we'll be doing more consultation. Thank you. And I move to adjourn — I'm new around here — move to adjourn debate.

**The Speaker:** — The member for Regina Rosemont is . . . Apparently it's his first day, but he . . . Yes, it's okay. He's moved to adjourn debate on Bill No. 111, *The Municipal Tax Sharing (Potash) Amendment Act, 2017*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 112

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hargrave that **Bill No. 112 — *The Miscellaneous Vehicle and Driving Statutes (Cannabis Legislation) Amendment Act, 2017*** be now read a second time.]

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

**Mr. Forbes:** — Thank you, Mr. Speaker. I'm delighted to rise tonight and enter into this Bill No. 112, *An Act making amendments to certain Acts that deal with Vehicles and*

*Driving*. And of course the short title, as was read, was miscellaneous vehicle and driving statutes (cannabis legislation) amendment Act, 2017.

Now, of course, we are watching this time before us, the summer of 2018, and what will take place with the legalization of cannabis here in Canada and all of those implications, and what that really, really means for the people of Canada. We see this happening across the States with various jurisdictions having now legalized cannabis and what the impacts are.

And of course we all, and I think can all say uniformly that we think any kind of impaired driving is not a good thing. In fact it's a tragic . . . with tragic implications, and we know particularly in Saskatchewan, in this province, that we have some of the highest rates of driving while impaired. And the implications for that, driving while impaired or driving while distracted, we need to take this very seriously in terms of making sure our streets are safe and that people understand that it's a privilege to be driving and they have responsibilities when they are driving.

And so having said that, you know, this bill intends to add the new federal drug offences that were part of the Criminal Code changes, and they're going to introduce them and put them into *The Automobile Accident Insurance Act* as well as *The Traffic Safety Act*.

And so this is a good thing and makes a lot of sense. But we will have lots of questions about this because people right across this province are wondering what are the implications of this, you know. And particularly I think it's right across the board with, I was about to say older generations but I think everyone wonders what the implications of this . . . I mean no one should be driving after having partaken in any drugs, whether they be alcohol or other kinds of drugs that have an influence on your response time and judgment and that type of thing. So this makes a lot of sense.

The questions that we may have — and I do have some questions as we go through this, though — is what are the best practices? What have we learned from other jurisdictions? And what can we do to make sure that we don't find ourselves tied up in the courts just mired in legalese? Are we using best practices? And we want to make sure that we are really dealing with the issues at hand. We don't want to see any kind of profiling — what we might think might be a typical drug user and pulling them over — and taking advantage of some of the pieces of the legislation that speaks to the ambiguity that exists that, say, with alcohol does.

And we've come a long way in the science of determining impairment and levels of impairment in the blood or in the breath. And while we don't have those . . . And it is interesting because it's not like cannabis is new and we're introducing a new topic to the police enforcement. Obviously this is something though that clearly . . . And it is interesting because this will be a new area for the police services to delve into. But driving while drunk will remain the number one issue, I'm sure, before us. And that's really, really important that we don't lose track of that and we continue to build on strengths that we've seen.

So I just want to review some of the highlights of the bill that's before us, and then I want to talk about some of the concerns we have. And some of the concerns actually is interesting, as I read through this legislation, that I've had raised to me over the last month or so. Because some of the new processes that I'm not sure whether it's Justice or SGI [Saskatchewan Government Insurance] have taken on in terms of serving notices. And when I look at this legislation I see references to that. And that will be one of our questions that we have for the Minister of Justice and/or the Minister Responsible for SGI.

But let me just do a quick review of what this is because the people at home may be tuning in and wondering, as with us all, what will be happening over the course of the summer months with the new cannabis legislation that the federal government is introducing. It's passed the House but some of it is within the Senate, and we await to see what's happening there.

And so as I said, this bill adds some new federal drug offences under the Criminal Code to various sections of *The Automobile Accident Insurance Act* as well as *The Traffic Safety Act*. It adds a definition of drug to *The Traffic Safety Act* and so you folks at home when I go through the Act, I'll make sure I review that for the people so that they are aware of that.

The bill adds a new section to *The Traffic Safety Act* that outlines a zero tolerance for drugs. And what that . . . That may be the interesting part that we have to see how that plays out in the courts. And is that a reasonable stance and how do we arrive at that? And I think the reason in many ways we have a zero tolerance is because we don't know what the tolerance should be. And how do you measure that tolerance? And so it's just easier to say zero tolerance, but then that doesn't make it any easier, Mr. Speaker, because you can be assured that there will be some people that will take that definition and they'll raise concerns about what that really, really means and the implications of that.

And we've seen that in drug testing in work sites and of course, obviously people don't want to see people working when they've been under the influence of a variety of drugs. And so that sounds reasonable of one hand, but now that we're more into that we can understand that there has been challenges with that and it's not as straightforward as one may think. And so that will be the questions I know that we have.

It sets out licence suspensions, vehicle impoundments, and administrative fines for drivers found to have been driving while having consumed drugs. Now it says — this may be interesting for the folks at home and what the implications are — drug offences will be dealt with in the same way as alcohol-related offences are dealt with except the ignition interlock can't be used with the consumption of drugs. And that gets back to the fact that with the Breathalyzer and the technology that's been developed with that, clearly is advanced in many ways and that the same is not . . . [inaudible] . . . can be applied to the consumption of drugs, in particular cannabis or marijuana because of the difficulty there.

And of course, this speaks to the science that we need to develop. We need to have a better understanding, and understanding that is not laden with judgment but understanding more that this is an area that people in Canada

expect and have . . . You know, the government of the day did win the election and one of their key promises was the legalization of cannabis. And I know for many people — and I was knocking on doors during that campaign — felt that was the right thing to do.

But I think we all agree, as I said, that clearly we need to make sure that our streets are safe and that we do not have accidents. And so it's not that it's with the legalization that it's an anything-goes, wild-west type of approach, but in fact that we are approaching it in a rational and sound and planned manner. And this is a big deal. So again this is where science comes into it and we need to make sure . . . and it will be interesting to know how much SGI and the government is setting aside for that kind of research.

SGI has done a lot of good work in terms of being proactive, and I will be curious to know what kind of proactive activities will be happening. I've been reading some things about the Liberal initiatives in terms of media and their campaigns that they hope to get going and the impact it's having. And it's apparently not having a great impact because people . . . It's a foolish thing that we all think that somehow we can drink and drive, or now we can smoke and drive, or toké and drive, but we can't. We shouldn't. And we should just be able to enjoy ourselves but have someone else drive, have someone else take the wheel. And we'd all appreciate that because we just don't want to have something to happen on the roads.

So we note that currently it's illegal to drive while impaired, and whether that's from alcohol or from drugs, and that remains the same with this bill. So that's a very important point. And so as we go through the bill . . . And there's some parts I do want to highlight, and I know we want to get to a few things tonight, but this is really important.

And as I was saying, this is . . . Some things are forced or hoisted upon you because of other governments and their initiatives, and of course this government has found itself dealing with the legalization of cannabis and the responsibility that comes with it in making sure our province falls in line with other provinces, that we're not out of line with that, but that we do all that we can to make sure our province is safe.

[20:15]

So we go through this, and of course I talked about the short title, and the short title is *The Miscellaneous Vehicle and Driving Statutes (Cannabis Legislation) Amendment Act*, so obviously dealing with vehicles and driving. And then the part 2 talks about offences related to transportation, specifically drugs. And it talks about the chargeable incident and what that means and how that is related to the Criminal Code and section 130 of the *National Defence Act*. I'm not sure what that is specifically but obviously that's a very, very important part.

And I want to get down to . . . And this is what is very important, and if anybody at home or other people who may be reading my speech tomorrow would like to know that what the definition of a drug is. And a drug . . . This is section T-18.1 amended:

**The following clause is added after clause 2(1)(h):**

‘**drug**’ means a drug or substance that causes or could cause a driver to be unable to safely operate a motor vehicle”.

So that’s the definition. And so they don’t really get too much further. If you’re looking for a pharmaceutical definition of a drug, it’s not here. In fact they’re using the word to define itself. A drug means a drug. I’m not sure if that’s helpful, but we’ll see a statute bill in a couple of years maybe with more specifics on that. Or a “. . . substance that causes or could cause a driver to be unable to safely operate a motor vehicle”. So that’s pretty well straightforward, so you always have to have a definition to start that out, and that’s very important. So that’s there.

Now it does talk about repealing a section that talks about the approved screening device and it talks about repealing clause (a) and substituting the following:

‘**approved screening device**’ means a device approved for analysing the presence of alcohol or drugs in a person’s body pursuant to paragraph 254.01(a) of the *Criminal Code*”.

And so clearly they’re thinking ahead that obviously we do have Breathalyzers, we have interlock devices, but we don’t have anything that can really do that for drugs. But in anticipation, they are thinking that they may have something down the road, and that’s very important.

They talk about zero-tolerance drugs, and that’s a new section where:

A peace officer may make a demand pursuant to section 149 if the peace officer has reasonable grounds to believe that a driver drove a motor vehicle having any drugs in his or her body.

And then that’s where we go back to the definition of what’s a drug. You know, a drug is something that was in his or her body and that causes a driver to be unable to safely operate a motor vehicle.

Now, Mr. Speaker, I do want to say this, and this is a drafting point. So if the drafters are listening, and I know we have some very good drafters over in Justice land, but I know we’re going to be back here by — could be next year, could be in 10 years. But the language “in his or her body” and the Minister of Justice knows this well, it probably should have been “their” body, not “his or her” body, because in the world of human rights, we’re moving away from gender-specific language.

And so, not that we’ll vote against this . . . [inaudible interjection] . . . We’d be very happy to do that in the committee. But I see this, and you know, maybe I’m a little sensitive to it, but I hear a lot about this — his or her — and there’s others that don’t identify, but we all identify. We all can say “their” and that’s fine. So a little pronoun thing.

The other issue . . . So we’ll put a marker in that and we’ll come back to that as a House amendment or if the minister will do that, but I think it’s one of those things that we should be really sensitive now . . . [inaudible interjection] . . . There you go. But this . . . [inaudible interjection] . . . Sure. Yes. We can. It’s one

of those things that I think we should be talking about.

Now the other thing that, you know, it talks about the parallels, and this probably is not new ground. But the one that I would like to raise and we would raise in committee in questions and this is often phrased or use this phrase throughout. And I’ve heard now three examples of where this is not working well. If a driver is served with a notice of suspension and the notice of immobilization or impoundment pursuant to the section. But the keyword is around “notice of suspension.”

In the past, the notice of suspension was done by registered mail and now we’re hearing more and more that the notice of suspension may come through regular mail. And I’ve heard now three examples where people did not get their notice of suspensions and actually thought they had a licence and they didn’t have a licence and in one case was very serious.

And all the cases were very serious where they found out either through an accident or a police stop and they found out that they didn’t have a licence and they really thought in good faith they did have a licence. But the suspension did not come, or the notice did not come through registered mail.

Now, Mr. Speaker, many people in this House and you and I may be of that generation where we do think important things come through registered mail. You have to sign for it and that means it’s important. You know, regular delivery is not considered high-priority mail. And these kind of things are very, very important, particularly when you’re thinking of people who drive for a living and that type of thing. If they’re not getting their notices by registered mail and they, in good faith, thought they’d done everything that they were supposed to do but there’s something that’s missing and SGI or the courts, whoever, send their suspension or notice of suspension by mail, regular mail . . .

And you know, I have a lot of faith in the post office but we’ve seen that there’s been big changes in the delivery of mail, you know, I think particularly in rural Saskatchewan where we’ve seen many rural post offices being closed down. We see in many parts of cities where a regular house delivery is not the same as it once was. And this is an issue. And this will be a big one. So this will be one that we’ll be talking to both ministers about because it’s just simply not right that when we have such a critically important issue that the government, whether it’s Justice or SGI, cannot be bothered to send their notices by registered mail.

And so this doesn’t say how it’s going to be sent, whether that’s in regulations, which makes me even more nervous that this can be seen as a money saver. But, Mr. Speaker, when we’re talking about impairment, when we’re talking about whether it’s impairment due to drugs or alcohol, I don’t think we should be cheaping out on the price of a stamp. We should be using registered mail so people get their notices and they cannot use the defence of, I never got the mail or, something happened to the mail.

And I’ve heard of three specific instances in the last couple of months where this has happened, and one person came up and talked to me about it. They felt very badly about it. It was impairing their . . . It was something happened at work and was

not a good situation. Fortunately their employer was understanding, but it has ripple effects. In fact it had a ripple effect in terms of the corporation because the corporation then had a driver, had an illegal driver. That's not good. So it impacts their insurance.

So all of this has a ripple effect, and just for the simple case of not going that extra little distance of a registered mail that requires a signature to acknowledge that it's been sent.

So these are the kind of things that when we go through legislation like this . . . And we will take some time in committee to make sure that we have all the t's crossed and the i's dotted and there are no unintended consequences, i.e. creating drivers, illegal drivers because they have not been given their notices appropriately in the correct or a reasonable fashion.

And in fact, Mr. Speaker, I would say this. The person pointed out to me that in Saskatchewan we are the only province that will send out notices by regular mail; all other provinces use registered mail. And so why is it that we're the only ones that do that? Now so we'll have that discussion, find out if that's actually the case, and if that is the case then I don't think that makes any sense at all when we're dealing with such a serious problem as this. And it shows, and I don't believe this is the case because I believe both with SGI and Justice they take this matter very seriously and it's one that they want to get right, but it may indicate a bit of a lackadaisical approach to it, that you're just putting it in the mail. You hope the letter even got out of the building, you know. Who knows where the letter went? So this is a very serious matter and for these three instances it was a big deal.

So you know, I think that we'll need to have a longer talk about this. We'll need to go through some of these things. As I said, it seems to parallel a lot of the alcohol-related processes and that's good. It's a sense of fairness, and nobody can say, well you're picking on a younger generation or something like that. There is concern. So we want to make sure that people are fully aware and there's good education on this and media about that.

We'll wait and see how the zero tolerance, how well that stands up because that's a pretty brave statement to say, and it just invites challenge just because of the way it's worded. But I hope that we will hear about best practices and that type of thing.

So with that, Mr. Speaker, this is one that we'll be watching with a lot of interest and I know my colleagues will have some comments as well.

So I would move adjournment of Bill No. 112, *The Miscellaneous Vehicle and Driving Statutes (Cannabis Legislation) Amendment Act, 2017*. Thank you.

**The Speaker:** — The member for Saskatoon Centre has moved to adjourn debate on Bill No. 112, *The Miscellaneous Vehicle and Driving Statutes (Cannabis Legislation) Amendment Act, 2017*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 113

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Doke that **Bill No. 113** — *The Planning and Development Amendment Act, 2017* be now read a second time.]

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

**Ms. Sproule:** — Thank you very much, Mr. Speaker. I'm pleased to be able to rise this evening and get into the changes that are being proposed to *The Planning and Development Act, 2007*. The role of *The Planning and Development Act* is something I've always found very fascinating, and what it basically deals with is the intersection between city municipalities and rural municipalities, by and large.

And as you know, as pressures on cities to expand their boundaries grows, then the pressure is also on the surrounding rural municipalities to deal with that additional growth as well. And there's a number of notable examples in the news recently: the problems between the city of Saskatoon and Corman Park, and then in Regina area, of course, is Sherwood, the RM of Sherwood. So these pressures are real and they're constant, and particularly when we see the rate of growth that we've seen in the province in the last few years.

So these kinds of administrative Acts are really, really important and they really inform the orderly development of those areas where urban butts up against rural. And obviously this is an Act that has been around for a long time, but the minister indicated in his second reading speech that there's been a pressure to revisit it and make some changes in order to facilitate the legislative framework for development of these municipal communities.

So what he says in his speech from December was that the “. . . bill will incrementally improve Saskatchewan's land use planning framework and save taxpayers money.” So he identifies a number of the things that the bill is attempting to do. One of the things I find interesting is the flexibility that is now being provided for regional partnerships. And as you know, Mr. Speaker, there are hundreds and hundreds of rural municipalities in Saskatchewan and some of them are small and some of them are big and some are close to cities and some are more remote. Some have lost land base; some have gained land base. And so every municipality is different and they're all very, quite unique, actually.

But when it comes to the additional demands for infrastructure and administration, there's questions around the viability and whether or not they should be . . . there should be as many as there are. And you see various articles from time to time wondering if that is the best approach. Mutual partnerships are a good way to consolidate some of the needs of these RMs. Obviously when it's voluntary, that requires mutual consent from the participating municipalities and that can prove to be tricky from time to time as well.

[20:30]

But I'm going to go through in quite a bit of detail the changes that are being proposed simply because there are so many of them and it's an important bill. It's an important Act and I think we need to be familiar with some of the things that are happening in the Act. Some of them are interesting for just observational reasons, and others are interesting just because they are enhancing or facilitating the existing structures. So I'm going to go through this in quite a bit of detail.

The first change that we see in the bill, 113, is combining the definition of board of education with the conseil scolaire under *The Education Act*. And I don't know why that was necessary but they're just combining them into a new definition on the definitions clause in section 2. So section 2 of almost every Act in Saskatchewan is the definitions section and that's something you'll find repeatedly, and in this case it's no exception. So that's the main change.

There's other changes to the definition clause. In this case they're creating a definition for "day" that refers to days, not business days. And if you'll recall, Mr. Speaker, I was just up a few minutes ago talking about *The Statute Law Amendment Act*, and there they were changing the definition of "day" to business days. So it seems to be somewhat inconsistent, and I'm not sure why this bill would get rid of business days and that one would insert business days, but it could be just different drafters looking at it and trying to make it more clear. And obviously there's different ways to get clarity when we're talking about this. But in any case, in this particular Act we are getting rid of the definition of business days and we're just saying calendar days. So in this definition, "day" now means calendar day. So it's kind of interesting.

Then there's a number of changes in this Act where they're adding . . . where it says the minister responsible for the highways Act, for example, they're inserting three words here and they're saying the minister responsible for "the administration of" the highways Act, or whatever Act it is. Again I think the attempt here is to achieve consistency with other similar phrases in the Act, but I can think of a number of legislation bills that we look at where it just says the minister responsible for the ministry of. So maybe it's fixing a problem within this Act, but I'm not sure that it's consistent with other Acts in the lexicon of our legislative catalogue.

There's a school division, new definition. I've already mentioned that. And the reason they say that these changes are necessary is to ensure the conflict of interest . . . Subsection 2(2) is being amended:

**by adding** "District Development Appeals Board," **after** "Development Appeals Board,;" **and** [to make sure they're]

. . . **adding** "a regional planning authority," **after** "a district planning authority,".

Because those are two different things and they want to make sure that the conflict of interest provisions apply.

And you will recall, Mr. Speaker, there have been some fairly high-profile actual court cases about conflict of interest for municipal authorities and municipal leaders. And so that's

received some heightened attention. And I think some of the efforts in this bill are being used to address that, especially because of the conflict of interest amendment Act, 2015. So there's been a number of changes under this Act because of that bill three years ago that made some changes to the conflict of interest provisions for municipalities.

Now we see a change now to section 4 . . . Sorry, section 13 is being changed. And here we have an addition for the minister may . . . The addition reads as follows, 13:

"(7) The minister may, by order, amend, suspend or revoke any order issued pursuant to subsection (1) if the minister considers it appropriate to do so".

And what the explanatory notes indicate is that there are 10 cities in Saskatchewan that have been granted approving authority status. And it says:

From time to time, there may be situations where the minister must modify the terms of the order granting approving authority status to achieve a provincial interest. This amendment is necessary to clarify the minister's authority to do so.

So this is where we see the heavy hand of the provincial government now being applied to the authorities that have been given to district planning authorities or regional planning authorities. And I think you can see some of the negative effects of that when you look at what's happening at the Global Transportation Hub Authority because that authority was created by statute. And we know there's a number of serious, serious financial issues happening right now in terms of the debt that that authority is incurring and its inability to pay its payments. So there may be some point where the government is going to have to step in and make changes to the structure of that authority or, heaven knows, a number of the leadership candidates even expressed interest in getting rid of it altogether.

Well they said they'd sell it, but that's the problem, Mr. Speaker — they can't sell any of the land there. That's why they're so far in debt. So it was interesting to hear leadership candidates say they wanted to sell the GTH when that is the exact problem that the GTH has, is that they can't sell anything at this point in time. So it's always interesting where this government is willing to step in and take authority from municipal bodies. And here's another example of that being added here in section 13(7).

The next change that we look at is a change to publication requirements in the *Gazette*. So because this is a new ministerial order that is possible, that those orders now have to be published in the *Gazette* as well. There's being changes made to section 19 and these are fairly minor, but the idea of this clause is site plan control.

And the explanation here is indicating that, "Currently, the ability to apply policies for site plan control is limited to only commercial and industrial developments." So it's now being amended to add institutional or mixed use developments. So this was a change that was requested by stakeholders and they wanted the ability to apply policies for site plan control to those other kinds of developments. So this is a specific response to

requests from stakeholders.

The next change that's being made is the removal of the word "vehicular" traffic in 19(3). And the explanation here is that:

All modes of transportation have the potential to impact safety. By removing the reference to "vehicular" [traffic], the amendment . . . clarifies that additional types of traffic, such as . . .

Now I was thinking, what could be traffic other than vehicular? Well apparently cycling and pedestrians. So I wouldn't have thought of pedestrians as traffic, but that makes absolute sense, Mr. Speaker.

Section 23(2) is being amended and this is the section relating to exemptions relating to other bylaws and plans. Here we see a change that we see throughout this Act, where we're substituting the word "minister" for the word "director." And the explanation that's provided here, whenever we changed a reference to file something with the minister, it's going to now go to the director. It says here that:

Municipal planning bylaws are processed at the branch level. Most municipalities send bylaws directly to the branch. To improve clarity and streamline submissions, the reference is changed so bylaws are submitted to the Director of Community Planning instead of the Minister of Government Relations.

And I suppose that adds clarity. I think though, if you look at the delegation of authorities Act, most ministers would never actually see these things land on their desk anyways because they've already delegated the authority to folks like the directors of community planning. But anyways for clarity, the powers that be have determined that we need to make those changes. So you see the substitution in section 23(2). We also see the same substitution here in subsection 24(6) under the public notice policy.

And then the next changes that we see are in section 30. So section 30's purpose is the requirement of an official community plan. This has gained popularity in the last 20 years, the idea that communities can draft official community plans.

I was involved with a number of them back in the days when I was working with the federal government and the First Nations where they too were also having official community plans drafted. And I felt that the expectations and aspirations that communities developed as they went through the OCP process, the official community plan process, really kind of set them up with expectations that couldn't be met. And there was a lot of disappointment in these official community plans because the communities had great desires for cultural spaces and recreational spaces and more liveable spaces, but of course those cost a lot of money. And I'm afraid to say that I think a lot of OCPs just end up on the shelf, because the vision and the aspirational aspects of it are often prohibited simply because there's no money available to make those wonderful plans a reality.

So I'm not sure exactly, and I don't have the entire Act in front of me right now, but I don't know if official community plans

are an absolute requirement on the part of municipalities or if they're still voluntary on the part of the municipalities. But section 30 seems to suggest that there could be a requirement by the minister for an official community plan. And the reason when the minister can do this is when there's a provincial land-use policy or a statement of provincial interest. And this is where again the province can override the municipal interests and the minister can actually order the council to prepare an official community plan within two years.

And what's being changed here, and I think this was a bit punitive, it had to be done within two years. They're now amending that section to say, ". . . or any other period the minister may require as set out in the direction." So I think two years is not a long time for a community to prepare an official community plan, particularly if you are consulting properly and reaching out to all the stakeholders and ensuring that they're properly engaged. So in this case it looks like the amendment is providing some flexibility, and I'm assuming it would be to go beyond the two-year period that's already stipulated in the current legislation.

The second part of this is the same thing. The minister can order an amendment to an official community plan, and there's a six-month requirement for adopting that amendment. As soon as the minister says so, the municipality has to act within six months. This too is also now being amended to allow for some flexibility where the minister can extend the period if desired, I'm assuming if the municipality cannot comply with the six-month time period.

The next section that's being amended is the contents of the community plan, and there's a new clause here. And I think this is probably the most substantive change in this bill, is the new clause which requires municipal reserves for school purposes. And I think, if I think of the school that my kids went to in Saskatoon, Victoria School, the green space requirements for that particular school don't meet the requirements of the city, but it was the only space that actually had, not enough green space, but some green space to meet the city's community plan.

And so this part of the legislation I believe is being amended to ensure that school purposes are fully included in the municipal planning process. And if you look at the explanatory notes here, it says: "The province recognizes the need for municipalities, school divisions and the Ministry of Education to jointly plan for school purposes." So I think there's a recognition that those three players are incredibly important to the proper planning of school locations and school spaces.

So there's a new clause that's requiring that the municipalities have to adopt policies in its community plan that ensure the creation of municipal reserve sites that are large enough to be used for schools and actually identify the location of those sites and provide for the fair treatment of all subdivision applicants and land developers within a region through the land dedication process.

[20:45]

And we were talking about dinosaurs earlier tonight, Mr. Speaker, but I've done a lot of work looking at the original township plans of the province of Saskatchewan and there was



always school lands that were set out in the . . . Every township that was created, there was one and three-quarters of a section that were identified as school lands. And those were to ensure that every township in Saskatchewan either had a school built or that the school boards had land to sell so that they could build schools.

So you think of the Harwood School for example. It was on my grandfather's home quarter, my parents' . . . well, where I grew up. So that was the school lands and that's where they built the school so that all the neighbouring kids could go to the school. So school lands have always been an important consideration for municipalities, and this is no difference here where I think there's been a recognition that land developers, municipal planners, need to take into account future schools. And this is an important consideration.

Now there's also changes about safety. And in this case clause 32(2)(k) . . . I want to make sure if that's a new one, 32(2)(k). It's a new clause; that's correct. And it's about "... management of lands that are in proximity to existing or proposed railway operations." So we know how dangerous railways can be and, if you're anywhere near schools, that there has to be a lot of thought put into that. And also just generally. So these require official community plans, not only to take into account enough land for schools but also the location and policies regarding development in proximity to railway operations, either existing or proposed.

Now of course we don't know how many new railways are coming in, but there haven't been a lot of new railways in the last several decades. So I think that's part of the new requirements.

Yes, we've already talked about 32(4) a little bit.

So in 32(2) we see the provision of municipal reserve for school purposes. 32(3) talks about the policies that are going to be developed in that area, have to be developed with the Minister of Education and the school division as well, and any municipality that could be affected. So again, this is municipalities touching municipalities, so it takes into account the interjurisdictional requirements.

We see a few changes to section 32.1. These are minor and I've talked about the similar ones before.

Again in section 49, the contents of a zoning bylaw, this is again talking about railways. And there has to be provisions in zoning bylaws now for regulating development and proximity to railway operations. So same idea. If you're doing official community plans or zoning bylaws, you have to take into account safety provisions for railways.

So a few changes to 51(5), again they're minor changes and again this is where business days are being removed from the Act instead of added. So it's contrary to, I think it was . . . yes, Bill 109 where the drafters have done the exact opposite.

Section 83, there's a new section being added there and this is a change that says, "The minister may, by order, amend, suspend or revoke any waiver given by the minister pursuant to subsection (1) if the minister considers it appropriate to do so."

And the explanation for this is that this is the waiver of ministerial approval clause, and the explanation is that:

. . . the Ministry of Government Relations keeps a record of amendments to urban municipalities' zoning bylaws. To improve clarity and streamline submissions, the reference is changed so bylaws are [now being] submitted to the Director . . . instead of the Minister . . .

[And then] All urban municipalities in Saskatchewan have been granted the authority to amend their zoning bylaw without requiring approval from the minister. In the event there is a situation where the minister must consider modifying this waiver to achieve a provincial interest, the addition of subsection 78(5) is necessary to clarify the minister's authority to do so.

And I think this example of provincial interest was used again in the establishment of the Global Transportation Hub Authority where the province stepped in and said we need to remove this land from the city . . . Well first of all they added to the city of Regina; then they now took it out through the creation of the authority, where that land would normally be under the community plan and zoning bylaws of the city of Regina. So this was the superimposition of a third layer, I guess, within the municipal world of the provincial interest. Again it's a hammer that the government has that they obviously have desire to use, so we'll see how it will be used in the future.

Minor change to section 83, 96, just a change from "pecuniary interest" to "conflict of interest or financial interest." These changes occur throughout as well, and it's basically to ensure consistency with *The Municipal Conflict of Interest Amendment Act, 2015*.

Section 97 is being adjusted slightly and this is the agreement for establishment of a planning district. So previously when a city or an RM wanted to establish a planning district, it's now being expanded to any municipality. So that's one of the changes that's being made there. It's also allowing municipalities to establish as a district planning authority without first having to be a district planning commission. Now the explanatory notes here are saying this is to improve the flexibility of the legislation. So it's giving a little more leeway for municipalities to organize themselves.

Section 101 has the "pecuniary" word being removed and substituted to match *The Municipal Conflict of Interest Amendment Act*. Section 102 has the removal of the word "business" and it's just "days" now, and expanded from 10 business days to 15 days. So I don't know what additional clarity that's adding, but it's I guess providing consistency throughout the Act.

Section 103 is being amended. This is the zoning bylaw provision, and here it just allows the members of a planning district to amend an existing bylaw as long as it's consistent with the district plan.

Section 108 is also being amended here, some minor changes. Again it's to allow for that flexibility that I just mentioned where they don't have to first establish themselves as a district

planning commission before they can become a district planning authority. And the note here says, “This will improve the flexibility of the legislation for municipalities who wish to plan regionally.” So again it’s providing some flexibility for those groups that decide that they want to work together. And doing it voluntarily is a good move, and I think it will allow municipalities the opportunity to consider how they could work better together.

The powers of district planning authorities in section 109 is being repealed completely and really it’s being rewritten. Is that right, rewritten? I’m getting tired, Mr. Speaker, but I think that’s the right word. What the explanatory notes say here . . . This is a fairly large section. It says it’s going to be “. . . easier for municipalities to utilize the DPA tool,” which is this concept of a district planning authority. They go on to say that:

A district planning authority is a corporate body for municipalities to address regional issues. Throughout consultation, a number of stakeholders requested that the ministry improve the clarity and flexibility of the section.

So here’s some of the things that the change — repeal and replacement of this section — will do. First of all it improves clarity on the roles and responsibilities of the DPA [district planning authority] and allow member municipalities of DPA to delegate powers one by one. It allows these tools to be customized for each situation and improve the efficiency and potential use of the section. It will allow . . . It’s cleaning up section 109(4), which was a duplicate.

Also it establishes a district development appeals board process to provide appeal oversight to any appeal-eligible decisions made by the DPA. Currently this would go to the Saskatchewan Municipal Board, but it sounds like there would be a local-level appeal first before going to the Saskatchewan Municipal Board. I don’t know whether that is at the request of these municipalities or if it was just seen as a way to not clog up the Saskatchewan Municipal Board. And again I have no idea how many of these disputes are being heard.

The conflict of interest clause in section 112, and this is in relation to northern planning commissions, is just being changed to clean it up and ensure consistency with *The Municipal Conflict of Interest Amendment Act*.

Section 119.1(3), I referred to this earlier, but it currently says that a regional planning area can only be a city or an adjacent RM or municipal district. And of course that requires that there actually be a city in this regional planning authority. What they’re saying now is that, during consultation, a number of municipal stakeholders expressed their desire to use the tool but they weren’t urban municipalities or cities. So this expands the scope and provides flexibility for any municipalities to be included in a regional planning authority.

Section 119.6 is also being repealed and replaced and this is the regional planning authority tool, the duties of a regional planning authority. So a number of significant changes that are being made there: improving clarity, improving efficiency, and again creating a District Development Appeals Board if the minister chooses to do so, because currently they’re all being sent to the Municipal Board, Saskatchewan Municipal Board.

A small change in 119.7.

Section 120 talks about, as a new clause, encroachment agreement. This is a bit cloudy for me but it says:

A definition of “encroachment agreement” is needed to clarify when subdivision approval . . . [could] be exempt by the approving authority in order to implement existing clause 122(1)(h) that allows for an exemption from subdivision approval when there is an encroachment agreement.

I’m not quite sure exactly what that means, but it’s attempting to ensure clarity from minor encroachments. And I know that when you look at property law, encroachments are probably one of the largest sources of dispute between neighbours, is encroachment. So hopefully that will help some of those disputes as well.

A few changes to exemptions from approval and the criteria for approval, minor changes. There’s development standards on hazardous lands and there’s a notification process for that. Development levy bylaws, there’s a new subdivision where development levies must not be used as a substitute for servicing agreement fees. So I think that provides some more clarity there as well. Some changes to the use of levies and fees clause. Some changes to exempts from dedication.

And there’s a new clause 195 for municipal reserves and public reserves that again talks about the need for clarification of the roles and responsibilities of school divisions, municipalities, and the Ministry of Education respecting the joint use and maintenance of dedicated lands. So that provides more clarity there.

A few changes, minor changes to section 202, 213, some clarity added there. And then there’s a new clause for the appointment of the board, and that is section 214(4), and it talks there about the District Development Appeals Board. So it clarifies procedures for the establishment of that.

Minor changes to 215, 218. And the application for appeal is going up. The cost of the application is going up from \$50 to \$300, and I have to say, Mr. Speaker, this is a pattern that we see in this government where fees and levies and licences are going up all the time. So hopefully that will help with the bottom line for the budget. Minor changes to 225, 226, 227. And then the rights of appeal are . . . There’s a minor change to clause 228.

[21:00]

So as you can see, there’s been a lot of work done on this. And thank you, Mr. Speaker, for staying with me for this whole little half-hour that I’ve been working on it. I appreciate your focus and your obvious interest in the discussion. And I think at this point, I know other of my colleagues are going to want to have an opportunity to weigh in on this. And certainly the current colleagues I’m sure are riveted and just ready to get into this bill as well. But at this point, Mr. Speaker, I’ve exhausted my comments on Bill 113, *An Act to amend The Planning and Development Act, 2007*, and I would like to adjourn the debate.

**The Speaker:** — The member for Saskatoon Nutana has moved to adjourn debate on Bill No. 113, *The Planning and Development Amendment Act, 2017*. 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:** — Thank you, Mr. Speaker. I move that this House do now adjourn.

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

**Some Hon. Members:** — Agreed.

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

[The Assembly adjourned at 21:01.]



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**Hon. Jeremy Harrison**

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Minister Responsible for First Nations, Métis  
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