



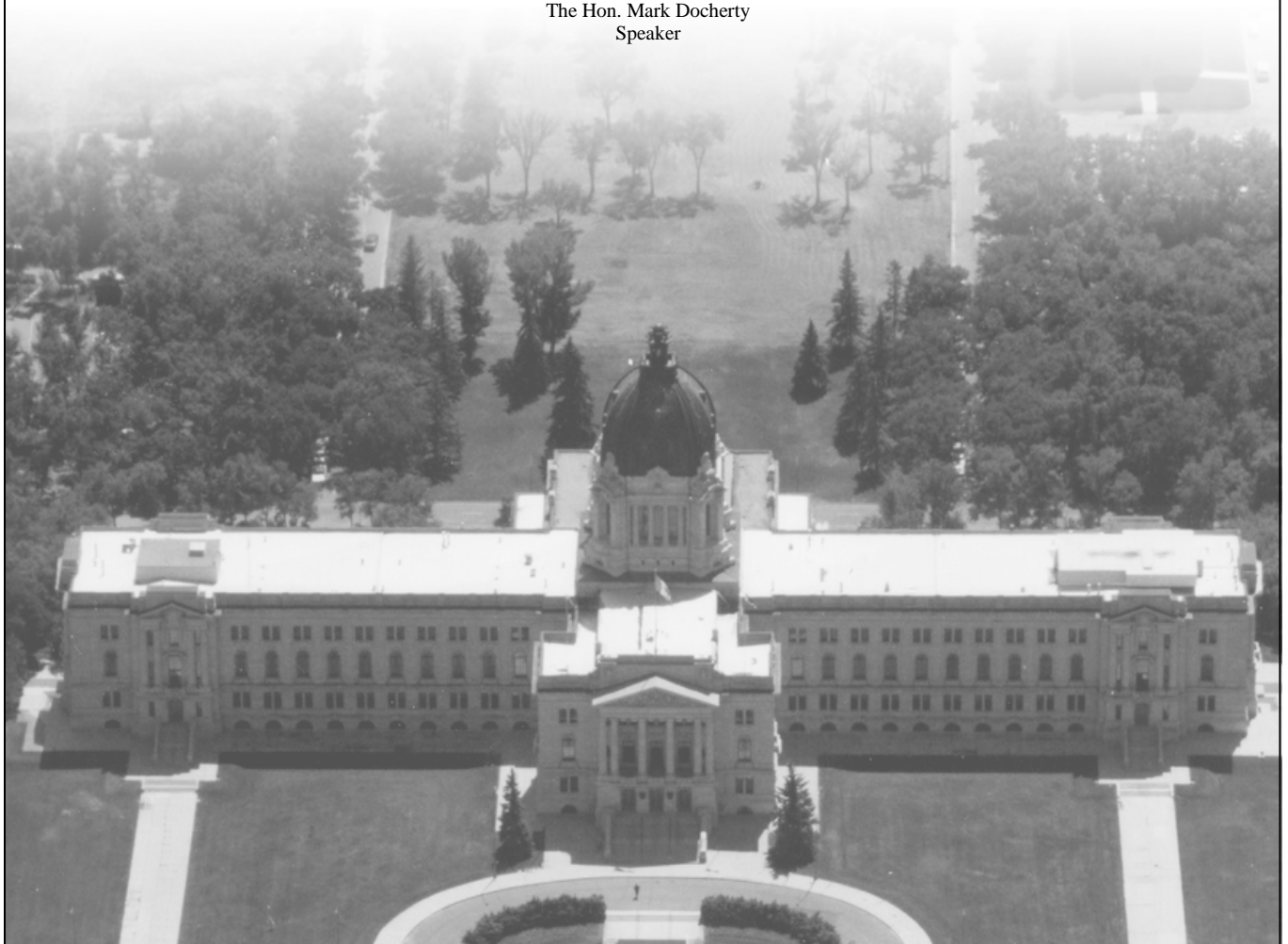
THIRD SESSION - TWENTY-EIGHTH LEGISLATURE

of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)
Published under the
authority of
The Hon. Mark Docherty
Speaker



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3rd Session — 28th Legislature

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Wyant, Hon. Gordon — Saskatoon Northwest (SP)
Young, Colleen — Lloydminster (SP)

Party Standings: Saskatchewan Party (SP) — 48; New Democratic Party (NDP) — 13

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[The Assembly met at 13:30.]

[Prayers]

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Marit: — Thank you, Mr. Chair. To you and through you I'd like to introduce a good friend of mine sitting in the east gallery. John Ryckman is on council in the RM [rural municipality] of Argyle. And John and I met quite a few years ago when I was on SARM [Saskatchewan Association of Rural Municipalities] and we've been friends probably for, probably close to 20 years now, John, I would say. So I know John and his wife Brenda. And also John farms down in the Gainsborough area, in RM No. 1 at Argyle, and him and their son Cody farm together.

I just wanted to recognize John here today. I know his wife Brenda is the APAS [Agricultural Producers Association of Saskatchewan] rep for their municipality and she's at the convention, so John thought he'd take in the proceedings today, Mr. Speaker. So I'd like to have all my colleagues welcome John to his Legislative Assembly, Mr. Speaker. Thank you.

The Speaker: — I recognize the Minister of Finance.

Hon. Ms. Harpauer: — Thank you, Mr. Speaker. It's a great pleasure today to introduce 42 amazing students from the Humboldt Collegiate Institute in the great city of Humboldt. And they are seated in the west gallery, Mr. Speaker, and they are accompanied by their teachers Mr. David Millette and Mr. David Rowe. And I'm looking forward to meeting with them later, and I'm sure they're going to have some great questions for me. So will everyone join me in welcoming them to their Legislative Assembly.

The Speaker: — I recognize the member for Biggar Saskatchewan Valley.

Mr. Weekes: — Thank you, Mr. Speaker. Seated in your gallery, I'd like to introduce Dr. Merle Massie, author, historian, and adjunct professor at the University of Saskatchewan. She also farms near Biggar. Please welcome Merle to her Legislative Assembly.

PRESENTING PETITIONS

The Speaker: — I recognize the member for Regina Rosemont.

Mr. Wotherspoon: — Thank you, Mr. Speaker. I rise once again today to present petitions on behalf of citizens and people, local businesses all across Saskatchewan as it relates to the hike and expansion of the PST [provincial sales tax] onto construction labour, Mr. Speaker — the epitome of a job-killing tax at a time where we need nothing more than job creation and investment within our province.

Of course we're seeing the damage that the imposition of the PST

is causing to our economy and to this industry, Mr. Speaker: permits down all across Saskatchewan, thousands of jobs that have been lost, businesses that have been impacted, businesses that have gone insolvent, people that have been driven out of province, Mr. Speaker, and all to pay for the Sask Party government's mismanagement, Mr. Speaker.

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan call on the Sask Party government to stop saddling families and businesses with the costs of their mismanagement and immediately reinstate the PST exemption on construction and stop hurting Saskatchewan businesses and families.

These petitions today are signed by concerned residents of Regina. I so submit.

The Speaker: — I recognize the member for Melfort.

Mr. Goudy: — Thank you, Mr. Speaker. I am pleased to rise today to present a petition from the citizens who are opposed to the federal government's decision to impose a carbon tax on the province of Saskatchewan.

I'd like to read the prayer, Mr. Speaker:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the Government of Saskatchewan to take the necessary steps to stop the federal government from imposing a carbon tax on this province.

Mr. Speaker, this petition is signed by citizens from Biggar, Vanscoy, and Dalmeny. I do so present.

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

Ms. Sproule: — Thank you, Mr. Speaker. Today I'm rising to present a petition calling for a public inquiry into the GTH [Global Transportation Hub] land deal. The people who have signed this petition want to bring to the Assembly's attention the following: the Sask Party has refused to come clean on the GTH land deal, a deal where Sask Party insiders made millions flipping land and taxpayers lost millions; the Sask Party continues to block key witnesses from providing testimony about the land deal; and it is Saskatchewan people who footed the bill for the GTH land deal and deserve nothing less than the truth.

I will read the prayer, Mr. Speaker:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan call on the Sask Party to stop hiding behind partisan excuses and immediately call for a judicial inquiry and a forensic audit into the GTH land deal.

Mr. Speaker, the individuals who have signed this petition today are from the city of Moose Jaw and the community of Marquis. I so present.

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

Mr. Forbes: — Thank you, Mr. Speaker. I rise today to present a petition to get big money out of Saskatchewan politics. And the concerned residents of the province of Saskatchewan want to bring to your attention the following: that Saskatchewan's outdated election Act allows corporations, unions, and individuals — even those living outside Saskatchewan — to make unlimited donations to our province's political parties.

And we know, Mr. Speaker, that the people of Saskatchewan deserve to live in a fair province where all voices are equal and money can't influence politics. But, Mr. Speaker, over the past 10 years the Saskatchewan Party has received \$12.61 million in corporate donations, and of that, \$2.87 million came from companies outside Saskatchewan.

We know, Mr. Speaker, that Saskatchewan politics should belong to Saskatchewan people. And we know that the federal government and the provinces of Alberta, Manitoba, Quebec, and Nova Scotia have moved to limit this influence and level the playing field by banning corporate and union donations to political parties.

Mr. Speaker, I'd like to read the prayer:

We, in the prayer that reads as follows, respectfully request that the Government of Saskatchewan call on the Sask Party to overhaul Saskatchewan's campaign finance laws, to end out-of-province donations, to put a ban on donations from corporations and unions, and to put a donation limit on individual donations.

Mr. Speaker, the people signing this petition today come from the town of Big River and the city of Regina. I do so present. Thank you.

The Speaker: — I recognize the member for Saskatoon Fairview.

Ms. Mowat: — Thank you, Mr. Speaker. It's my honour to rise today to present a petition to restore the family class designation to the Saskatchewan immigrant nominee program. These citizens wish to bring to our attention that the Sask Party government's changes to SINP [Saskatchewan immigrant nominee program] have eliminated the family class as a mechanism for immigration into Saskatchewan; that family reunification presents economic and social benefits to Saskatchewan; and that the Sask Party government is not willing to consider a redesign of SINP and does not consider this to be a priority issue.

I'd like to read the prayer:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan call on the Sask Party government to restore the family class designation to the Saskatchewan immigrant nominee program and support the reunification of families.

The individuals signing this petition come from Saskatoon, Mr. Speaker. I do so present.

The Speaker: — I recognize the member for Regina Elphinstone-Centre.

Mr. McCall: — Thank you very much, Mr. Speaker. I rise to present a petition calling for the support of in-house security services at Saskatchewan health care facilities. Mr. Speaker, the petitioners point out that the Government of Saskatchewan security services review in the Saskatchewan Health Authority appears to be driven by a desire to contract out and cut costs along with quality, rather than improve safety in health care. Mr. Speaker, they point out that safe, quality health care means having adequately staffed, properly trained and equipped in-house security teams, not cutting jobs and contracting out to the lowest private bidder, Mr. Speaker.

In the prayer that reads as follows, the petitioners respectfully request that the Legislative Assembly of Saskatchewan call on the government to commit to maintaining quality, publicly funded, publicly delivered, and publicly administered security services.

Mr. Speaker, this particular petition is signed by individuals from Saskatoon and Midale. I so present.

STATEMENTS BY MEMBERS

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

Remembering Harry Leslie Smith

Mr. Meili: — Thank you, Mr. Speaker. Harry Leslie Smith passed away this morning at the age of 95 in Belleville, Ontario. Harry was born in Yorkshire, England, suffered first-hand the ravages and indignities of poverty during the Great Depression, helped defeat the Nazis as a member of the Royal Air Force, and emigrated to Canada in 1953. Harry was an elegant writer; a prolific tweeter; and a tireless advocate for universal medicare, a strong social safety net, and action to address poverty.

I had the honour of meeting Harry here in Regina in 2015 when he visited our province to speak about his book *Harry's Last Stand*. We've kept in touch since. And I was very inspired by his commitment to making sure that his past, the troubles that his generation and his family faced, were not our future.

Mr. Speaker, Harry's work continues with his son John and all those who are inspired by Harry's words. Please join me in applauding the life and legacy of Harry Leslie Smith.

The Speaker: — I recognize the member for The Battlefords.

30th Annual World AIDS Day

Mr. Cox: — Thank you, Mr. Speaker. Mr. Speaker, this Saturday, December 1st, marks the 30th anniversary of World AIDS Day. This year's theme is Know Your Status, highlighting the importance of getting tested.

Mr. Speaker, we want anyone who is at risk of HIV [human immunodeficiency virus] to know that treatment is covered should they need it. Mr. Speaker, our government's approach includes testing, treatment, and harm reduction. We dedicate over \$4.7 million to these initiatives annually.

Mr. Speaker, you can get tested through your doctor or at any one

of over 77 HIV point-of-care sites across the province. We now have universal coverage for HIV medication, supported by a \$600,000 investment in the 2018-19 budget. Mr. Speaker, for people who use injection drugs, needle exchanges provide sterile needles free of charge. This is very important because we know that injection drug use is the number one risk factor for HIV.

Community-based organizations across the province are also doing excellent work, Mr. Speaker. Earlier this fall we announced \$600,000 in annual funding for Sanctum 1.5, a supportive housing facility in Saskatoon for pregnant women living with HIV and substance abuse issues. Our message to people living with HIV or addictions that put them at risk is that there is hope for treatment, Mr. Speaker. And the first step is to get tested. Thank you, Mr. Speaker.

The Speaker: — I recognize the member for Saskatoon Fairview.

Entrepreneur Finds Business Success

Ms. Mowat: — Thank you, Mr. Speaker. I'm honoured to rise today, on women crush Wednesday no less, to recognize a fierce female entrepreneur from Warman, Saskatchewan. Christi Beaudin started Newborn Feathers, a handmade jewellery business, as a small side project when she was on maternity leave. She started off making jewellery at a little desk under her stairs. Her work grew in popularity, so she knew she needed to expand. In March of 2018, Christi hired her first full-time employee and, a month later, another. By June her husband Sterling quit his job to join her in her project full-time.

Christi and her husband Sterling now employ 18 people at Newborn Feathers. They committed from the very start to pay all 18 employees a minimum of \$15 an hour. She knew since the beginning how important it was to give her employees the best opportunities possible. This has not only supported the quality of life of her employees, she has had business success, as her employees feel invested in Newborn Feathers and its success as well. With Christmas season under way, Newborn Feathers are currently shipping out a remarkable 500 orders per day.

Mr. Speaker, I ask all members of this Assembly to join me in congratulating Christi and her team on an amazing job in building Newborn Feathers right here in Saskatchewan and wish them continued success in the future.

The Speaker: — I recognize the member for Carrot River Valley.

Carrot River Hosts Volleyball Tournament

Mr. Bradshaw: — Thank you, Mr. Speaker. This year our Carrot River girls' team played host to the 3A SHSAA [Saskatchewan High Schools Athletic Association] provincial senior girls' volleyball championships. Mr. Speaker, the tournament featured 10 of the best teams from across the province. The community of Carrot River came together to host an entertaining, well-organized event, and the athletes put on an amazing display of volleyball finesse and great sportsmanship.

Mr. Speaker, the bronze medal was awarded to Pierceland, who came out on top in a great match against LCBI [Lutheran Collegiate Bible Institute] Outlook. I would like to congratulate Wakaw on taking home first place in the championship game against Wynyard.

Congratulations to the athletes and coaches who participated during the provincial championships. Your dedication to the sport of volleyball and your community is appreciated. Congratulations also to the Carrot River junior and senior high school team, as it takes many hours of hard work to put together such a successful event that many athletes and their families will remember for the rest of their lives. Thank you to the teachers, students, and volunteers as well, and the wonderful fans for cheering positively and recognizing great talent regardless of which team you were cheering for.

Mr. Speaker, I ask all members to please join me in congratulating all who came out to support volleyball in Carrot River this fall. Thank you.

The Speaker: — I recognize the member for Saskatoon Churchill-Wildwood.

Legacy of Bud Weaver Memorial Trophy

Ms. Lambert: — Thank you, Mr. Speaker. I dressed warmly to bring greetings to the chilly 4A high school provincial football championship held in Saskatoon this past month. It was a wonderful opportunity to celebrate the spirit of competition and a rivalry between our two largest cities here in Saskatchewan.

What many don't know, Mr. Speaker, is the story behind the namesake of the trophy, the Bud Weaver Memorial Trophy, named after Harold Weaver. This trophy has been awarded to high school football champions since 1946 and honours former members of the University of Saskatchewan Huskies Rugby Club who died while serving in World War II.

Harold went by the nickname Bud, and he played for the U of S [University of Saskatchewan] Huskies as a halfback and punter, and was a star athlete known for his talent and his big heart. The Huskies won the Hardy Cup in four of Harold's five seasons.

Like many young men in our province, Harold answered the call to service, joining the Royal Canadian Air Force. In May of 1941, 28-year-old Harold was sent overseas. He wrote his family goodbye, telling them not to worry and that he would see them soon. He would never return to Saskatchewan soil.

The U of S Huskies retired his no. 14 jersey and observed a moment of silence at the Huskies' annual Reunion Day game later that fall. His name and spirit live on through the Bud Weaver Memorial Trophy, and it is a reminder of great sacrifice, love, and commitment for community and for country. Thank you, Mr. Speaker.

The Speaker: — I recognize the member for Saskatchewan Rivers.

Volunteers Bare It All for Fundraiser

Hon. Ms. Wilson: — Thank you, Mr. Speaker. Today I wish to

share with you a fundraiser held by the Lakeland Curling Club in my constituency of Saskatchewan Rivers. The Lakeland Curling Club is a group of dedicated volunteers that maintain the curling arena at the Anderson Community Centre in the village of Christopher Lake.

Mr. Speaker, the curling arena is a staple in the community, which brings together people of all ages. The curling club recently held a fundraiser that raised some eyebrows but also gained a lot of positive feedback. While some fundraisers involve models dressing up, Mr. Speaker, this one has some local Lakeland volunteers undressing. Several members of the curling club have volunteered to bare it all for a calendar fundraiser as part of their Renew the Plex campaign.

The 12 models exposed themselves to the cold, while strategically and tastefully covering themselves up with curling equipment. The calendars are available at several businesses in the Christopher Lake and Emma Lake community. All proceeds raised from the sale of the calendars will go towards the Lakeland curling arena for renovations and general upkeep.

I ask all members to join me in acknowledging the generous models for baring it all for a good cause. Thank you.

The Speaker: — I recognize the member for Kelvington-Wadena.

Students Learn From Outdoor Education Program

Mr. Nerlien: — Thank you, Mr. Speaker. I'm pleased to stand today to highlight a group of students from my constituency who attend Wadena Composite School and Rose Valley School. Mr. Speaker, a group of 17 students, along with their principal, Darin Faubert, recently returned from a trip to the Yukon where they had an opportunity also to visit the Arctic Circle. This trip, which took nearly two years to plan, was part of both schools' outdoor education program. The students and chaperones spent a week exploring the Yukon, visiting Dawson City, Haines Junction, Kluane National Park, and Eagle Plains.

Principal Faubert has been organizing extended outdoor education trips for 25 years, and this most recent trip marked his 50th. Past classes have travelled to the Maritimes, BC's [British Columbia] Haida Gwaii islands, and Churchill, Manitoba.

Because of its vast landscapes and history, the organizers discovered the Yukon offered a unique opportunity to teach the required curriculum to the students on site. Geography students saw Canada's highest mountains. As history students, they learned about the gold rush and indigenous studies. And as biology students, Mr. Speaker, they got to study the ecosystem of the Far North tundra.

Mr. Speaker, I'd like to thank all the organizers involved with this outdoor education program for continuing to provide educational, beneficial trips to students. Thank you.

QUESTION PERIOD

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

Measures to Improve Highway Intersection Safety

Mr. Meili: — Thank you, Mr. Speaker. In April, in the days following the Humboldt Broncos bus crash, the Premier announced that there would be an independent investigation of what happened that night at Armley corner. I'd like to know what the current status is of that independent investigation. Has an investigator been hired? And when will a public report be made available?

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — I'll take notice of the question, Mr. Speaker.

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

Mr. Meili: — Thank you, Mr. Speaker. People who live near Armley corner have raised concerns with that intersection for many years. I would like to know how many complaints were received by this government prior to last April concerning Armley corner.

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Take notice of the question, Mr. Speaker.

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

Mr. Meili: — Thank you, Mr. Speaker. Since April many, including councillors and the reeve from the RM of Connaught, noting the past complaints and of course this particular incident, have called for rumble strips to be installed at that corner. More than 47,000 people have signed online petitions calling on the government to install rumble strips at this intersection. What is the status of the upgrades to this intersection? Have the rumble strips that people in the area are asking for been installed?

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker, and I'd like to thank the member opposite for the question. As you can well imagine, Mr. Speaker, our thoughts and prayers continue to be with the families and friends impacted by this crash. I want to assure the member opposite that safety is a very high priority for this government. As was mentioned in the Throne Speech, Highways has already conducted a preliminary review of more than 900 intersections and dedicated additional money to clearing sightlines and improving intersection safety.

The budget safety program has increased from 1.1 million in 2007 to 7 million in 2018. Specific to 35 and 335, there is an independent study taking place right now, and we're hoping to have those final results in. And we will be implementing changes based on that study. Thank you, Mr. Speaker.

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

Mr. Meili: — Thank you, Mr. Speaker. The question is really specific to the idea of rumble strips. That's what the local people are asking for. That's what the people of Saskatchewan are waiting for. We'd like to simply know from the minister when will those be put in place.

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker, and once again I thank the member opposite for the question. I stand in my seat day after day and talk about safety, and this intersection is something that has come to front. As I mentioned, the independent study is just being wrapped up. We will have those results very, very shortly and we will take those results seriously. Thank you, Mr. Speaker.

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

Mr. Meili: — Mr. Speaker, as well as taking steps to improve safety at Armley corner, we need to work to prevent future tragedies at rural intersections around the province. We received a copy of a 2016 presentation prepared by the Ministry of Highways that notes that roundabout intersections are much safer for the public. The Highways team examined more than 100 studies and came to the conclusion that roundabouts have 67 per cent fewer collisions and 87 per cent fewer collisions where people are injured or killed. So my question for the minister is, why has there been no action on these recommendations? Will the Sask Party be using roundabouts at intersections throughout Saskatchewan?

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker. And once again, I thank the member opposite for the question. Roundabouts are definitely something that we are looking at as the Ministry of Highways. As he's fully aware, on our bypass project is the first roundabout in the province of Saskatchewan, and this roundabout has definitely brought safety to that intersection and the east side of the city.

As we move forward with our planning, we leave no stone unturned. And if there's a situation where that might be the best option, it's not something that we would rule out. But we have to look at all options, Mr. Speaker, when it comes to safety. So thank you very much.

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

Regina Bypass and Adjacent Property

Ms. Sproule: — Thank you, Mr. Speaker. For weeks we have asked the Sask Party government about the 1,100 minor deficiencies associated with the Regina bypass, the same project this government gave to a French conglomerate and allowed to turn into the largest overrun in the history of Saskatchewan, ballooning from 400 million to more than \$2 billion.

There are currently dozens of lawsuits against the government related to the bypass. Meanwhile we've learned 1,100 minor deficiencies, and the minister won't even now talk about the major deficiencies. So will the minister, again, release the list of all the deficiencies — major and minor — and finally show some transparency when it comes to the Regina bypass? It's the least taxpayers should expect for their \$2 billion.

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker. Mr. Speaker, this

is about safety. Safety is a top priority for me and our government.

They like to talk about deficiencies and the situation that happened over a year ago. Well it was fixed at no cost to the taxpayer because it was a P3 [public-private partnership], and there has been no incident of that kind since. In fact tens of thousands of trucks have gotten through since there without incident. As mentioned earlier in the House, the member opposite knows this issue has been resolved. She said herself that they aren't hearing any more about it.

Mr. Speaker, this is a project that the members opposite talked about doing for many years, and they could not get it done. We will not be taking lessons from the other side. Thank you.

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

Ms. Sproule: — Mr. Speaker, the former minister of Highways may not care about the deficiencies of the Regina bypass, whether they're major or minor, but for people like Lloyd Rogina, who is here with us today, the bypass has directly impacted his home and his future.

Mr. Speaker, Lloyd's home and land is next to the Regina bypass, off the Courtney extension, south of Highway 1. Over the last couple of years Lloyd's property has been inundated with heavy-haul trucks that he believes have damaged his home and his property. Last year he wrote to the Minister of Highways looking for help. He was told by the minister to speak to the French company in charge of building this \$2 billion, 60-kilometre highway. The problem is, Mr. Speaker, Lloyd has found it extremely difficult to get a hold of RBDB [Regina Bypass Design Builders] and have his serious concerns addressed. First of all a non-response to the semi backlog in Balgonie, and now the brush-off for concerned landowners.

What has this government signed us up for? Is this acceptable to the minister?

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker, and I'd like to thank the member opposite for the question. I am aware of Lloyd, and if he would like to meet with me afterwards I would be more than happy to talk to him in person. I know that he has been corresponding with our office, so I extend that invitation to him if he'd like to meet later today.

But, Mr. Speaker, we are seeing a weak line of questioning from the opposition. Thousands of vehicles have travelled this highway every single day without incident. Yes, there was a problem with the roundabout. Yes, there've been issues. The member opposite said herself in a scrum that they are not hearing about these issues anymore. We have been asked this same tired line of questioning day after day. One can assume that they want this project to fail. They actually want this project to fail so they have something to talk about, Mr. Speaker.

They had an opportunity to do a project like this and bring safety to the province of Saskatchewan, and they never got it done, Mr. Speaker. And I will take no lessons from them.

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

Ms. Sproule: — Thank you much, Mr. Speaker. You know, Mr. Speaker, it's interesting. There's a little habit developing over there with caucus members where they offer to meet with these people that come to the Assembly only when they have to come here and ask to be met with.

[14:00]

Mr. Speaker, there have been over 1,100 minor deficiencies, and that's what we know about, Mr. Speaker. And also because of the Provincial Auditor's report, we know that the Sask Party government has failed to properly regulate heavy-haul truck traffic or operate weigh stations. This failure has real consequences for people, Mr. Speaker, but we know that government doesn't care.

Lloyd's home has sustained accelerated cracks in the drywall, doors sticking, separation of the foundations. He's even noticed the smell of gas around the property and he has been forced to spend his retirement money on engineers. Mr. Speaker, Lloyd is retired. He's living off a fixed income and he can't simply move into another home or leave his home empty. He can't afford the necessary repairs and fears that he will be forced to sell his property at a loss due to the construction of the \$2 billion bypass.

So what does the minister have to say to Lloyd? Maybe she could share it with us. Does she care as little as the former minister, or is she prepared to step in and help Lloyd and hold the French company building the bypass accountable?

The Speaker: — I recognize the Minister of Highways.

Hon. Ms. Carr: — Thank you, Mr. Speaker. Once again I've offered to meet with Lloyd after question period today, and I extend that invitation to you if you'd like to meet with me.

But, Mr. Speaker, two weeks ago . . . We have good stuff happening in the province of Saskatchewan. We announced the opening of passing lanes on Highway 4. This is another great project to improve safety. The opening of Highway 4 passing lanes is the fourth major project announced that we've had in just over a month. This includes the opening of Martensville and Warman overpasses, which were on budget and one year ahead of time, Mr. Speaker.

We also opened new passing lanes on Highway 6. We have the Regina bypass that's 90 per cent complete. These announcements are due to our government's unprecedented investment in highways, which is a completely different approach than the members opposite took when they were in power.

When the NDP [New Democratic Party] needed to cut spending, where did they cut it, Mr. Speaker? They cut it in highways. When Saskatchewan was begging for a provincial government to listen to them and invest in highways, they ignored it, Mr. Speaker. We have a Premier that's a champion for this, and we will continue.

Thank you.

The Speaker: — I recognize the member for Regina Rosemont.

Trespass Legislation

Mr. Wotherspoon: — Mr. Speaker, yesterday the Sask Party introduced its bill regarding land access. This touches a very important area where landowners have legitimate rights and concerns, and there also exists an important balance of rights and access for traditional users of the land — hunters and fishers, economic drivers in rural Saskatchewan.

Despite what's at stake, the Sask Party didn't consult with indigenous peoples through the FSIN [Federation of Sovereign Indigenous Nations] and they didn't consult with the Saskatchewan Wildlife Federation, representing over 33,000 hunters and fishers as well as landowners. Not engaging those with history and rights and those that are directly involved and with practical knowledge is a recipe for bad legislation and it's disrespectful.

How can this government justify bringing forward legislation without consulting indigenous peoples and hunters and fishers all across our province?

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Mr. Speaker, the members opposite have chosen to politicize this. They've used terms like dog whistle politics. Mr. Speaker, it's fundamentally wrong and is something that the members opposite should be more responsible about.

Mr. Speaker, it's simply this: we want the people in rural Saskatchewan to have the same rights as the people in urban Saskatchewan, Mr. Speaker. Nothing any more complex than that. And there's nothing wrong with that. It's done all the way across Canada. Why should we be any different in our province, Mr. Speaker?

For the members opposite to try and politicize public safety, public security, wanting to avoid biohazards, Mr. Speaker, is a wrong thing for them to do. Mr. Speaker, if the member has got more questions, I've got more answers on what our consultation was and what our discussion was with First Nations, Mr. Speaker.

The Speaker: — I recognize the member for Regina Rosemont.

Mr. Wotherspoon: — Mr. Speaker, there was no consultation, and that's a fact. And he can reach out and hear that from . . . [inaudible] . . . the hunters and fishers of our province, Mr. Speaker. And the minister knows that the survey he referenced is entirely flawed and has been called into question by experts at the University of Saskatchewan. So he should certainly stop hiding behind those results.

Back in 2008 when the Sask Party first introduced *The Trespass to Property Act*, that same Minister of Justice said that version of the law “. . . seeks to balance the reasonable expectation of landowners and those wanting to access privately owned property to enjoy the great Saskatchewan outdoors.”

That balance matters, and the approach of that government throws that balance out the window. And at worst this is a government playing dog whistle politics with ugly and real racial tensions within our province.

To the minister: why is the Sask Party plowing ahead without real consultation, with a bill that's not practical, that's not enforceable, and that fails to address the real and important concerns around rural crime that deserve urgent action?

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Mr. Speaker, I know the members opposite don't get out of Regina very often. But when they do, I'd like them to go up to some rural citizens of our province and say, this is dog whistle politics. We're not going to give you any kind of security. We're going to repeal this law if we ever form government. And, Mr. Speaker, I hope that they never do form government, because that's the type of thing they would undo — the type of things that provide safety and security in our province, the type of thing that's done all the way across Canada.

Mr. Speaker, I'd like to just mention this. The members of the Assembly should be aware that section 14.1 of *The Interpretation Act*, 1993 . . . And I know I don't like to get legalese, but they've got their share of lawyers over there. And this is what it says:

No enactment abrogates or derogates from the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada that are recognized and affirmed by section 35 of the *Constitution Act* . . .

Mr. Speaker, this bill does not change our relationship with First Nations — not one bit, Mr. Speaker.

The Speaker: — I recognize the member for Regina Rosemont.

Mr. Wotherspoon: — You know, Mr. Speaker, I'm not going to take a single lesson from that urban lawyer, Mr. Speaker, on the issue. And as far as being in touch with people and the land, Mr. Speaker, I've fished from the American border to the top of the province, and last weekend was through the Strasbourg hills with ranchers and landowners — all through with permission, Mr. Speaker.

What we have at risk right now is a government that's pushing forward changes that upsets the balance in our province. In Saskatchewan, hunters and fishers have been able to pursue the Queen's game, the public game, Mr. Speaker, and do so with a pretty special Saskatchewan way, Mr. Speaker. Hunting isn't just for the elites in this province, not just for the aristocrats, Mr. Speaker.

My question to the minister: is he open to changes that would cause payment for access within this province?

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Mr. Speaker, I'd invite the members opposite to go for a drive in rural Saskatchewan, talk to some landowners, find out what the situation is, find out how they feel. There is nothing wrong with people hunting. There is nothing wrong with people fishing. There is nothing wrong with people berry picking . . .

[Interjections]

The Speaker: — Order. I recognize the Minister of Justice.

Hon. Mr. Morgan: — Mr. Speaker, it's well-established practice in our province that before you access a farmer's property to hunt or do anything else on it, you obtain permission. That's what the practice is. It's a courtesy. It's common sense. It's good safety.

And I'd urge the members opposite to sit down, do some of their own consultation if they don't like ours, and they'll find exactly the same result. If they want to demean the 1,600 people that replied to the online survey, let them do that. But, Mr. Speaker, I'd like to encourage them to go out, have some meetings, and do some real consultation and take a realistic position on this rather than dog whistle politics.

The Speaker: — I recognize the member for Saskatoon Fairview.

Capacity of Health Care Facilities

Ms. Mowat: — Mr. Speaker, yesterday my colleague from Cumberland introduced a bill to develop a suicide prevention strategy, and we are hoping that the government will support this bill.

One place people in acute mental distress can get help is the Dubé Centre in Saskatoon. We asked this government how they planned to add capacity to this unit so people in crisis aren't stuck in an emergency room or in the basement of the Dubé Centre. The minister pointed to police crisis teams, a separate emergency room, 811, and even the children's hospital. These are not options for adult mental health patients who've been admitted, Mr. Speaker.

These challenges are getting worse, and this government needs a plan. Again I'll ask the minister. What is the plan to add more capacity to the Dubé Centre so people in mental health crisis can get the timely and appropriate care they need?

The Speaker: — I recognize the Minister of Rural and Remote Health.

Hon. Mr. Ottenbreit: — Mr. Speaker, this government has continually shown that we're interested and working towards increasing capacity in all of health care, including mental health, Mr. Speaker.

The Dubé Centre was something that was done under the leadership of this government with the help of private enterprise and the health authority, and we're continuing to deliver services where we are able, Mr. Speaker. We know that the services are available through community supports. They're available through non-profit organizations and public health care, Mr. Speaker.

We know the Dubé Centre, from time to time, does come under stress from additional pressures. Mr. Speaker, we'll continue to work towards increasing the capacity as we're able. It's, I think, very indicative when you look at our Health budget, Mr. Speaker — a 60 per cent increase of spending under mental health and addictions, and we'll continue going down that road.

The Speaker: — I recognize the member for Saskatoon Fairview.

Ms. Mowat: — Thank you, Mr. Speaker. It's evident that there's no plan to add capacity to the Dubé Centre. These capacity issues have existed for years and contribute to the chronic over-capacity issues at RUH [Royal University Hospital] overall. On any given day, there are dozens of patients using much-needed space in the emergency department because there are simply no beds. As of this morning, there were 26 admitted patients to RUH with nowhere to go and 15 people in pods.

It's been six years since the former premier promised there would be zero waits to be seen in an emergency room, yet wait times continue to grow in our major urban centres. We're moving in the wrong direction and it's clear this government's tweaks aren't working. What's the concrete plan to get emergency room waits under control?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Reiter: — Thank you, Mr. Speaker. There is a couple issues in that question, Mr. Speaker. First of all, to the mental health question, Mr. Speaker. We recognize at times there's over-capacity issues. Certainly, we attempt to deal with patients as quickly as possible. We have mitigation plans that members follow, Mr. Speaker, and as my colleague just mentioned, we've increased dramatically the amount that's spent on mental health and addictions.

As far as the overall question to emergency department wait times, Mr. Speaker, we've been taking a number of approaches. In fact on Monday, Mr. Speaker, I did a ribbon cutting for a community health centre in Saskatoon, a few weeks ago for one in Regina, to target . . . In these two cases, Mr. Speaker, it was a demographic. It was seniors who have chronic conditions, Mr. Speaker, so that they can get the right care at the right place at the right time, which will in turn alleviate emergency department calls, Mr. Speaker.

So there's a number of projects were being worked on, including appropriate triaging, Mr. Speaker. We recognize that at times emergency departments have too long a wait-list, just as emergency departments do across the country, Mr. Speaker.

The Speaker: — I recognize the member for Saskatoon Fairview.

Ms. Mowat: — Thank you, Mr. Speaker. Although this clinic is a good initiative, it's not going to be enough to get emergency room waits where that government has put the target. As this government knows, this emergency room bottleneck ripples across our health system, with impacts on ambulances that are stuck waiting to off-load patients to emergency rooms that have no space.

Medavie Health Services West in Saskatoon says there are an average of 40 calls a month where no ambulances are available due to off-load delays with patients. According to the chief of EMS [emergency medical services] for Medavie, there are 1,200 to 1,300 delays in off-loading patients each month. He said they are working on the off-load delays at Saskatoon hospitals but adds, "It's not our issue to fix because it's inside the hospital walls."

It's not acceptable that on average once a day, people in

Saskatoon call for an ambulance and there is none available. This needs fixing now. What are the immediate steps government is planning to address this crisis in Saskatoon hospitals?

The Speaker: — I recognize the Minister of Rural and Remote Health.

Hon. Mr. Ottenbreit: — Mr. Speaker, this government's taken a number of steps also to increase the capacity and increase usability of our ambulance services, Mr. Speaker. We have undertaken an initiative to work with our ambulance providers to come with a performance-based contract to get information from them as well to better streamline the issues around EMS, Mr. Speaker.

When it comes to emergency wait times and talking about EMS, Mr. Speaker, I'd like to point to the hotspotting, or the pilot project that we ran in the former Saskatoon Health Region, where through community paramedicine and the integration of EMS and some of the consultation and input from them, we were able to divert 83 per cent of seniors' calls that would have been previously diverted to the ER [emergency room] to treat and release, Mr. Speaker. So we're moving down many different roads when it comes to EMS to helping us to deal with the emergency wait times and also to increase capacity within our system.

The Speaker: — I recognize the member for Regina Douglas Park.

Development in Wascana Park

Ms. Sarauer: — Mr. Speaker, at the GTH we saw how this government deals with public assets and private businesses. CP Rail [Canadian Pacific Railway], they got their land for free. Loblaw, this government refuses to disclose how much they received. With such a sketchy record of managing public assets with private interests, people in Regina want to know what the plan is for the Brandt office building in Wascana Park, an office building this government shouldn't allow to go forward as planned. And it's this government that has the decision-making power to decide what to do with this park since they've taken over control over our park.

Can the minister clear the air? Will the new Brandt office building be exempt from property taxes?

[14:15]

The Speaker: — I recognize the Minister of Central Services.

Hon. Mr. Cheveldayoff: — Thank you very much to the member opposite for the question. As I've said in the House before, the original CNIB [Canadian National Institute for the Blind] building was approved in the park back in 1955. Over the many decades that it has provided a wonderful service to residents of Regina and area, it has fallen into disrepair and CNIB needs a new home. They've located into another space for on a temporary basis. That space is not ideal. They are looking forward to being part of the new facility that is being coordinated by the Brandt Group of Companies. So we look forward to the CNIB being resident there. Where better, Mr. Speaker, to have people in a park?

Now again, we will look at all aspects, and property tax and things like that will be considered by the board. Again the board is made up of the University of Regina. They are made up of the city of Regina and of the Provincial Capital Commission, the Government of Saskatchewan. So we'll continue to do the good work and ensure that CNIB and other patrons have a proper place to be. Thank you.

MINISTERIAL STATEMENTS

The Speaker: — I recognize the Minister of Energy and Resources.

Saskatchewan Government Issues Statement of Claim for Mine Remediation Costs

Hon. Ms. Eyre: — Thank you, Mr. Speaker. I rise today to inform the House that the Government of Saskatchewan has issued a statement of claim which calls on the Government of Canada to contribute equally to the cost of remediating the Gunnar uranium mine. After repeated requests over the course of recent years and recent months to the federal government to honour its joint obligations to the North, to northern communities and First Nations communities, and to the environment, we are left with no choice. We had to issue a claim to protect the legal interests of the province of Saskatchewan under statutes of limitation.

Mr. Speaker, a memorandum of agreement signed with the province under the previous government in 2006 committed unequivocally to share costs equally. By the end of the fiscal year, the Government of Saskatchewan will have spent \$135 million on the cleanup of the Gunnar mine site and its associated sites. The total estimated cost of the project is 280 million. In contrast, the federal government has provided just 1.1 million. The total estimated cost, as I say, is 280, and there is simply no question that we have gone well beyond and fulfilled our original responsibility.

Mr. Speaker, this government takes this project and the environmental remediation of these sites very seriously. And despite the daily rhetoric by the Trudeau government about how important the environment and relations with First Nations are, its lack of action to fulfill its obligation in this case suggests otherwise, at least when it comes to Saskatchewan.

Mr. Speaker, we are not walking away. We are not suspending work or contracts. We are simply asking, we are imploring the federal government to pay its fair share of continuing remediation work and to do well by the North and by the environment, not to hide behind legalese or now say the work they wanted us to do should have been carried out at a lower quality level. Tell that to the people who live on Lake Athabasca, who work there, are employed at the site. Tell that to the contractor, majority owned by the Fond du Lac First Nation. Tell that to the people of Saskatchewan, Mr. Speaker.

The federal government owes us half the funding for mediation. That is the simple equation. That was what was agreed to. And, Mr. Speaker, the remediation and cleanup of the Gunnar mine site is and should be cross-partisan, cross-government as an issue. And I look forward to hearing the member opposite's comments on this.

Certainly it's a shame we have to go to the courts to see that agreement honoured, Mr. Speaker — an agreement, a contract entered into in the spirit of co-operation, co-operative federalism; an agreement that is a moral, legal obligation on the part of the federal government. Thank you, Mr. Speaker.

The Speaker: — I recognize the member from Athabasca.

Mr. Belanger: — Thank you very much, Mr. Speaker. I'm pleased to offer our comments from the official opposition. And I want to thank the minister for her statement and providing me a copy.

Mr. Speaker, the NDP agree that the federal government should pay their fair share of the cleanup of this mine site in northern Saskatchewan. That was the premise of our agreement many, many years ago. And that is why when we signed this agreement in 2006, and spent many months prior to that negotiating this deal that would have required the federal government to help pay for these costs, this was the original agreement we signed.

It's a shame that the federal government isn't willing to pay their share to clean up this site and follow through on their commitments at that time. We hope that the government suit is successful in forcing the federal government to pay their full share. The province shouldn't have to take the federal government to court, but if that's the only way to force the federal government to uphold its end of the bargain, then it's the right thing to do.

The environmental damage from this abandoned facility is significant, and it's only fair that the federal government should pay, when they're a level of government responsible for the regulation and operation of the mines in question. Northerners, First Nations, and Métis people in Saskatchewan expect that appropriate cleanup will take place after a facility is closed, and that the federal government can't shirk its responsibility to do that.

Mr. Speaker, I hope that the federal government will agree to pay its full share of these cleanup costs. And if they won't, our party hopes that this legal action will be successful in forcing them to do so. Thank you, Mr. Speaker.

TABLING OF REPORTS

The Speaker: — I have a report to table from the Provincial Auditor: the *Business and Financial Plan for the Year Ended March 31st, 2020*.

ORDERS OF THE DAY

WRITTEN QUESTIONS

The Speaker: — I recognize the member for Saskatoon Churchill-Wildwood.

Ms. Lambert: — Thank you, Mr. Speaker. I wish to table the answer to question 15.

The Speaker: — Tabled, answer to question 15. I recognize the member for Saskatoon Churchill-Wildwood.

Ms. Lambert: — Thank you, Mr. Speaker. I wish to order the answers to questions 16 through 18.

The Speaker: — Questions 16 through 18. I recognize the member for Saskatoon Churchill-Wildwood.

Ms. Lambert: — Thank you, Mr. Speaker. I wish to table the answer to question 19.

The Speaker: — Tabled, question 19. I recognize the member for Saskatoon Churchill-Wildwood.

Ms. Lambert: — Thank you, Mr. Speaker. I wish to order the answers to questions 20 through 21.

The Speaker: — Ordered, questions 20 through 21. I recognize the member for Saskatoon Churchill-Wildwood.

Ms. Lambert: — Thank you, Mr. Speaker. I wish to table the answers to questions 22 through 30.

The Speaker: — Tabled, answers 22 through 30.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 159 — *The Securities Amendment Act, 2018*

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of *The Securities Amendment Act, 2018*. Mr. Speaker, this bill will implement a number of enhancements to Saskatchewan's securities legislation. Mr. Speaker, the first set of changes relate to the benchmark regulation. Benchmarks are standards used to measure the performance of securities or derivatives. If benchmarks are not based on reliable information or are otherwise manipulated by administrators, their use can lead to significant negative financial consequences for investors.

It is anticipated that effective January 1st, 2020 Europe will implement rules that prohibit its market participants from depending on benchmarks unless the benchmarks are registered in Europe or are being regulated by an equivalent regulatory regime. As a result, it is necessary for Saskatchewan and other Canadian securities regulators to have an equivalent regulatory regime in place to prevent disruptions in the trade of Canadian securities and derivatives in the European markets.

Mr. Speaker, the proposed changes will implement new rules respecting benchmarks. In particular, the changes will allow benchmark administrators to apply to be designated or have a benchmark designated. The changes would further allow for the prohibition through regulation of non-registered benchmarks and contain additional rules and regulation-making powers respecting the regulation of benchmarks. A number of other jurisdictions have already introduced similar amendments, and it is anticipated that securities regulators will work together to develop a national instrument adopting the detailed regulations for benchmarks once the legislative changes are in place.

Mr. Speaker, the proposed amendment will adopt a system for

the automatic recognition of enforcement orders and settlement agreements that are made by other Canadian securities regulators. This model for recognition is based on the approach adopted in Alberta and New Brunswick and will help maintain efficient and consistent regulation of the securities industry between Saskatchewan and other jurisdictions.

Mr. Speaker, the proposed amendments contain a number of updates that will assist the Investment Industry Regulatory Organization of Canada, or IIROC, in carrying out its mandate. IIROC is a national body that is responsible for the oversight of investment dealers and trading activities on debt and equity marketplaces in Canada and has been recognized as a self-regulatory organization by the Financial and Consumer Affairs Authority of Saskatchewan.

The proposed changes will allow IIROC to enforce its orders and settlements through the Court of Queen's Bench. Additionally the changes will grant IIROC staff the ability to appeal their panel decisions to FCAA [Financial and Consumer Affairs Authority of Saskatchewan] for review and provide IIROC statutory immunity with respect to its statutorily authorized functions and duties. Mr. Speaker, IIROC plays an important role in the regulation of the securities industry, and these changes will help ensure that they can effectively oversee investment dealers and trading activities.

Finally, the proposed changes will update the Act's regulation-making authority respecting dispute resolution processes. This will allow for the establishment through regulation of a mandatory dispute resolution process to address complaints from the public respecting registrants. Dispute resolution processes provide an efficient and effective option for investors to resolve complaints without resorting to timely and expensive court processes.

Mr. Speaker, Saskatchewan, together with the other participating jurisdictions, continues to make progress toward the implementation of the new Cooperative Capital Markets Regulatory System. The government is pleased that the Supreme Court of Canada recently ruled in favour of the new registry system. The court's decision supported a model of co-operative federalism that provides each province and territory the freedom to voluntarily participate in a pan-Canadian securities regulatory system.

Upon implementation of that regulatory system, Saskatchewan's securities legislation will be replaced with new, uniform securities legislation. The new, uniform legislation is expected to address the issues that have been discussed today; however the government wishes to implement these changes at this time to avoid any short-term regulatory gaps. With that, Mr. Speaker, I am pleased to move second reading of *The Securities Amendment Act, 2018*.

The Speaker: — It has been moved by the minister that Bill No. 159 be now read a second time. Is the Assembly ready for the question? I recognize the member for Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. Securities law in Saskatchewan and in most jurisdictions is a very particular area of law that is quite complex and not easy for a layperson to get into, and certainly not for a lay-lawyer like myself who's

never studied this area of the law. It is incredibly complex. And it's really important because, as you know, people who issue shares are looking after savings and the investments of ordinary people across the country, and so they need to be protected.

And securities law has developed over the years to ensure that shareholders who are ordinary people who may not understand all the insides and outsides of an IPO [initial public offering] or anything like that, Mr. Speaker, to really . . . IPO, I guess, I think it's the initial public offering. Right. And that's how shares get issued, Mr. Speaker.

[14:30]

So the changes that are being made here in the existing securities Act are, according to the minister, ones that will further enhance the protections that the shareholders get through the law and also ensure that the administrators and the people who oversee securities, the commission, are able to do their job more effectively, Mr. Speaker.

The minister talked about adding some aspects to the Act regarding benchmarks. And I'm just going to share a little bit with the Assembly the definition of "benchmark" because I think it's important for that to be on the record. And you might be asking yourself, what is a benchmark? I mean, we all have our layperson's definition of what a benchmark is. It could relate to all kinds of things, depending on what you're interested in. But in the context of security law, it has a very specific meaning. And it's not a short definition by any stretch of the imagination, Mr. Speaker, but I'll just try and summarize it here.

Benchmark, under this new legislation, would talk about a price or an estimate, a rate or a value, that is determined "... by reference to an assessment of one or more underlying interests." And I'm not sure I know exactly what that means, and I hope it means something to somebody. But definitely they go on to describe it.

Not only is it determined by a reference to an assessment of one or more underlying interests, it's made available to the public. And I think that's one of the most important features of this is that, if you want to know what that benchmark is being used, you can ask for it free of charge or on payment. So we're not sure if people have to pay for it. It's used for reference for any purpose, Mr. Speaker, and that can include determining what the interest is payable, or sums that are due under contracts, derivatives, instruments, or securities. It can be used as a reference for determining the value of a contract or the other types of instruments, and also the performance of those instruments or any other use that an investment fund may want to use that benchmark for.

So we now have a definition of the benchmark. We also have to have people who get to decide whether that's a good benchmark or a bad benchmark. And we have a new definition for a benchmark administrator, and there will be people, and perhaps already are people who are administering those benchmarks.

Then there's the benchmark contributors, Mr. Speaker, is another definition that's being introduced, and this is a person or a company that engages or participates in the provision of information for use by a benchmark administrator for the purpose

of determining that benchmark. So obviously there's a lot of people who have a vested interest in what this benchmark will be, and they're now defined as contributors.

Then we get into the final new definition. This is "benchmark user." And, Mr. Speaker, those obviously are any number of people or persons or companies that use a benchmark. So it's of course specific to a contract or derivative, an investment fund, an instrument, or a security.

So I think the two features of the bill that the minister referred to are two new sections that are being added, with related amendments to sections that are affected. But part V.2 is the new section on benchmarks. So there's a whole lot of process that is now going to happen when it comes to establishing these benchmarks.

26.3(1) talks about the designation of benchmarks and benchmark administrators. And so how does that happen? They have to apply to the Securities Commission, to request the designation of the benchmark or an administrator. So they have to apply to get that designation. And the director, which is a defined term in the existing Act, Mr. Speaker, the director can also apply for a designation.

I'm just going to make sure we know who the director is here. The director is the executive director of the commission. So the executive director of the commission can apply for a designation of a benchmark, but the commission has to give the benchmark administrator opportunity to be heard before making the decision. And after receiving the application the commission can, if it considers it in the public interest to do so, designate the benchmark.

So I think this underlines the importance of the commission, Mr. Speaker, in the interests of the public and looking after the public, and that's the context that they operate from. So this will give them that responsibility to do so.

26.4 talks about information that the commission can ask for. 26.5 talks about the duty to comply, and there are requirements that could be put through in the regulations about compliance, Mr. Speaker. And the benchmark contributors have to comply with any of these requirements. So you can imagine this is a fairly complex area, Mr. Speaker.

26.6 talks about false or misleading information, and it is just absolutely illegal to do that, Mr. Speaker. You cannot provide information if you know or ought to know that the information is misleading or false.

And 26.7 talks about benchmark manipulation. So there's, again, it is now against the law when this passes that you cannot attempt to engage in any conduct that would improperly influence the determination of the benchmark. Some very high standards being established, Mr. Speaker, here in terms of how benchmarks will be established.

The other new section that is quite lengthy that the minister referred to is the one regarding extraprovincial orders. This is a different aspect of the law and I think it's bringing, if I understood the minister correctly, it's bringing into compliance — or into conformity probably is the better term — what's

happening across the country in terms of the extraprovincial orders. So there's quite a bit of complexity to this clause as well. It's section 134.01(1) and it goes all the way up to sub (11). And it talks a lot about securities, extraprovincial order made by other authorities in Canada. And I don't think I'm even going to begin to get into the details of this, Mr. Speaker. It's fairly complex.

The rest of the Act seems to be mostly housekeeping in order to bring into compliance with the rest of the Act, the new introduction of the benchmark and the interprovincial order sections.

154 also has a fairly significant change as well, and this is the dispute resolution process that the minister was speaking about. And again I think we're going to need to have a close look at this in committee.

I'm sure other of my colleagues are going to want to speak to this bill as well, so at this point in time I would like to move that we adjourn the debate on Bill No. 159, *An Act to amend The Securities Act, 1988*.

The Speaker: — The member has moved to adjourn debate. Pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 160 — *The Trespass to Property Amendment Act, 2018*

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I rise today to move second reading of *The Trespass to Property Amendment Act, 2018*. This bill will seek to address the balance between the rights of rural landowners and members of the public by making amendments to *The Trespass to Property Act* and *The Snowmobile Act*.

Mr. Speaker, the government was encouraged to review existing rural trespass legislation in response to increasing concerns regarding crime, property damage, and biosecurity. We are hopeful that this legislation will be a step forward in addressing these concerns.

Mr. Speaker, the proposed legislation will clarify the rules regarding trespass and will shift the onus from the landowner to the individual seeking access to the property. Currently, in order for the protections of *The Trespass to Property Act* to apply, a landowner must post his or her property with signs prohibiting entry or enclose the land with a fence.

The proposed legislation will remove the onus on landowners to post signs on rural private property, including cultivated and pasture lands, and instead require those seeking access to private property or leased Crown land to obtain permission from the landowner or occupier.

Similarly *The Snowmobile Act* currently requires the landowner or occupier of rural land to post signs in a particular manner to prohibit snowmobiling. The proposed legislation will remove the

requirement for signage on all rural land for this purpose.

Mr. Speaker, members of this Assembly will be aware and certainly this government is aware that section 14.1 of *The Interpretation Act*, 1993 already provides that "No enactment abrogates or derogates from the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada that are recognized and affirmed by section 35 of the *Constitution Act* . . ."

Simply put, these bills were never intended to affect such rights. They do not affect such rights, and indeed they cannot affect such constitutional rights.

Mr. Speaker, the primary focus of the proposed legislation is to minimize and prevent misunderstandings over land use and to protect the legitimate interests of private rural landowners. In particular the intention is to promote the safety of both the landowner and the person seeking access, to reduce biosecurity risks and property damage, and to provide an additional tool to combat rural crime.

Mr. Speaker, this legislation also recognizes that there is no legal right of access to private property. This bill provides protection to landowners and occupiers by limiting liability that might arise from a trespasser's presence on the landowner's or occupier's property.

With that, Mr. Speaker, I am pleased to move second reading of *The Trespass to Property Amendment Act, 2018*.

The Speaker: — It has been moved by the minister that Bill No. 160 be now read a second time. Is the Assembly ready for the question? I recognize the member for Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. I'm pleased to rise in the House today to put some comments on the record regarding the introduction of the changes to *The Trespass to Property Act* and subsequently *The Wildlife Act*, which I know is coming up.

Mr. Speaker, this bill was just introduced yesterday, and I think it raises a number of questions that will have to be sorted out. Mr. Speaker, I don't think it's as clear cut as the minister is making it out to be. And I'm just trying to, you know, think about some of the implications, once the bill is passed, on situations that may arise.

And one of the things I'm thinking about is, he made a point of indicating that treaty rights continue. And I mean, certainly *The Interpretation Act* says that. He's correct in reading that out. But what happens when there is some misunderstandings? He says the idea is to clear up and minimize and prevent misunderstandings. But, Mr. Speaker, the whole concept of Crown land and provincial land is one that is complex and again may not be entirely understood by all the people who are using provincial Crown land.

For example, any sort of slough, creek bed that may go through a farmer's land is actually provincial land. And so if an individual chooses to access provincial Crown land, as the bill continues to allow them to do, they don't need to get permission from the landowner, even in the current Act as it currently stands. And certainly they won't need to obtain oral permission, as the way

the new bill is proposing. But if the landowner is concerned about access and doesn't know that the hunter or whoever is exercising their rights on Crown land, might not be on Crown land, it could lead to some very serious misunderstandings, Mr. Speaker, that I'm not sure these changes are going to begin to address.

And again I think, you know, to make changes to trespass law . . . Trespass law is ancient law in the common-law system. It's been codified and amended many times. In fact this government themselves brought in changes back a few years ago, and now we're changing it again. And I just am not exactly clear how these changes will clear up some of the misunderstandings that exist currently when someone's actually on Crown land, but it's on a creek bottom that happens to pass through privately held land. So those kinds of situations are concerning, Mr. Speaker.

And I think one of the things the government may have overlooked in this law is a recent decision that came out of Saskatchewan, and it was an illegal hunting charge in a treaty rights case involving a Manitoba man. And it's been appealed, but the article I have is from July 13th. And what was interesting, because of the complexity of the case and the treaty rights that have established under the 1996 Supreme Court of Canada's decision, *R v. Badger*, in that case, the ruling was this: that it was not ". . . wrong for hunting on private land because it didn't appear to be in use nor did it have signs posted." This interpretation, Mr. Speaker, is happening all across the province right now.

[14:45]

We know hunters are out hunting; it's hunting season. We know snowmobilers and ATVers [all-terrain vehicles] often enjoy Crown land, and Crown land often abuts private land. That's the way the fabric of our development has occurred. But the treaty rights in *R v. Badger* say that ". . . treaty status hunters can hunt for food on private land if it is not posted or does not appear to be cultivated." So they have a right now, on private land, to do that hunting.

But this is changing that, Mr. Speaker, and I think it's important to note that the government feels there are no treaty rights that are being impacted here. They've been very public about that. They actually, I think, put out some sort of press release that I'll share. And I don't know if this was part of the questionnaire, but the government made a declaration and they said:

It should be noted that First Nations hunting or fishing rights are constitutional rights [yes] set out in the treaties [yes], protected by the Natural Resources Transfer Agreement in 1930 [yes]. Whether First Nations people have a right of access to any particular lands will continue to be governed by the treaties [yes], Natural Resources Transfer Agreement, and the court decisions that have interpreted those rights.

Now, Mr. Speaker, that includes *Badger*.

So I think we need to go a little further here. "Government's view . . ." And recall, Mr. Speaker, they have not consulted with anyone who understands these rights very well — the First Nations people:

Government's view is that the current Trespass to Property Act does not affect Treaty hunting and fishing rights, as it neither creates a right of access to privately-owned land nor takes those rights away. This will in no way change with any of the possible amendments discussed in this paper.

Mr. Speaker, I think that's something that we're going to see some discussion about. In fact we already are seeing discussion about that. The government went on to say, this was in the survey paper that was presented, the questionnaire that was raised in question period:

The government of Saskatchewan [going on quoting from their paper] is also of the view that Métis, Aboriginal hunting and fishing rights are not affected by any amendments that may be proposed to *The Trespass to Property Act*. Whether Métis people have access to any particular lands for the purpose of hunting will be continued to be governed by the court decisions that have interpreted those rights.

And as you know, Mr. Speaker, Métis hunting and fishing rights are currently evolving through the courts, Mr. Speaker, and there is litigation in respect to that. But we have the *Badger* decision. We have the *Pierone* decision, Mr. Speaker. And very recently the Supreme Court of Canada declined leave to appeal, so the Court of Appeal's decision from Saskatchewan is the law of the land currently, Mr. Speaker. And I think when we take into account the *Pierone* decision, when we take into account the *Badger* decision, I think this government may have missed the mark, Mr. Speaker.

And there's an article just yesterday, maybe even today that I found from CBC [Canadian Broadcasting Corporation], and it's the FSIN is not happy. The FSIN does not share the same view that the Minister of Justice does about the new trespassing laws. And what they've declared, Mr. Speaker, is that this law is unconstitutional.

And I'll just quote from the article: "The changes to the legislation are being heavily criticized by the FSIN." Here's a quote from FSIN Vice-chief Heather Bear: "I think there is a deep disrespect here for treaty and inherent rights. They need to take a look at their own constitution." And the article goes on to indicate that Vice-chief Bear is arguing these changes could interfere with indigenous people exercising their treaty rights. And I think, Mr. Speaker, if you look at the *Pierone* decision and the *Badger* decision, you would certainly come to the same conclusion.

The minister went on to talk about onus and the change of onus for rural landowners to have to post their lands, and he discounted the FSIN's position. So I think this is something we're going to see a lot more commentary about. The FSIN is arguing that the courts have already affirmed what the FSIN's position is, and Heather Bear went on to say, "In . . . [the minister's] comments, he seems to be saying that the FSIN is saying First Nations can hunt on private land. But it is, in fact, the courts that [have] said that."

And *Badger* is certainly the case that confirms that. And they talk about the 2015 incidents with:

Kristjan Pierone, an Indigenous hunter from Manitoba, shot and killed a moose at the bottom of a dry slough near Swift Current one day before moose hunting season started.

Pierone did not have a licence to hunt moose and did not have permission from the landowner to do so.

Now keeping in mind, Mr. Speaker, he was in a slough.

He argued [that] the land appeared to be unused and as a status Indian, he thought he was exercising his treaty right to hunt.

And when you talk about agricultural land, Mr. Speaker, when you're in the bottom of a slough, it's not being used for agriculture. I think that's what his position was.

The government's review of the rules "comes after concerns were raised from rural property owners on the issue . . ." It was interesting in question period, Mr. Speaker, when the Minister of Justice suggested that I never go out into the country, because that's simply not the case, Mr. Speaker. I'm often out in the country. I drove out to Vanscoy last weekend. I have interests in a company near Big River, and I'm often up north in there. I was at Christopher Lake north of Prince Albert last Saturday. And I'm often in the country and touching base with folks from rural communities.

So I'm not sure where he thinks he's getting his information from, but it really was rather insulting to suggest that members on this side of the House don't have any interest in the rural areas of Saskatchewan. My sister lives in a rural area near Chaplin. My two brothers live near my hometown of Lafleche. I have cousins. I have family. And everyone on this side of the House has all of those deep, deep connections to the rural areas of Saskatchewan.

So it's really unfortunate that the Minister of Justice seems to have a false conception of our relationships with people who live throughout the province. And I think maybe if that's what's driving his thinking behind this bill, I think there is something to be concerned about, Mr. Speaker, because people understand property rights. It's an important piece of . . . My grandfather got title to the homestead, Mr. Speaker, in 1909, and that was why, through the treaties, we were able to have a very successful three-generation farm here in Saskatchewan, Mr. Speaker. But it was because of the treaties. And when we're going to talk about treaty rights and Badger rights and the use of unoccupied Crown land and what does unoccupied mean, and if you look at some of the terms in the new bill, Mr. Speaker, you have to really wonder because the things that are being identified is "land that is used for grazing." Well is it being used for grazing if there are no cattle present, Mr. Speaker? And what does that mean to the treaty rights of the First Nations?

It also refers to "land that is under cultivation." Well is it cultivation every year or if it hasn't been cultivated for five years? If a slough dries up, is that land under cultivation? By actually putting these definitions into the new section 4, it really raises a lot of questions and I think it's going to be in the courts over and over and over, Mr. Speaker. Because that kind of vagueness I think is going to cause a lot of misinterpretation. And I wonder what's going to happen with people who think that that is land that's being used for grazing versus someone who thinks

it isn't, and what sort of altercations and misunderstandings and disputes that could rise out of that. So there's a lot of really serious concerns and I think it all stems from the way section 4, the new section 4 of Bill 160 has been set up.

Section 4 introduces a whole new front end. They've repealed the old section 4 and they're putting in this new front end to section 4, and it says:

. . . entry in or on a premises without the consent of the occupier of the premises is prohibited without any notice on the following premises: a lawn [I think we understand what a lawn is]; a garden [I think people can understand what a garden is. I haven't heard about a lot of trespass on lawns and gardens, Mr. Speaker, but maybe that's a big issue that's out there]; a yard site.

Now that could be a little more hard to define. But I think that there is a further definition of a yard site I think that's further on in the bill, or maybe it's in *The Wildlife Act*. So I just think we're opening up to a lot of misinterpretation and that this bill is going to maybe cause more problems than it will solve.

I'm not sure how this will deal with rural crime. We don't have any indication how this kind of reverse onus is going to help with rural crime, Mr. Speaker. I'm not sure many criminals ask permission or check for posting to begin with because that's not how crime works, Mr. Speaker, so it's not clear to me how this is going to help with rural crime. And I'm not hearing a whole lot from this government about dealing with the root causes of crime in terms of poverty and addiction and gang activity and a lot of things that are driving crime. I'm not sure that asking the permission of the owner is going to stop a criminal from doing what they think they need to do, Mr. Speaker.

There's a lot of . . . Oh yes, here it is. Yard site is defined and it's in section 3 and it's a very, very broad definition, Mr. Speaker, that I think could be misinterpreted. So I know we're going to have a lot to say about this bill in future discussion here in the adjourned debates, Mr. Speaker. There's another clause, 13.1, that I think we'll have a lot of questions about. It says:

The fact alone that entry in or on a premises is not prohibited pursuant to section 3 or by notice given in accordance with section 11 is not to be deemed to imply consent by the occupier to entry [and I think that should say "enter"] on the premises.

Or maybe it should say "to entry on the premises." I don't even know what that means, Mr. Speaker, so I think, you know, we're going to have to have a lot of clarity and discussion about this. Obviously not consulting with First Nations and the hunters and the Wildlife Federation of Saskatchewan was a big mistake for this government. Overlooking those very important groups when it comes to the great outdoors of Saskatchewan which we all enjoy, Mr. Speaker, I think we need to maybe go back to the drawing board or at least have the minister explain himself a little bit better.

But at this point in time I'm going to adjourn debate on Bill No. 160, *An Act to amend The Trespass to Property Act and to make consequential amendments to The Snowmobile Act*.

The Speaker: — The member has moved to adjourn debate?

[15:00]

Ms. Sproule: — I thought I did, but I will move to adjourn debate on this bill.

The Speaker: — Thank you. The member has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 161 — *The Trespass to Property Consequential Amendments Act, 2018/Loi de 2018 corrélative de la loi intitulée The Trespass to Property Amendment Act, 2018*

The Speaker: — I recognize the Minister of Justice.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I will now rise to move second reading of *The Trespass to Property Consequential Amendments Act, 2018*. This bill will make consequential amendments to *The Wildlife Act, 1998*.

Mr. Speaker, this bill aligns the trespass rules in *The Wildlife Act* with the proposed changes to *The Trespass to Property Act* and *The Snowmobile Act*. This will provide clarity around the rules of access to private and occupied property. The bill will require individuals to obtain permission from landowners or occupiers prior to accessing land for the purpose of hunting. They will also place the onus on the person seeking access to hunt to seek permission from the landowner or occupier, rather than requiring the landowner or occupier to put up signage in a particular manner in order to gain the protection of the Act.

Mr. Speaker, we understand that this new requirement may be viewed as an obstacle to some who are engaging in the sport of hunting. We do however view this legislation as an appropriate way to balance the rights of rural landowners and members of the public. This approach ensures that occupiers of rural land are aware of the presence of hunters on their property so the risk of harm, property damage, and the spread of agricultural diseases can be reduced.

Mr. Speaker, seeking prior consent is consistent with current best practices by our hunters. Making this best practice the provincial standard will provide clarity and certainty to all hunters and rural landowners in Saskatchewan. With that, Mr. Speaker, I am pleased to move second reading of *The Trespass to Property Consequential Amendments Act, 2018*.

The Speaker: — It has been moved by the minister that Bill No. 161 be now read a second time. Is the Assembly ready for the question? I recognize the member for Saskatoon Nutana.

Ms. Sproule: — Thank you very much, Mr. Speaker. Just again I'm concerned with this bill in terms of some of the vagueness that we find in it. In section 3, they're repealing the existing section 41 of *The Wildlife Act* and replacing it with a new section called "Hunting on certain land." And this is the new section 41(7). It talks about: "Subsection (1) does not apply to the following land: vacant provincial land . . . and any other land or Crown land that is prescribed in the regulations."

So right off the hop we don't know what that land is going to be. Perhaps there could be all kinds of land added. But the hunter is going to have to go first to the regulations to find out if the land is exempt from the Act, so that's going to make things a lot more complicated there, Mr. Speaker. And hunting, of course, under *The Parks Act* is referred to under *The Parks Act*, so that's not included in this bill.

Yes. So the changes to the regulation section on clause 83 is now about this prescribing land or Crown land to which 41(1) does not apply. So that could be any kind of land, Mr. Speaker. But you know, we don't know what the intention of the minister is because we haven't heard it from him in his comments on the second reading speech.

So again, Mr. Speaker, this is basically a significant change to section 41. A lot of it has been kept. Aspects of 41 have been kept in the second part of the section, but really it's the first part where it's section (1), which says ". . . no person shall hunt any wildlife on any land except with the consent of the owner or occupant of the land."

I just wonder about, you know, finding occupants of land. If the land is posted that you can go hunting on it, do you still need to get the consent of the owner or the occupant? And for much farm land in Saskatchewan, as you know, Mr. Speaker, the owner may live in a jurisdiction outside our province and there would be no occupants of the land. So in that situation . . . You can imagine there's large swaths of this province where they're not posted now, the owner has no concerns about people hunting on it, and yet that owner could be living in Toronto or Vancouver. And without doing land title searches or buying RM maps, the hunters are going to be hard put to find that owner, even if the land has been posted for hunting or not been posted, or been posted for not hunting.

So this is a huge shift I think for sport hunting here in Saskatchewan. I think it's a huge shift for photographers and berry pickers, Mr. Speaker, and absolutely and definitely for First Nations people in light of the recent court decision in Pierone and of course the Badger decision, which I don't understand why this government is going about this the way they have. It's been disrespectful to the First Nations of this province, and just by deciding unilaterally that it doesn't affect treaty rights, the government has completely ignored those treaty rights holders.

And, Mr. Speaker, what would it have hurt for the government to actually just sit down and talk with the FSIN? They may not agree on all points, Mr. Speaker, but it's those kinds of conversations that are going to move us forward. And when you leave people out of the conversation, that's when misunderstandings can start happening. And certainly I think understanding the existing law of the land, this government may have overshot the mark. And I don't think we have any idea how this is going to help with the stated social ills that the government is busy talking about.

So at this point in time, Mr. Speaker, I will move to adjourn the debate on Bill No. 161, *The Trespass to Property Consequential Amendments Act, 2018*.

The Speaker: — The member has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 145

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Merriman that **Bill No. 145** — *The Residential Services Act, 2018* be now read a second time.]

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

Ms. Beck: — Thank you, Mr. Speaker. It is my pleasure again this afternoon to rise and enter into debate on Bill No. 145 known as *The Residential Services Act*. What's being proposed here, Mr. Speaker, is the repeal of the current Act and replacement with this new Act that deals with facilities that provide certain residential services to people of this province — particularly, in most cases, Mr. Speaker, vulnerable people in the province.

The minister stood in his space on November the 13th and delivered his second reading comments into the record. I will start there, Mr. Speaker. I think one of the things — and I've mentioned this before — but one of the things that I look at, I think that we look at when legislation, when a bill is introduced is, who is asking for the bill? What brought the changes about? What consultation was conducted, if any, with the public and stakeholders prior to the bill that we see before us being read in this Assembly?

In this case the minister noted that this Act has not been updated for a substantial period of time. I think it was . . . 1985 was the last substantial review, which certainly has been some time, Mr. Speaker. And it was also noted that this Act refers to people requiring residential services “. . . in group homes, approved private service homes, domestic violence shelters, and community-based homes.” So a fairly wide-ranging number of types of residences that are covered under this bill.

There was no mention in the second reading comments by the minister of any consultation, so I think that's something that we would have questions about. Were the operators of those non-profits who currently operate, and private care home operators, were they consulted prior to the changes that we see here? I would expect and hope that they were, but that's something that I'm sure the critic will have more questions about.

In his comments, the minister noted that, “The most substantial difference between the current Act and the rewrite includes expansion of types of homes that may be licensed under this Act.” He notes that, “The current legislation has strict and limited definitions of these types of facilities that can be licensed.”

And I'm going to just look at the definitions here because I did notice substantial changes under the definitions. In the new Act we have a new definition for an administrator: “. . . an

administrator appointed pursuant to section 20.” We have a new definition, it looks like, perhaps replacing residential care facility and private service home, simply stating “care facility,” which means “a prescribed category of home or facility that provides support services.” So the new definition is actually less specific, or it seems to be, and refers broadly to what is now referred, or now would be referred to, as a care facility.

The definition for “licence” remains the same. Some housekeeping pieces such as the word “department” being changed to “ministry” of course, in keeping with current practice. There is a new definition for “operator” in the proposed Act, which is defined as meaning “except as otherwise provided, a person who has been issued a licence and operates a care facility under that licence.”

And what is out is the “residential-service facility,” which means . . . and it's a fairly lengthy definition in the current Act, which is a facility incorporated pursuant to *The Non-profit Corporations Act*, *The Co-operatives Act*, or a private Act of the legislator that provides lodging, supervision, personal care, or individual programming for persons who are, by reason of need, age, disability, or for any other reason unable to fully care for themselves; those who require safe shelter and counselling appropriate to their circumstances, such as domestic violence shelters; or where a corporation or other than a co-operative conducts or operates a facility who are not members of the management of the facility.

So what this new Act does is broaden that definition and allows for other providers to provide services, residential services, in the province for — again I think members on both sides would agree — a very vulnerable population in the province, and owing to that alone I think something that deserves a great deal of oversight.

Of course, Mr. Speaker, having worked in management at a women's shelter, I have some familiarity with the licensing requirements and the inspection requirements of domestic violence shelters. Another main change that is being proposed here is reducing the inspections from every year, that requirement to every three years. So that is, I guess, under the umbrella of modernization. It is certainly a theme that we see a deregulation, but I wonder about the balance and ensuring that we do have the safety that's required.

They did leave in the annual fire inspection requirement in this proposed legislation, but in the way that I'm reading it, it looks like the provision to have an annually updated inspection, health inspection, is no longer in the Act. And that is something that I'm sure the critic will have some questions about why the decision was made.

Another change that I noticed, fairly significant, noticed that currently the inspections can be conducted by any member of the department, and updated terminology would be ministry. That is gone in the new Act and it takes the new . . . Under part 3, “Enforcement,” on page 4 the new wording states:

The minister may appoint any persons or category of persons as officers for the purpose of ensuring compliance with, or enforcing or overseeing the enforcement of, this Act and the regulations.

So the provision that those inspectors be employees of the ministry or the department are gone. I know that this is something that I have some concerns about certainly. I think the minister alluded to in his comments that maybe it was difficult to find to conduct these inspectors. I think I would concur. We've seen a decrease in the numbers of inspectors and difficulty in making sure that they can get around to do the inspections. I'm not sure that the solution to that is then to move the inspection to once every three years instead of every year. And I'm not sure that the solution — although this may be, seems to be a favourite solution — is to privatize that work or open it up to private contractors to do that work. But that appears to be. I'm happy to be proven wrong, but there's a question there about what exactly the intention is.

The minister made liberal use of the word “modernization” in his second reading speech, but really didn't define what modernization meant, other than deregulation, and really didn't talk much about the problems that were being experienced that might necessitate this type of modernization.

As I said at the beginning, and other members on this side have said when speaking to this bill, that it's reasonable that, you know, a bill that was last substantially updated in 1985 would have another look. That in and of itself is reasonable, but I think that's a missed opportunity if those who are actually operating these shelters, these care homes aren't properly consulted and the opportunity isn't taken to ensure that we're providing the best and safest service that we can for those who need this type of shelter.

The minister noted that there's an increase in penalties for contravention of the Act. That certainly is something that seems reasonable and in keeping with many of the bills that we've seen in front of us — again, reasonable after several decades. He also noted the . . . allow the options of ensuring licences for up to three years, as I've alluded to. And this was the reasoning:

Allowing the option of issuing an extended licence will provide some flexibility for the public servants who license these facilities and the service delivery sector while not compromising resident care.

[15:15]

Again it's very important that we've got that balance right, that the pressures in getting these licensed — are the inspections done with the staff that are available? — that the solution there isn't reducing our standards, particularly in these facilities where, again, we have vulnerable populations.

An extended licence will also be considered when appropriate where the agency has proven a history of compliance. This provision will only affect the frequency in which the ministry licences are issued.

Another piece of this legislation is a whole section that outlines those provisions that may be made in regulations, and it's actually quite lengthy and covers many, many parts of the Act. So this is under section 33, something that isn't in the current Act.

I'm just going to pull up something here. Under the current

regulations . . . So just so we're aware of the type of things that can be decided by the minister outside of this Assembly. They deal with definitions for adult, child, and operator; the services and programs that are conducted within these facilities. Very important provisions. The definition of what constitutes a personal care home; currently that is to a maximum of 10 residents. So these are decisions that can be made. A maternity home, the definition of a maternity home. The service of a custodial residence and the provisions under that. The Acts: the summary offences and *The Young Offenders Act*, so those homes that provide service to those folks. Who's eligible for licences. This is currently in the regulations.

The inspections required again. And I'm just going to read this part a little more closely. So this is the current requirements in the regulations every year currently:

No licence . . . [shall] be issued to a residential service facility until the officer of the department has conducted a physical standards inspection and a program standards inspection and has indicated to the department that the facility meets the standards prescribed in these regulations.

So instead of happening every year now, that oversight of the programming and the facility, that will now happen every three years were this legislation to pass. And again, you know, there are certainly many facilities out there have been doing good work for a long time, and it isn't simply a punitive measure, these inspections. It's an opportunity for the official to come in and talk about the programming in the facility, to develop those relationships with the inspector and the issuer.

And again, I don't know that it's always met with negativity. And I would again be interested to hear more detailed reasoning for the lengthening of that licence.

Mr. Speaker, all these questions and more, but I think that the critic will add her own questions to the ones that I have provided today. And with that I'm going to move to adjourn debate on Bill No. 145.

The Speaker: — The member has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 147

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Eyre that **Bill No. 147 — *The Oil and Gas Conservation Amendment Act, 2018*** be now read a second time.]

The Speaker: — I recognize the member for Regina Rosemont.

Mr. Wotherspoon: — Thank you, Mr. Speaker. I enter into debate this afternoon with respect to Bill No. 147, *The Oil and Gas Conservation Amendment Act*, and I do so at a time certainly that this important industry to our province is facing a lot of headwinds and challenges, Mr. Speaker. Certainly the price of oil itself has been problematic. But that differential that doesn't

allow Saskatchewan people, Saskatchewan businesses to get the fair price for their resource is really hurting this industry. Certainly hurting the province as well, Mr. Speaker.

And it's just so critical that we finally advance meaningful access to tidewater, that pipeline capacity, Mr. Speaker, that of course will go a long ways in helping address that differential. And it's, you know, it's a time that's challenging for this industry. We don't see the kind of investment, due to the current set of circumstances, that we need within this province, that we deserve within this province. And we see a lot of job loss on this front as well, Mr. Speaker. So certainly addressing that differential, closing that gap, ensuring a fair price for our resource is incredibly important.

Of course it's very important to get pipelines built, Mr. Speaker, to get access to tidewater, to ensure that there's options for Canadian energy, Mr. Speaker. And it has a direct impact within our province.

I see some of the changes that are brought forward here today, Mr. Speaker, are along the lines of changes to some of the terms to the previous legislation: redefining roles and responsibilities of the minister, setting new rules for inspection and investigation of incidents, Mr. Speaker. And I think on that area there that certainly we want to make sure that we have a set of fair rules, Mr. Speaker, and then some really strong accountability around them. At times we've been concerned with the current government's approach on this front, and that hurts the industry, Mr. Speaker. That hurts this important sector and its relationship with people and landowners, Mr. Speaker, so certainly that's an important area.

I understand as well this bill sets out procedures governing the pooling interests in . . . to a drainage unit or drainage area, Mr. Speaker. Some of these components are . . . It's going to be very important that we have stakeholders engaged at this time in this conversation. It's going to be critical that they've been engaged by the government in the formation of this legislation.

Far too often with this Sask Party government, we see a government that thinks they know best, and ram forward with legislative changes without those experts and stakeholders around the table. And it's critical that stakeholders have been engaged on this front. And certainly we'll be engaging and listening to stakeholders, and that'll inform our actions around committee to make sure that we have ultimately a strong piece of legislation, Mr. Speaker. And we'll aim to be as constructive as we can on that front.

The bill adds a new clause on the reduction of GHGs [greenhouse gas], Mr. Speaker, and changes the penalties I see as well. We know there's been auditor's reports that have focused in on inadequate accountability on some of these fronts, Mr. Speaker. These are important actions for government. It's important to certainly make sure that we have this important industry, that it's operating with, you know, a strong, effective regulatory environment that has integrity. It's important to make sure that we have a regulatory environment that protects land and water, Mr. Speaker, and of course that's ultimately critically important to this industry that certainly aims to do just that.

This is a time, as I say, where the broader landscape is a

challenging time for the energy sector, Mr. Speaker, and there's other aspects that are at play right now that are important as well. I don't see a response within this legislation.

I'm not sure that this would be the appropriate tool to do so, Mr. Speaker, but for example the Redwater case, Mr. Speaker, that's advancing through the Supreme Court which could have, depending on the decision, could have cascading impacts on this province and the liabilities of government as it relates to orphan or abandoned wells through the bankruptcy process of an energy company. And this is an important case, and I sure hope this is top of desk for this government, Mr. Speaker. It's critical that those companies that are investing in this industry have that responsibility, Mr. Speaker, and that they're not allowed to shirk their responsibility, Mr. Speaker, through a bankruptcy proceeding.

And I'm aware in the Redwater case that, I believe Saskatchewan's an intervenor, along with Alberta, on this case. And that's important, but I would just urge again . . . I don't see much mention of that matter, that case, which really could have cascading impacts both into the energy sector and to the people of the province and the liabilities that they'd have if companies that are going bankrupt are able to place those orphaned wells, those liabilities, into the public domain, Mr. Speaker.

So I sure hope that this Premier and that the Sask Party cabinet is engaged on this file, recognizing the billions of dollars that are at risk for the people of the province — some very important principles as well — and that they do all they can as intervenor on this case and on any other fronts, on this front, to ensure the protection of the public, Mr. Speaker, on this front.

I know as well, the minister has noted that this legislation's brought forward because the old legislation was 10 years old, and that there's been quite a few changes in the industry through that period of time. And certainly that's the case, Mr. Speaker. And I think that making sure that legislation responds to the current environment, the current industry and the practices that are utilized, the technology that's utilized, is important. And so I think that's a fair justification for the legislative changes. Of course we'll provide scrutiny around whether or not these measures are fair and adequate, Mr. Speaker.

But I would point out a very important missing piece of legislation that I, you know, don't see on this front, is surface rights legislation. And using the minister's own justification that the industry has changed a lot in 10 years, Mr. Speaker, it's . . . Which is true. It certainly has changed even more in decades, Mr. Speaker. And the surface rights legislation, I believe it dates back to the '60s, Mr. Speaker, so we're talking about 50-year-old legislation for an industry that has gone through significant changes, new technologies that are being deployed. And it's only right to update that legislation, Mr. Speaker, and make sure that that balance is there for landowners and industry, Mr. Speaker, that it's reflective of current technology and current practice.

And you know, I would simply urge this government to get to work on this front. There had been some work a few years back where they had engaged landowners, surface rights organizations, Mr. Speaker, the energy sector on this front. There was legislation that was crafted and its passage was anticipated. But at the end of the day Bill Boyd, at the time the Energy

minister, put it on the back shelf, Mr. Speaker, and we haven't seen it since. And just because Bill Boyd disappeared, Mr. Speaker, doesn't mean that we shouldn't be looking for improvements when it comes to surface rights legislation and making sure that rights and protections are there for landowners.

Of course we have a piece of legislation relating to landowners around access, Mr. Speaker, that's before us right now, and certainly there's real concerns and rights that landowners have, and improvements that could be brought, Mr. Speaker, on that front. But of course we see a government that has rammed forward with that one without consultation, has brought forward real flawed, really flawed legislation, Mr. Speaker. But it's interesting that that's where their attention is. And you know, to advance some of the improvements there, certainly consultation would have been key. But surface rights legislation to improve rights and protections for landowners with respect to this industry is important as well.

Anyways at this point, Mr. Speaker, I don't have a whole lot more to say on this bill. We'll certainly engage the industry and stakeholders. This is a challenging time for this very important industry within our province and for the workers whose livelihoods depend on this very important sector. It's a challenging time to attract the investment that we need that will help build Saskatchewan. We see that in large part because of the pricing environment in energy, Mr. Speaker. We see it because of the lack of pipeline capacity, Mr. Speaker, the lack of access to markets and tidewater. We see it with the growing and damaging differential, Mr. Speaker, that's prevented Saskatchewan people and companies from getting a fair value for our resource.

[15:30]

We have a government that's been in power with a large majority for, you know, 11 years thereabouts, Mr. Speaker, and we have seen no action when it comes to advancing pipelines, Mr. Speaker. And you know, we have a lot of hyperbole and a lot of noise from the former premier on this front, Mr. Speaker, but what he'd failed to do was to get the job done. And I think in Saskatchewan, whether you're on the farm or you're running a business or you're out on the hockey rink, ultimately you're judged by your performance and your ability to get it done. And when it comes to getting the pipeline capacity that this province so desperately needs and getting access to tidewater, certainly this is a government that has not been effective for Saskatchewan people in that work.

And it's not as though they've been short of time, Mr. Speaker. Eleven years that have cost Saskatchewan people in many cases their jobs, that have cost many people their . . . cost us much investment through that period of time, that has failed to provide Saskatchewan people with the return that they deserve when you get the world price . . .

I hear members heckling. And I don't know why they get so worked up on this front, Mr. Speaker. What we need less of is backbenchers heckling from their seats, Mr. Speaker, and more action to get pipelines built for Saskatchewan people, and to get fair value for resources. And, as I say, to be attentive as well to the very important measures in front of us right now, Mr. Speaker.

When we look at the Redwater case that's going, you know, working its way or that's at the Supreme Court now, which could have devastating and cascading impacts for the people of the province and for this industry, that would in essence allow a bankrupt energy company to pass their liability, their costs onto Saskatchewan people, and we're talking about billions of dollars, so I . . .

You know, this is a government that hasn't always taken the serious files seriously. And I hope this file's top of desk. I hope it's a regular conversation in cabinet. I hope that they have an exceptional team within the industry and a legal team working on it, Mr. Speaker. Because far too often we see from the Sask Party government a group that's interested in sort of partisan games, Mr. Speaker, and far too little in the public's interest, Mr. Speaker, the long-term interests of this province.

So we'll certainly evaluate the changes that have been brought forward in this legislation. We'll work with stakeholders. I'd invite anyone involved in this sector, in the energy sector and anyone else as a direct stakeholder and experts, to stay involved, to make sure this legislation is as effective as it can be.

And I'd urge government to get back to work on files like surface rights, Mr. Speaker, something that a few years ago the Sask Party government was intimating was a concern to them, Mr. Speaker. And they'd taken time with good people and farmers and landowners and surface rights associations, Mr. Speaker, agricultural groups and the energy sector, Mr. Speaker, all to place that legislation on the shelf, Mr. Speaker. I say let's work on those important advancements for our province at this time as well.

With all that being said, Mr. Speaker, there's lots of time for more scrutiny of this bill. I'd invite stakeholders to share their ideas as to how to strengthen this legislation, if there's opportunities to do so. And I'd urge again just the attention of this cabinet to this important industry, an industry that's been decimated under their tenure, Mr. Speaker, livelihoods that have been taken away from Saskatchewan people, and to put their minds to the very important work around advancing pipeline capacity, Mr. Speaker. And that's going to go beyond the old grandstanding that we often saw from the former premier, but it's going to mean rolling up sleeves and digging in deep and getting the job done, Mr. Speaker, for the people of the province and for Canada, I should say, Mr. Speaker.

With that being said, with respect to Bill No. 147, *The Oil and Gas Conservation Amendment Act, 2018*, I adjourn debate.

The Speaker: — The member has moved to adjourn debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Carried.

Bill No. 148

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Eyre that **Bill No. 148 — *The Pipelines Amendment Act, 2018*** be now read a second time.]

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

Mr. Forbes: — Thank you, Mr. Speaker. It's a pleasure to enter into the debate of Bill No. 148, *An Act to amend The Pipelines Act, 1998*. And of course we've had a lot of discussion in this House about pipelines. And of course, as my colleague before made mention about getting the job done, these folks are just simply not doing that. And I find it a little ironic that they want to talk about historical pipelines and they want to get at the surveys. And you know, these folks have not got the job done. Not one inch of new pipeline to salt water, and here they want to find out about surveys.

So, Mr. Speaker, I'll just take a moment to reflect on what the minister brought forward back on November 13th. And the minister at that time, she talked about that in March 2017 the government had announced the funding for a multi-year pipeline regulation enhancement program. And its purpose was to accelerate the improvements to Saskatchewan's pipeline regulatory system, which I assume would mean that our pipelines would be much more robust and that we could count on them working and transporting the product to its end point.

But, Mr. Speaker, and of course I would assume most of this, she did not reference the Husky Oil pipeline spill that of course drove a lot of this. And you know, I find it ironic that the minister took a lot of time to question our suggestion in July that pipelines might have a date by which they should be inspected. And here we are in the fall looking for this survey for old pipelines, Mr. Speaker, so all of a sudden they seem to have found some interest in this.

And so I just think this is so ironic that on one hand she would say how costly this would be, how ineffective this would be, and how pipelines are all good, and then there's no worry about this and it would just be a complete waste of time. And here she is doing the exact opposite and putting forward an idea about how can we better keep track of these historical documents, the surveys of original pipelines.

And it's even doubly, doubly ironic when we had questions this week around the GTH and the amount that was paid for land that had pipelines under it. And of course the minister downplayed it at the time saying, well pipelines are all over the place. So there it's just, you know, who wouldn't think there would be a pipeline there?

And of course we know that's not quite as simple as saying that you count on every piece of land having pipelines under it. That's not right. You do need the surveys. You do need to let potential buyers know that there are pipelines under this land and if you're going to be doing any kind of improvement you — what's the saying? — you call before you dig, type of thing. And obviously this government failed to call before you dig. And so, Mr. Speaker, in fact that might be what this bill might be referred to, the call before you dig bill.

But, Mr. Speaker, I find this government often, you know, shoots first and then aims. It does things, and then it's always constantly reacting to something they thought was a good idea. Or somebody must have said, hey you know, we could've avoided this if we had been better prepared. And of course this would be one of those situations where they're looking to be better

prepared.

And the minister does refer to a system, the IRIS [integrated resource information system]. No, she doesn't say necessarily what the . . . Oh, integrated resource information system. And of course that makes a lot of sense that it would be paperless and look for ways to improve licensing and those kind of issues. And so I think this looks like something that should be looked into, and I think it should be a good step forward.

Now, Mr. Deputy Speaker, I hope that it's not going to have the same history as Linkin. And of course the Finance minister would know all about Linkin, a system that was first estimated to cost \$9 million, but soon blossomed into a 38, near-\$50 million system. And that system was the system to keep track of foster children in our province. And the minister at the time said, well all we have is library cards. Everything's written down on paper, and who knows what'll happen? And she wanted to move to again another paperless system. And the story is really emblematic of this government and, you know, how we ended up in the kind of debt we are, where we're investing in systems that became overly expensive, particularly for the kind of work that they were doing.

Now, Mr. Speaker, you know, I don't know what the final bill was for Linkin, but it was way, way beyond. As I said, starting out with a 8 or \$9 million estimate, ending up in the \$50 million range and not really actually helping to resolve the issue that we have in Social Services, with more kids than ever being in foster care and not being able to use that kind of information to say, how can we improve this situation for these kids. It's one thing to have a brand new shiny object that costs \$50 million. You know, we all wish we could have that kind of money to spend. But the fact of the matter, it's about the kids and it's about making sure that they are being properly tracked.

And so, Mr. Speaker, it'll be interesting to see what this IRIS, whether it does actually . . . is as robust as they make out that it is. We will wait and see that there will not be other accelerated costs. I mean, you can expect the cost of living, and that's part of the thing. But the way that Linkin accelerated from 8 to \$50 million, I don't know what the IRIS cost will be and whether that will accelerate at the same kind of rate. And then you're kind of being held hostage because you've designated a system, a way of keeping track, and you kind of bought into the system and there is no way of turning it around.

So we'll wait and see. We'll wait and see how IRIS performs and whether it's worth the money and whether or not we're maybe being held, a bit like a hostage. And of course once you get into the system, you have to keep it going, and of course that it is a problem. So we will see if this is a reasonable thing. But we'll be keeping an eye on IRIS. We don't want another Linkin. In some ways Linkin works, but in some ways it sure was a pretty penny to pay for that.

And then the second change that the minister was talking about, Mr. Deputy Speaker, “. . . is the establishment of a legal mechanism for the minister to acquire historical flowline and pipeline surveys directly from Saskatchewan land surveyors.” Now, it will be interesting. I just twigged on that, when she talks about Saskatchewan land surveyors, what happens if those surveyors are not from Saskatchewan? What happens if they're

from out of province, that the work may have been done.

So we will see how this plays out. She says it's important to note that 90 per cent of the cost will be incurred by the annual administrative levy assessed against the holders of oil and gas and pipeline licences.

And of course, you know, I have to say something about that as well. We've seen, you know, and I discussed the whole issue of orphan wells yesterday and what happened to the money around orphan wells, why isn't there enough money to actually resolve the issue around orphan wells and how they're left in disrepair. And somehow the funds were seen to be insufficient because we had the previous premier, Brad Wall, thinking that would be a great economic development activity to fix those old wells. But of course there was not nearly enough money in the pot to make sure that work was done.

[15:45]

So, Mr. Speaker, you know, it's interesting to see how this happens, whether it'll be 90 per cent. So clearly it's not a full cost recovery and it's not one . . . So the government is paying. I assume they are rationalizing it by saying it's fair share and the industry is paying their share. But let's hope that doesn't, as I say, grow and grow, and in fact our 10 per cent becomes 20, 30, 50 per cent as it might be.

But those will be questions in committee that we have about making sure that that's the actual case. But as I said, we find it kind of ironic. It is kind of ironic that these guys and that minister, I remember hearing her on the radio, on the news saying this idea of renewal of pipelines is wrong headed, that it's foolish. It's going to be expensive. Who's going to pay for it, and all of these things. And here we have a situation where we are talking about it today, and we can tell that there's really good reasons for considering renewing our pipelines if they reach an age where you have to question about the stability of the pipe itself, whether or not we have some risks around fractures or breaks in the pipeline.

And of course that all came home a couple of years ago in July when we had that spillage along the North Saskatchewan River. Now we have questions, you know, because we had a situation where many of the First Nations at the time along the way felt that they weren't fully in the loop. The government, even the cities of Prince Albert and North Battleford weren't fully in the loop, and it took quite a while, several days, for them to be in the loop. And then it was sort of very inconsistent about whether or not they were being kept fully in the loop.

But here we have a situation again. We would have the same questions about this. Are the communities being alerted to this kind of work? And you know, I think about James Smith Cree Nation and Cumberland House that were affected by the oil spill, but right across the province, you know. I mean we have a Minister of Justice who dismissed the questions around pipelines saying, well we all live around pipelines; we should just assume it. I guess we should just assume that we do but really it's more . . . If the government is looking for that information, don't you think that people would want to know that as well? Is this going to be public? Is it going to be the kind of document that everyone can find out, you know?

As I said before, this whole "call before you dig," it's very interesting to find out that the government itself did not do that when it came to the Global Transportation Hub and the fact there were pipelines. And did they call? Did they phone anybody to say, hey where are your pipelines? You know, they were ready to go full steam ahead. And the way that they have managed that project, of course the demand wasn't there. But as per typical, you know, they dismissed it out of hand and said, nothing here to see and move on; in fact everything is well and fine over in the Global Transportation Hub. But of course we know that not to be the case, not to be the case at all.

So with that, Mr. Speaker, I'm going to wrap up my remarks on Bill No. 148, *The Pipelines Amendment Act*, 2008. I know there's many people who want to get up and speak on their bills that are before them, that they've got some . . . a few thoughts today, and so with that I would move adjournment on Bill No. 148, *The Pipelines Amendment Act*, 2018. I do so move. Thank you.

The Deputy Speaker: — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 148. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 149

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Tell that **Bill No. 149 — *The Police (Regional Policing) Amendment Act*, 2018** be now read a second time.]

The Deputy Speaker: — I recognize the member from Regina Elphinstone-Centre.

Mr. McCall: — Thank you very much, Mr. Speaker. Good to join debate this afternoon on Bill No. 149, *The Police (Regional Policing) Amendment Act*, 2018. Mr. Speaker, there's some interesting things happening out in the policing front . . . from the policing front with this government, and I was reminded of some of the things that are not being done by this government.

Reading my *Leader-Post* this morning, Mr. Speaker, an excellent feature that the *Leader-Post* is conducting on gun crime in Saskatchewan, and one of the aspects that comes in for criticism with this government is the fact that in 2011 the federal government had funding in place for a Regina anti-gang strategy, which of course was on the exiting side of . . . to fight gangs. Not just on the enforcement side, Mr. Speaker, but also on the . . . allowing options in quitting, you know, getting those off-ramps there so that you can get people out of the clutches of the gangs. And the fact that this government, despite a lot of concern raised at the time, allowed the Regina anti-gang strategy to lapse, Mr. Speaker, and it comes in for criticism that this is a significant part of the fight against crime that has not been given the attention and the diligence that it deserves on the part of this government, Mr. Speaker.

And again if you're not . . . the way these things go, if you're not fighting the whole front, Mr. Speaker, if you're focused off in

rural and you're not . . . you're neglecting a considerable part of what drives crime and drives an increase of crime and drug trafficking and gun crime, Mr. Speaker, and all of the terrible consequences that come with that, if you're not paying attention to something like making sure that you've got a gang exit strategy or a correction system that's more than just warehousing and allowing for criminals to go on and become worse and more hardened and, you know, not having any options that get them off that track, Mr. Speaker, if you don't have those options, then you're going to have a situation where then crime increases, which we see in spades in these days, Mr. Speaker.

We see the impact of gangs, you know, again on the rise. And it's not surprising that these things coincide along, you know, increased . . . We've got another wave of crystal meth that is washing across this province and the terrible things that that entails, Mr. Speaker, and that of course comes alongside the opioid crisis.

So again, when you've got a government charged with the responsibility of various of these files on the enforcement side and again on the remediation side, or the making sure that you've got a correction system that is actually living up to that name — corrections, Mr. Speaker — if you don't have the whole front being paid attention to, then you can go on and reorganize the policing side of things all you want.

But there are certainly some very hard-working, effective, you know, diligent servants of the public good, Mr. Speaker, and our different police forces — rural, urban — right across this province. And again they will tell you that unless you're attacking the causes of crime instead of just going at the swamp with a bucket, Mr. Speaker, but setting out to drain the swamp itself, unless you've got that broad action being undertaken, Mr. Speaker, you're just going to . . . You can have as fine a police, regional policing amendment Act as you like, Mr. Speaker, but it's not going to get you ahead of the problem.

So, Mr. Speaker, again this is a fine piece of legislation and does some fine things, but again if you're not getting ahead of the problem, you're always going to be playing catch-up, Mr. Speaker. And again as we were reminded of that this very morning in terms of the fine piece of journalism that's been conducted and certainly lives up to the experience out in the community, where once we had a better handle on the fight against gangs, that hard-won ground has been lost, Mr. Speaker, and it's going in the wrong direction, and it's having some dreadful consequences that we see across our communities.

So, Mr. Speaker, I know other of my colleagues will have more to say on this matter, but in terms of what is, in and of itself, a fine piece of legislation, unless they've got attention to that broad front, we're going to be back again with another reorg bill where they're going to figure out how to throw some other resources into the thing. But if they're not getting into the root causes, if they're not getting ahead of our crime problem in this province, Mr. Speaker, then we're going to be here again with another measure like this that again, in and of itself, will be a fine piece of work, but it's not going to get the job done. So with that, Mr. Speaker, I'd move to adjourn debate on Bill No. 149, *The Police (Regional Policing) Amendment Act, 2018*.

The Deputy Speaker: — The member for Regina

Elphinstone-Centre has moved to adjourn debate on Bill No. 149. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 150

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Tell that **Bill No. 150 — *The Seizure of Criminal Property Amendment Act, 2018*** be now read a second time.]

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

Ms. Beck: — Thank you, Mr. Deputy Speaker. It is my pleasure this afternoon to again rise and enter into debate on this bill, Bill No. 150, *The Seizure of Criminal Property Amendment Act* of 2018. Mr. Speaker, this is a bill that was introduced by the minister, and she had opportunity to enter her comments into the record on November the 19th, her second reading comments, and I think that there was some illumination of the reasons for this bill, but also a lot of questions that were left unanswered. So I am going to walk through some of the questions that I do have on this bill, and the reasons for it, and the reasonable effectiveness of this bill to meet the stated goals, as we understand them and as the minister outlined them both in the media and in her second reading speech.

In her comments, the minister noted that the “. . . civil forfeiture program takes property and profits out of the hands of criminals and uses it to fund victims programming, policing initiatives, and other programs that promote community safety.” Certainly funding for victims programming is something that is important, that is sometimes difficult to access, and for people who have been the victims of crime is something that is very important. So there's no debate with members on this side that this is something that is important to fund. But I do have some questions and concerns about that with regard to this bill that I'll get into in a bit.

There is a claim by the minister, there was a claim on November the 19th that “. . . this bill will further enhance the province's civil forfeiture . . . to better . . . [enhance] these goals.” And that the current Act:

sets out a number of instances where it is presumed that property is an instrument of unlawful activity and thus subject to forfeiture. [Currently] . . . an onus is placed on the defendant to demonstrate that the property should not be subject to forfeiture.

That day I believe in the media the minister noted that the safety of Saskatchewan communities and families is a priority for this government. She also noted that these changes will help provide municipalities with additional options to address the issues of rural crime. So in her comments the minister linked this bill, forfeiture bill, to rural crime and safety.

And certainly there is no doubt that we are in a time in this province where there are heightened concerns about crime, about

safety. If we look at the list of bills that are before us right now in this Assembly, there definitely is a theme with regard to crime and changes to laws that have been claimed by the government and various ministers to promote safety. I think though, Mr. Deputy Speaker, we've yet to see the evidence that these measures will be effective in addressing crime.

[16:00]

I understand that there is a need, or the perception of doing something is important. I think what is yet to be seen is whether these measures will be effective. And I think ultimately that's where leadership comes in. That's where good public policy comes in. Measures that we enact here should do more than just placate and deliver on a political message. They should actually address the stated goals that are set out by members of this Assembly and the goals that the members of these communities reasonably expect to be achieved.

I'm not sure that this will do that. I would be very interested to see what evidence the minister has that making it easier to forfeit property will have any impact on safety.

When I think of safety, Mr. Speaker, as many people, you know, punitive actions after the crime has been committed, don't promote safety. When we are talking about compensation to victims of crime, that is important, but their safety has already been compromised. They've already been the victim of crime. I think what we reasonably ought to have as our goal is to prevent those crimes in the first place, which is admittedly a more difficult task and admittedly will require a longer term view. But if we truly are dedicated to safety, then we need to address those root causes of crime and look at the evidence that is before us, not only in the province, but in the country and around the world. And I'm not sure that that type of long-term planning, that type of attention to public policy is being paid here.

Certainly on the surface taking property from criminals and giving it to victims, I understand the message. I understand why that is palatable. I understand why that might be popular but again, we have some questions about will that be effective.

And further to that, there have been a number of questions raised about this Act and its impact on rights of people in this province. There was a story going back to November the 15th quoting Derek From, a lawyer from the Canadian constitutional foundation, expressing some concerns about the expansion of the number of crimes covered in civil forfeiture laws and the problems that presents for ordinary citizens. One of the quotes, and I think this has been mentioned before but I'll state it again, is that he said the original objective of these laws was to remove property from the hands of criminals and compensate victims of those crimes. Again, certainly something that sounds reasonable and I think would sound reasonable to the average person.

But you know, one of the things that I thought was interesting going through some of the information about this, is the government's commitment to victims of crime and the funding for that towards that end.

In 2017-18 the province received 1 million and . . . \$1,014,268 in forfeitures, down from 2016-17 levels. The province paid \$2.5 million in grants to police and non-profits in 2016-17. And in

2017-18 that grant was considerably less at 100,000 . . . just over \$111,000.

So, Mr. Speaker, there's certainly other ways to compensate victims of crime, and would again submit that the best way to support victims of crime is prevent there being victims in the first place if we are at all able to do that.

Another aspect of this bill that has been met with some concern, and I think this is fairly significant, that this civil forfeiture as opposed to criminal, allows the government to take your property from you even if you haven't committed any crime or what the law calls unlawful acts, which is I think a concern. Jurisdictionally there's a concern there.

And the quote is here again talking . . . attributed to Mr. From is, "What I believe the . . . [Saskatchewan government] is doing is making laws very specific so that it applies to new sorts of offences and the courts will have less discretion [again owing to jurisdiction] to say no to the government." So you know, that is a concern perhaps. That is something that the critic, and a question that the critic will have of the minister, if that was something that was contemplated in the . . . when this Act was being formed.

Mr. Speaker, again this is yet another bill that we see in front of us that purports to deal with safety. In this instance the minister specifically noted rural safety in her comments. But I think that there, to this point anyway, there's really scant evidence that these measures will be effective in actually impacting safety anywhere in the province, but specifically in rural Saskatchewan. I think that there is . . . Again, I said I get the political argument. I get the desire, the simple message that is here. But I do have concerns about whether or not it will be effective to actually address safety.

So with that, and given the comments that the minister has put on the record and some of the concerns that have been raised, both by the critic, members of the opposition, as well as experts in the community, I think I will leave it to them to continue with that line of questioning. And I'm sure that they will have other questions. But I think I am at a point in my speech where I can resume my comments and move to adjourn debate on Bill No. 150.

The Deputy Speaker: — The member from Regina Lakeview has moved to adjourn debate on Bill No. 150, *The Seizure of Criminal Property Amendment Act, 2018*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 151

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 151 — *The Personal Property Security Amendment Act, 2018*** be now read a second time.]

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

Ms. Mowat: — Thank you very much, Mr. Deputy Speaker. It's my pleasure to rise today to enter into adjourned debate on Bill No. 151, *The Personal Property Security Amendment Act, 2018*. I was going through this bill earlier today and there is certainly a lot of dense legal language included in it. And that's perhaps characteristic of bills that are being introduced by the Justice minister. And for those of us that are non-lawyers, I will do my best to present a layperson's description of what is happening in this legislation and what the changes are as well. But when we're talking about the Act, it's a thick 90 pages long and I think the amendments are around 18 pages of amendments, Mr. Deputy Speaker. So I can assure you that I will not be speaking to each amendment in each portion of the Act, which is probably something that folks will excuse.

So when we're talking about this particular piece of legislation, we're talking about a piece of legislation that governs the payment of debts and establishing priority over other creditors. The most common example that folks can think of in terms of a security interest in personal property is a mortgage or a car loan, Mr. Deputy Speaker. And of course we know we have to have rules that govern these pieces of our life, and the amendments that are involved here are also in relation to these aspects. So when we're talking about security interests, that's what we are talking about.

The minister, when he was giving second reading, talked about the fact that we need to make amendments because there is more mobility in life today and that these agreements can transfer between different jurisdictions. So we can see them transferring between provinces, across Canada, even into the United States. So the argument that the minister made is that there's a requirement for uniformity in terms of our rules as they govern how Western Canada approaches these agreements.

And we can obviously understand that folks can have assets in many different jurisdictions, and some of these assets can move between provinces. So if you think about the fact that there could be a car loan that's established in Saskatchewan and that car can move to a different province, it's important that we have uniformity across these boundaries. Because in many ways we live in a world that doesn't acknowledge these types of boundaries, Mr. Deputy Speaker. And those of us who have taken out these type of loans lately know that they can sometimes be offered from many different institutions that are in different places. And so we know that there needs to be uniformity here.

I understand that these recommendations are coming from a Professor Cuming and the Canadian Conference on Personal Property Security Law, folks who have spent a great deal of time looking at these issues, making sure that this type of uniformity exists, and proposed that this law existed in the first place. So it appears to be an update to initial recommendations that came forward since the first iteration of the Uniform Law Conference.

And we know that we do live in a changing world, and this has a ton of implications for what these regulations look like. So there are a number of implications for these changes, but what this amendment Act proposes to do is a few things.

It introduces new definitions and updates language that we have already been using. It establishes the procedures to be observed for the control of the electronic record of the transaction. And

when we're thinking about the fact that we live in an electronic world now, I think this is obvious to many of us when we consider what type of agreements we've entered into and how much of them we have on paper, Mr. Deputy Speaker. We know that electronic records are of crucial importance here and this legislation is of crucial importance.

It outlines the purpose of a purchase-money security interest in inventory, sets out the general rules determining the validity of interest by their law of jurisdiction in which the collateral is situated, provides for a process to continue out-of-province perfection of goods that are relocated to Saskatchewan by timely re-registration and perfection in Saskatchewan. It clarifies perfection rules where goods are removed from one jurisdiction to another, sets out the rules to determine where a debtor is located for the purpose of conflict rules. It determines the rules governing a prior security interest and the location of a debtor. It sets out perfection rules by possession with respect to purchase-money security interests and possession rules for shipped goods. It creates an equitable interest in goods where substantially paid for, changes the rules governing the protection of transferees of negotiable collateral, sets out the rights of assignees, and sets out the rights of a secured party on default where the collateral is a licence. So a short list of changes here, Mr. Deputy Speaker.

[16:15]

And I think it's important to identify that . . . I think there's an assumption that a lot of this is happening behind the scenes, but it does have profound implications on folks. So we want to ensure that our critic is paying close attention to it but also that the minister has adequately consulted in ensuring that, despite the fact that there's an argument for uniformity, ensuring that Saskatchewan people are being protected and that Saskatchewan consumers are being protected and we aren't simply going along with what everyone else is doing for the sake of uniformity. And when we consider the amount of debt that folks are incurring today, this legislation is of crucial importance. When we look at the number of mortgages that are in arrears in Saskatchewan, we are four times higher than the Canadian average on the number of arrears . . . mortgages that are in arrears in Saskatchewan. This is a staggering number and a staggering indicator of the hard times that are in front of people right now in this province. So being able to know that the legislation is on your side is a key component of that.

And when we have more and more people coming forward and talking about concerns over things like car loans that are being taken on, where companies are just increasing the term . . . I think it's six years that car loan companies are . . . is the average in Canada. So when you think about a loan over a term of six years and what that means, a lot of people are getting into situations where they are taking on more debt load than they can handle. So that additionally highlights the importance of making sure that we do this right, Mr. Deputy Speaker.

So there are some questions that we have in terms of what the implications are of these changes, if the implications of these changes are understood by the minister, if they have taken time to look closely at that, whether . . . we know that they've consulted with Dr. Cuming, and certainly a well-respected individual to be bringing this forward, but whether they've

consulted with other relevant stakeholders on this matter, whether there are good protections for consumers.

And so we want to make sure that we get this right and that there are not unintended consequences coming about because of how real this becomes in everyday life. It seems like sort of an intangible topic when we look at all the legal language, but it really does have real implications for everyday people, so we want to make sure that it's being done right and that that uniformity will end up benefiting consumers in the long run.

So with that I will allow the critic to engage further and my other colleagues to engage further, and I know there'll be a lot of questions in committee, but I will move to adjourn debate on Bill No. 151.

The Deputy Speaker: — The member from Saskatoon Fairview has moved to adjourn debate on Bill No. 151, *The Personal Property Security Amendment Act, 2018*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 152

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 152 — *The Builders' Lien (Prompt Payment) Amendment Act, 2018*** be now read a second time.]

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

Mr. Forbes: — Thank you very much, Mr. Deputy Speaker. It's a pleasure to enter into debate on Bill No. 152, *An Act to amend The Builders' Lien Act*, or as the short title talks about, *The Builders' Lien (Prompt Payment) Amendment Act*. So we'll talk about . . . This is about the prompt payment.

And that sounds like a fair and reasonable innovation, that people do and should expect to be paid in a prompt and quick fashion. And that's all the way down the line where you have contractors and subcontractors and the workers. And so the question, the one that stands out for me though really is, has there been adequate consultation in this process? Who has the minister been speaking with?

He is often very quick to jump to his feet and say that he is one of the best, one of the best if not the best at consultation. And he does it online, and that there's no doubt that people who had an opinion should have given it by now. But we find that maybe that's not always the case. That's not always the case. And so this is one, I think, over the winter that it will be very interesting to hear the concerns that come forward from this type of thing.

You know, Mr. Speaker, over the past dozen years or so we've seen the housing market rise up and was very frantic and hot, and now we see a marketplace that's not in that same place. And of course we think . . . We think of course this government with its job-killing PST tax, when they doubled it, you know, collecting over a billion new dollars from the working men and women of

this province, and one that they . . . that hit so hard that somehow these folks over here are in a state of denial.

And I don't know what the housing's like . . .

An Hon. Member: — That's a river in Egypt.

Mr. Forbes: — A river in Egypt. And what the housing market is like there, in the good old denial state. But I have to tell you, Mr. Deputy Speaker, this really quashed a lot of people's hopes and dreams of what they were going to be able to do here in Saskatchewan.

And of course they would dismiss it. They would dismiss it in their usual hubris ways of saying, hey, whatever we do, no matter how bad it is, is good for business. But you know, Mr. Speaker, we can point clearly at this in terms of the decline of the housing market, whether it's Saskatoon, Regina, or in Moose Jaw where we had meetings with home builders over there and some of who were actually considering, considering whether bankruptcy was the only option left because of some of the red tape. And this is what's so interesting with the folks over there. You know, they will be the ones at the front of the line to cut red tape, but boy, this red tape, this one is really, it's like a . . . I don't know if it's a gift to anybody, but it's a red web. That's what we would call it, the red tape. And they are the experts.

Now I don't know whether it was the member from Moose Jaw who designed this particular system or told them, don't worry about the PST in collecting a billion dollars; I got it. I got it. People are on my side. I don't know if I would have him leading this parade. I don't know, you know? Because he often shouts out, what are you talking about? Where am I, is the next question. Where am I? What kind of guy shouts out, when he's leading a parade, where are we?

But at any rate, Mr. Deputy Speaker, I have to say that we have a lot of questions. And when we talk about unintended consequences, these folks over here, particularly with that PST on labour construction, and now they're adding this, what kind of a . . . What are they trying to do to construction? What are they trying to do to construction? Of course they're probably keen on this, because they'll get their PST a little quicker and they can count on it. And so really, is this what this is all about? Just one of those underhanded ways of collecting taxes even quicker? And that's what they're really, really interested in.

But, Mr. Speaker, you know, as I was saying over the 12 years, that in the past 12 years we've seen a housing market go up and we're seeing it go down. And really, these are people's lives and dreams that they have. And of course today we had one fellow in here, just south of Regina, suffering from the bypass. And I don't know how he made out with the government of the day, whether they were sympathetic at all. But here's somebody, his dream, it was his retirement, and we're seeing a government that's got deaf ears to many folks here in this province.

So I think this kind of legislation we have before us is, we are very interested in making sure that there's been good and adequate consultation and there won't be the kind of unintended consequences in their rush to resolve, you know, what at first seems to be a reasonable issue. And of course it is reasonable that there's prompt payment.

Now one of the questions I would have very quickly right off the get-go is, and we have this in my office, workers from the construction industry who come in, that they feel that in the language of the day or language of the workplace, they feel pretty shafted because they have not been paid. So we have to make sure that when these bills do get paid, that in fact that workers do get paid. And I don't know if there's anything in here to make sure when we talk about the lineup of first you have the contractor and then the subcontractors and that type of thing.

And of course the other issue here as well is around the deficiencies that might be in the house. Now we have a government who has, and it's been on record, say things like they don't really care about deficiencies, that they don't really have that seemingly appreciation that that's a big deal, that's a big deal. How do you deal with deficiency in a building when somebody's saying hey, you've got to pay me right now, the 28 days. And that's a pretty quick time turnaround. So you have 28 days to get this turned around, and you're saying hey, but there are deficiencies in your work. What can we do about it?

Now they do lay out this adjudication process, but this is where we started about red tape. And of course, you know, when we have issues around housing and you want to have a stable and viable marketplace, much more thought needs to go into it. But sometimes it just doesn't happen. People are looking for their best deals and who's a contractor that can do the work for the best price. And sometimes people find themselves in a corner because that just isn't happening, and in fact they've hired somebody who actually can't deliver on the work. But maybe they've done some work and there's not the motivation to finish the work.

So, you know, this is a dilemma that we often have, is completion of work. And you know, Mr. Speaker, I don't know if you've had much experience, and I bet you have, with contractors and people starting work, wanting pay, and then not finishing the work because they've been paid enough that they can leave the site.

So there are some issues here that I just want to say as a start, but I want to talk about the bill changes some definitions, adds some new ones: "... requires that a proper invoice be given to an owner every month, unless the contract provides otherwise." So that'll be interesting and it will be . . .

You know, it's something that we often talk about, homeowners needing a course, a short course, on what it means to be a homeowner. And I'm not sure if many will be aware of this. Not many of us have that experience of working with contractors. So thinking we're going to do a renovation or we're going to . . . How many times do you build a new home and you often get other people involved and you think that you're going to trust them with their experience and their knowledge? And we appreciate the skills people bring to the table. But is this going to be leading to, and it should, to more certification of people who can give advice in that particular area? And so I think this will be very interesting.

But again I worry about the commitment to the government here because we've had people on that side who are so, so . . . I mean this is one that's going to be so ironic in terms of the ones who want to get rid of regulations. But of course this is the one that really will need that type of thing. And so it established timelines

for the payment of subcontractors by a contractor and/or are between subcontractors. And of course I hope this all means that the WCB [Workers' Compensation Board] premiums and all of that also must be paid and should be paid on time. And that will be very, very important. And then the adjudication process.

[16:30]

So I have to say that for a government, you know . . . When we talked about housing and we talked about, a few years ago, the steep increases in rent and how these folks were so anti any kind of thing to protect tenants from steep increases, they felt — and as the folks over there are so often apt to say — we will let the market decide. We'll let the market decide. And how it all falls out is just the way the market thinks it should fall out. But, you know, in a modern world, sometimes you need to have some things that protect people.

They weren't willing to do that then. And so it's interesting to see this before us now because this is quite, quite a system that they have before us, you know, setting out terms of extension of liens, setting out transitional provisions for existing contracts. So we hope that there are contracts and that they are used. And then as well, there's concerns about issues around what people call policy stacking.

And again as I said, you know, the whole issue of PST on construction labour. And it's been an issue that we've heard over and over again. Particularly, Mr. Deputy Speaker, we heard about it in Regina Northeast, the by-election, where a lot of people actually do work in construction, and they talked about the impact that that PST had on their work, and whether it meant shorter contracts, smaller contracts, that type of thing. It was a real, a real concern.

So, Mr. Deputy Speaker, I think that when we see and we take a look at the housing market stats in our province as of August 2018, a decrease of 34 per cent for single-family builds, 40 per cent less for builds for multi-family housing, and urban starts saw a 32 per cent decrease, and a decrease of 40 per cent for single homes, family homes, so these folks really should be thinking about the unintentional consequences of their legislation. And have they done the full consultation? And is everybody on board? Does everybody understand the plan, going forward? And that we want to make sure, in a market that's so fragile, so vulnerable right now, largely because of some of the things this government has done, that they're not going to add another, another problem.

They don't want to see another shoe. One shoe has fallen. One boot has fallen — PST on labour construction. What an impact that had, that billion-dollar tax grab from the Sask Party, and that tax grab continues. I know those folks would like to see that story, or that chapter turn its page, but every year, people pay more and more taxes. That's what happens when you increase taxes. And they grabbed a billion dollars, and there'll be another billion not too far in ahead.

So we have some questions, and of course, we know that housing is becoming less and less affordable, and businesses are suffering, Mr. Deputy Speaker. So I say there better be good consultation, make sure people are on board, and this is a doable policy, not one that's a pie in the sky, and we won't see implemented. Because, yes, what's wrong with prompt payment?

That's a good idea, but can it happen in a way these folks have outlined, and have they thought through all the issues carefully? They sure didn't think about it when they added PST onto construction labour. I don't know who thought of that idea, but there's a problem with that, that's for sure. So, Mr. Speaker, we don't want to see the other boot drop.

So with that, I know we're going to get ready for more speeches today. I know that we want to make sure we get a good way through the adjourned debates. But with that, Mr. Deputy Speaker, I would adjourn debate on Bill No. 152, *An Act to amend The Builders' Lien Act*, but also known as *The Builders' Lien (Prompt Payment) Amendment Act, 2018*. I do so move. Thank you.

The Deputy Speaker: — The member from Saskatoon Centre has moved to adjourn debate on Bill No. 152. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 154

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 154** — *The Intestate Succession Act, 2018/Loi de 2018 sur les successions non testamentaires* be now read a second time.]

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

Ms. Sproule: — Thank you so much, Mr. Speaker, and I can barely contain myself as I get up to talk about this bill. Intestate succession . . . And you're excited too, Mr. Speaker, I know. This is a . . .

An Hon. Member: — The interstate bill.

Ms. Sproule: — The interstate bill? I don't think it's called the interstate. It's intestate.

But this was one class in law school that I did not want to take. I never took wills and estates because I just thought if I end up doing that and then that's where my practice ends up, I'm not sure how interesting it would be. On the other hand, I know that people who do my will are very capable and good lawyers. So definitely we need to have this kind of work done.

The minister indicated in his second reading speech that the purpose of this bill is to actually replace the existing intestate succession Act which was passed in 1996. So I think from time to time there's updates prepared and presented in the Legislative Assembly for these types of statutory provisions for wills and estates that, you know, as the world moves along updates are needed. Certainly the minister indicated that this was done at the behest of the Law Reform Commission who released a report in March of either this year or last year, so fairly recently. They put out a report that was done in March of 2017, Mr. Speaker. So the good folks at Justice heeded the call and prepared a brand new intestate succession Act.

And, you know, there's a lot of things involved in estates. And often a lot of family distress can be caused from estates and how they're partitioned and how different people get shares of the estate and others don't. And I think it appears to me that the recommendations of the Law Reform Commission have been pretty much accepted. The minister didn't indicate that there was anything that wasn't accepted. The previous bill is being repealed, and there are some clauses that are similar, but there's been a bit of a change as well.

The minister indicated . . . There's a word he used that I had to actually look up, Mr. Speaker, and it is . . . I'll just find his comments. He said, "the new Act will . . . adopt a parentelic model of distribution." So I had to look up "parentelic" because that was a word I hadn't seen before, and the definition is "lineal." So it's intestate estate distribution that promotes lineal descendants.

So if you look at the new definition of descendant, they actually use the word "lineal" there. The new definition of "descendant," it means "all lineal descendants of an individual, through all generations." And you'll see a number of clauses in this new bill, Mr. Speaker, that talk about sort of how that line will be determined when it comes to the estate.

So we start with the "Spouse but no descendants." Then there's the "Spouse and common descendants," "Spouse and other descendants." So you can have a spouse; if you're remarried, your spouse is not the parent of the person who's died, or the descendants of the person who's died, then there's a special provision for that. If there is a second spouse and children from the first spouse, there's a provision in section 6 for that where the spouse gets a preferential share.

So I think a lot of arguments could happen. And I have a friend who the very thing happened, where his stepmother received the entire estate and he and his brother weren't entitled to anything from his father's estate. So I think that some of the efforts are being made here to make that a little more fair.

Then you move on to the "Intestate's descendants," and if there aren't any descendants or spouses, then it goes upwards. It goes to the parents and then the grandparents and then it can even go up to the great-grandparents under the new sections in this Act. Section 11 talks about the "Degrees of relationship," so it sort of establishes half-kinship. "Individuals of the 5th or greater degree . . . are deemed to have predeceased the intestate." So I think we can go up to the fifth degree in terms of estates, especially if you die intestate.

And, Mr. Speaker, as far as I understand that term, it means if you die without a will. So these are only for the folks who haven't bothered to create a will. I suspect there's . . . We all know somebody who doesn't have a will, and my recommendation is always get your will done. And if you have small children and they grow up, then get your will redone because it's an important piece.

I don't know if the member from Carrot River Valley has a will but he looks like he's listening with great interest. And I'm sure he has a good estate to pass on, so he better make sure he's got his will in order. Mr. Deputy Speaker, I'm hoping you have your will in order as well, and certainly all folks here in the House,

even our Clerks' table, I'm sure. We're going to make sure to recommend that they get their wills in order because if not, you will be under *The Intestate Succession Act*, and the law is going to tell the rest of the world how your estate will be dealt with.

There's a couple new clauses in this bill that don't exist in the previous bill — the conflict of laws provision, and there's also a regulations provision that doesn't exist in the current Act. So those are a number of the things that are being introduced in the new intestate succession Act, Mr. Speaker.

One of the things that I don't know that's in here or not, Mr. Speaker, is when you have same-sex parents and their child passes away, and I know there's some concern on that side. And we've certainly been canvassing that, about whether or not the non-genetic parent of a child who's been born to a same-sex couple or adopted into a same-sex couple, what would their rights be when it comes to intestate succession? And I'm not sure that that's here in the bill. We would have to look into it a little bit more.

And certainly I think . . . My colleague just informed me that this is something the Law Reform Commission is looking at now. But maybe we'll have to see amendments to this bill once it's passed, if there are recommendations there that would protect same-sex couples with children, Mr. Speaker. And you can imagine a number of situations with same-sex couples that would present some interesting thoughts about how estates should be handled if one of those children were to pass away and die without a will.

So those are things I think that needs to be considered. And I don't think it's being considered in this bill but we can certainly ask the minister in committee what the thoughts are on that aspect, Mr. Speaker. So at this point I think I'll move to . . . I don't think; I will move to adjourn debate on Bill No. 154, *An Act respecting the Distribution of Estates of Intestates, repealing The Intestate Succession Act, 1996 and making consequential amendments to other Acts*.

The Deputy Speaker: — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 154. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried.

Bill No. 155

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 155** — *The Legislation Act/Loi sur la législation* be now read a second time.]

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

Ms. Beck: — Thank you, Mr. Deputy Speaker. It is again my pleasure to rise again this afternoon and enter into debate, this time on Bill No. 155, *The Legislation Act*.

Mr. Deputy Speaker, I have to admit when I first saw that I was going to be speaking on this bill, I wasn't too sure what it

pertained to, and as I got reading, had a little bit of feeling of déjà vu actually when I see that this is . . . What we're talking about here is *The Interpretation Act*. I do recall, although my time in this Assembly has been short, a fair amount of time in this Assembly talking about *The Interpretation Amendment Act* that had previously been introduced.

There's a bit of a saga there that I'll go into in a bit, Mr. Deputy Speaker. But of course, most people in the province won't remember that name; they'll probably remember the term Bill 40. So Bill 40 was a bill, an Act that proposed to make a significant amendment to *The Interpretation Act*, that was really, I think we can say with confidence, a backdoor attempt to allow privatization of up to 49 per cent of our Crown corporations.

When the minister did rise in the House on November the 26th to introduce this piece of legislation, he provided a bit of a history about why we have this bill in front of us. In his comments, the minister noted the following:

The Model Interpretation Act was approved by the Uniform Law Conference of Canada in 2015. [And that this] . . . model Act is a result of a comprehensive review of the various interpretation Acts currently in place across Canada and other common-law jurisdictions and reflects the most recent case law and drafting standards.

[16:45]

So, Mr. Speaker, it certainly sounds reasonable. *The Interpretation Act* is really a foundational piece of legislation as I understand it, that it sets out the terms for all other pieces of legislation, defines some terms throughout legislation. So it does seem reasonable that this is something that would take a great deal of attention and we want to be sure that we were up to date and were at the most current standards.

What I do find interesting about the comment is the timeline, that this was available in 2015, Mr. Deputy Speaker, that this best practice or this model legislation was available in 2015. What it doesn't contain, Mr. Speaker, is a definition of the word "privatization," which is interesting.

If I recall the debate, and it's coming back to me now, the whole reason that we needed to make changes to *The Interpretation Act* in Bill 40 was the need to define the word "privatize." A big deal was made of members opposite on many different occasions, that we did not have a definition of the word "privatize" and this was problematic. I believe it was problematic to the World Bank, if I recall. According to the minister that was the case, although it was very, very difficult . . . I don't think we ever did get any definite wording on how the World Bank defined . . . Okay. We did eventually in committee get some clarity as to how the World Bank defines "privatize." But that was not the end of the story, as members here will recall.

So I think . . . I don't know. I don't know. When you're telling a story sometimes you have to stop and go back even a little bit further. I think I'd like to go back all the way to 2003. This story is much longer, but I'll go back to 2003. And at that time we had a different leader of the party opposite in the province who I think felt pretty good about going into an election, if I recall, and then made some comments about privatization of Crown

corporations.

And, Mr. Speaker, to the surprise, I suppose, of no one on this side, those comments didn't go over particularly well with the people of Saskatchewan. They were not terribly popular. And if you look up who won that election in 2003, I think you will find it was not the guy who was musing about privatizing Crown corporations in the province of Saskatchewan.

I think they found and learned the lesson that the people of Saskatchewan value those Crown corporations — and again, not for blindly ideological reasons — because of the services that they provide, and also because of the dividends that are paid to the people of Saskatchewan, both in terms of community investment and jobs, but also in terms of actual dividends paid to the GRF [General Revenue Fund]. Think of SaskTel alone. If I recall, the five-year span before 2017 delivered almost a half a billion dollars to the GRF in this province. And that money of course pays for things like schools, roads, hospitals — things that people of Saskatchewan value.

So there was a lesson learned there. They elected a new leader, however that happened on that side, and we came to 2004. In 2004 members on both sides of this House stood up and voted in favour of *The Crown Corporations Public Ownership Act*. I think that was probably difficult for some folks, but everyone did stand up and voted in favour of that because the lesson had been learned. The people of Saskatchewan value their Crown corporations, and it is politically and practically not good practice to try to come after those Crown corporations.

I'm not sure that the love of Crown corporations was deeply held; in fact I think there's some deep ideological opposition to Crown corporations among some, Mr. Deputy Speaker. But the lesson was learned. And so what we've seen since then are a number of stealthy methods of privatization in this province, which brings me — I think that there's a whole history there; I'm just looking at the time — brings me to Bill 40. And we saw *The Interpretation Amendment Act* at that time.

So again as I've already said, the problem there, as defined by the minister in this government, was to introduce a definition of privatization which by their standards — now did the World Bank definition include 49 per cent? — which they seemed to put their own spin on. That included privatizing up to 49 per cent of a Crown corporation without a referendum or an Act or an election. That would be counter of course to *The Crown Corporations Public Ownership Act*. So really a backdoor way to privatize Crown corporations.

The people of Saskatchewan though, Mr. Deputy Speaker, are pretty bright and they saw through this. There was a lot of protest, a lot of concern raised about this. Although the bill did initially . . . The government did persist and pushed it through despite all evidence to the contrary, stood behind the really silly definition that they were trying to foist upon us, and did pass that bill. But that's also not the end of the story, Mr. Deputy Speaker. We continued to see concerns raised.

In October the then premier stood up and said that he thought that we ought to repeal Bill 40. So people thought that there would be a full repeal of that bill, I'm sure. When people of Saskatchewan hear a word like "repeal," I think it would be reasonable — it

wasn't a very big bill — that you would assume that it would all be repealed.

I missed a part of my story, Mr. Deputy Speaker. After Bill 40 was passed, we did see a few for-sale signs, maybe not go up publicly, but they were up. The signal was sent across Canada and around the world that our Crowns were at least partially for sale. I remember the minister for SGI [Saskatchewan Government Insurance] talking about having numerous meetings, pitches, for partial sale of SGI. I think that there were 11 pitches.

There were a number of pitches for SaskTel, again this Crown corporation that has provided telephone service around the province, brought half a billion dollars of revenue into the GRF. There were meetings there. If I do recall, it was difficult to get the information about how many meetings exactly were held, but we did get that on the record that meetings were held. And I suspect that there were meetings held about all of our Crown corporations.

What we also — and I can't believe I forgot this, Mr. Deputy Speaker — what we also saw was the wholesale sell-off of STC. That was a surprise. That wasn't noted in the 2016 election information. Again, you know, people are right to be a bit wary and concerned about motives. We saw the sell-off of STC. But we didn't call it a sell-off and we didn't call it privatization. It was called a wind-down at that time. So this came as a bit of a surprise. I know that I'd been in committee with STC just before that, talking with them about some of the measures that they were undertaking — smaller buses and new computer technology — that they were doing to address some of the concerns about losses with that service, not business necessarily, the services that were being provided.

Some really great conversations in committee and no hint at that point, that spring. I suppose it was in the fall. No hint that we were looking at selling off. And certainly that was not anything that we heard during the election, leading up to the April 2016 election. But yet there it was. And so when the bill finally was repealed in November of 2017, it was only partially repealed. The portion that allowed for the wind-down of STC was left in. And that took the wind out of sails of people who were hoping that there was a bit of a reprieve for the STC.

And certainly that's a gap that we haven't seen filled in this province in the meantime. For those who have the means, those who are able to drive, of course it isn't as much of an issue. But those who have limited transportation options, those who maybe can't drive for medical reasons or age-related reasons, they are out of luck. And we still haven't come up with a solution to that.

So, Mr. Speaker, then finally — and I do remember this being a bit of a surprise — the minister standing up in May of 2018, so just earlier this year. And finally, after STC was gone and everything was sold off, we saw a full repeal of Bill 40. I guess it had done at least one of its duties, and that was to get rid of our publicly owned service, STC. And their need for, their visceral need, their very deep need to have a definition for "privatize" apparently was also gone with it.

So now we have the real changes to *The Interpretation Act* as proposed here, that we now know existed way back in 2015, that

could have been used. But they didn't have the same political effect that Bill 40 did.

So, Mr. Speaker, all of that to say that, you know, you never know what you're going to find when you open up a piece of legislation that looks as innocuous as *The Legislation Act*. Bill No. 155 maybe even seems dry to some folks. But there is a lot behind this, and it's important that we don't forget. It's important that they know that we know, and so do the people of Saskatchewan, what was done here. And people aren't going to forget it, Mr. Deputy Speaker. It can't be undone, Mr. Deputy Speaker; the fact that under such a thin veil they attempted to privatize 49 per cent of our Crown corporations and did fully privatize STC, leaving so many people stranded.

And now they move to ... [inaudible interjection] ... Apparently some are taking exception to my definition of "privatize." I didn't think they cared about privatize any more now that they had done away with their Bill 40, Mr. Speaker. I suspect that there are still those who would love to see that happen, but that is a different bill than the one that's before us today.

I could go on, Mr. Deputy Speaker, if only to hear the heckling from the other side. It warms my heart, Mr. Speaker. But I think that I will conclude my remarks and move to adjourn debate on Bill No. 155.

The Deputy Speaker: — The member from Regina Lakeview has moved to adjourn debate on Bill No. 155, *The Legislation Act*. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — Carried. It now being the time of adjournment, this House stands adjourned until tomorrow at 10 a.m.

[The Assembly adjourned at 17:00.]

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