



# **STANDING COMMITTEE ON PRIVATE BILLS**

## **Hansard Verbatim Report**

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**Legislative Assembly of Saskatchewan**

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## **STANDING COMMITTEE ON PRIVATE BILLS**

Ms. Nadine Wilson, Chair  
Saskatchewan Rivers

Mr. Buckley Belanger, Deputy Chair  
Athabasca

Hon. Wayne Elhard  
Cypress Hills

Mr. Glen Hart  
Last Mountain-Touchwood

Mr. Roger Parent  
Saskatoon Meewasin

Mr. Warren Steinley  
Regina Walsh Acres

Mr. Corey Tochor  
Saskatoon Eastview

[The committee met at 11:30.]

**Ms. Burianyk:** — Good morning, committee members. Since this is the first meeting of the Standing Committee on Private Bills, the first item of business is the election of the Chair. And it's my duty as Committee Clerk to preside over the election of the Chair. I'd like to remind members of the process. I'll first ask for nominations, and once there are no further nominations, I'll ask a member to move a motion to have a committee member preside as Chair. So I will now call for nominations for the position of committee Chair. Mr. Parent.

**Mr. Parent:** — I'd like to nominate Nadine Wilson.

**Ms. Burianyk:** — Okay. Are there any further nominations? Okay, seeing none, I would just ask that a member move that motion. Mr. Parent.

**Mr. Parent:** —

That Nadine Wilson be elected to preside as Chair of the Standing Committee on Private Bills.

**Ms. Burianyk:** — Okay. All in favour of the motion?

**Some Hon. Members:** — Agreed.

**Ms. Burianyk:** — Opposed? Okay. I declare the motion carried and ask Ms. Wilson to take the Chair.

**The Chair:** — Thank you very much for that support. It was a very rousing election. Thank you.

And now I'd like to introduce the committee members on the Private Bills. On the opposition side, we have Mr. Forbes substituting for Mr. Belanger. Thank you. And we have Mr. Parent on the government side and Mr. Steinley and Mr. Tochor and Mr. Elhard . . . Oh, pardon me. Elhard at the end and Mr. Hart. Thank you. Is Mr. Buckley Belanger, are you joining us as well?

**Mr. Belanger:** — Yes, I'm present.

**The Chair:** — Yes, all right. So you can join us if you like. All right. We have Mr. Forbes and we've got Mr. Buckley Belanger on the opposition side. So now we're going to have the election of Deputy Chair. I just want to remind members of the process. I'll ask for nominations, and once there are no further nominations, I will ask that a member move a motion to have a committee member preside as Deputy Chair.

I will now call for nominations for the position of Deputy Chair. Mr. Tochor.

**Mr. Tochor:** — Yes, thanks, Madam Chair. I nominate Buckley Belanger for the Deputy Chair of the Standing Committee on Private Bills.

**The Chair:** — All right. Mr. Tochor has nominated Mr. Belanger to the position of Deputy Chair. Are there any other further nominations? And seeing none, I would invite one of the members to move that motion.

**Mr. Hart:** — Madam Chair, I move nominations cease.

**The Chair:** — Mr. Hart has moved nominations cease. Is there a mover?

**Mr. Tochor:** — I move that.

**The Chair:** — All right. It has been moved by Mr. Tochor:

That Mr. Belanger be elected to preside as Deputy Chair of the Standing Committee on Private Bills.

All in favour of the motion?

**Some Hon. Members:** — Agreed.

**The Chair:** — All those opposed? The motion is carried. Congratulations.

And next on our agenda is establishment of the steering committee, and I would ask that a member move the following motion:

That a steering committee be appointed to establish an agenda and priority of business for subsequent meetings, and that the membership be comprised of the Chair and Deputy Chair; and further, that the steering committee shall meet from time to time as directed by the committee or at the call of the Chair; that the presence of all members of the subcommittee is necessary to constitute a meeting; and that substitutions from the membership of the Standing Committee on Private Bills be permitted on the steering committee.

I recognize Mr. Steinley.

**Mr. Steinley:** — Madam Chair, I so move the motion.

**The Chair:** — Mr. Steinley has moved the motion. Do members approve the motion as read?

**Some Hon. Members:** — Agreed.

**The Chair:** — Opposed? The motion is carried. The first order of business is consideration of the report on the petitioner's compliance with the rules. The Law Clerk and Parliamentary Counsel, Ken Ring, will provide his report. If you will, Ken.

**Mr. Ring:** — Good morning, committee members, Madam Chair. I've just reviewed the application for Bill 901, Orange Benevolent Society, and it is compliant with all of the rules regarding private bills for the Legislative Assembly of Saskatchewan.

**The Chair:** — And we will table that report. Any questions from committee members? Yes, Mr. Belanger.

**Mr. Belanger:** — Yes, just for clarification for a number of the staff and certainly folks that might be following the process, if I can get Ken to basically do the criteria and the process for a private member's bill because obviously there are a number of parameters that one must meet in order to put the bill forward,

and I know one of the premises being that it can't be a bill that involves financial obligations or commitments. So if he could do a basic, very quick summary of how the process would work, I would appreciate that.

**Mr. Ring:** — Thank you for the question, Mr. Belanger. The Private Bills Committee deals with legislation that's of a private nature and only affects certain individuals in the province and is not the same as a private member's public bill that would affect, would enact legislation for the entire province.

So in the case of the Orange Benevolent Society, the bill establishes its legal entity and allows it to operate and is really the constitution bylaws of that private corporation. Most religious organizations, charitable organizations choose to use a private bill by way of incorporation because they do not require an annual fee to the corporations branch, and so they don't have to do that because their legal identity is established by an Act of the Legislative Assembly of Saskatchewan. We monitor what comes in. If we feel it's not appropriate or it's something that ought not go forward, that would certainly be the report that I would make to the committee with reasons for it.

**Mr. Belanger:** — Okay, and just to clarify, a private member's bill as it relates to, as an example, a private member from the government side or the opposition side is allowed to proceed with a private member's bill in the Assembly. Is that correct?

**Mr. Ring:** — With respect to the private bills in the 900 and over, that could be received from any of the members in the Assembly. Correct.

**Mr. Belanger:** — Now how would this current bill we're dealing with, how would it relate to a private member's bill that I proceeded with last fall, an Act that would respect recognition of the school bus drivers? Like what is the significant difference? Because I did table that bill, and I can appreciate we're not in government so obviously the government didn't proceed with the bill. But what is the difference between the bill we're analyzing now and somebody like myself who's an MLA [Member of the Legislative Assembly] presents the bill for the school bus drivers? How would that be different?

**Mr. Ring:** — The difference would be the school bus drivers appreciation day or recognition day is a bill. It would be a private members' public bill that would affect . . . have effect throughout the province.

With respect to the Orange Benevolent Society and the other private bills, private members' private bills that we have, it's the entity that comes forward and finds a sponsoring member to bring the bill forward to this committee so that they can have the legislation enacted. Otherwise there's no mechanism for the private entity to come before the Legislative Assembly of Saskatchewan.

**Mr. Belanger:** — Okay. And the other question is, there's a lot of different organizations that could either go through this process or through the incorporation branch process. What's different about the Orange Benevolent Society? I'm saying a lot of organizations could easily go through the corporations branch without going through a specific legislative track. So what's the difference? I just want to clarify that.

**Mr. Ring:** — Most of the bills that the Private Bills Committee deals with now are bills that were passed when the province was first established, and in the early 1900s, 1910, 1915, into the '20s and into the '30s, for establishing colleges and that type of institution. So they were recognized by the Legislative Assembly which gave them a certain credibility, if I can use that word. It gave them a certain standing so they weren't just someone who was showing up, all of a sudden going to start offering some kind of service or open a college. They had at least come before the Legislative Assembly, made a case, and the Legislative Assembly voted and decided that they would allow that entity to be incorporated in Saskatchewan with the object and purposes it has. That would be similar to what's happening with the Orange Benevolent Society.

None of the bills or any of the money affects any public funds or public money. And that would be the large difference.

**Mr. Belanger:** — Okay. And I guess again for clarification, I imagine there are other organizations like the Orange Benevolent Society that did have this particular standing. This group has had, has continued this tradition. So have there been others? And what happened to the others that went through the same process?

**Mr. Ring:** — I don't have an exact number of how many private entities we have in the province of Saskatchewan. I would estimate somewhere around 2 to 300. Some are still very active. Others are not active, and they simply cease to exist, and then there's no one there to wind up the entity or the incorporation through a bill. And so the bill stays on the books, and we watch to see if someone would come forward with it.

With respect to the Orange Benevolent Society, this is an organization that is deciding to wind down, and they're going to dissolve. And rather than just leaving the private Act on the books forever essentially or in limbo, they have decided to come forward and ask for a repeal Act with respect to their organization. And then the bill sets out how they will disperse the funds that they have holding in a charitable way. So this type of bill certainly with respect to the Orange Benevolent Society, I welcome because there's really . . . It would be very difficult for my office to find out how many of the existing statutes actually attach to a viable corporation.

[11:45]

One other example I'll mention to help clarify perhaps is a few months ago the Sisters of the Precious Blood phoned or wrote, and they were worried that they did not have an annual certificate incorporation. And the mother church down east said you need this certificate of incorporation, and they weren't able to find one. They had an original version of the 1943 statute that was passed, but that was all they had. So they phoned the office. I provided them with a letter saying that the Law Clerk's office does not have a corporate registry, and we do not require and don't issue annual certificates for these entities. And so that allowed them to answer the question they were receiving from the larger organization down east saying, are you properly incorporated? Because they were, and it's an unusual way.

Perhaps one other I'll mention is the Saskatchewan Wheat Pool. When it was a co-operative, it was first established by way of a

private bill. And then the corporation decided it wanted to go onto the stock exchange, and so that would have been inconsistent with the terms of the private bill, and they incorporated under the Canadian corporations Act. So that bill was repealed.

**Mr. Belanger:** — Thank you very much. And I guess the significance of having the Orange Benevolent Society come through the process of being recognized through the legislative process is probably one of historical importance to its members, and that's one of the reasons why they kept it up over the years. And now they're saying to us that we don't need to do that anymore. Is that, that's a correct assessment?

**Mr. Ring:** — Yes. I think they have decided to wind the corporation up or to end it. And as, I would say, a responsible corporation — or entity would be the better term — they have decided to then repeal their Act that incorporates them. So that's one . . . Then we don't need to worry about someone coming forward saying they're representing the Orange Benevolent Society because that Act will have been repealed from the statute books.

**Mr. Belanger:** — Okay, thank you.

**Mr. Ring:** — Thank you.

**The Chair:** — Thank you for those questions. Are there any other questions from the members? All right. Seeing none . . . Ken, you have another?

**Mr. Ring:** — Yes. There's a second bill, committee members, with respect to Bill 902, the Lutheran Sunset Home of Saskatoon Act. They have also fully complied with the *Rules and Procedures of the Legislative Assembly* with respect to private bills, and I'll provide that report to the committee.

**The Chair:** — I'd like to table that report. Any questions regarding that? Seeing none, I'll have a member move the following motion:

That the Law Clerk and Parliamentary Counsel's report on the petitioner's compliance with the Rules for Petition for private Bill No. 901 and private Bill No. 902 be accepted.

**Hon. Mr. Elhard:** — Madam Chair, I so move.

**The Chair:** — Mr. Elhard has moved. All in favour?

**Some Hon. Members:** — Agreed.

**The Chair:** — Any opposition? Carried then.

Now the next item of business is consideration of the committee report. There's a copy of the draft report you all have. Is there any discussion on them? No? I'll have a member move the following motion:

That the first report of the Standing Committee on Private Bills be adopted and presented to the Assembly.

Mr. Hart.

**Mr. Hart:** — Madam Chair, I so move.

**The Chair:** — Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — All right. And that is carried. And since our business is concluded for today's meeting, I'll ask a member to move a motion for adjournment. Mr. Tochor.

**Mr. Tochor:** — I so do.

**The Chair:** — Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. The meeting is adjourned, and thank you very much, everyone.

[The committee adjourned at 11:50.]