



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE**

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Moose Jaw North

Mr. Doyle Vermette, Deputy Chair
Cumberland

Mr. D.F. (Yogi) Huyghebaert
Wood River

Mr. Rob Norris
Saskatoon Greystone

Mr. Kevin Phillips
Melfort

Mr. Warren Steinley
Regina Walsh Acres

Mr. Corey Tochor
Saskatoon Eastview

[The committee met at 13:30.]

The Chair: — Well good afternoon. My name is Warren Michelson. I'm the Chair of the Standing Committee on Intergovernmental Affairs and Justice. And you're tuned in to the Standing Committee on Intergovernmental Affairs and Justice as we consider Bill No. 63, *The Regional Parks Act*. I will introduce the committee: Doyle Vermette is the deputy chair, Yogi Huyghebaert, Rob Norris, Kevin Phillips, Warren Steinley and Corey Tochor. Sitting in for Kevin Phillips is Don Toth — welcome, Don — and sitting in for Warren Steinley is Greg Ottenbreit.

We will now consider Bill No. 63, *The Regional Parks Act, 2012*. We will start with clause 1, short title. Mr. Minister, welcome to you and your officials. If you have any opening remarks you may proceed.

Bill No. 63 — *The Regional Parks Act, 2012*

Clause 1

Hon. Mr. Doherty: — I do, Mr. Chair, thank you so much. I appreciate the opportunity before the committee this afternoon to consider a couple of pieces of important legislation, albeit they're both very, very different. One will be dealing with Mr. Vermette and then, a little later on this afternoon, on a completely different bill but still pertaining to my ministry with other colleagues from the official opposition.

Thank you to you, Mr. Chair, members of the committee, for indulging us this afternoon. I do have some opening comments if you wouldn't mind, but just prior to doing that, let me begin by introducing several officials that have joined me here this afternoon from the Ministry of Parks, Culture and Sport. I have on my left, your right, Lin Gallagher who's the associate deputy minister. And I'll just forewarn you, Mr. Chair, Lin is not feeling all that well so her voice is a little on the quiet side today, but I really appreciate her getting out of the sickbed and coming in to help us out. Bob McEachern on my right, your left, who's the director of park management services; and then Ms. Chris Potter, senior park planner, sitting just behind me, who also is not feeling well today, I understand, so there's a bit of a flu bug going around; and Margaret Huntington, my chief of staff from my office.

Mr. Chair, with respect to Bill No. 63, *The Regional Parks Act, 2012* is new legislation to improve the effectiveness and efficiency of regional parks governance and to provide additional clarity to the regional parks authorities that rely on this legislation and the subsequent regulations to guide their actions.

The key provisions in this new legislation include (1) clear description of the minister's powers; (2) the authority to delegate certain minister's powers to the Saskatchewan Regional Parks Association, or SRPA as we typically refer to it, via a formal administration agreement approved by the Lieutenant Governor in Council; (3) formal recognition of community and non-profit organizations in the establishment and operation of regional park authorities; (4) added clarity through removal of out-of-date references; and (5) clarification

and added rigor to processes required for boundary adjustments, park dissolution, and financial annual reporting.

Mr. Chair, a provision to provide additional assurance to the minister that it is in the public interest to dissolve a regional park has been added to the bill. This may be achieved through a consultation process or other means prescribed by the minister. The ministry has completed consultations internally with government ministries, as well as externally with key stakeholders including the Saskatchewan Association of Rural Municipalities and the Saskatchewan Urban Municipalities Association. Extensive and ongoing consultation has been sought from Saskatchewan Regional Parks Association in all stages of evaluation and development of this pending legislation.

The Saskatchewan Regional Parks Association is anxious for this new legislation. They are concerned that they do not have clear legal authority to carry out the work they do on government's behalf. The ministry's capacity to administer the regional parks program was lost in the 1990s. Delays in moving the proposed new legislation forward could impact the ministry's relationship with the SRPA [Saskatchewan Regional Parks Association] and ultimately could result in this organization's withdrawal from participation in administration of the regional parks program.

And Mr. Chair, Bill No. 64 is a consequential amendment to *The Regional Parks Act, 2012*. *The Regional Parks Consequential Amendments Act, 2012* updates references to *The Regional Parks Act, 1979* which are contained within *The Alcohol and Gaming Regulation Act, 1997*. This amendment Act is a result of the proposed enactment of *The Regional Parks Act, 2012*, and is proposed to come into force on the day on which section 1 of *The Regional Parks Act, 2012* comes into force. Those are my opening comments, Mr. Chair. I would now welcome any questions for myself or officials.

The Chair: — Thank you, Minister Doherty, and welcome to your officials. I can understand, with a winter this long, why your staff would not be feeling well, especially when you're working in the Ministry of Parks, Culture and Sport. Looking for questions. Mr. Vermette, do you have questions?

Mr. Vermette: — Thank you, Mr. Chair. And to the minister and his officials, thank you for being here Thursday afternoon to do this, and in light of some of the illness going around. And we appreciate that.

I'm going to get right into it. And I guess from a point of the regional parks and this bill, clearly . . . And if you could just kind of give me some comparisons or best explanation you can to say, the board had certain powers and now the minister or the ministry will have certain powers to oversee changes. And you're going to give certain powers to the minister to make sure in here — and I want to be clear on that — that there's provisions to make sure, clearly, that if we ever see a situation, and let me be clear, like LeRoy leisure park, that the way it was handled and the way frustration from community members, stakeholders clearly voiced their concern. I guess different organizations had seen a total change. And I guess we can say, whether they want to say it's secrecy or they want to say the

way the handling of it was not acceptable to community members, and I think to a lot of individuals.

So on that note, I'll just give you an opportunity if you want to give us some, I guess the difference in what powers the minister and the ministry will have, versus what are existing and what you're adding. If you could do that, it would be appreciated.

Hon. Mr. Doherty: — Just for clarification, Mr. Chair, to Mr. Vermette, are you referring to part V, the dissolution of regional park authority? Is that specifically what you're talking about?

Mr. Vermette: — Well that's just one area. If you can give on that, it would be great if you could give an explanation on that part of it.

Hon. Mr. Doherty: — So what we had asked for in this, as we are introducing a new Act . . . And by the way, Mr. Chair, for the committee's benefit, the reason why we're not just proposing amendments to the old Act is that this Act has been in force since 1979. And it was in consultation with various folks, including the Ministry of Justice, that we are making such significant changes that we ought to introduce a brand new Act. And so I want to put that on the record right now as to why we're doing that.

With respect to powers of the minister, as we talk about dissolution of regional park authority, one of the things that was brought to my attention is that . . . As I think we had this discussion in estimates a couple of weeks ago, you had asked some similar questions, Mr. Vermette, about the LeRoy Leisureland park specifically. And again it gives us an opportunity to talk about the fact that the minister does not have the power to privatize a regional park, as I think was suggested by, well frankly by you, back on August 21st in a news release that you issued indicating that the government had privatized a regional park in the LeRoy area. It's just not in fact true.

What the minister does have is the ability to dissolve a regional park if it's asked for by the regional park authority that has the legal jurisdiction over that regional park. In this particular case at LeRoy, the regional park authority, comprised of those members who are either elected or appointed by the local regional areas to serve on the authority's board, had come forward to the minister and asked for the opportunity for dissolution of that particular park.

In analyzing the information that was before me as the minister, I took forward a directive to cabinet and asked for cabinet's direction whether to grant that dissolution or not. And what concerned me afterwards is the minister has no leverage, if you will, to ensure that the local residents have been thoroughly consulted by the local regional park authority in asking for such a dissolution.

And so I thought it best as we developed this new Act, I thought it best that as we move forward, that the minister needs, whoever's in this chair and whichever party is in power, the minister of the day needs to be satisfied that the local regional park authority has done extensive consultations with the local area residents to ensure that they agree upon the course of action that the regional park authority has put forward to the government. And so that's why we added a section in here

under section 21(1)(b):

the regional park authority requests that it be dissolved and satisfies the minister that it is in the public interest that the regional park authority be dissolved.

So specifically on that one, we wanted to clarify what authority the minister has and to ensure, again, the minister has the authority to create a regional park based on a request, and has the authority to dissolve a regional park. The minister does not have the authority to do with the assets of that regional park what he or she chooses. And I think when we go down the line of saying that the government, the provincial government is privatizing a regional park, it's not a fair assessment.

Mr. Vermette: — Well I guess we have a difference of opinion on it, but I look at this . . . Clearly, I don't want to . . . again state what our opinion was at the time and still, as far as I'm concerned, now that the deal hasn't gone through.

But clearly the regional park that was owned by the people, the communities, with the minister's approval, and going to cabinet to get the approval to take a regional park to be sold to a private sector out there, industry. Clearly that was the understanding that the people had, and that's the way it was going.

So I mean you can say it . . . you wouldn't approve it or not but, yes that's my understanding of it. It was going into the private hands of a company, individuals, versus a regional park. So that's why we made the comments the way we made them. I just want to be clear for the record as well.

Hon. Mr. Doherty: — Okay. Then as I said, again if that's the interpretation of what this particular area of the Act stipulates, then it's not all that different than, as I pointed out in the House the other day during estimates, that in April 2005 the then minister of the Environment, Mr. David Forbes — I believe he is the member for Saskatoon Centre now in the official opposition — was the minister of the Environment. He put through an order in council:

It is desirable and in the public interest to authorize the Minister of Environment to dissolve the Tramping Lake Regional Park Authority as requested by the park authority.

And during the course of putting through that order in council through the cabinet of the day, the assets of the park were to be sold by auction.

So the selling-off of the assets was triggered by the dissolution of the regional park by the minister of the Environment of the day. This was no different situation. The assets are owned by the regional park authority. Either they were going to go bankrupt or they had the opportunity to sell the regional park to a private sector interest. That was their decision. The government had no say in that whatsoever, had no participation whatsoever in the putting up of those assets to a private sector interest.

So I guess we could sit here and debate all day long what the minister has the power or not the power to do, but I don't think it's fair to say that. During the course of your party's

government, you did exactly what this government just did last year. You did it with Tramping Lake Regional Park. We allowed the same thing to occur with LeRoy Leisureland park. I don't see the difference in the two.

Mr. Vermette: — Well I guess yes. And I don't want to get back and forth with it, but clearly you had a regional park that the community members around were very supportive of. And stakeholders wanted that regional park kept for a reason. So yes we can go back and forth. And I wasn't part of the government back then, and I hear what you're saying. They'd have looked at different things back then, and I can't state on that because I don't have the information. But to be clear on . . .

I'll go to my questions now, and I think we're not going to agree on this. And there's different ways of handling it, and I guess you're going to give provisions now where you're going to make sure. And I think that's important, that we realize that the individuals will be consulted now and the amendments or this new Act will bring in the powers.

Now when you talk about powers to make sure that community stakeholders are I guess consulted, informed, and supporting a regional park doing this, from I guess Saskatchewan Regional Parks Association, you said in your opening comments you have support of them and they're happy to see this coming forward. Do you have any letters that state that or anything that you could provide to the committee, so we would have for our records that they have . . . Like your opening comments were that they support this. I'd like to see that. And if you could table that, that would be great.

[13:45]

Hon. Mr. Doherty: — Thank you for the question. I can say to the hon. member, Mr. Chair, that I personally have met with Mr. John Froese, who is the president of the Saskatchewan Regional Parks Association. I've met with him on a couple of occasions now. And I can tell you that in our verbal conversations — I don't have, obviously, notes from that meeting that I can share with you — but I can tell you that he was very supportive in our one-on-one conversations about this.

We do have letters at the ministry. We don't have them with us here today, Mr. Vermette, but we'd be delighted to provide those to you.

Mr. Vermette: — That would be nice if you could do that at a later date. That would be fine, yes.

I guess going through, what areas will the powers change where you . . . Is it just in the area where you oversee whether they're going to actually go through a process of I guess selling off, or however handling of assets of a regional park, that if we get into a situation again where a regional park has requested, by your department or yourself, to take those assets and to dissolve of them in any way.

You're saying that you will have powers now with this new Act to make sure that certain provisions are covered. Can you tell me exactly what provisions and what powers you would have to make sure that that's happening? And you were saying that the Saskatchewan Regional Parks Association support you on that.

Hon. Mr. Doherty: — Mr. Chair, thank you. And thank you, Mr. Vermette, for the question. It's a good question. And I'm informed by officials that what we're trying to do here in this Act is formalize the powers that regional parks actually have, that they've been working off of basically on an informal arrangement with the governments of the day over a period of time, as to what they can and cannot do versus what the minister can and cannot do.

There's also a delegation agreement that is being currently negotiated between the government and the Regional Parks Association as to what those . . . because in the legislation the powers of the minister are directed as per the legislation. And then what we want to see is a delegation agreement agreed upon so it formalizes exactly what's being delegated to the Regional Parks Association, that they have legal authority to do as per the Act.

Mr. Vermette: — Okay, thank you. Going through the process you talked about Saskatchewan Regional Parks Association supporting you, and that's good. And I appreciate that you consulted with them and you're talking; you'll provide letters. Who else have you talked to as far as these provisions that you're changing, a new Act that you're bringing in? Who else have you talked to or consulted with?

Hon. Mr. Doherty: — Thank you for the question. Aside from the Saskatchewan Regional Parks Association . . . We attend their annual meetings. As a matter of fact, I believe I've spoken at their annual meeting, and we have informal discussions with individual regional parks at those meetings. They're typically represented by 50 to 60 different regional parks at their annual meeting. In addition to that, we had formal consultations with SUMA [Saskatchewan Urban Municipalities Association], with SARM [Saskatchewan Association of Rural Municipalities], with the Ministry of Justice, and with the Ministry of Government Relations, on these changes. And Highways, I'm sorry.

Mr. Vermette: — And the changes, proposed changes that you're bringing in and you're asking, how will it impact municipalities that are partners in the regional parks? How will this impact their role as municipal I guess governance and how they appoint their partners to these regional boards? And will this impact them in any way?

Hon. Mr. Doherty: — So in some cases, we want to formally recognize community and/or non-profit organizations that perhaps have been delegated the authority to run these regional parks by a municipality. So it isn't exactly the regional park authority or the municipality itself. They have these community or non-profit organizations that are taking up the cause and running these regional park authorities. They've never been recognized in the legislation. We want to recognize those organizations in the establishment and operation of regional park authorities.

We also want to provide clarification and added rigour to processes required for boundary adjustments. So there could be some impact on municipalities with respect to boundary adjustments, park dissolution, as we've talked about already, and then the financial and annual reporting that regional parks authorities are required to submit.

Mr. Vermette: — You're saying now that there wasn't . . . And I mean municipalities might have appointed I guess a board or individuals as a regional park and . . . [inaudible] . . . together who would look after the regional park, to operate the park on their behalf. And the agreement is, I understand, with the government, but they're going to hire . . .

Now what type of change . . . How will that change for the individuals that they're appointing? Is it giving them protection to the non-profits or to an individual? Is that what the legislation is doing? Is it going to legally give them some protection or no, they're still going to be held accountable or it goes to . . . Can you clear up that for me. I'd just like to understand that part of it.

Hon. Mr. Doherty: — It's a good question, Mr. Vermette, and I appreciate you asking it. It gets a bit technical in nature with respect to these individuals we're talking about. And you still must have at least one municipality involved in the establishment or the running of a regional park authority. But let me just read. The provisions in this bill allow for delegation of certain ministerial powers to a person — person in quotation marks — and in this case the Saskatchewan Regional Parks Association, through a formal agreement which would be approved by the Lieutenant Governor in Council.

Now person is a legal term defined in *The Interpretation Act, 1995*, and commonly used in existing legislation to mean a corporation. It is not appropriate to put the actual name of the Saskatchewan Regional Parks Association into legislation as this may change over time. So Bill 63 defines an organization, which can be confusing given that Saskatchewan Regional Parks Association is a person. And I know this is getting technical, legal language, but the difference is the organizations being defined are groups that could become members of the local regional park boards now.

In the existing Act, regional parks are established and operated by regional park boards comprised of representatives from various urban and rural municipalities. Demographic and social changes in rural Saskatchewan have led to less active participation by municipalities on these boards, which has become problematic in maintaining board operations.

So in many cases, the role of municipalities has been taken over by a local organization or a non-profit within the community. So Bill 63 still requires the involvement of municipalities, but also formally recognizes the role of a non-profit or local organization in managing regional parks and allows them to be full members of the regional parks board which carries with it all the different legal requirements and protections that the municipality representatives would have otherwise.

It's a long answer. I apologize, but it's the technical answer.

Mr. Vermette: — So I guess to clear it up then, and just maybe be helpful for me to understand this. So if you had, on a regional park, you had six municipalities that were appointing people, and whether they're elected or appointed by the municipality to sit on that regional park, over time the municipalities decide to leave and they don't want to be a part of the regional park anymore. And now you have one municipality left as the regional park I guess partner, is it?

However, and then it would appoint . . . And maybe this organization has been . . . [inaudible] . . . and if that's what you're saying, there might be people who volunteered to sit on that regional park, just volunteering or whatever, they have . . . But you're saying now is, they must have one municipality a part of that to make it legal? Is that what you're saying, as a regional park? Is that . . .

Hon. Mr. Doherty: — That's correct. So in your example, if there's six municipalities, and you might be an elected councillor in the municipality and don't want to serve on a regional park board, or you're have difficulty finding the elected people from those municipalities or volunteers to be appointed by the municipalities. You might have a non-profit organization within one of those communities who takes the helm of running the regional park authority. But you still must have a municipality involved in the regional park authority to maintain it as a legal entity.

Mr. Vermette: — Okay. And I don't want to get too much into technical stuff, but I think that kind of explains it, the different ways it's going. I guess currently, and I don't know, maybe is the time . . . Like I'm just curious here. LeRoy, just an example, maybe your officials would know this, the LeRoy regional park, currently how many board members would be on there? And how many municipalities are partners with that and appoint people? Or is it in the same situation — it's an organization? And I'm just curious because this is going to impact them, obviously. And I'm just curious to see if you could explain that, and if their structure, if you know of it right now.

Hon. Mr. Doherty: — Mr. Chair, I am informed that there are eight municipalities represented on the LeRoy regional park authority.

Mr. Vermette: — And do you know currently, do all eight have . . . Do we know, are they members of the municipalities or are they community members that the municipality appoints? Or are they some of these organizations that are . . . Do you know the number? And I'm just curious because LeRoy, because I know the concerns that have been raised and that's why I want to ask the question.

Hon. Mr. Doherty: — Thank you, Mr. Chair. We believe they were all elected municipal councillors, but we're going to find out for sure the exact composition of the LeRoy park, regional park authority and get that information to you.

Mr. Vermette: — Well and I guess why I'm asking that because then it can kind of clear for me as to where it went and where things . . . If you're having municipalities that are in part of it and they're the partners to it, and if it's their I guess, whether they're elected or they're appointed, that would have a better understanding on the decisions that they made to look at the way LeRoy was handled and just what the community's concerns that I heard. And that was the concerns that I was hearing.

And now you're putting provisions in there that then, even though a regional park would request that, it's municipalities, I realize, who are the partners to that, and they are the legal body. But they can set up, whether it's non-profit, an organization or a person to run that. They still, at the end of the day . . . This

provision in there would then, they would still have to come back to yourself as the minister before you sign off and go to cabinet, for them to do anything with that regional park. Clearly there's provisions that communities would have to be consulted — stakeholders, residents, people around the regional park.

Who exactly would have to be consulted or have to be informed that they are going to dissolve a regional park or do something different? Can you explain what role you would play in that? That would be helpful for me to understand.

[14:00]

Hon. Mr. Doherty: — Well again with respect to LeRoy, I was fairly new to the ministry when this issue came before me. I had extensive discussions with officials. I had extensive discussions with the local MLA [Member of the Legislative Assembly] for that area. And we were assured . . . At the time, these were all local elected officials on the regional park authority board at that time, and they held a couple of town hall meetings, I believe — at least one. But they came to me with a unanimous resolution from the regional park authority, who were represented by eight different municipalities, eight different elected people from the municipalities.

The questions we asked were, was there . . . And let's keep in mind they had two options. One was that they were going to go into bankruptcy and dispose of their assets to liquidate their debt as best they could; or entertain the possibility of selling their assets to a private sector developer who wanted to enhance that particular park.

We were assured from these . . . These are locally elected officials, so they're the, you know, closest to their constituents with respect to this issue. They assured us that they had . . . Those were the two options they were facing. They were no longer feasible to or viable to carry out the operations of that particular park.

We know that they had a town hall meeting — at least one town hall meeting, and maybe a couple of them that . . . Reports we had back were that once it was explained, the situation that the local residents were facing with respect to this regional park, it was either bankruptcy and dispose of the assets as best you can, pay off the debts that you have, or entertain this private sector bid, that the local residents agreed with the course of action that the regional park authority had put forward. That was the information I had at my disposal when I went to cabinet to seek approval for the dissolution.

And again, I can't tell them what to do with their assets. All I can do is dissolve, give the order to dissolve the regional park. And so what I said as we were drafting this new legislation is, there is no provision in what was then the current Act or is the current Act right now that would justify or satisfy the minister of the day to have it recorded, if you will, that the local regional park authority has done consultations with the local residents. In other words, either bring a survey or bring a town hall meeting and the minutes of a town hall meeting, or bring some type of proof that they've gone out and consulted with the local residents and people are in agreement with the course of action that regional park authority is proposing. Otherwise I suppose the minister of the day, if this Act is passed, could say to them,

I'm not prepared to dissolve that regional park yet until you satisfy that you've consulted widely and broadly across the constituents that you represent.

Mr. Vermette: — And I appreciate that, and I'm glad that there's a provision that's going to be put in there to make sure that the process, that the community is consulted. Because I'll be honest with you. And I think a lot of people feel sometimes when you're — whether it's government, whether it's an organization; I don't care who it is out there — when you're dealing with a group of people that's going to impact their lives or impact their surroundings, they feel they have an obligation that whoever's going to change that should consult with them.

Whether you're First Nations, Métis, I mean municipalities, I don't care, health regions — go right through residents. When changes are coming, people don't like surprises. And when you surprise individuals, residents and you don't share the information and they're transparent, that's the problem. That's when we run into problems where you have people running saying one story, and you may have groups running saying another story. And that's where the problem is.

So maybe this amendment or this change or this new legislation will provide that clear for residents to understand that even though the municipalities, I know, are the partner, there will be a provision in there that they have to fulfill before the ministry or the minister says, yes I'm going to take this to cabinet for whatever option you're asking us to do. And I think that is good. It's time that it be dealt with, and I'll give you credit there. Like if this is something that will assist with communications for our residents in the area that are going to be impacted, then it's good. And if that area of it, and I don't know . . . I mean we've got to go through the legislation. And as it's a new bill, you're saying you're going to have changes. You're going to give certain powers.

Now I've gone through that one. And I think it's important that for LeRoy and anyone else out there, that's why I explained about the consultation before they go ahead. And whether it's public meetings, whatever, proof that you're, whether it's yourself or a new minister, or the ministry knows that clearly there's been a process that people are informed that, you know what, this regional park's going bankrupt. Here's where it is or whatever their reason is. So that's good.

But having said that, so what other powers would you say besides that will you have or will the ministry have over the regional park board? Or is there going to be new powers going to the regional park board? Can you explain or can you guys give me some idea with your officials what the changes will be or what they won't be?

Hon. Mr. Doherty: — So, Mr. Chair, I appreciate the question. It's a good question. I'm going to ask Bob McEachern who is involved in the negotiations of this delegation agreement and the difference between what the powers are with respect to the minister and then what the powers we're trying, not trying, we want to negotiate, delegate into the regional parks authorities because they're the ones that actually carry out the administration. So Bob McEachern.

Mr. McEachern: — Thank you, Mr. Minister. One of the key

additional powers that the minister will have in the new Act is he'll have the power to form or establish a regional park where previously that was done by order in council. And during the consultations of this piece of legislation, discussions took place with Government Relations. And some of the similar actions and formations in municipalities are done by minister's order. So the recommendation was and the consensus was that this Act should be consistent with those pieces of legislation. So the minister now can form a regional park. The dissolution is still subject to approval by Lieutenant Governor in Council.

The delegation of powers to the Regional Parks Association will be done through an agreement between the ministry and the association. Currently there is an annual agreement now that focuses primarily on the adjudication of the capital grant program. So many of the provisions that are in that annual agreement will flow to the new agreement. The new agreement, or the agreement that will be required, is subject to approval by order in council, and it deals with some financial reporting requirements. It'll talk again about adjudication of the capital grant program, those types of things. It'll talk about their requirement to handle record keeping and administration of the regional park program, promotion, and advertising and some of those general business activities, that type of thing.

Mr. Vermette: — I guess I want a little bit of clarification. I realize to meet the needs of a regional park if they requested it, to dissolve the assets, you'd have to go to order in council. And I realize that's a good provision and it's there for a reason. Can you tell me then if you're going to change it and you're now going to have a minister deciding where a regional park will go and powers? Can you explain to me why you're doing that? And since November of 2007, can you tell me how many requests and how many approvals for regional parks have come into your ministry?

Hon. Mr. Doherty: — Sorry. Just to clarify, Mr. Vermette, for creation of a regional park or dissolution or both?

Mr. Vermette: — No. I was asking for why you're going to have yourself as a minister allow a regional park. So now if this passes and you would have the provision as a minister to grant, I guess what you're saying, a regional park to be started up. So what I'm asking is why that changed from earlier order in council to dissolve a regional park, but you're going to change it. And I want to know why you're changing that. And how many since November in 2007 new parks have been approved out of your ministry? And how many have been requested and approved or denied?

Hon. Mr. Doherty: — Thank you, Mr. Chair. The reason we're changing from Lieutenant Governor in Council approval to minister's order is to be consistent with *The Municipalities Act* whereby the creation of a municipality can be at minister's orders. So we're going to be consistent *The Municipalities Act* who generally form the regional park authorities. So they will make a request to the minister for the creation of a regional park or the dissolution of a regional park, and can be granted through minister's order. Now I can tell you through minister's order, at least for my tenure and other colleagues here can speak to it as well, that you typically don't issue a minister's order unless you've consulted widely with your cabinet colleagues before doing so.

On your subsequent question with respect to how many, we've had, to our knowledge, zero requests for creations of new regional parks since 2007, and the only formal request for dissolution of a regional park, which was subsequently rescinded, was the LeRoy Leisureland Park.

Just a . . . Sorry, Mr. Chair, if I may. Mr. Vermette asked a previous question on the LeRoy composition of the regional park authority. I now have that information for you and there aren't percentages but . . . [inaudible interjection] . . . Oh I see. Sorry. The eight municipalities who are — I don't have names, just these are the municipalities who have a representative on there — is the town of LeRoy, the RM [rural municipality] of LeRoy, the RM of Prairie Rose, the village of St. Gregor, the RM of St. Peter, the village of Jansen, the village of Englefeld, and the village of Wolverine are all represented on the LeRoy regional park authority.

Mr. Vermette: — Okay. Thank you for the information. So let's just, and I want to go through this here. So you're saying now it's to . . . and I understand that, and any time whether . . . No one's opposed to regional parks. Usually they're . . . It's good. People want to use them and that makes sense. Like I mean, something that's positive for families, for tourism, for people to come into the area, it's good. We understand. Nobody's . . . [inaudible] . . . that.

But I guess you're going to go to a regional park. So you have a request from municipalities that they would like to start a regional park or you have . . . And it has to be one municipality and it could be partnered with other people or industry or a private partner. But it has to be one municipality to come forward to then, and I want to be clear on your . . . Is that the same? Is there provision for one municipality to want to come forward with a partnership from others, and I'm just going to say whether it's industry, private, to request a regional park, a new regional park? And I want to be clear. I want it for the record, have an understanding of that. And if that was the case, then could you approve, yes we're going to go ahead with that?

I'm just, from your opening comments . . . And maybe I misunderstood it, so I just want it for clarification.

Hon. Mr. Doherty: — So, Mr. Chair, if I can draw the hon. member's attention to — I think you have the bill in front of you, Mr. Vermette — Part III which is on page 5 of the document I'm looking at. Are you there with me? So under Regional Park Authorities, Part III, "Application to establish a regional park authority," the new provision in there is under (2), which is (b):

subject to subsection (3), have amongst its applicants the municipality or municipalities whose boundaries will border the regional park being proposed in the application.

So in the past, I'm informed that there were regional parks where there's a municipality that is part of the regional park authority who were kilometres away from the regional park and did not border it, did not really have any contiguous geographical bordering on the regional park or have it contained with inside their municipality. And should it ever come to the disposition of assets or the dissolution of the park, it's which municipality has these assets, or you know, there's some

confusion there.

So what we're saying here in this now, is that in order for you to be part and parcel of the regional park authority applying for an establishment of a regional park, you have to at least be geographically located either on the boundary or have the park inside your municipality.

[14:15]

Mr. Vermette: — Okay, and that clears it up then. So if it was a municipality that had a regional park proposed and its boundaries touching a park that they're proposing to — a new park, I'm saying — now let's say their municipality touches, as it will say, a boundary, they could then apply for . . . Like they probably could have before; there's no change there. And I want to be clear for the record, there's no change there. They could still apply with themselves and they could have partners or somebody coming on sign with them — non-profit, another organization as you referred to in it — a person to go ahead and do a regional park request in a partnership like that. And that organization or partner would be running it, but they are the partner. That's their boundary. Would that be clear then? And then you could approve, as minister with these provisions, you could approve that then. I want to be clear for the record.

Hon. Mr. Doherty: — That's correct, Mr. Chair. Again I draw your attention to that same section, if you just go down a bit further, down where it says "Constitution of regional park authority and establishment of regional park," number 8.

Here's the change:

On receipt of an application pursuant to section 7 and if the minister is satisfied that it is in the public interest to do so, the minister may, by order: [And then we go through]

constitute the regional park authority; and

establish the regional park to consist of the land described in the application.

A regional park authority constituted pursuant to this Act is a corporation consisting of the following members.

And that's where we talk about non-profits or representatives of these municipalities being on the regional park board. I don't believe industry, I think you mentioned industry could establish one. And I don't think . . . It has to be a municipality or a non-profit or community organization. So a private business could not apply for constituting a regional park.

Mr. Vermette: — But to be clear, one municipality if their boundary touches that, could partner with anybody. Would that be clear? And if they did partner with somebody to operate it and run it, you could as minister then approve that. Correct?

Hon. Mr. Doherty: — So, Mr. Chair, to Mr. Vermette's question, if you go back to the second page, part I, "Preliminary Matters," you'll see under section 2(d), as in door:

"organization" means:

(i) a person or body that has as one of his, [or] her or its purposes to develop regional parks, to better the community, to enhance the well-being of Canadians or to improve the environment; or

(ii) a non-profit corporation that is prescribed in the regulations;

So to your question, it's an interesting question, so I just asked officials. So if I'm a non-profit in Estevan and I have an inherent interest in a regional park in the Meadow Lake area, and the municipality in the Meadow Lake area applies for and establishes a regional park but wants this non-profit in Estevan to be a partner with it, they could in fact do that. The non-profit doesn't have to have, obviously, a boundary touching the regional park; the municipality has to though.

Mr. Vermette: — So then to be clear then to my question, I want for the record to be clear, then you as a minister could approve if a municipality . . . And again I'm going through this because I want to make sure it's clear.

So a municipality boundary, their border would touch a regional park where they want to propose a regional park. They have partners that are willing to put — I don't care if it's the money, do whatever; a non-profit or it could be a private person, whatever — I'm just saying somebody who has the money and they're willing to partner. They could apply then for a regional park as a municipality because their boundary where they're proposing this regional park would be . . . Then I guess you as a minister could, or the minister of the day could grant permission for that new park. And I just want to be clear, that's what you're telling me, yes?

Hon. Mr. Doherty: — I think based on the definition you just described, the answer would be yes.

Mr. Vermette: — Okay. Yes, I just wanted that for the record. Thank you very much.

I guess in light of the time, I don't have any further questions. So we'd like to just go to 64.

The Chair: — Mr. Vermette, if you have no more questions, we would like to vote off No. 63. Is there any other questions or comments on Bill No. 63? Seeing none, we will proceed with the voting.

Clause 1, the short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 42 inclusive agreed to.]

The Chair: — Her Majesty by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts the following: Bill No. 63, *The Regional Parks Act, 2012* without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I would ask a member to move that we report Bill No. 63, *The Regional Parks Act, 2012* without amendment. Mr. Norris moved. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you, committee. We will take a . . . Did you want to have a short break between 63 and 64?

Hon. Mr. Doherty: — Sorry, Mr. Chair. I think 64 is the consequential amendment Act for the regional parks. And then I was hoping we'd take a five- or ten-minute break between that and the other bill for Creative Saskatchewan.

The Chair: — So, Mr. Minister, you'd like to continue right into 64?

Hon. Mr. Doherty: — If we could. I don't think . . . I don't know. The hon. member indicated he didn't have a lot of questions on that.

Mr. Vermette: — Now I was just going to ask if you would and your officials just give us a highlight of what the change of consequential amendments are in here. That would be good enough. And then I know we were going to go at about 2:30 with the other bill to deal with.

The Chair: — So, Mr. Vermette, you're prepared to go and do 64 immediately?

Mr. Vermette: — Yes.

Bill No. 64 — *The Regional Parks Consequential Amendments Act, 2012/Loi de 2012 portant modifications corrélatives à la loi intitulée The Regional Parks Act, 2012*

Clause 1

The Chair: — Okay. We will now consider Bill No. 64, *The Regional Parks Consequential Amendments Act, 2012*. This is a bilingual bill. We will start with Clause A, the short title.

Mr. Minister, if you have any opening remarks, you may proceed at this time.

Hon. Mr. Doherty: — No I don't. I think I referenced this in my opening remarks on Bill 63. But I think, to the member's question or he had just asked, the main consequences here is that we're introducing a brand new Act.

So there are references to other Acts such as *The Alcohol and Gaming Regulation Act*. If there's alcohol consumption in regional parks, we have to update those to reflect that we have a new Act. This is the consequential amendment with respect to . . . Because we have *The Regional Parks Act* will now be *The Regional Parks Act, 2012*. We have to amend those other Acts as well to reflect that title.

Mr. Vermette: — And I guess that's kind of what I was looking at. And I realize it's sometimes just name changes. It's just that you go through other Acts that have to be changed. I

understand that, so it's not going to have a lot on it. I mean, I think at this point, Mr. Chair, I'm happy with the opportunity that I had here to ask your officials and yourself as a Minister for Parks, some of the concerns I guess I had and concerns that I've heard.

And just wanted to go through the short time I had, which was good. I asked for that consideration for the time and to go through getting the information. Of course, like everything else, there are some concerns about the way it, you know, it plays out, but I mean, we'll watch it go. And hopefully it works well for Saskatchewan people.

And again to your officials and yourself, thank you for providing the information. And the information that I have requested, you'll bring forward those letters. I'd appreciate that tabled to the committee. And to Mr. Chair and the committee members, thank you for allowing me this opportunity.

The Chair: — Thank you, Mr. Vermette. Seeing there's no other comments on Bill No. 64, we'll proceed with the voting.

Clause 1, short title. Is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 and 3 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts the following: Bill No. 64, *The Regional Parks Consequential Amendments Act*, a bilingual Act . . . *The Regional Parks Act, 2012* without amendment. Is that agreed?

Some Hon. Members: — Agreed.

[14:30]

The Chair: — Carried. I would ask a member to move that we report Bill No. 64, *The Regional Parks Consequential Amendments Act, 2012* without amendment. Mr. Norris. Mr. Norris so moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you, Mr. Minister, for this. And we will now . . . Oh I'm sorry, Mr. Minister, go ahead and have a few remarks if you like.

Hon. Mr. Doherty: — If I may, Mr. Chair. Thank you very much. I just want to thank the officials. I know that, as I indicated earlier, a couple of them aren't feeling all that well but made their way in here today. I want to thank Mr. Vermette for the questions, and we will endeavour to get that information to you as quickly as possible, and for your co-operation on this.

The Saskatchewan Regional Parks Association has been waiting for this legislation for some time now, and so I think that it's fair to say that they're excited about the opportunity for this Act to pass. And I appreciate committee members' co-operation.

The Chair: — Thank you, Mr. Doherty, and thank you to your officials as well. We will proceed into Bill No. 98. We will take a five-minute recess before we start that bill.

[The committee recessed for a period of time.]

Bill No. 89 — *The Creative Saskatchewan Act*

Clause 1

The Chair: — Well, welcome back to the Committee of Intergovernmental Affairs and Justice. We will continue now with the consideration of Bill No. 89, *The Creative Saskatchewan Act*. We'll start with clause 1, the short title. Minister Doherty, if you have any opening remarks, please proceed.

Hon. Mr. Doherty: — I do, Mr. Chair, and again thank you. And thank you to members of the committee, and I look forward to discussion with Ms. Chartier. And before we start, Mr. Chair, I note that the Saskatoon Contacts didn't do so well yesterday, Ms. Chartier, and we'll just put that on the record as well.

Mr. Chair, thank you. Good afternoon. Let me begin by introducing several ministry officials that have joined me. I have to my left, your right, Wynne Young, deputy minister of Parks, Culture and Sport; to my right, your left, Twyla MacDougall, assistant deputy minister; and behind me is Gerry Folk, executive director of cultural planning and development branch; and of course Margaret Huntington. Oh, and sorry, Susan Hetu is here as well from the ministry.

I am pleased to be here today to discuss Bill 89, *The Creative Saskatchewan Act*. This new legislation is a launching point for what we envision to become an industry-enabling agency. The acceptance of this Act into legislation will allow for the creation of a never-before-seen entity in our province, an organization that will serve all of Saskatchewan's creative industries.

As you can imagine, Mr. Chair, coordinating the needs and best interests of these various industries is a demanding task, one that will be informed through regulation and policy. In order to achieve an organizational body that can address divergent trades, Bill 89 has intentionally been crafted with expansive language. In doing so, the creative industries themselves have room to evolve and grow within the definition of *The Creative Saskatchewan Act*.

The creative industries contribute significantly to Saskatchewan's strong quality of life through music, film, television, digital media, visual arts, crafts, writing, publishing, theatre, and dance. This agency is to be established to more effectively position creative industries to be part of the province's growth plan and increase economic outcomes from this particular sector. This new agency will help the creative industry sector get their products to market.

As a whole, the creative industries are highly innovative, motivated, and entrepreneurial in nature, and include a complex network of individual artists, small businesses, industry member organizations, and supporting government agencies. This agency is to fill the gaps which currently exist in supporting the

creative industries to more effectively take their product to market and realize commercial success, increasing market presence provincially, nationally, and indeed globally, Mr. Chair.

Creative Saskatchewan will facilitate the expansion of a business environment regarding growth of new employment, investment, and production opportunities. The agency will encourage innovation and excellence by stimulating commercial creative production, format innovation, and new models of collaboration. It will assist in the promotion and marketing of Saskatchewan's creative industries and its respective products through market expansion and growth, and it will facilitate the gathering and analysis of information.

The agency will also operate a new investment fund which will provide producers with needed financial assistance in the form of . . . could be in the form of grants, equity investments and/or loans. Producers require capital to compete globally. The result would be realized through increased appreciation of the creative industries as a vital element of Saskatchewan's economy and identity, greater co-operation among persons and entities within the creative industries, support in the commercial production of cultural and artistic goods, and continued focus on business and entrepreneurial training, career management support, and workforce development.

In the case of the film industry, Creative Saskatchewan will allow for new film development and serve as the primary funding mechanism to assist Saskatchewan-based film producers to finance their projects. Creative Saskatchewan will work closely with the Saskatchewan Arts Board to avoid duplication programming and create additional synergies. The Arts Board will remain an integral part of the arts and culture community, as it has been for the past 65 years.

Just as the Saskatchewan Arts Board was a pioneer for organizations of its kind in the 1940s, we aspire for Creative Saskatchewan to realize a similar form of industry recognition down the road. The support provided by the Saskatchewan Arts Board for the creation, appreciation, and access to the arts is unparalleled, however the identified gap is the support for those entrepreneurs, small businesses, and organizations interested in commercializing their cultural and artistic goods and services. Creative Saskatchewan will focus its investment fund and programming on addressing that gap.

Creative Saskatchewan, Mr. Chair, will also encourage collaboration and synergies between the existing creative industries as new, dynamic opportunities become available through the work of the agency. To quote the Hon. James Moore, Minister of Canadian Heritage and Official Languages in our federal government:

Creators need the right environment . . . conditions that support their work in building new, innovative products and services on all platforms. They need the right tools to compete in global markets and build new business models.

Creative Saskatchewan has the potential to provide the creative industries with business development training, improved access to technology, and networking capabilities — the types of supports that encourage new and innovative products, as Mr.

Moore suggests.

Based on significant engagement from the creative industries, there is agreement that while there is a viable and growing market within the province for Saskatchewan cultural and artistic goods and services, this is not where the opportunity ends. Creative industries are better positioned to contribute to Saskatchewan's plan for economic growth by being commercially stronger, market and export ready, and increasingly appreciated nationally and internationally.

An important distinction for customers served by Creative Saskatchewan is that they will have commercial interest and intent. Once fully implemented, Creative Saskatchewan will foster an environment that will drive sales, revenue, investment, employment, and business development — the ingredients for a thriving, creative economy. By supporting the commercial objectives of all of Saskatchewan's creative industries, we will help to sustain our economic growth and continue to improve our quality of life.

To date, the working group of creative industry representatives has focused on several key attributes of the agency, including its governance structure, board nomination process, and organizational mandate.

While the formation of this agency has been in development, the needs of the arts and culture community have not been put on hold. The Saskatchewan Arts Board transitioned \$1 million from the flexible loan program to put forward the creative industry's transition fund grant. To date, this grant has provided 34 applicants with just in excess of \$650,000 in support of both market development and distribution in screen-based media production. The undeniable interest in the Arts Board's transition fund confirms the need for an agency like Creative Saskatchewan. There is a vast quantity of creative producers and content in this province that will benefit from the development of Creative Saskatchewan.

For any organization, but particularly a government agency that utilizes public funds, there needs to be good measures and outcome targets in place to ensure good performance management, reporting, and accountability. Early board involvement is critical. There will be an expectation to develop a strategic and operating plan within the first six months of its creation. Creative Saskatchewan will be subject to an annual audit and will need to file an annual report reporting on the business of the agency for the preceding year and the provision of a plan for the following fiscal year. The legislation also makes provisions for regulations, for example, addressing the process by which members of the creative industry are nominated onto the board.

Five million dollars in new funding for Creative Saskatchewan was allocated as part of the 2013-14 budget process and will be reviewed by Treasury Board annually. Its budget will also be displayed on government's summary financial statements.

It is an exciting time to be involved in the development of Creative Saskatchewan, Mr. Chair, and I look forward to seeing the results of this working group. All creative industries in our province will have the potential to benefit from the marketing and development opportunities Creative Saskatchewan will

provide. This new agency will assist in bringing Saskatchewan's creative talent to market. I now open it up for questions, Mr. Chair.

[14:45]

The Chair: — Thank you, Mr. Doherty. And welcome to your officials. I might just remind the officials if they are chosen to answer any of the questions, they would state their name for the Hansard records. The floor is now open for questions. The Chair recognizes Ms. Chartier.

Ms. Chartier: — Thank you, Mr. Minister. And to the officials, thank you for being here today. I think I'd like to start with part I, the definition that you've chosen to use for creative industry. I understand . . . Or I'm wondering how you've come to this particular definition.

Hon. Mr. Doherty: — Sorry, Mr. Chair. Sorry, Ms. Chartier. Are you referring to (c)?

Ms. Chartier: — Yes. Yes, I am.

Hon. Mr. Doherty: — Mr. Chair, thank you for the question. The definition as you see it described here in the proposed Act comes from several different areas. It comes from our cultural policy, Pride of Saskatchewan. There's verbiage in there that references this. It comes from other similar type pieces of legislation in Canada, I'm informed, primarily Ontario and British Columbia as well as what we were hearing from the various industry representatives during the consultation process to try to capture that into a definition.

Ms. Chartier: — I think one concern that I've had expressed to me, that the creative industries here in Saskatchewan were quite surprised by this definition. They had felt that in the consultation process they had put forward a different working definition of the creative or cultural industries and didn't feel like this reflected what had come out of the consultations. In fact the definition was that:

'Creative industries' the businesses and people involved in the production, distribution, and marketing of Saskatchewan-produced cultural goods and services that have aesthetic, intellectual, and emotional appeal to the consumer and value in the marketplace both within and outside of Saskatchewan.

They had felt that this new definition actually did exactly what you said and highlighted or reflected the cultural policy and really focused on Saskatchewan-produced both within and outside of Saskatchewan. So I know that I've had people reflect to me that they thought, out of consultations with the ministry, that in fact this was the definition that was agreed upon, and they were surprised to see a different definition in the legislation.

Hon. Mr. Doherty: — Mr. Chair, when you say they, who are you referring to?

Ms. Chartier: — In the consultation process, the folks who were at the Saskatchewan Cultural Industries Development Council planning session, as a matter of fact, which included

Saskatchewan Media Production Industry Association, Saskatchewan Publishers Group, CARFAC [Canadian Artists' Representation/le front des artistes canadiens Saskatchewan Inc.], Saskatchewan Interactive Media Association, SaskArt, SaskMusic, Dance Saskatchewan, Saskatchewan Craft Council and only had regrets from Saskatchewan theatres.

Hon. Mr. Doherty: — Thank you, Mr. Chair. And thank you for the question. I think, again, we had a fairly thorough discussion a couple of weeks ago, whenever it was, during estimates. I think we spent the better part of three or three-plus hours together, spent a lot of time on this, and well we should. And I thought your questions were very good.

What I'm informed of is there are some legal requirements in legislation. You have to . . . We're advised by Justice we can't use the word people, for example. And if it's incorporated into, from what I see in the *Pride of Saskatchewan*, the culture policy, it almost verbatim on — I'm not sure which page we're on here — on page 11 or so, the creative industries, the word industries in legislation, as advised by Justice, the word industry is the plural, so it recognizes all the different industries.

I think it's also fair to say that this, as we discussed the other evening, is an evolving document. It is difficult to edit by committee, if you will, when you're trying to have specific language in an Act and meet legal requirements.

There is also the opportunity to establish the vision, mission, and purpose of Creative Saskatchewan as the entity comes together. Like any organization will have a mission statement and a vision statement and their value statement and their purpose or purpose for being, if you will. I think that some of the language that you're suggesting that was brought forward at the Dundurn meeting will be incorporated into those kinds of things as Creative Saskatchewan gets up and going. What we are trying to do here is meet legalistic requirements, avoiding words that we're not allowed to use with respect to legislation, and still try to capture as much of the discussion as possible, and based on other pieces of legislation from other provinces.

Ms. Chartier: — And I am not a lawyer, and don't know some of those. And I know we had the discussion around the singular versus plural, and I completely get that. But I think one of the pieces that isn't reflected in this definition is the piece around the within and outside of Saskatchewan, the aesthetic, intellectual, and emotional appeal to the consumer and value in the marketplace. So I appreciate that these will likely be reflected in the vision, mission, and value statement. Or is there any assurance that these pieces will be reflected?

Hon. Mr. Doherty: — Again as an evolving organization, when the new board of directors comes together, as I indicated in my opening comments, we're going to be asking for a strategic plan within the first six months. I think a lot of that language that you're referencing will be incorporated into that strategic plan.

Ms. Chartier: — The language that I've just referenced, that couldn't . . . Were there legalistic issues with the language around the previous comments that I made? I know you've mentioned the language around using the word people. But the other pieces, were there legalistic requirements around those as

well?

Hon. Mr. Doherty: — Well again we, again we can spend a lot of time on the definition of what a creative industry is or isn't. You know, I'd look at subsection (ii) here: "the creation of intellectual property or the manufacture or export of artistic or cultural products for commercial purposes . . ." We were trying to achieve a more businesslike definition, if you will, with respect to this particular agency.

You know, again we're trying to keep the Arts Board completely separate from what Creative Saskatchewan is. I think a lot of the language that you're referencing would be used by the Arts Board, if you will, or the individual industry associations themselves to define themselves.

We can go back and forth and say, should this word be in or should this word not be in; should this phrase be in or not be in; does it capture everything we're trying to accomplish here? I personally wouldn't want to get too hung up on a definition. I think that we're trying to involve these organizations as much as possible with respect to their input in the development of what Creative Saskatchewan will be doing, as opposed to how it's defined in a piece of legislation that is a legalistic document, if you will.

Ms. Chartier: — Fair enough, but I think defined . . . I think when the creative industries are telling you that this is how they see the work that they do, and you've engaged in a consultation process, and this is what they believe they do . . . All the organizations — SMPIA [Saskatchewan Media Production Industry Association], the Publishers Group, CARFAC, Interactive Media Association, SaskArt, SaskMusic, Dance Saskatchewan, and the Craft Council — that is what they put forward as a definition, and they were wondering.

I think they probably would accept that there are legal requirements to drafting legislation, but I think they felt like the definition is important, especially in a new piece of legislation. And what I've heard is that they felt like this definition was disregarded, a definition that they felt reflected what the whole group had said but also in the presence of the ministry. The ministry, as you had pointed out, was there for a day, and they thought they had come to a good conclusion.

Hon. Mr. Doherty: — Well again, Mr. Chair, you know, I accept the advice of the hon. member. I accept the advice from the creative industries. I'm informed that they've had a very good discussion. I think we've established a solid working relationship with this group of folks.

I'm personally not going to get too hung up on the actual definition. I think that we've tried to meet the requirements necessary for the establishment of Creative Saskatchewan in identifying who the creative industries are and what their purposes are. We still have again the strategic plan to be developed, the vision statement, the mission statement that will be established by the board of directors in which the creative industry representatives will have a place on that board to discuss that and do the blue-skying necessary for laying out that framework.

I accept what the hon. member's saying. We have to, at some

point in time, put down on paper — that we can't share with individuals outside of the Legislative Assembly before it's introduced in the House — and so we try to capture as best as our discussions, that we interpreted the discussions and yet met the legalistic requirements from Justice to a draft legislation.

Ms. Chartier: — Thank you. I think they were just wondering what had happened to the definition that they'd thought was a very good working definition. And I recognize that many of the details . . . Obviously I appreciate the language that you've used, that this has to be an expansive piece of legislation, and it really comes into play with the regulations, and that's where . . . The devil is in the details. And so I'm wondering with respect to those details, we talked a little bit about it in estimates, and you'd said you expect the regulations to be fully in place by the time it's up and running. But are most of the regulations drafted now?

Hon. Mr. Doherty: — So I'm informed, Ms. Chartier, that the regulations . . . the working group are working on the substance of the regulations as we speak. Regulations of course can be changed regularly, if you will. As this organization evolves, there will be an identified need, I'm quite sure, based on input from the creative industries and the board of directors and the senior management from the organization, that perhaps something was missed or we need to modify something as we move along.

So I'm informed that working group that we've talked about is intimately involved in the development of these regulations, the substance of the regulations. So I did indicate that in order for it to be created once legislation passes — to put the meat on the bones as you've described it, or the devil in the details I suppose — the regulations will have to come into fruition in fairly short order.

Ms. Chartier: — The working group . . . Is there a draft copy of the regulations already then?

Hon. Mr. Doherty: — So again, I'm informed that we can't share the final regulations with people outside of the process that we've identified. But the substance of the regulations, they're working on drafting them as we speak based on input from the working group.

Ms. Chartier: — So if some of them have been, they're in . . . I know that you're in the process of drafting. Are they mostly drafted? I'm just wondering how . . . Looking at the Arts Board regulations, there's only about four pages I think with the Arts Board. And obviously they're a very thorough, thoughtful four pages. But sorry, I'm just wondering if there is — and I'm not asking to see the draft — but I'm wondering if there is already a working draft in place.

Hon. Mr. Doherty: — There is a working document that they're working from. Yes.

Ms. Chartier: — Okay. Can I ask who's on the working committee, the working group?

[15:00]

Hon. Mr. Doherty: — So the working group is comprised of

representatives from the following: SaskCulture; SaskFilm; Saskatchewan Arts Board; Saskatchewan Publishers Group; SaskArt; Saskatchewan Craft Council; Persephone Theatre, representing the Saskatchewan professional theatres; SaskMusic; CARFAC, which is the Canadian Artists' Representation; Dance Saskatchewan; SMPIA [Saskatchewan Media Production Industry Association], the Saskatchewan media producers industry association; and SIMA, Saskatchewan Interactive Media Association; and three officials from the Ministry of Parks, Culture and Sport.

Ms. Chartier: — So this is the once-a-week group that meets.

Hon. Mr. Doherty: — That's correct.

Ms. Chartier: — And do you anticipate . . . You had said in estimates that obviously you need the legislation passed, and we're very close to it. We've got three more weeks left in session. Will the regulations be ready before that time?

Hon. Mr. Doherty: — The regulations may or may not be ready by the end of the session, but they'll have to be ready I suppose shortly thereafter. Once the legislation is passed, it will give us the ability to start the governance process of creating a board and that board having an interim CEO [chief executive officer]. And they'll have to, as they develop processes, have regulation to work by, so we're moving as fast we possibly can.

Ms. Chartier: — Do you anticipate . . . So this working group that's involved in the consultation process or the working process on the regulations, do you anticipate the work . . . This group is specifically set up. It's a carry-on of the previous consultations. But is it specifically set up to consult and develop the regulations?

Hon. Mr. Doherty: — Yes, as I said earlier, the working group is intimately involved in putting forward what the substance of the regulation should look like.

Ms. Chartier: — And will that, once the legislation is passed and the regulations in place . . . Obviously as you've said, regulations are . . .

Hon. Mr. Doherty: — Fluid.

Ms. Chartier: — Very fluid. And this is a new piece of legislation. And do you anticipate that the regulations . . . So you've got this group that's consulting and sharing ideas and thoughts on it. How do you hope or plan to keep this group engaged? Will, once the Act is passed and the regulations are in place, will that work end? Or what is the thought on keeping people involved with making sure that this new Act and the regulations work for the creative industries?

Hon. Mr. Doherty: — A couple of things. The working group is in essence an advisory group. There is provisions for the ability of an advisory group to continue on. From a governance perspective, the industry associations will have representation on the board of directors. The board of directors will establish their own bylaws, if you will. And there is provision in the legislation to allow for the board of directors to have an advisory group, an advisory working group to provide advice to them if deemed necessary. So it's our intention to take a step

back after the Creative Saskatchewan is up and going and let them do the work that they're being legislated to do.

Ms. Chartier: — Thank you for that. And we'll go to the next piece then on that very . . . the end of your conversation there on the board of directors. I know we had a conversation during estimates about the Saskatchewan Creative Industries Development Council and them being the potential nominators. So I'm trying to get a better handle on how you see the five industry reps being nominated to the board.

I know that you had outlined that you felt that they or the thought was that they should come from the creative industry organizations. But not all of those creative industries have an industry association, for example, theatre, which you'd highlighted was a concern that they weren't part of the industry council. So I'm just wondering how you see having industry associations or all the creative industries represented if they don't . . . or have the capacity to put forward a rep if they don't have an industry association.

Hon. Mr. Doherty: — So thank you for the question. What we envision right now, working through this, is that the board of directors will establish a nominations committee. The nominations committee will invite representatives from all the different industry associations and/or a representative from perhaps dance or theatre who does not have an industry association. And they'll have to decide themselves. You know, the dance groups or the theatre groups have to decide themselves how they'll put an individual on that nomination committee.

The nomination committee will then have the responsibilities for bringing forward five nominees to be appointed to the board of directors from obviously from a longer list that will be nominated by these different industry associations or organizations.

Ms. Chartier: — So is it your thought that each organization or body would put forward one nominee, or how do you see that playing out?

Hon. Mr. Doherty: — For the board of directors or for the nominating committee?

Ms. Chartier: — The nominating committee.

Hon. Mr. Doherty: — Each organization would . . . The board of directors will establish a nominations committee. And it's again, I'm not going to tell the board what to do, but it would make sense that each of them would have a nominee or an individual representative on that nominations committee. So if there's nine, there's nine on there, and then they will be responsible for reaching out to the different industry associations and/or organizations who might not have an industry association to have them provide a list of potential nominees to sit on the board of directors. The nominations committee will then be tasked with determining who the five representatives will be from those different industry associations.

They might be individuals from outside the industry association. They might have an individual in mind that has a

certain amount of expertise or skill set that they'd like to see sit on this board of directors that . . . You know, to pick SaskMusic for example might nominate an individual to sit on the nominations committee and then would submit two or three names or 10 names — I don't even know — to the nominations committee to say, of these 10 names, here's who we would like to see one chosen to be a representative on the board of directors.

So it could be, you know, a large, unwieldy committee, but we're trying to be as inclusive as possible. And again this is the board of directors will have to determine this. But most boards operate from a nominations committee and that the names will be submitted to the nominations committee to be vetted and then appointed to the board of directors.

Ms. Chartier: — Okay. I'm sorry, I was just trying to follow all of that here. So thinking about how the Arts Board works then, just in comparison. So there's a nominations committee for the Arts Board. So you have . . . I'm just looking at the Arts Board regs here:

For the purpose of subsections 14(2) and (3) of the Act, the board of directors shall establish a nominating committee, to be composed of the following members:

two persons from the arts community, appointed by the arts community.

And so help me make sure that I understand this. So those two people I understand are appointed by the Arts Alliance to the nominations committee. So you've a representative body like the Arts Alliance or like the Creative Industries Development Council who puts forward names. So I'm wondering why the different approach with the arts versus *The Arts Board Act* and Creative Saskatchewan because I think it's worked quite well, and I think the Arts Alliance only puts forward two names.

Hon. Mr. Doherty: — I understand the confusion. I was getting confused, and I was the one answering the question. So let me back up and try this again.

The board of directors will establish a nominations committee. They will invite representatives to sit on that nominations committee, not unlike what you have with the Arts Board that you indicated there. An organization may or may not want an individual on the nominations committee. I don't know. That's up to them.

Let's say that all nine want to have an individual on the nominations committee that will put forward names to the board of directors for potential membership on the board of directors. They will then invite the industry associations or the organizations to put forward names. This is the nominations committee. They will then invite these industry associations or organizations to put forward names that they will vet and make recommendation to the board of directors for the five nominees to be placed on the board of directors.

So it's kept out of the hands of government. It is an open and transparent process with respect to who these organizations put on the nominations committee and then who the names are that they put forward to say, okay nominations committee, we're

SMPIA and we want these three names to be considered for at least one of them going on the board of directors. The nominations committee will have to decide through the board of directors what their process will be for deciding that, and then move forward.

Ms. Chartier: — Okay. Just again I want to make sure that I understand this then. So you would be asking the industry associations or respective organizations to nominate people for the nominating committee, and then those people on the nominating committee would be putting names forward for the actual five appointments. Is that correct?

Sorry, forgive my ignorance here and maybe I misunderstood the whole process, but I thought that the Arts Alliance was nominating . . . I could have this completely incorrectly here. So the Arts Alliance on the Arts Board is putting forward two names of people who will then put forward other names? For the Arts Board, I'm talking about the Arts Board legislation because I'm just trying to make sure I'm understanding . . .

Hon. Mr. Doherty: — Okay. I apologize. I don't have the Arts Board legislation in front of me, so I'm not familiar with it. But let me try this again then.

So the board of directors has to establish a nominations committee. So the board of directors . . . And it could be anywhere from four or five people to nine people. And so they'll determine what their nominations committee . . . And it could be made up exclusively of representatives from the industry associations and/or organizations. It could be made up of a majority. Let's say it's a nine-person board and five of them come from the industry associations and/or organizations. They might appoint two outside individuals onto it, and maybe they want someone from the ministry. I don't know. They have not established that yet.

So what we're suggesting is, the nomination process, while albeit in legislation, is saying here's what the composition of the board looks like: no more than 11 members. And the industry associations or organizations will have not less than five members on the 11-member board, and they're going to establish what their nomination process looks like. And so there has been some discussion with the industry associations as to how to go about doing that.

I'm anticipating where you're going with this. And my concern is with SCIDC [Saskatchewan Cultural Industries Development Council], if I have that acronym correctly, is that if the industry associations get together and they use that vehicle for their nominees for nomination to the board, that's fine. That's their decision. I'm not going to put that in legislation and say that is the organization that Creative Saskatchewan will go to for their nomination process. But if the industry associations get together and they say, and they agree upon it and say, this is our vehicle for putting forward our five nominees, and these are the only five nominees we're going to put up to the nominations committee, well fair enough. That's up to them. It makes no difference to me how they come up with their nominees.

The difficulty in enshrining in legislation a particular organization for carrying out that process is if something changes with that organization. And as I understand it right

now, they've just applied for incorporation. They're not even incorporated as we speak. They're not a registered non-profit right now. So they're not even, from a technical perspective, in existence that way. Those things change and, you know, and sometimes these organizations are in flux. That's not a commentary on that particular organization. That's just how these things go. You know, in legislation we want to set up a process whereby the creative industries can come to agreement themselves as to how they're going to put forward their nominees, and that's fine.

Ms. Chartier: — Okay, I appreciate it. I didn't realize that they had let that lapse, but I know that they've also been still a cohesive group. They may have let their not-for-profit status lapse, but they've been meeting since 1997 and have . . .

Hon. Mr. Doherty: — But my understanding is that they have just recently reapplied for that status.

Ms. Chartier: — That could be. But they've, as an organization or as a group, have felt like they've been the voice for the creative industries.

Hon. Mr. Doherty: — Fair enough, but I hope you would understand my point. In enshrining in legislation something like that, if in fact in the future it becomes deregistered or it falls under that status again, now we've got a situation whereby they're the nominating organization for these people to be put on the board of directors of Creative Saskatchewan. They might not be in existence, so then we have a problem. So that's my concern with enshrining that in legislation with respect to a particular organization, as opposed to if they come to consensus and say, SCIDC is our group, that we want to meet and put forward nominees. That's their process. That's fine.

Ms. Chartier: — Okay. And I don't think I'm asking for it to be enshrined in legislation. We're talking about the regulations here. And I think that, again as we agree that that's where the real thing happens. The expanse of legislation's important, but the regulations are the most important piece of this all. And what I'm hearing from people in the creative industries is that they feel like having a body, be the body from which the nominating committee is chosen is the way to go. So you're saying you would honour that if they . . .

[15:15]

Hon. Mr. Doherty: — No. What I'm saying is, on an informal basis, if the board of directors establish a nominations committee — and that can be comprised of whomever — and SCIDC over to the side says, well . . . And the industry associations and organizations agree that they're going to represent their nominees, in the sense of they're going to vet their nominees and they're going to be the body that says, we're going to put forward these 12 names for consideration by the nominations committee for the five-person directors that we're going to appoint to Creative Saskatchewan, if they want to do that on an informal basis over here, that's completely up to the industry associations and organizations. That's fine.

It may be SCIDC on an informal basis that puts forward the 12 names, as I said, to the nominations committee. What I'm saying is, we're not going to have in legislation or regulation

appointing SCIDC as the nominations committee because that's the board of directors' purview to establish the nominations committee and where they accept nominations from.

Ms. Chartier: — Will there be an expectation or will you be laying out the number of persons who each industry association puts forward then for nominees for the nominations committee? Will that be laid out in regulations?

Hon. Mr. Doherty: — Okay. I want to make sure we're talking about the same thing. You're talking about the nominations committee.

Ms. Chartier: — Yes.

Hon. Mr. Doherty: — Not the nominees that could be put forward for the board of directors, but the nominations committee, that the nominations would be put forward to the nominations committee. Correct?

Ms. Chartier: — Yes.

Hon. Mr. Doherty: — Okay. So I'm informed that during the process with the working group here in talking — because these bodies can become large and unwieldy, obviously — so they're talking about, for example, four or five persons from the creative industries appointed by the creative industry stakeholders or associations or organizations.

Now SCIDC may be the vehicle by which they get together and say, okay we're going to come up with our four or five representatives on the nominations committee through that body as their vehicle. They could do that. That's fine. Maybe one or two members of the board of directors who are not up for renewal but appointed by the board of directors to sit on the nominations committee, and many boards have members of their existing board on the nominations committee, and maybe an ex-officio member appointed by the minister who shall not be a member of the board of directors. So there might be someone from the ministry that sits on that.

They'll get together as a body, then they'll have names come in as nominees for the board of directors. It will be up to this nominations committee to pick the five to recommend to go to the board of directors. Are we on the same page there?

Ms. Chartier: — I think so.

Hon. Mr. Doherty: — Okay. We just took a circuitous route, Mr. Chair.

The Chair: — You certainly did.

Ms. Chartier: — Okay. All right.

Hon. Mr. Doherty: — It was clear in my mind. Maybe, I guess, I wasn't articulating it well enough.

Ms. Chartier: — No, that's okay. Thank you. So you are still taking, not direction, but trying very hard to listen to what the creative industries are telling you around how they would like this to work or how they best feel their voices will be heard at this table.

Hon. Mr. Doherty: — I think that's a fair comment. I have never given direction to officials to say, look, this is how it's going to be done. And go do the chats with them, but at the end of the day, this is how I want it done. As far as their representation is concerned, I want it left completely up to them. And I think that we've been very open and transparent that way.

At the end of the day, as we discussed in estimates the other evening, I mean this is taxpayers' money we're talking about. And so government is going to have an opportunity to have input onto the board of directors. And so of an 11-member board, government will appoint six through Lieutenant Governor in Council, I believe.

And until such a day as perhaps Creative Saskatchewan, if evolved into an organization that generates revenue outside of tax dollars and the government becomes a minority shareholder, if you will, I think at that point in time it would be well worth the discussion to talk about a different governance structure. But the way we have it right now, from the industry representation perspective, is I completely want them to be satisfied that they have the process by which they choose their representatives on the board of directors to be up to them.

Ms. Chartier: — Okay. Thank you for that. Let's talk about . . . I think I'm going to step back here and talk a little bit about the structure and how you came to the decision about what Creative Saskatchewan would look like as a legal entity and how you came to that decision.

Hon. Mr. Doherty: — Which section are you referring to, specifically?

Ms. Chartier: — Sorry. I am the queen of sticky notes, but what ends up happening is my sticky notes get stuck somewhere else here. One moment, please. My apologies here.

Well it's part II, I believe, that lays out the structure of Creative Saskatchewan. So I'm just curious how you chose. I mean you have the opportunity of a treasury board Crown. There are all different kinds of structures that you can set up, and I'm just wondering the rationale for this particular structure.

Hon. Mr. Doherty: — Yes. It's a good question. Thank you. During the course of the discussions with the representatives from the creative industries, it was impressed upon us that they would like to see this body, if you will, establish the legislation. Treasury board Crowns are established through order in council by Lieutenant Governor.

And so there, you know, we were as a government looking for a balance between having some say in the organization. It is taxpayers' dollars. At the end of the day, I'm sure you'll be asking me questions in the legislature about them and not the president of Creative Saskatchewan if there's an issue over there. So if we're going to be responsible for the funding of it, we wanted some say in how it is governed. But at the same time, we respected the wishes of the industry associations saying, we want this enshrined in legislation to give it more certainty, if you will.

Ms. Chartier: — Okay. Thank you for that. I actually, in terms

of most of my questions that I had, we covered them in estimates the other night. I think some of my bigger questions were around budget and how it would all roll out. And I think actually you've answered the big questions that I had on this bill. So thank you for that.

you very much.

[The committee adjourned at 15:28.]

Hon. Mr. Doherty: — Thank you.

The Chair: — That concludes our questioning part, Ms. Chartier. Well thank you very much. Is there any other questions or comments? Seeing none, we will proceed with the voting of Bill No. 89. Clause 1, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 26 inclusive agreed to.]

The Chair: — Thank you. Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts the following: Bill No. 89, *The Creative Saskatchewan Act* without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I'd ask a member to move that we report Bill No. 89, *The Creative Saskatchewan Act* without amendment. Mr. Norris, thank you. Mr. Norris moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you, Minister Doherty. And thank you, your officials. You'd like to say a few comments.

Hon. Mr. Doherty: — If I may, Mr. Chair, thank you to you and the committee. Thank you, Ms. Chartier, who is the critic for the official opposition. And I appreciate the different conversations we've had — private conversations, phone calls, and meetings — that you've offered up advice. And I would encourage you to continue doing so. I know sometimes we don't always agree on these things, but I do value your advice. And you obviously speak to a lot of individuals that are involved in these industries and have thoughts and comments back from them, so please continue doing so as we move along with this process. So thank you. Thank you to the committee members.

I also want to thank ministry officials, Mr. Chair, who are working diligently on this project. And particularly Twyla and Gerry and Susan. And not to forget the deputy, but of course, Wynne. They're spending some long hours on a weekly basis as this project unfolds, and we look forward to it getting up and going later this year. Thank you, Mr. Chair.

The Chair: — Thank you, Minister Doherty. As we conclude, I'd ask a member to move a motion of adjournment. Mr. Steinley. Mr. Steinley has moved we adjourn. All agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This meeting is now adjourned. Thank