



THIRD SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

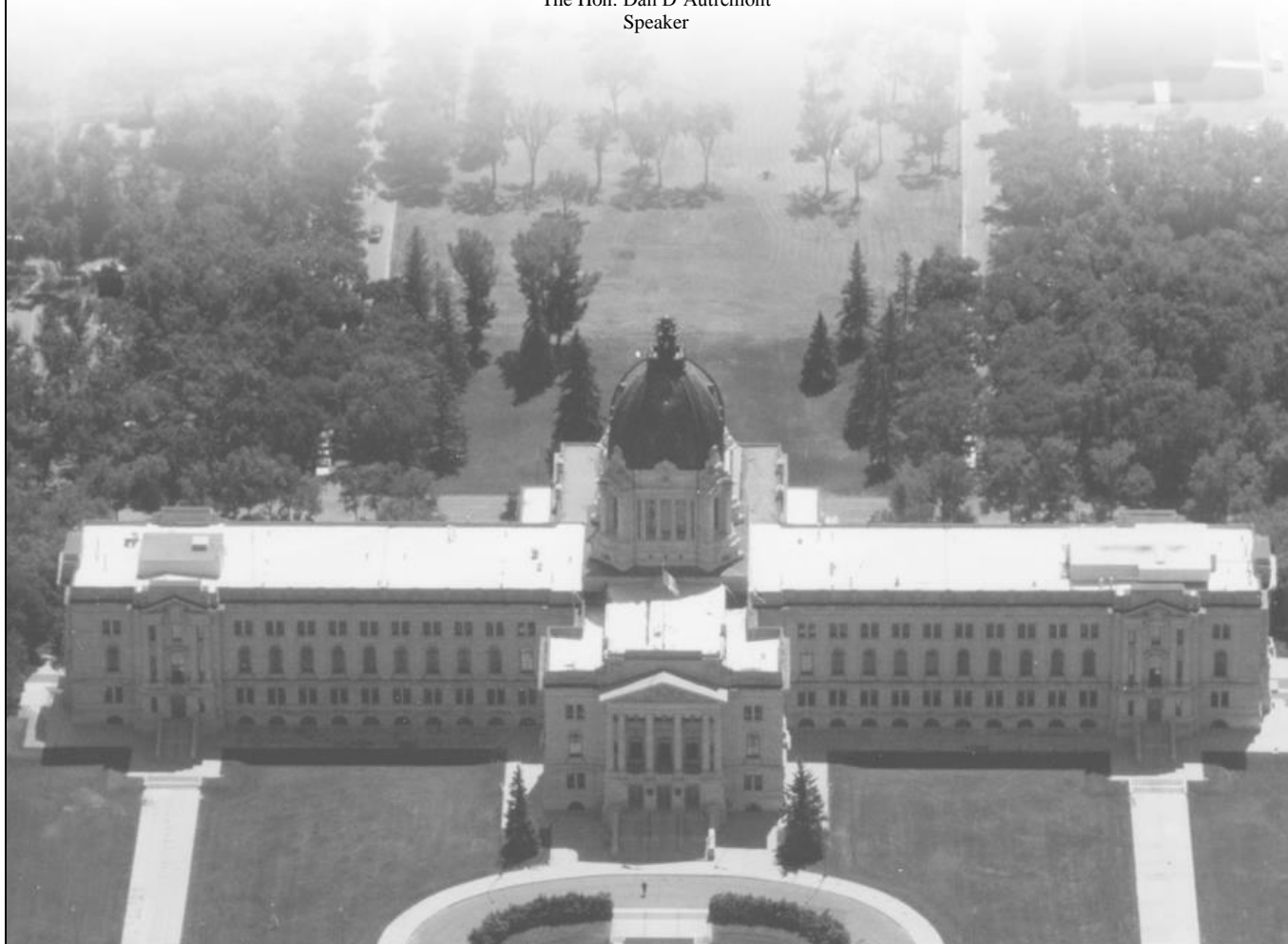
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
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The Hon. Dan D'Autremont  
Speaker



**MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Speaker — Hon. Dan D’Autremont  
 Premier — Hon. Brad Wall  
 Leader of the Opposition — Cam Broten

<b>Name of Member</b>	<b>Political Affiliation</b>	<b>Constituency</b>
Belanger, Buckley	NDP	Athabasca
Bjornerud, Bob	SP	Melville-Saltcoats
Boyd, Hon. Bill	SP	Kindersley
Bradshaw, Fred	SP	Carrot River Valley
Brkich, Greg	SP	Arm River-Watrous
Broten, Cam	NDP	Saskatoon Massey Place
Campeau, Jennifer	SP	Saskatoon Fairview
Chartier, Danielle	NDP	Saskatoon Riversdale
Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
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D’Autremont, Hon. Dan	SP	Cannington
Docherty, Mark	SP	Regina Coronation Park
Doherty, Hon. Kevin	SP	Regina Northeast
Doke, Larry	SP	Cut Knife-Turtleford
Draude, Hon. June	SP	Kelvington-Wadena
Duncan, Hon. Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, Hon. Wayne	SP	Cypress Hills
Forbes, David	NDP	Saskatoon Centre
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Harrison, Hon. Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
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Hutchinson, Bill	SP	Regina South
Huyghebaert, D.F. (Yogi)	SP	Wood River
Jurgens, Victoria	SP	Prince Albert Northcote
Kirsch, Delbert	SP	Batoche
Krawetz, Hon. Ken	SP	Canora-Pelly
Lawrence, Greg	SP	Moose Jaw Wakamow
Makowsky, Gene	SP	Regina Dewdney
Marchuk, Russ	SP	Regina Douglas Park
McCall, Warren	NDP	Regina Elphinstone-Centre
McMillan, Hon. Tim	SP	Lloydminster
McMorris, Hon. Don	SP	Indian Head-Milestone
Merriman, Paul	SP	Saskatoon Sutherland
Michelson, Warren	SP	Moose Jaw North
Moe, Scott	SP	Rosthern-Shellbrook
Morgan, Hon. Don	SP	Saskatoon Southeast
Nilson, John	NDP	Regina Lakeview
Norris, Hon. Rob	SP	Saskatoon Greystone
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Parent, Roger	SP	Saskatoon Meewasin
Phillips, Kevin	SP	Melfort
Reiter, Hon. Jim	SP	Rosetown-Elrose
Ross, Laura	SP	Regina Qu’Appelle Valley
Sproule, Cathy	NDP	Saskatoon Nutana
Steinley, Warren	SP	Regina Walsh Acres
Stewart, Hon. Lyle	SP	Thunder Creek
Tell, Hon. Christine	SP	Regina Wascana Plains
Tochor, Corey	SP	Saskatoon Eastview
Toth, Don	SP	Moosomin
Vermette, Doyle	NDP	Cumberland
Wall, Hon. Brad	SP	Swift Current
Weekes, Hon. Randy	SP	Biggar
Wilson, Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Wyant, Hon. Gordon	SP	Saskatoon Northwest

[The Assembly resumed at 19:00.]

### EVENING SITTING

**The Speaker:** — It now being 7 o'clock, the House is resumed and debate will continue. I recognize the member for Athabasca.

### GOVERNMENT ORDERS

#### SECOND READINGS

##### **Bill No. 129 — *The Executive Government Administration Act***

**Mr. Belanger:** — Thank you very much, Mr. Speaker. Once again I'm pleased to enter into the debate, and again we're talking about Bill 129, *An Act Respecting the Administration of the Executive Government of Saskatchewan*. And again as I mentioned just before our supper break, Mr. Speaker, it's a very complex bill. And this bill, of course as I mentioned earlier, is designed to replace a number of Acts governing executive government responsibilities.

Now, Mr. Speaker, one of the important notes that I've said from time to time is that it's very important to look at the language and I think it's also incumbent upon the government, and certainly opposition as well, to explain to the people how the government operations are broken down. And one of the examples I would use obviously is you have Executive Council and you've got of course the executive office which is the Premier's office, and of course Executive Council serves at the pleasure of the Premier. And it talks a lot, this particular bill talks about a number of things that alarms the opposition.

Now I look at some of the language here, and a good example I would use is on the first page it says transfer of powers, etc.:

The Lieutenant Governor in Council may, on the recommendation of the President of the Executive Council:

- (a) assign to any minister any power, duty or function conferred or imposed by law on a minister;
- (b) transfer any power, duty or function assigned to a minister pursuant to clause (a) to any other minister; or
- (c) transfer any power, duty or function that is conferred or imposed by law:
  - (i) on any minister or any other minister; or
  - (ii) on any ministry to any minister or other ministry.

So, Mr. Speaker, again these are some of the things that we want to know is attached to this particular bill. It is complex in the sense of trying to follow what the intent of the bill is. Now obviously what we want to do is we don't want to curtail things that are meant to be efficient, things that are meant to be responsive. But, Mr. Speaker, any time we talk about transfer of powers, any time we talk about committees, any time we talk about the relationship of Executive Council to the executive

office, any time we talk about secretaries . . . Mr. Speaker, the list goes on in terms of what the relationships are between legislative secretaries, ministers, Executive Council, the Premier's office. It really becomes convoluted and gets confusing to the average person.

And that's one of the reasons why Bill 129 is a bill that we want to really break down. And we've got a bunch of questions that I'm sure my colleagues will have the opportunity to ask during the committee hearings because it is an important bit of information that the people of Saskatchewan ought to be able to hear and ought to understand as well.

So, Mr. Speaker, a lot of consultation is necessary on any bill. We want to see that happen. We want to make people aware that there may be some concerns and changes that people need to know about. And again there's a very wide net of law that are going to be affected by this Act.

So on that note, Mr. Speaker, as we tell people from right across the province, it's important that you pay attention to these bills. It's important that you pay a lot of attention when you're talking about transfer of powers to one central office such as the Premier's office. What are those powers, and what are the intentions of those powers? And how does that affect people's understanding of how government works? It's a very important issue that you have to pay attention to, and we certainly intend to do that.

So on that note, Mr. Speaker, I move that we adjourn debate on Bill No. 129.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 129, *The Executive Government Administration Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

##### **Bill No. 130 — *The Executive Government Administration Consequential Amendments Act, 2013/Loi de 2013 portant modifications corrélatives à la loi intitulée The Executive Government Administration Act***

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

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of *The Executive Government Administration Consequential Amendments Act, 2013*. Mr. Speaker, this Bill is the bilingual companion to *The Executive Government Administration Act*. The most significant amendments are the amendments to *The Legislative Assembly and Executive Council Act, 2007*.

Amendments will permit members of the Legislative Assembly to be marriage commissioners while continuing to be members. It will also permit them to be members and chairpersons of the boards of Crown corporations without being a member of Executive Council.

The bill also removes part V of *The Legislative Assembly and Executive Council Act, 2007* and incorporates it into *The Executive Government Administration Act*. Part V as it now exists establishes the Office of Executive Council. It is appropriately placed in the main bill. This will also result in the change of the name of the Act as the words Executive Council are removed.

Mr. Speaker, this bill also amends several bilingual acts in a manner similar to the consequential amendments found in *The Executive Government Administration Act*. For example, references to department are replaced with ministry in several Acts.

Mr. Speaker, I now move second reading of *The Executive Government Administration Consequential Amendments Act, 2013*. Thank you.

**The Speaker:** — The Minister of Justice and Attorney General has moved Bill No. 130, *The Executive Government Administration Consequential Amendments Act, 2013*. Is it the pleasure of the Assembly to adopt the motion? I recognize the member for Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. Again, this bill is attached to the previous bill, and that's exactly our point that we made earlier, that Bill 130 was a bit more of information in terms of what the consequential amendment Act would certainly entail. And that's the kind of information that the opposition needs, Mr. Speaker.

It is important to note that Bill 130, which is a companion bill to the earlier bill that I spoke about, Mr. Speaker, we need to find out exactly what the plan of action is on that side of the Assembly, Mr. Speaker. I understood the minister to say that this bill would allow members of the Assembly, and certainly from my perspective I know it will all be on the government side, to allow MLAs [Member of the Legislative Assembly] to sit on certain Crown corporations, Mr. Speaker. And it doesn't necessarily have to be members of Executive Council, which could be referred to as the cabinet overall.

But, Mr. Speaker, it's exactly my point. If you are going to politicize the Crown corporations by putting some of your MLAs on their board, the point that I would raise is why is it that you have to do this? You can attract a lot of private sector people, highly qualified people that give very sound business advice on how to run your Crown corporations.

And instead, Mr. Speaker, from what I understand and interpret from Bill 130, they are going to now allow members of the Legislative Assembly on the government side, Sask Party MLAs, to sit on various boards, and that includes the Crown corporation board. Now if that is the case, Mr. Speaker, then people of Saskatchewan ought to be alarmed. Because we should never, ever have any MLAs that don't have the necessary skills, don't have the necessary knowledge of a particular Crown corporation to simply sit on that board by virtue of being a Sask Party MLA.

You've got to run those Crown corporations as efficiently as you can. You've got to run them as solid as you can. You've got to run them as they should from the business perspective.

Now, Mr. Speaker, it's going to be interesting to see how the Sask Party, a few of their business friends, would react to the knowledge that they are now managing Crown corporations from the political perspective, Mr. Speaker. A lot of chartered accountants I know will not like that at all, Mr. Speaker. They won't like the notion that politicians should be allowed to run Crown corporations by virtue of them being elected in their particular seat, not because, not because, Mr. Speaker, not because they have a good knowledge of how a business should work, Mr. Speaker. Not because they may have a degree in admin. Not because they've got experience. Not because they know what they're doing, Mr. Speaker. The only reason they'd be on this board is because they are a Sask Party MLA.

And, Mr. Speaker, a lot of people in the business community would not like the notion of politicians running the Crown corporations. They should leave it in the hands of people that sincerely know how to operate these companies and manage these companies. And if the government should be able to find people that are qualified enough and certified enough to run the Crown corporations as they should be — professionally, efficiently, and of course being very, very transparent, Mr. Speaker.

So again we look at these bills and we begin to have the alarm bells go off. And I'm going to say this to the business community that is out there. The government is now in a situation where they're allowing MLAs to sit on Crown corporations and allowing them to run these Crown corporations. And if they don't believe for one minute that they won't politicize the Crown corporations for their own purposes and for their own needs, Mr. Speaker, then they obviously don't give the people of Saskatchewan credit for them to recognize that that's exactly what the Sask Party wants to do.

So there's a lot of issues that we're going to be looking at in this particular bill. I think Bill 130 is a bill that deserves a lot of attention. And that's exactly what we plan on doing, Mr. Speaker. We're going to let the people of Saskatchewan know exactly what is being planned. We will be following this bill thoroughly. We will be asking questions in committee. And we'll find exactly what the Sask Party plans are when they allow provisions to have MLAs sit on Crown corporations to run these corporations from the political perspective. And that'll do a great injustice to the people of Saskatchewan, the history of our Crowns, and their future of their operations in our province.

So on that note, Mr. Speaker, we have a lot more to say on this bill. And I move that we adjourn debate on Bill No. 130.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 130, *The Executive Government Administration Consequential Amendments Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

## ADJOURNED DEBATES

### SECOND READINGS

## Bill No. 126

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 126 — *The Seizure of Criminal Property Amendment Act, 2013 (No. 2)*** be now read a second time.]

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. It is a pleasure to stand and enter into the debate on Bill No. 126, *The Seizure of Criminal Property Amendment Act, 2013 (No. 2)*. And this has been evolving and it's been a pleasure in the House to watch the evolution of this tool that's important to our police and to our justice system, how we can deal with criminal property. And I remember the last time we dealt with this, where we talked about particularly through organized criminal activity, and so this is another refinement. And this is what happens, that the work that we do is that we find out what are the unintended consequences? What can we make better?

And I read the minister's remarks with interest. We do have questions of course and those questions will come up during committee. But I know that many of us will want to speak to it because we know the police are doing great work. And I have to tell you that in my riding of Saskatoon Centre this is a significant issue, criminal activity, and we take it very seriously.

And we want to make sure that when we provide the police and the justice system with their tools that they have the best tools possible that they can do the job that they're expected to do. And people expect them to do it quickly and efficiently but also with a real sense of due process. And that in Canada we have a strong sense of that you are not guilty until you're convicted of that, but at the same time innocent until proven guilty. And I think that's an important principle in our justice system, and it's one that we strive very hard to protect.

And so we have to watch the speed that we move these things along, but at the same time it does frustrate people when things get bogged down. And we know that across Canada we see a lot of initiatives that people are bringing up that we have a lot of questions about because of the due process and about the core principles that we hold near and dear in what it means to be a Canadian.

And so we have some of those questions here. I would be curious to know what's happening across the country. And, Mr. Speaker, if you might remember my remarks from a couple of years ago when we talked about this bill last time go-round when we were talking about seizing cars and how it is kind of interesting how now we're moving to sums of money and forfeitures of different amounts.

So I'd be curious to know what is happening across Canada. The minister did not reference any sort of work that's been done at a national level that brings this into line with other provinces. It seems that we're working hard to make sure that there's a pan-national approach so that it makes sense that we don't have wide-ranging laws just when you cross a border of one province to another, in fact that it all fits together and that justice can be well served and yet protect the interests of those who are

innocent or those who are victims.

[19:15]

You know, it's very important that we think about the victims of crime in this case too, and that's been an emerging issue as well. What role . . . Or what's the perspective of the victims in this? And so we haven't heard that much from the minister when he made his comments, and so we'll have those questions. And that's a very important, a very important aspect.

So, Mr. Speaker, I think I want to go through the bill here a bit, the minister's comments. And he talks about that we would be remembering *The Seizure of Criminal Property Act, 2009* that ". . . represents a balance between ensuring due process for individuals who may face an allegation of holding criminal property and ensuring that criminals do not benefit financially from their criminal activities." And that's hugely, hugely important. And there was ways of blocking that process so that they did not benefit in the long run from their criminal activities. And so this one really focuses on the administrative seizure of property, a process in the Act that's a further option in this tool kit of seizing criminal property.

So it ". . . will authorize the administrative seizure of cash or personal property with a value under a prescribed amount." So I assume that means it's going to be . . . When it's prescribed, it usually refers to regulation.

. . . allow the director to issue a notice of administrative forfeiture proceedings directly to interested parties regarding property that the director has reasonable grounds to believe is either the proceeds of crime or an instrument of unlawful activity.

So again an interesting term, interested parties. Who would be the interested parties? Are they the victims of crime? Is it the community? This will be interesting to find out more. What does that term really mean?

And what happens if there's ". . . no notice of dispute is filed by an interested party, provide for the seizure, forfeiture, and distribution of the property; provide that if a notice of dispute is filed, the director must instead proceed to apply for seizure through a court process . . ."

And so if you give out the notice and if there's no response, then you can proceed. And then you have ". . . an interested party to file notice of dispute within six months after the deadline if they can show they had a reasonable excuse for having failed to respond to the initial notice."

So it's all very procedural in many ways. And that's fair enough, and I guess what they're trying to get around.

It is interesting that the minister remarks and has found out that unfortunately the same amount of work ". . . requires extensive legal document preparation . . . before the courts, either by notice of application or statement of claim." The same amount of work has to be done, and that's about 15 hours of document preparation, even if you're talking about 100,000 or \$100. So this is why they want to have a benchmark. And that does make some sense because 15 hours, that's a good two days of work,

solid work on this, and it may not just be worth it if it's \$100. So you want to make sure you have some effective way of measuring what is a good use of time.

So it goes through the whole process and then it talks about the fact that "We estimate that approximately 20 per cent of forfeiture applications are contested." So that means 80 per cent are not contested. And now he does say this is "... consistent with findings in other provinces." So maybe this is lining up with other provinces, and if that's the case, that's of interest and that I think is a good thing.

So I think that he said that the process will be "... limited in the regulations to the seizure of cash or personal property under a particular value such as \$75,000, and could not be used for larger cash amounts or for real estate seizures," because it's pretty hard to find a piece of property in Saskatchewan less than \$75,000. And so that's, it seems like that's going to be the benchmark. He hasn't said that firmly, but that's what he's implying because of the ... It will be set in regulations, and of course we haven't seen the regulations. So that's fair enough. And he's saying, "... 80 per cent of seizures in Saskatchewan would fall under this dollar threshold." So the 20 per cent that is contested is people get interested when it's more than \$75,000.

Now interestingly, I would be interested if it was \$75,000 or less, so I'm not sure why that ... It would be interesting to know more details about when we're using 75,000 versus 50,000 or 25,000, why people become more interested when it's 75,000 as opposed to 50,000 or 25,000. So we'll have a question about that for sure. Why that just seems to fall on that amount, I can understand for real estate, but for cash purposes or for other kind of property, I don't know. I mean, if you're talking about seizing a vehicle, I mean that doesn't get up to 75,000. That, you know, you might be more interested in a vehicle that's worth 30 or 40 or \$50,000, but still you'd be interested in that.

So we just talked about the fact that all funds that are seized:

... are retained in the Criminal Property Forfeiture Fund to support police operations or the Victims' Fund. Following the payment of the costs and expenses of seizure, funds seized through the new ... process would be subject to the same process.

And so we'd be interested, and you know we're always interested, in hearing more about these things. So what kind of breakdown do they have between the Victims' Fund and the police costs? I mean, I think that's very important.

But as I said, this is one that's very important right across the province. I think that we want to be as rigorous and as innovative as we can when it comes to fighting crime. And what happens when you solve some of these crimes and then you realize that there's a lot of property or funds that are involved? What's the process there?

And so this goes a long way and, as I said, this is an evolution of legislation that was introduced in, I believe it was 2005 and then again in 2009. And here we have it again back in 2013-14 in this third session, and so we'll have some questions about this. I think it's important that we move this kind of legislation

forward. As I said, that in Saskatchewan and in our cities and our towns and villages and in the country, it's important that we do all we can to make our communities as safe as we can.

And it would be of interest to hear from the police as well on this, and if there's any legal associations, if they have some opinions, if they've made their points to the minister, that would be good. I mean I do note that he did not reference any consultations. It seemed like it was a process that was driven by efficiency. And that's fair enough; I mean we do that kind of stuff if that's the case. Then it's efficient and that's what has to happen, but it would be good to hear if there's any of these unintended consequences. We want to make sure we tie up all the loose ends and be as effective as this as we can.

So, Mr. Speaker, I know many of my colleagues will want to be anxious to speak on this bill as it comes forward now that we're back. And I'm looking forward to the weeks ahead as we put these bills forward, talk about them in committee, deal with them, deal with the budget, deal with the estimates. It's good to be back. But we're right back at work on Monday night. And here we are. And so with that, Mr. Speaker, I move that we adjourn Bill No. 126, *The Seizure of Criminal Property Amendment Act, 2013 (No. 2)*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 126, *The Seizure of Criminal Property Amendment Act, 2013 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 109

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Boyd that **Bill No. 109** — *The Labour-sponsored Venture Capital Corporations Amendment Act, 2013* be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Mr. Speaker. It's my pleasure tonight to weigh in to Bill 109, *The Labour-sponsored Venture Capital Corporations Amendment Act*.

I think I'd like to start tonight, Mr. Speaker, by talking a little bit about what this Act originally did, or the purpose of labour-sponsored venture capital, the corporations Act that I believe was from 2001. I may be mistaken about that, but I believe it was 2001.

So at about that time, Mr. Speaker, the government of the day was looking for ways to help small- and medium-sized businesses gain investors at the time. It was not an easy task if you had something you'd like to take forward, perhaps a slightly riskier business or a business that wasn't quite as established. In order to find investors, it could be quite a challenge. So the government of the day, in keeping with what some of the other governments across Canada were doing, and started in probably in the '80s I believe in Quebec, decided to

pursue *The Labour-sponsored Venture Capital Corporations Act* in order to help encourage and spur on investment in smaller and medium-sized Saskatchewan businesses.

So that was the original purpose of the Act, Mr. Speaker. And today, what is this Act, the amendment Act, what is the goal of the amendment Act? The minister points out that the goal is to have 1 per cent of the pool fund's annual net capital invested into innovation-type investments. As well, it includes some basic housekeeping amendments, like for example changing the word department to ministry — very minor housekeeping — changing sub-section to section. Some very minor housekeeping. But the big piece of the Act here is the 1 per cent that will need to be invested into innovation-type investments. The minister points out that there have been more than 40,000 Saskatchewan people that have become investors and believe in backing local enterprises and believe that many of these funds are carefully invested in traditional businesses. But the minister's outlined the government's goal to encourage investment in more of the innovation-type businesses.

So that 1 per cent, the minister has pointed out that they'd like to see the labour-sponsored venture capital corporation step up investments in the innovation sector. These funds would increase the amount of innovation investments in this portfolio by up to 25 per cent by the year 2016. So that is the goal, to increase those investments to about 25 per cent.

The federal government . . . I think there's some concern though, and my colleague from Regina Lakeview pointed this out. One of the mechanisms . . . So Saskatchewan has a tax credit or the goal is to incent investment in these Saskatchewan businesses, these small- and medium-size Saskatchewan businesses. So there's the Saskatchewan tax credit piece but there's also a federal government piece. And my colleague had pointed out from the SaskWorks annual report that in fact the federal government is looking at phasing out the federal tax credit to some extent, which could be problematic in terms of that spurring on investment here, Mr. Speaker. So that is some concern, that the feds would be wanting to back off some of the tax incentives that have been in place for a number of years for these funds that do help ensure that Saskatchewan people can invest in Saskatchewan companies.

I think it's important to ensure that . . . I know that the minister outlined the intent to increase investments in what are innovation-type investments, but we also want to ensure that investments are properly managed and that the funds are carefully invested in local businesses and continue to be invested in traditional Saskatchewan businesses.

One concern here, Mr. Speaker, that always is a concern when things are prescribed in regulations, that there's some deference to the executive arm of government, some more power being placed in the executive government to pass regulations. So that's always something to be mindful of, Mr. Speaker. But the reality is *The Labour-sponsored Venture Capital Corporations Act* has helped spur growth and ensure again that Saskatchewan people have the opportunity to invest in Saskatchewan-based companies, keeping money here in the province and helping grow our economy.

So this is good. And obviously innovation is about always

growing, always moving forward, seeing how you can do things differently. So I think that there is some merit to ensuring that these funds are directed in that regard as well, Mr. Speaker.

But I do know that I have colleagues who will be interested in weighing in on this discussion as well. So with that, Mr. Speaker, I would like to move to adjourn debate.

[19:30]

**The Speaker:** — The member has moved adjournment of debate on Bill No. 109, *The Labour-sponsored Venture Capital Corporations Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 108

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Doherty that **Bill No. 108** — *The Athletics Commission Act* be now read a second time.]

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

**Ms. Sproule:** — Good evening, Mr. Speaker, and I'm very pleased to rise tonight to speak to Bill No. 108, which is *An Act respecting The Athletics Commission and Professional Contests or Exhibitions*. And the short title is *The Athletics Commission Act*.

This is an interesting piece of legislation, Mr. Speaker. I have to say that it's not one that I have received a lot of calls on as the critic for culture, sports, and parks . . . Parks, Culture and Sport, but it's one that obviously is of great interest to the people who brought it forward.

There was a successful lobby on the part of the mixed martial arts groups to encourage this government to create this kind of commission. It's been happening in other provinces as well, as the ministry indicated, and it's something that I think was the next logical step in terms of some amendments to the Criminal Code that passed last year. Those amendments, what they did is they amended section 83 of the Criminal Code, which legalized this sport of mixed martial arts across Canada.

Yes, so that's what's been happening federally. It's now legal to have these sports, which apparently until now they were illegal in terms of . . . Well they just have been unsanctioned to this point. And I think there's a number of concerns that have been raised by the athletes themselves, by the organizations that represent them, that there needs to be sanctions in place and that there has to be an oversight of some form because of the nature of the sport itself and the fact that it's combative. So I think that alone is enough to suggest that there needs to be some oversight to ensure the health and safety of the people that engage in these types of sports.

I was a bit confused by the name of the bill because when you're talking about an athletics commission, Mr. Speaker, my

first impression would be that this would deal with all athletics. And it's very clear that this is specifically focusing on mixed martial arts and professional boxing, so I'm not sure why this government choose to call it the Athletics Commission.

I know that other provinces have different names, and there are a couple of others that also refer to this type of commission as an athletics commission. But I think Nova Scotia, Quebec, and Manitoba's titles are much more descriptive and I think would lead the public to a quicker understanding of exactly what this commission is designed to do. In Manitoba it's called the Manitoba combative arts commission, which I think is quite descriptive. In Nova Scotia it's called the Nova Scotia Boxing Authority, which may be a bit limited when we're talking about martial arts as well, martial arts contests. And in Quebec it's called the Quebec regulation regarding combative sports.

So again we get combative arts, combative sports. We get boxing. So there's a real mix of names that is being used by various provinces to describe this type of oversight of professional boxing, mixed martial arts contests and exhibitions.

And in fact the rest of the name of the bill is professional contests or exhibitions. It's quite ironic, Mr. Speaker. When I think of a professional contest, I think about it in terms of fiddling because there's lots of professional contests in fiddling, but I guess I'm not sure this Act would apply . . .

**An Hon. Member:** — Very similar. Mixed martial arts and fiddling — very similar.

**Ms. Sproule:** — Yes, exactly. So it's a very general term, professional contests, and I'm not exactly sure why it isn't more specific to that which the bill is trying to regulate, according to the minister. So you know, having come from the first Saskatoon fiddle contest in the month of February, you know, there's 46 young people engaged. When I see professional contests, I think . . . I'm not sure this bill would want to apply.

And the other one is exhibitions. When I think of exhibitions I'm thinking of Saskatoon exhibition. I'm thinking of the Regina exhibition. And somehow that's also a term that's being used to describe these martial arts events and exhibitions.

So what I did then is I turned to the proposed definition in the proposed legislation of what is a professional contest or exhibition. And there I found out a little bit more information, Mr. Speaker. The definition that's being proposed is this. This is section 2(o), “**professional contest or exhibition**’ means a contest or exhibition of [here we go] professional boxing, mixed martial arts . . .” And then it goes on to say, “. . . or another prescribed sport.”

So there could be other sports I suppose that will come under this commission at some point in time. Certainly based on the minister's comments, it appears to be specifically directed towards the mixed martial arts and the professional boxing. So a little bit of interesting comments there.

Now part I of the Act is the definition part. Part II is where the commission itself is set up. And what we see in section 3 is that the minister, the minister will appoint an employee of the

ministry. So that's the commission.

I'm just going to read this section because it's a bit confusing. Section 3(2), “The commission is to consist of an employee of the ministry who is to be appointed by the minister and who is to serve as chairperson of the commission.” And that's all we have. We don't know who else is on this commission, Mr. Speaker. It's silent. And yet the minister in his comments indicated that the commission will be five members.

He went on to say that the minister's going to establish an advisory committee with three subject matter experts as well as the commissioner who's appointed by the ministry. And then the fifth person, according to the minister, would be the adjudicator that would be appointed by the Lieutenant Governor in Council. So I'm not sure why that's not in the Act because it's very clearly not in the Act.

Perhaps the minister is aware that it will be included in the regulations, and in the regulation authority we'll have to see whether the Lieutenant Governor in Council has that authority. I don't see it. It isn't jumping out at me at this point in time, but I'm just curious why the minister would indicate that when it's . . . I can't find it in the proposed bill. Now I could be missing something and maybe when it comes to committee time, I'll have to raise that question with him and find out exactly how it is he's determined that there will be five members on the commission.

At any rate we do know that the ministry will appoint the commissioner, which is an employee of the ministry, and the responsibilities of the commission is just going to be to regulate and supervise these contests or exhibitions and all the licensing and enforcing under the Act. So there's a number of authorities that the commission will have.

Part III of the Act is split into, I think, three divisions. The first division is in terms of the issuing of licences. So there's a number of licences that are being proposed here and I suppose there's going to be a few fees that will come into the government as a result of that.

So there's four different kinds of things that you will be required to get a licence for. First of all, anyone who wants to promote, conduct, or hold a professional contest or exhibition needs a licence. So the promoters and the people that are putting them on.

Secondly anyone who wants to participate as a contestant in the contest. So you need a licence for the event and now you need a licence for the contestant.

Thirdly, and again coming from a layperson's perspective I found this very interesting, anyone who wants to provide services as a matchmaker. So I'm wondering. Matchmaker for me, Mr. Speaker, is something completely different. I think that must be . . . [inaudible interjection] . . . Exactly, what's being proposed in this bill. Anyways, this matchmaker will require a licence and I assume a matchmaker in this context means something to the people in martial arts but to me it means . . .

**An Hon. Member:** — Well they make matches.



**Ms. Sproule:** — They make the matches. Yes. My colleague has helped to point out what this would likely be in application. Anyways, so that's the third type of person that requires a licence under this bill, if they are a matchmaker or an official or a second. And I don't know what a second is here either. Again the context is a bit strange but apparently if you are a second — to me that's something in time — or second in line, but maybe there's a second involved in these matches as well . . . [inaudible interjection] . . . Dually?

**An Hon. Member:** — Duelling.

**Ms. Sproule:** — Oh duelling. Well, Mr. Speaker, thank you for the help here but I'm just not familiar with this sport at all, obviously. So I'll have to ask the minister to maybe clarify that a little bit as well. But in this case, the second also requires a licence. So there is a number of areas here where licences are required and I think it's quite fascinating to see this process unfold, if you will.

There's a number of sections in the proposed bill that deal with the types of licences, how they're issued, when they can be suspended or cancelled, and they're fairly standard clauses, Mr. Speaker. So now you've got your licence. We've got a commission. We've got a licence. We've got somebody holding an event. We've got some people that are competitors and we've got a matchmaker and we've got an official, so we're ready to roll. Now what happens next in division 2 of this Act, or section of the Act, you need a permit. So you've got your licences. Now every time you have an event, you are required to have a permit. And that's section 15 of the proposed bill.

There's a number of subsequent clauses in terms of the event permit, how you apply, how they are issued, refusals, when you will be refused, suspended, and again a number of different types of clauses relating to the issuance of a permit. Interesting. Section 23 talks about requiring all the applicants to post security to ensure compliance, so they are going to have to actually put up some money in order to get this permit, which seems to be interestingly appropriate, I suppose you could say.

Finally, section 24. What is the fee required for this permit? Or . . . yes, the event permit. In this case it's not a standard fee but it's actually 5 per cent of the gross gate receipts. This is a bit concerning, Mr. Speaker, because those are very difficult to monitor when you're dealing with cash receipts. So I'm not sure why the government would choose a percentage in this case and I fear that there could be under-representation of the gross gate receipts because of the fact they're handling cash at the gates. But there must be a reason and again this will be something I would be interested in asking the minister about, why they chose gross gate receipts rather than a straight-up event fee or some sort of schedule of fees that might make sense.

On the next division here is notification by the commission. So they can't do a lot, any of these things, issuing the licences or the permits or cancel them unless they give the event holder or the permit holder an opportunity to make representation. I think that's fine.

Part IV is now the next part of the Act, and that's about enforcement. Quite a long part of the Act. It talks about inspections, investigations. And those are your standard types

of clauses where a judge can issue a warrant for an investigation, and those all seem to make good sense, Mr. Speaker.

Division 2 talks about administrative penalties and division 3 talks about the offences and penalties. So the fines in this case could be as high as \$25,000 for violations of the Act, all which seem very, very normal and appropriate.

Part V is the section regarding appeals. Now we have an adjudicator, and this talks about how you can appeal decisions here. The Lieutenant Governor in Council can appoint the adjudicator, and it could be any number of adjudicators according to clause 32, which again is in contrast to the minister's comment that the fifth person on the committee will be this adjudicator, if that's the way that's going to work. And I need to ask him more questions about that. At any rate, the adjudicators can be appointed to hear complaints or concerns about these contests and events.

And I think the only thing that I found interesting here, and this is coming from some of the work I'm doing in my constituency office, Mr. Speaker, is that in section 40 there's a right to appeal the adjudicator's decision to the court. And I'm just curious about this because I've been doing some work with the Workers' Compensation Board, and one of the things I've discovered is that you can't appeal a decision of the Workers' Compensation Board. But in this case you're allowed to appeal an adjudicator's decision. So it just seems to me, and I'm not sure why that would be, but it would be interesting to know why the different approach is being used here and not in the case of the board of the Workers' Compensation Board. But that's just an observation at this point.

Part VI is just the general clause nearing the end of the bill, and in that case where the minister can apply also to the court for an order to comply. So somehow I think the ministry felt it was important that if individuals weren't complying with the provisions of the Act they could force them to comply.

[19:45]

I'm trying to picture this and where this would happen. Most cases, if you're not meeting the terms of your licence or the permit that you're issued for the event, you would just cancel the licence or the event. But somehow I think the ministry is interested in forcing compliance. And again I think these are questions that I will look forward to posing to the minister once we get a chance to examine this bill in committee, to find out exactly what the thinking is because we don't have any indication here under the comments that were provided by the minister.

So then we get into the regulations, which is a long list of things that are being allowed, being provided for in the Act. Again I don't see anything here in particular describing the composition of the commission except for I guess the very last clause, which allows the lieutenant to do anything necessary to carry out the intent of this Act. I would prefer to see it in the Act just so you know what you're dealing with right upfront instead of having to hunt it down. And again, that is a question I will want to pose to the minister when we get a chance to talk about it in committee.

I guess some general comments. That's basically the content of the bill. We are hoping that people are, you know, bringing forward concerns that they have about this Act. I don't know anything about mixed martial arts. It's not part of my world at all. The most competitive sports I was involved in is, you know, curling and volleyball, which are basically non-contact sports.

**An Hon. Member:** — Bridge.

**Ms. Sproule:** — Bridge is something very interesting because, you know, competitive bridge can be contact. Contract bridge or competitive bridge, they tried to actually have it listed as a sport in the Olympics. And I was thinking about this because when you see someone kicking someone or punching them, and that's called a sport, is always something that I've found kind of interesting. And I'm just observing that, Mr. Speaker, without passing any sort of judgment on it. But if you've ever played contract bridge against some of the elderly citizens at the bridge club, I can tell you it's every bit as competitive and cutthroat as any sort of contact sport could be. So perhaps there's room for bridge in this bill as well. If there's a professional bridge contest, maybe they'll have to apply for a licence. Duplicate bridge is a wicked, wicked, competitive sport. At any rate, Mr. Speaker, I know there's, as I indicated . . .

**An Hon. Member:** — Scars.

**Ms. Sproule:** — Scars from . . . Mr. Speaker's showing me his scars as a result of his competitive sports.

I do have a number of questions that I want to pose to the minister when we are able to talk about this in committee, and so that will conclude my remarks at this point.

**The Speaker:** — The minister has moved second reading of Bill No. 108, *The Athletics Commission Act*. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — All in favour say aye.

**Some Hon. Members:** — Aye.

**The Speaker:** — Opposed say nay. The ayes have it. Carried. It has to go, it has to be voted to go to committee.

**Principal Clerk:** — Second reading of this bill.

**The Speaker:** — To which committee shall this bill be referred? I recognize the Government House Leader.

**Hon. Mr. Harrison:** — Thank you, Mr. Speaker. I designate that Bill 108, *The Athletics Commission Act* be referred to the Standing Committee on Intergovernmental Affairs and Justice.

**The Speaker:** — This bill stands referred to the Standing Committee on Intergovernmental Affairs and Justice.

### Bill No. 102

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 102** — *The*

*Builders' Lien Amendment Act, 2013* be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Mr. Speaker. I'm happy to wade into Bill No. 102, *An Act to amend The Builders' Lien Act*, this evening. I think I'd like to start by talking about what the original, *The Builders' Lien Act* itself was set out to do, Mr. Speaker.

So *The Builders' Lien Act* is legislation in Saskatchewan to protect tradespeople and professionals who do activity to improve a property. So I think if we look at the definition in the original Act, what does improving a property mean? It means:

“**improvement**” means a thing constructed, erected, built, placed, altered, repaired, improved, added to, dug or drilled or intended to be constructed, erected, built, placed, altered, repaired, improved, added to, dug or drilled on or into, land, except a thing that is not affixed to the land or intended to become part of the land and includes:

landscaping, clearing, breaking, excavating, digging, drilling, tunnelling, filling, grading or ditching of, in, on or under land;

the demolition or removal of any building, structure or works or part thereof;

[and] services provided by an architect or engineer.

So that was the original Act, Mr. Speaker. So that's what improvement means and what one of these things that this Act has done . . . Or sorry, Bill No. 102, *An Act to amend The Builders' Lien Act* will now be adding to the definition of improvement. It now includes the services of land surveyors. So land surveyors who would work alongside architects and engineers and other professionals and tradespeople previously would have no opportunity or very little recourse if they weren't paid for a job, Mr. Speaker.

So back to I guess my point here. I never finished that. What the purpose of the original legislation does, it allows certain groups who make an improvement to a property to put a lien or a warning in essence on the property if they don't get paid for the work that they've done.

So could you imagine, Mr. Speaker, going to work and working very hard to ensure that someone for whom you've been contracted to, to improve a property . . . You do your work in good faith. You spend the resources to hire your own employees, perhaps. You spend money on materials and subsequently you don't get paid for the job that you've done. That would be incredibly frustrating. And beyond frustrating, it has a huge impact on a business's bottom line if they don't get paid or an individual's bottom line if he or she doesn't get paid for work that they've done, Mr. Speaker.

So up until this point, land surveyors, who again as I said have been working alongside with these other professionals and tradespeople, haven't had the ability to use the process to put a

lien on a piece of property or work that they've done, Mr. Speaker. So this amendment will allow land surveyors to be included in the Act and be able to take measures to get paid if someone has not done so, Mr. Speaker.

I know the land surveyors were here in the fall and they are very pleased and looking forward to having that opportunity if need be. Obviously it's not something you want to have to do, Mr. Speaker, but when it comes to being paid for your work, it is a necessity.

So what else does this amendment do, Mr. Speaker? It updates the section in the Act that determines when a contract is deemed to be complete. So at this moment the original Act says a contract is complete when the price of completion is not more than 1 per cent or \$1,000, whichever is less. And this number, \$1,000, was established in 1986, so a fair length of time ago, Mr. Speaker, and definitely no longer reflects the current construction costs. So this bill, this amendment, Mr. Speaker, will appeal or repeal the \$1,000. A contract will be considered complete when the price of completion is not more than 1 per cent of the contract price.

The minister had said in his comments that this is used as a flexible benchmark that assists to what . . . I should give you his exact quote. Actually he said, “. . . this is viewed as a flexible benchmark that will adjust automatically with the scale of construction projects.”

I don't know if there would have been room. This is a question that we can ask, Mr. Speaker, that the \$1,000 or the 1 per cent of the project, is the 1 per cent the right number? Did the government do any consultation with those affected parties to find out if 1 per cent was the right number? I don't know, Mr. Speaker. The minister didn't allude to those comments at all or to that consultation at all. He's simply saying that that is the . . . He says that's a flexible benchmark, but who knows? We're not sure. Is that number the right number? We will continue to talk to stakeholders and find out if that's the case. That's a question to ask for sure, Mr. Speaker.

The other thing this bill does is it increases the limitation period that applies to trust claims from one to two years. So right now it provides that a trustee is discharged from his or her obligations at one year after the contract is complete or abandoned. So as the minister points out, this period does not match up with the general two-year limitation period in *The Limitations Act*. So this can be a problem, the minister points out, because a trust claim is usually brought at the same time as a lien claim, which is a two-year period. So this legislation is trying to make those two things match up, Mr. Speaker.

So I know that as I had said, that the land surveyors are very happy with these changes. Like I said, to be left out of a process where you're working alongside other professionals and tradespeople and not have the opportunity to have the mechanisms to get paid for work that you do, if someone decides not to do that, that is definitely a problem. And so that's good that the government is rectifying that situation.

I'm just going over the notes here. I think, Mr. Speaker, that that covers the bases on this bill. It's not a lengthy bill, but again it is designed, the original bill is to make sure that those

involved in the construction industry get paid for their work and materials, which is only fair.

So with that, Mr. Speaker, I would like to move to adjourn debate.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 102, *The Builders' Lien Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 103

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 103 — *The Enforcement of Maintenance Orders Amendment Act, 2013/Loi de 2013 modifiant la Loi de 1997 sur l'exécution des ordonnances alimentaires*** be now read a second time.]

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

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. It's my pleasure to weigh in on discussion as it relates to Bill 103, *The Enforcement of Maintenance Orders Amendment Act*. This bill is pretty straightforward. It is simply intended, as I understand, to be another tool to go after parents who don't pay for child support. In this event it provides a tool of not providing them a hunting or an angling licence. And certainly that seems to be a very reasonable tool to extend to have just another mechanism to make sure that those parents that aren't paying for child support are doing so.

Just when I look back I guess it's interesting to note that there's other tools that government would utilize first, as I read the bill, before they would utilize this mechanism here. They would garnish wages, they would consider suspending a driver's licence, they would intercept funds receivable such as GST [goods and services tax] dollars available to a person. They could collapse pension entitlements or RRSPs [registered retirement savings plan]. And of course there's seizure of property. So there's quite a few mechanisms already in place to ensure the collection of dollars that are owed for child support.

And the office that administers the maintenance orders does important work on this front on behalf of Saskatchewan people. Certainly for someone to not be following through with the payments owed for child support is something that should not be accepted, something that there should be severe and several mechanisms to intervene and cause proper payment. And certainly government has many of those tools. This bill itself expands those tools, and as I say would allow government — the Ministry of the Environment — not to grant a fishing or a hunting licence to someone who hasn't paid child support. And you know, Mr. Speaker, I support that step. I support not allowing someone who hasn't paid child support to access a hunting licence or a fishing licence.

Now what I should say is that it's interesting though, it says that the maintenance enforcement office regularly reviews and suggests updates to the legislation to ensure that it's offering the

best possible service. I'm just wondering if this was the only recommendation that came forward. This is one that we would support, another tool that would provide some protection for families. That being said, I'm wondering if there's other tools. I wonder what other provinces are doing on this front.

[20:00]

And that's some of the work and consultation that the official opposition will be doing over the coming weeks and months, just to make sure that we have as robust of tools as we should have as a province and that, while opening up the Act to make this step, one that I support, to prohibit or be able to prohibit someone who hasn't paid child support from receiving a hunting or angling licence, I'm wondering if there's other mechanisms, other actions that other provinces are taking. Because certainly this is a matter that just, you know, shouldn't be taken lightly at all; it has, when someone's in breach of those obligations, it often leaves families in very vulnerable economic and social conditions. And it's something that certainly we shouldn't accept.

Just on the point though, and stepping aside from the actual changes as it relates to the enforcement Act, but on to the piece of hunting and fishing licences, it's fair to say that there's many concerns with what this government's done on that front, Mr. Speaker, where they've overhauled a system and made, built a system that's housed out of Tennessee, I understand, Mr. Speaker, that is now managing all these licences and created technology that so many Saskatchewan vendors, Saskatchewan outfitters, Saskatchewan recreational companies and gas stations can no longer provide. And it doesn't make sense, Mr. Speaker, to shut out Saskatchewan retailers from authorizing fishing and hunting licences and to be exporting all that activity and those contracts down to a Tennessee company with all sorts of concerns from a privacy perspective of the collection of that information.

And I recall, as you know, Mr. Speaker, I am an avid fisher and hunter, and I recall chatting with many here this past summer and throughout the fall, and chatting with some of the retailers as well and outfitters across our province, and there's great frustration with Saskatchewan people with outsourcing to Tennessee the system to license hunters and fishers in this province. Many hunters and fishers haven't been able to access their fishing or hunting licence.

I think of a time I stopped in up at Canadian Tire north. I think it was May long weekend or just . . . right around May long weekend. Many fishers were in there trying to get their angling licences, lined up frustrated that they couldn't get them anymore. And chatting with individuals there at Canadian Tire north, a big retailer, they said that they couldn't make the investment in the technology required, the high cost to get into that service. And of course this impacts so many, and many of them were seniors, Mr. Speaker, who I think we should be thinking of because many of those seniors have been great stewards of the land and have been fishers and hunters their entire life and it's part of their cultural being. And we shouldn't be doing . . . Taking actions as this government has to prohibit them from or to challenge them from getting licences.

So you know, as it relates to the outsourcing to a Tennessee

company and the security of information and the shutting out of Saskatchewan outfitters and gas stations and retailers from the selling of fishing and hunting licences, that just doesn't make sense. Exporting those profits and jobs to Tennessee doesn't make sense, Mr. Speaker.

What does make sense is the portion of this bill that we will support or do support, and that is the changes made that if someone hasn't been paying their spousal support or their child support, that they won't be able to get a hunting or fishing licence in Saskatchewan after other actions have been taken by this government. I've gone through the list of those other actions, but that's something we support.

But I do wonder as I say, Mr. Speaker, when this was reviewed, if this was the only recommendation that was brought forward or if there wasn't an opportunity to further strengthen legislation and protections for families and provide greater enforcement of maintenance orders. And I wonder what the model is in other jurisdictions that might have been able to be learned from on this front. And certainly as part of the official opposition, we'll engage in that sort of consultation, bring that forward to the process.

And as I say, Mr. Speaker, though, as it relates to no longer for many Saskatchewan people being able to actually find a fishing or hunting licence at their local retailer, that's a disappointment to most Saskatchewan people.

At this point in time as it relates to Bill 103, *The Enforcement of Maintenance Orders Amendment Act*, I will adjourn debate. Thank you, Mr. Speaker.

**The Speaker:** — The member has moved adjournment of debate of Bill No. 103, *The Enforcement of Maintenance Orders Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 104

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 104 — *The Enforcement of Maintenance Orders Consequential Amendment Act, 2013*** be now read a second time.]

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. It's a pleasure to rise tonight and enter into this debate on Bill No. 104, *An Act to make a consequential amendment resulting from the enactment of The Enforcement of Maintenance Orders Amendment Act, 2013*.

And my colleague from Regina just gave a pretty good discussion about our hopes and fears around what this all means. And of course you know, as he said clearly, we want to do all that we can to make sure maintenance orders are enforced. And that only makes a lot of sense. And we have a pretty high standard here in Saskatchewan of achieving that and

we are very proud of that, of the office that looks after that. And so if this is one more tool that they need in their tool kit, that's fair enough. We are very interested in hearing about that.

But I do have some questions, and very similar to what the member had earlier said about when they did the consultation, about what can we do to make our maintenance orders — the enforcement rate — much higher? Was this the only thing they could think of? Was this the only thing they could think of?

Now interestingly, we do have a pretty high enforcement rate. The office that works out of Justice is a pretty effective office. And we were able to and I, just a few months ago, we were able to question them a bit about their work, and the auditor had their comments and they were pretty favourable, if I recall that correctly.

But this was an interesting one. I mean, it's interesting. I didn't realize, you know, when you have preconceptions about maintenance orders that, you know, it only relates to a certain age group, and when kids grow up and they hit 18 that the enforcement is done. And that's not the case. In fact, maintenance orders can go on for quite a while. Or the payment that didn't happen is actually still outstanding, and this in fact could . . . in fact I understand that there are actually seniors who are still involved with making sure that they pay their maintenance orders. It's not all done just because the child hits 18.

And so this is an interesting one about fishing licences, because what's interesting is that you're not really . . . It's more of a punishment. And that's fair enough. We want to do all that we can if that's the case. But I'm wondering, in terms of the amount of red tape, and we want to be effective. You don't want to have just a piece of legislation that says we're going to take away your fishing licence but we're not really going to do that because it's just too much work to actually do that.

And you know, I know this government, to a fault almost, I mean, they've really on one hand gone in and cut a lot of red tape, where sometimes I wonder if they have gone too far because we don't know what's going on anymore. And here they are creating another step that we really want to know how effective it can be. How effective can it be?

It's really important that there is some . . . You know, when you think about a tool or a hammer or whatever, you've got to make sure you don't make a hammer out of something really soft because it won't do any work. It won't hurt. So how will this really . . . Are they really planning on, you know, the Nerf hammer?

How do you really make sure this will achieve the results, you know, that we're going to drive up the enforcement order, the enforcement compliance from 90 to 95 per cent? That last 5 per cent can be pretty difficult. And I'm wondering, is it because they have fishing licences, you know? I don't know. Maybe they do. Maybe that's something that we've heard from the office, but we'll have lots of questions about that.

They've done very good work, very effective work. But will this be as effective as putting another law on the table? And then you do have a responsibility. These folks over here will

have a responsibility to make sure that's carried out. It's not just something that we've spent hours debating in the House and they've spent and the Department of Justice has spent a lot of time thinking about. It has to be something that has some teeth and has some effect. It has to have an effect.

And so I'm curious about this. I'm really . . . And it's interesting. As my colleague said, was this the only suggestion they had? Or were there others, and they discounted them and put them off the side of the table? And we know that often, and we've seen this earlier, even earlier today my colleague from the North was talking about how we've been paying for seven years the rush to put essential services legislation through improperly. And they've done it improperly because they didn't listen. They didn't listen to the people who really have some experience in this.

So this is, while it is a small thing, it's a pretty significant thing. And I know that in fact we have a lot of beautiful lakes in our province. We have a lot of people who love fishing, and this is one more wrinkle in that case.

And as my colleague earlier said about the snafu that happened when we moved to having the local co-ops or the local Canadian Tire selling the fishing licences, and it was pretty much a small-business type of thing. And I know this government prides itself on being small-business oriented, except for when it comes to fishing licences, the bigger it can be. If we could have an international conglomerate look after our fishing licence, it must be a good thing, you know. And so only when you have international businesses, when you have an international office dealing with this.

So it's really important that, I mean, here's where we have this inconsistency. You know, we love the small business but we don't want the Co-op selling a fishing licence. We don't want the Canadian Tire selling the fishing licences or the local gas station.

You know, I think this is really, this is the inconsistency, the incongruity we see of this government. When on one hand they love small business and they hate getting rid of red tape, and here we introduce red tape and we want the big business to deal with it. So it doesn't make common sense at all. There's no common sense in this at all. And we have said when it makes sense we will be right there. We will step right up and work with the government.

But we've seen this Tennessee licence boondoggle that they had. And I mean, they may be proud of it. It sounds the minister thinks it was the greatest thing since sliced bread to bring the Tennesseans up to sell the fishing licences. He really likes that idea . . . [inaudible interjection] . . . Davy Crockett. He must have been sold on the Davy Crockett thing.

But here we have a situation. Here we have a situation where what we're trying to do, a simple thing, is get more people to pay their maintenance orders. And is this going to really achieve that? I don't know. So we'll have lots of questions. We'll have lots of questions and what the consequences of this legislation will be, will be of interest. I think that it's an important area and we want to make sure that we do the right thing. And if this the right thing, then fair enough and we'll go

with it. But I do have to send out some flags that we've had some big questions about the lack of common sense from the other side when it comes to some of the things that they've done. That just seems like when if it ain't broke, then why are you fixing it by bringing up Tennesseans to deal with this.

So, Mr. Speaker, I know there's lots of interest. And I know that the members on the opposite side have really sparked up on this a bit. But I think that we'll have questions in committee, but I know many of my colleagues will want to speak to this piece of legislation. As small as it is, it just sort of indicates that, you know, have they done their full . . . have they done all their homework? Have they done all their homework? That's the question we have.

So, Mr. Speaker, I would move that we adjourn Bill No. 104, *An Act to make a consequential amendment resulting from the enactment of The Enforcement of Maintenance Orders Amendment Act, 2013*. I do so move. Thank you, Mr. Speaker.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 104, *The Enforcement of Maintenance Orders Consequential Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

[20:15]

### Bill No. 105

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 105 — *The Informal Public Appeals Act*** be now read a second time.]

**The Speaker:** — I recognize the member for Saskatoon Riversdale.

**Ms. Chartier:** — Thank you, Mr. Speaker. I am pleased to enter the debate tonight about Bill 105, *The Informal Public Appeals Act*.

Mr. Speaker, I think one of the things that we always do as opposition and the general public needs to do when a bill is before us, we need to understand where it's coming from, who's asked for it, what is the impetus for the bill being before us. That's one of the first questions you need to ask. And in fact, the minister outlines in his second reading speech that in 2011, the Uniform Law Conference of Canada recommended that the Uniform Informal Public Appeals Act be adopted by Canadian jurisdictions to govern the operations of informal appeals. So this, the minister has laid out, that this is come from a national body, the Uniform Law Conference of Canada.

So when we think about public appeals, people in Saskatchewan are very good at coming to the aid or to assistance of those who have maybe fallen on harder times, whether it's . . . You just need to think back: news stories that we all hear in our own communities about when perhaps a parent has died tragically and doesn't have life insurance. We have situations where there's been a fire and families lose

absolutely everything. A home floods and people don't have insurance. Mr. Speaker, people in Saskatchewan are incredibly generous, and when they know that an individual or a family is in need, they will often come to the table to help try to resolve some or to ease some of that suffering. So we do have a very proud history of helping our neighbour here in Saskatchewan, Mr. Speaker.

So this particular Act, Bill No. 105, *The Informal Public Appeals Act*, public appeals or informal appeals are exactly that — informal appeals to the public for donation, but they're not campaigns established by organizations. They are spontaneous appeals and are usually initiated by private individuals without first obtaining legal advice.

So the goal of this bill, the minister outlines, is to facilitate and enhance the practice by addressing some of the unintended consequences that can arise when we have well-intentioned people from the public who embark upon one of these informal appeals without knowing all the ins and outs of it, Mr. Speaker.

So the minister outlines that *The Informal Public Appeals Act* will define public appeal for the purpose of the Act to limit the scope to sporadic and informal appeals. So it can't be a constant permanent appeal, Mr. Speaker. These again are to be sporadic and informal. The Act will confirm that funds raised through a public appeal are held in trust, and it will establish a default scheme that will apply only where a public appeal is not regulated under legislation or a formally created trust. It will also establish a mechanism for disposal of surplus funds or an ability to provide refunds where needed. It creates a power for the courts to direct application of surplus funds. And it sets out the powers and duties of trustees, including investments of funds, further public appeals, and the transfer of funds to another body. And it provides for regulatory authority to set out user-friendly forms with examples, to be used by members of the public.

So I think in this day and age particularly, Mr. Speaker, obviously we've been very good in Saskatchewan in taking care of our neighbours. But in this time of technology where crowd funding is a very common thing . . . People do it for their businesses. Sometimes start-up entrepreneurs do this. But I've also seen crowd funding for these very appeals, for informal appeals, so doing some online fundraising when someone comes across hard times and needs some help.

So there's one particular site called CauseBox that helps people, helps an individual put out a public appeal and raise money for just such occasions. So particularly in this day and age of technology, this bill becomes even I think more helpful in many ways.

People in Saskatchewan are generous, but if you embark upon a fundraising effort and don't have some parameters laid out, it could prove to be problematic. So I know that the minister talks about instead of putting up hurdles it's this government's hope to seek to remove the traps he says that have evolved so that well-meaning trustees who commence an appeal are not made victims of their own good intentions.

One of the things he talks about is having electronic forms and making sure that . . . So if you want to embark upon a public

appeal for someone in your community who has fallen on hard times, you can access these forms online. But often people go to their local credit union or their local banking institution. And I understand that these forms are going to be made available in these kinds of locations as well.

So again, as members of the opposition and citizens of Saskatchewan, one of our jobs is to take a look at where a bill is coming from. And we'll pursue this a little bit further, but the minister in his comments again laid out that this was the Uniform Law Conference of Canada recommending that other jurisdictions do this as well. It makes sense to put some parameters in place to make sure that those raising funds are protected. People in Saskatchewan have big hearts and need to make sure that their work is not put in jeopardy or it causes any difficulties, Mr. Speaker.

So this at first reading here makes good sense, Mr. Speaker, but we will continue to consult and talk to various stakeholders and try to understand if this is in fact the best way of doing this. The minister has laid out a specific way, and those are other questions that we ask as opposition. So what are other jurisdictions doing? The Uniform Law Conference of Canada has recommended a particular bill, but how does this differ from it? Is there another way of doing this? How have other jurisdictions done it? Is there a more effective way? What could be added or enhanced to make this even more effective? So those are all questions that we will be asking, Mr. Speaker.

But I do know I have colleagues who will also weigh in on the discussion about Bill 105, *The Informal Public Appeals Act*, and with that I would like to move to adjourn debate.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 105, *The Informal Public Appeals Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 106

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 106 — *The Legal Profession Amendment Act, 2013*** be now read a second time.]

**The Speaker:** — I recognize the member for Cumberland.

**Mr. Vermette:** — Thank you, Mr. Speaker. To join in on Bill 106, *The Legal Profession Amendment Act, 2013*. And I guess to give some comments, and going from some of the comments that the minister has put forward in his I guess response when he introduced the bill and his second reading. And I guess I look at it two different ways. We've always said very clearly that we have to consult the industry, and in some of the comments I have seen, the minister has commented that he has done the process and on the wishes of the Law Society has requested these changes and these amendments be changed to accommodate, and I guess some of the members, and the way . . . And I'll go over some of it and some of the response.

In a provision clarifying regulating the profession so the public

interest is paramount, he talks about I guess making sure the public clearly is being looked after here and the best interests of the public, from what I can understand, they're clarifying. So that part of this provision here, which is good because it talks about making sure the public interests are protected and looked after and I think that's one of the provisions in here they're amending. And that's good.

The society is given the authority also to regulate not only individual members but law firms. And I think that's amendment that's changed. And this is good. I think from what I could see if this is, if the Law Society has brought this forward, if law firms have asked for this . . . And maybe, you know, I don't know. I haven't talked to any. But it's interesting. I know we will do our research and some of my colleagues will talk to, you know, some of their law firms that they know that are maybe running for and have established a long and a good law firm, a practice that's very professional, and truly we'll get their input that this is something that they've called along.

Not only that. There might be individuals within the Law Society that have shared their view to some of my colleagues that sit on this side of the House and maybe members on the other side. And hopefully that has happened, that dialogue is taking place and, you know, I have no reason to believe that hasn't happened. It sounds like this is a provision that the Law Society has requested on behalf of government to do on their behalf and that's a good thing so in that case.

You know, they talk about in there about deadlines and making sure that whether there's I guess a hearing, a panel, a decision, they've made some amendments to allow for a process when they had a timeline to make sure that whatever comes before that panel . . . And they're even suggesting that it would be a panel rather than the full I guess committee, board, whatever the Law Society, how they normally would handle things. My interpretation of this is it's a smaller group that would have an opportunity to hear some of the information and then I guess make a recommendation. We'll have to figure that out in committee and exactly ask for clarification on that.

But so what I could see so far from the minister's second reading comments he talked about, there are some provisions in there to do that, which is good. You know, it's admissions panel is what they refer to, the actual panel that would look at this. And it would try to make a decision and they refer to in a timely manner like I said, rather than there was a number of days. I believe it was 45. It is now they're looking at different options in a timely manner so that these I guess interests of Saskatchewan residents are being taken in account but also for a law firm or an individual that I guess is going before this admissions panel. They get an answer in a timely manner, which is probably something that's needed so they can go on and provide should they be found . . .

So I know in committee we'll have to ask some of these questions, and we'll ask. Some of, you know, our colleagues I know will go out and ask some of the professions where they're going with it.

But I also want to make this . . . There is a provision in there about the board and the Law Society in itself. When you're looking at the . . . There's an exemption here. And they talk

about getting not only lawyers on this panel, committee, but then on the Law Society they're opening up for I guess appointment of individuals maybe who bring a different perspective other than a lawyer to the table to assist. And I, you know, I think that's a good idea. They'll look at different individuals, and they'll go through a process how they determine that. I'm not sure how they're going to do that, but it's from my understanding, what I can see in here, it's a provision that they're going to use.

But here it's interesting. And I'm looking at it as I read this. We have a provision in there. It's an exemption to protect individuals who volunteer from liability for good faith decisions that people do in good faith. They've made a decision. They've done their due diligence with looking at the information. They made a decision, and something comes back later. There is some protection in there for liability, and I know Saskatchewan has that provision for volunteers.

Having said that, there's limitations on one taking a volunteer to court or for wrongdoing. If they can show that they've done their due diligence, it protects individuals. And I think that's important because we have a lot of volunteers, people who sit on boards, and they should be protected. They're not compensated a lot. They volunteer. And as long as they've shown their due diligence, there's provisions in there to protect them. I think that's a good thing. I said that when I heard about this change a long time ago. It was good. It gave some added protection and comfort to those that are volunteering because in some situations you volunteer, Mr. Speaker. And you do, you volunteer your time. And Saskatchewan is known for the volunteer work that we do as Saskatchewan . . . We look after one another.

Having to go into that about this liability, currently probably right now this government, the Sask Party government that currently wish it had some provisions where they would not be held accountable by the Saskatchewan residents. They wish they had an exemption. But I tell you, Saskatchewan people, when you look at affordability . . . And I want to show some examples of how you can use liability to protect you.

They can't stand behind and say . . . And I think one day the people will judge them on affordability, on seniors. There are so many things we talk about in this Legislative Assembly. Our farmers. We look at what's going on right now, the crisis they're going through with grain, with the producers, and the challenges they're facing.

[20:30]

I think individuals, hard-working families that are out there working and they see some of the legislation that this government did, they will not have no protection. They will not have the protection they think they're going to have. They will have to answer to Saskatchewan people. And Saskatchewan people entrust in all of us that we'll stand up; we'll do the best for Saskatchewan. And there will not be no liability insurance or that they will be able to sneak and hide under because I think the public will know what's going on. We're going to help show the public what's going on. Saskatchewan people, they've worked hard and they have a right to live in a province that's affordable.

And right now they're seeing nothing but costs going up for our seniors, for people who are living in low-income housing, seniors' units — 30 per cent. There are some things going on, and there should be some protection. And I would think some of those members would want to try to see if they can get some provisions. I don't know if the Premier will grant them, you know, your liability; you're exempt. Good luck with that one. See how that works for you.

But at the end of the day, I just want to say about the liability. There are some things going on, Mr. Speaker, in this province that families are truly struggling. And you know, whether you're in northern Saskatchewan, rural Saskatchewan, whether you live in the urban centres, there are challenges when you look at the cost of utilities, when you look at the cost of just trying to survive and take care of their families. They are being asked to do less and less while this government receives huge, huge revenue to its coffers to do what it wants. It's missed priorities. It's taking care of the money. Well you know what? I think people are starting to question that, and they will be judged on that. There's not no liability going to cover them.

So it's time that they're going to stand up. They're the government. They're responsible for the decisions they've made. They've had seven years, and they've made the decisions. They're going to have to live . . . You can't keep passing it on to the NDP [New Democratic Party] and it's all their fault. They're going to have to stand up. And the people are going to hold them. People don't even listen to that anymore, 16 years. They don't even want to hear that because they're saying they're tired of that. That might've worked when you first got in, but no longer.

So I just wanted to show some comparisons, Mr. Speaker, you know, just wanted to show some comparisons on this bill. Now we've had many years of this current administration, and I think people are starting to question. I've had people who come up to me and talk about liability. They're going to hold that government to account.

People are making some clear, clear expectations of the government, and they're not happy. They did put a lot of trust. I've had people come up to me. I trusted them. I put my trust in them, and they haven't done what I wanted to do. They haven't taken care of what we've asked them to take care of, for our next generation, for our grandchildren, our children, to make sure there is something there left over. When our economy was doing so great, there was no province that had the revenue that this government has had and unfortunately has done a terrible job of. But let the people judge that. And the people will judge them on that. It'll come a day of reckoning. Trust me.

You know, sometimes they have what they have to say, you know, and they talk about the large majority, the large majority over there. They kind of mock about the members opposite, about the numbers. And that's fine. We're here representing the people of this good province, holding this government to account, and the people are talking about that. And some of those backbenchers better be careful because they may get a message they don't like.

But, Mr. Speaker, having said that, I know there is time to ask some of these in committee, and I don't want to lose the area



where I was going. I just wanted to show an example, some of the comments about liability and stuff. So at this point, Mr. Speaker, I'm prepared to adjourn debate on Bill 106.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 106, *The Legal Profession Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 113

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 113** — *The Powers of Attorney Amendment Act, 2013/Loi de 2013 modifiant la Loi de 2002 sur les procurations* be now read a second time.]

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

**Mr. Wotherspoon:** — Mr. Speaker, I am pleased to enter discussion here as it relates to Bill No. 113, *The Powers of Attorney Amendment Act* here this evening.

In essence this is all about giving some more powers to public trustees and guardians without having to appear before a judge. It allows for trustees and guardians to continue to make gifts on a person's behalf if they've been known to do so. It also sets out a fee schedule for power of attorneys. And as well it ensures a process for an accounting to be conducted and actions if that accounting isn't satisfactory.

Really at the heart of this bill is the importance of protecting vulnerable adults, protecting seniors, protecting vulnerable seniors, making sure that they're treated with respect, dignity, and protection. What we see here today is something that certainly we'll be considering and consulting directly with seniors on. Certainly most of what's put forward appears to be common sense at first blush, appears to be the kind of changes that we would be supportive of. But we want to make sure we're understanding the full intent of government with these changes and the full consequences, intended and unintended.

We want to make sure that we've done proper consultation with seniors on this one, Mr. Speaker. Far too often with that government they fail to reach out to seniors across this province to understand the realities that they're facing. And we see that most directly in seniors' care, Mr. Speaker, with a crisis, Mr. Speaker, that's leaving far too many across this province without the dignity and quality of care that they deserve and a government that seems to simply brush off or dismiss those concerns. And when they pretend to be paying some attention to it, Mr. Speaker, what they bring forward is a drop in the bucket of resources needed to address the challenge.

That being said, some of the measures that are in this Act here today seem to make sense. We'll be consulting directly with Saskatchewan seniors to make sure this Act, these changes, meets their needs, provides the protection that they deserve. And we'll conduct that over the coming weeks and months.

I will speak just specifically. This sets out certain clarifications

for how a gift can be administered from a power of attorney. For example, first it says if the document creating the . . . It can occur if:

First . . . the document creating the power of attorney specifically authorizes the making of gifts. Secondly, if an amount not to exceed the value prescribed in the regulations, and if there are sufficient funds to make the gift, and if there are reasonable grounds to believe that the adult would have made the gift if she or he had capacity. And finally, if the court authorizes the gift.

Those are specific conditions. Of course, they're set to be in place to protect the vulnerable adult.

There's also, this bill will allow for regulations to set a fee schedule, yet it's less than clear from the introductory words from the minister as to how that fee schedule will be managed, how it will be established. So certainly we will be looking for some further detail on that front, but it seems reasonable to make sure there's clarity as it relates to fees, a fee schedule for someone acting under a power of attorney.

And the third part is to make sure that "The Public Guardian and Trustee is given new powers to carry out an investigation to ensure the accuracy of an accounting." This is important. It also prescribes regulations to form an accounting. It speaks about the importance of a midterm accounting and provides as well the court the powers to remove an attorney if the accounting is not satisfactory. This is important, seem like important measures, Mr. Speaker. It's all about protecting vulnerable adults, making sure that they're not taken advantage of, Mr. Speaker. And certainly we'll just be looking for some further detail as to how that accounting process will occur.

It speaks directly to about how a final accounting will occur and the time period and when a final accounting needs to occur. This is important to ensure the integrity of the process and to, as I say, protect the vulnerable adult, Mr. Speaker.

You know, but I can't resist when I'm reading about a mid-term accounting, and what does it say, Mr. Speaker, that the court has given the power to remove an attorney if the accounting is not satisfactory, Mr. Speaker? Certainly, Mr. Speaker, you know, I think we need to make sure the integrity of seniors' estates and vulnerable adults' finances are protected. That's important.

But it's interesting coming from a government who, when it relates to the accounting of all of our public finances — the public debt, the public revenues, our public resources, our public assets — that this government, Mr. Speaker, failed its accounting. It failed its accounting, Mr. Speaker, in an unprecedented move. And, Mr. Speaker, the first jurisdiction in Canada to fail an accounting on its GRF [General Revenue Fund] books with an auditor who has reported to Saskatchewan people that the books put forward by this government aren't to be trusted, that they're materially wrong, that they're misleading, Mr. Speaker. And all of those should be big concerns for Saskatchewan people, and I know that they are.

But I find it interesting. We support protecting vulnerable adults. We support, it would appear, many of the changes that

are brought forth here today, but as it relates to the accounting measures, I wish this government would hold itself to the same sort of standard, Mr. Speaker. I wish this government would comply with accounting standards, Mr. Speaker, as opposed to rejecting Canadian GAAP [generally accepted accounting principles], Mr. Speaker, and provide the full picture to Saskatchewan people because certainly all Saskatchewan people deserve nothing less.

But as I say, when we're looking at the protections here as it relates to the powers of an attorney, when it relates to fee schedules, when it relates to protecting their estates, their books, Mr. Speaker, we'll be working directly with Saskatchewan seniors to make sure that this bill and its measures make sense. And we'll be looking to see if there's areas that could be improved.

And as well, as I say, Mr. Speaker, far too often that government rams forward without consulting with the parties affected. That's why we're going to engage seniors on this front. And if there's consequences, unintended or intended, Mr. Speaker, that aren't satisfactory, we will bring those forward to this discussion. If there's opportunities to improve protections for vulnerable adults, we'll be doing just that as well.

Thank you, Mr. Speaker, for having me enter debate. And at this point in time, I'll adjourn debate for Bill No. 113, *The Powers of Attorney Amendment Act*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 113, *The Powers of Attorney Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 114

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 114 — *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*** be now read a second time.]

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

**Ms. Sproule:** — Thank you very much, Mr. Speaker. I'm happy to rise tonight to speak to this bill, again another bill with a fairly long name, *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*. And, Mr. Speaker, as indicated by the minister, this is another proposed bill in the suite of bills that are being brought forward to look at the legislation affecting vulnerable adults. And certainly this is an area that I think requires constant scrutiny.

We know that elders, many of the senior citizens in our province are probably amongst the most vulnerable because quite often they're not able to speak for themselves. And certainly I think we see that in increasing numbers as we see things like dementia and senility really taking its toll on some of our senior citizens. And quite often decision-making is

obviously affected as these individuals age.

And certainly it's the role of government and the role of society to make sure that these vulnerable people are looked after, that they have advocates, they have people speaking for them on their behalf with the best of intentions and without any ability for them to be abused or violated. That's not always the case, and we know that there are terrible stories of awful things happening in elder abuse, and certainly advocacy groups are working hard to ensure that these types of situations are caught, they're monitored, and that our regulatory scheme and our legislative scheme will reflect the importance of that.

In this case it's dealing with health care directives and a couple of other things that are happening here. But I remember, Mr. Speaker, when I was a younger person taking classes in law school and the whole idea of a health care directive was a fairly new concept. Now it's close to 20 years ago now, actually over 20 years ago, and the whole idea of being able to express your wishes when you were no longer able to do so physically or mentally was being attempted through things called health care directives. And certainly at the time I took care to ensure that I have a health care directive and I know one of my parents has also issued one and asked me to look after it.

[20:45]

So this is one way I think that through legislation we have provided people with a voice when they no longer have a voice. And health care directives I think are a very important tool for people to rest comfortably, knowing that their loved ones and the people that will be making decisions for them have some direction from that individual when those tough decisions . . . comes time to make those really tough decisions, often at end-of-life situations.

So the minister's indicated what's being attempted in this particular bill, Bill 114, and one of the I think the issues that arises is that often there's day-to-day decisions that are made for individuals who are not able to make decisions for themselves — vulnerable adults. And sometimes the caregivers are . . . They're in a long-term care home so these would be the staff, the people that are working hard in the long-term care homes to ensure that the needs of the particular individual are being met.

And one of the things he indicated is that, you know, you don't want to have to phone the person who has authority, their proxy or their guardian or their nearest relative or their doctor, when it comes to things like dental work. Consenting to dental work is a fairly minor decision and so maybe it would be appropriate . . . I think that's what this bill is trying to do, is just to find a legislative provision to allow for a day-to-day caregiver to make those kinds of decisions.

So I think what's being proposed here, Mr. Speaker, is basically a new clause, section 17.1 which allows a "caregiver" to give consent to day-to-day treatments for a person who lacks capacity to make a health care decision where there's no proxy or nearest relative willing and available to make that decision.

Now I don't know about dental work because certainly dental work is something that can be required and there's time in that

case for a caregiver to consult with the proxy or the personal guardian for these people. But I can see where there would be situations where caregivers are needing that flexibility to make some of those, as they call them, day-to-day decisions.

One of the things that I was not quite sure about was the definition of caregiver. There is a definition within the new bill that's being proposed and it reads as follows:

**'caregiver'** means a person who occupies a position designated in the regulations as a caregiver position;

And then there's provisions now being made for regulations to designate a position as a caregiver position. So we're not exactly sure again. We have to wait and see what the regulations say in order to ensure that this is appropriate because it's going to list a bunch of positions that make a caregiver a caregiver. So it seems a bit circular, Mr. Speaker, and certainly we're going to want to look more closely at that to make sure that it's not creating opportunities for inappropriate actions.

I guess another issue of clarity that the good folks over at the Ministry of Justice have felt is appropriate and necessary is a clarification that an enduring power of attorney doesn't have the authority to make health care decisions, and I think that's an important point. Certainly your enduring powers of attorney have to make decisions regarding your financial situation, but you may or may not want them having the authority to make health care decisions. And that's a different kind of authority that you might want to pass on to a completely different person. And so I think that amendment is appropriate and necessary, and hopefully the wording will capture what's required here.

I think that's, at this point in time, the extent of the comments that is required to be made on my part by this thing. We see the good folks over at Justice, as I said, carefully going through legislation, make sure it's reflecting the times.

And you know, some of these changes that are being made are clerical or administrative in nature. *The Children's Law Act* is now being struck and it's being reflected properly as *The Children's Law Act, 1997*. So it's just some technical or administrative corrections that are being made, typographical corrections really.

And I've commented before and I'll say it again. I find the legislative agenda for this last year is heavy on these types of bills, Mr. Speaker, where we see the clerical revisions that are necessary when we have a thorough going through of the bills. And this is something that our public servants are doing a really good job of and I think bringing forward to the ministries that they work in. And certainly the Ministry of Justice is no exception to that. And you know, I guess my concern is that it's a little light. This legislative agenda is a little bit light on substance. And so we at least have the public servants busy bringing forward these types of bills to keep us going here in the evenings at the legislature. So for that, we thank them. And I would like to move to adjourn debate on Bill 114.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 114, *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013*.

Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 115

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 115 — *The Public Guardian and Trustee Amendment Act, 2013*** be now read a second time.]

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

**Ms. Sproule:** — Thank you again, Mr. Speaker. And I'm going to provide some fairly cursory comments on this bill. It's *The Public Guardian and Trustee Amendment Act, 2013*. Again this is a part of this package of bills that we've already been commenting on that are going to protect those very vulnerable people in our society, those adults who rely on others to make decisions on their behalf. What we see in this bill is a number of amendments being made to this Act to allow I guess a transition of *The Mentally Disordered Persons Act* to this bill, and then the repeal of *The Mentally Disordered Persons Act*.

I think one of the interesting observations that I can make in terms of these types of bills protecting vulnerable adults is a change in language over the years. And you know, it used to be, you remember in the movies, Mr. Speaker, when people are making their wills and they're saying, I being of sound mind and body, and somehow the issue of soundness was an appropriate term. And in this Act you will see references to the word unsound. So obviously the opposite of sound, but that language is no longer deemed to be appropriate.

And it even goes further than that and it talks about incompetence. Now that, you know, we often talk about that in terms of perhaps the government's management of the grain transportation file, but in this case the word incompetence is now found by a lot of the people that they consulted with to be objectionable. So there is some concern about the use of the word incompetence. And what this bill is doing is changing the use of that word to the word incapacity or lack of capacity. So it's a semantical change, I think, that's being asked for by the people that were consulted with in terms of this bill.

And so a large portion of the amendments that we find in this proposed bill deal with removal of the word incompetence or unsound and replacing it with the term capacity or lack of capacity. So that makes sense. I don't know that there's a whole lot of science involved in these technical changes, Mr. Speaker. We certainly know that what used to be called mentally disordered persons, and that's the Act that's being repealed, now I guess people that we're deeming to lack capacity or be incapable, again these are the very most vulnerable people in our society. And when people are deemed to be incapable or are lacking capacity, we're giving the Public Guardian incredible, incredible power over those people. And it's something that I think we must take seriously at the very highest order because when people are deemed by law not to have capacity, they are probably the most vulnerable folks that we have out there.

So we see things in this bill like a new definition of capacity. And in this case it's the new subsection (a.2) or section 2(1)(a.2), and it reads:

'capacity' means the ability:

- (i) to understand information relevant to making a decision; and
- (ii) to appreciate the reasonably foreseeable consequences of making or not making a decision.

So it's trying to characterize I think the idea of people not having capacity, people that would be referred to previously as mentally disordered or of unsound mind. So there's a large shift here from the mentally incompetent . . . Sorry, I have to find the name of the old bill. *The Mentally Disordered Persons Act*. And a lot of the certificates that are issued by a psychiatrist, in this case to declare someone incompetent or incapable, are now being moved into this bill, which is *The Public Guardian and Trustee Act*.

So I think this is a review that has been carefully thought out. And certainly we can see that the powers of the Public Trustee — which are great, as I indicated earlier — are being carefully thought through, and hopefully the provisions of this Act will ensure the highest possible protection for those people that it's meant to protect.

There's some technical changes I think that were considered. For example in section 31(1), there's a new clause . . . Sorry, I'm going back to actually section 29(3), and it's a new clause (3.1). It took me a bit to figure this out, but it's a new subsection that will allow the Public Guardian and Trustee to revoke an acknowledgement to act in the proper circumstances. So in this case the Public Guardian and Trustee is acting on behalf of an individual, but they know that someone's going to be applying for guardianship under another Act called *The Adult Guardianship and Co-decision-making Act* or there is a valid enduring power of attorney.

Anyways you might want to take a look at that, Mr. Speaker, if you really want to scratch your head and see what, what . . . It took me a while to try and figure it out. I'm not sure I have. But they're deeming, if they revoke this acknowledgement to act, then there's also a deeming for that: it was never signed in the first place. And I wasn't really sure why that was necessary. The explanation that we're provided on page 10 of the explanatory notes talks about because you're deeming it not to have been signed, then the acknowledgement to act would have also revoked the power of attorney and that couldn't be reinstated. So I'm not exactly sure how that all works, but I think the good folks over at Justice have carefully considered it and I think it makes sense and certainly there will be, I'm sure, opportunities to test the wording to make sure it stands up. But again I think the intent is there and it's correct.

You can see other changes in the Act, in the proposed bill, changing of language: if competent to had capacity, for example, in section 30.

There's other situations. Amendments in clause 31(1)(b), there's a new subclause that's dealing with a gap or a void in

the Act where, in the situations where there is someone available to act without a formal appointment from the court, the Public Trustee can act in the interim until the estate of that person can be delivered to a personal representative. So this deals with some of the gaps I think that have been identified over the years and our friends over at Justice are ensuring that, while there's a lull in the more substantive types of legislation that are often brought forward by a government, they're acting on some of these bills to make sure that all, all things are looked after.

So I think in this case, Mr. Speaker, again we see an attempt or an effort to modernize some of the language in relation to mentally incompetent which used to be called mentally disordered or incompetent and now the new language that's being proposed is that of capacity. Makes sense. I think it's reflecting modernization language and certainly I don't think there's any concerns and we have not heard an uproar from the public on this one.

So in that situation I am going to move that we adjourn the debate on Bill 115.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 115, *The Public Guardian and Trustee Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

[21:00]

### Bill No. 116

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Reiter that **Bill No. 116 — *The Municipalities Amendment Act, 2013 (No. 2)*** be now read a second time.]

**The Speaker:** — I recognize the Opposition House Leader.

**Mr. McCall:** — Thank you very much, Mr. Speaker. Always a pleasure to be recognized by yourself and to join the debate here in this Assembly. Bill No. 116, *The Municipalities Amendment Act, 2013*, it's an interesting piece of legislation, Mr. Speaker. Of course *The Municipalities Act* is one of the more fundamental pieces of legislation that we deal with in this Chamber, in this province. And it of course provides the “. . . legislative framework through which Saskatchewan's towns, villages, resort villages, and rural municipalities exercise their powers and provide services to the residents of their respective communities,” to quote from the minister's second reading speech, Mr. Speaker.

Again these are fundamental communities, fundamental ways of organizing in this province, and so it's always with a great deal of interest seeing a piece of legislation like this come forward, seeing how the government is helping — or not — local communities to organize themselves, to align resources with responsibilities, and to see how the approach to government is evolving.

Again I guess what I'd like to do tonight, Mr. Speaker, is discuss just what we see from the legislation and reflect on that a bit, and then we'll move into the next piece of legislation which is the consequential amendments in Bill No. 117. But again, the meat in this particular sandwich is certainly Bill No. 116.

Again referring to the minister's second reading speech, Mr. Speaker, the minister talks about five key areas in the legislation, the first being refining the "... criteria on which to determine whether unincorporated communities and areas have sufficient capacity for local governance and municipal status"; second, to "... provide objective criteria for action when municipalities are no longer able to function and meet their statutory requirements as local governments"; thirdly, to "... provide more flexibility and choice for interested urban and rural municipalities to voluntarily restructure to form a new type of municipality known as a municipal district." Fourthly, providing new means for citizens with concerns about the financial or operational management of their municipality to have those concerns addressed locally. And fifth and finally, Mr. Speaker, to enhance property owners and the minister's ability to ensure municipal compliance with legislation and regulations, and to constrain the potential misuse of local property tax tools and tax abatements.

Again the minister refers to the difference in consequential changes that are made to particular definitions as, you know, common usages evolve. And that of course is part and parcel of legislative renewal, and this legislation is certainly not exempt from that tendency here today.

In terms of the first set of amendments, Mr. Speaker, the minister enumerated two goals for those amendments in that first grouping, first to introduce a criteria for the establishment of an unincorporated community as an organized hamlet, there currently being no criteria for the Minister of Government Relations to base his or her decision on whether a community has sufficient capacity to meet the legislative requirements of an organized hamlet. If, again referring to the minister's secondary speech, if I can add to that, Mr. Speaker, again as population shifts, as habitation patterns change, Mr. Speaker, this is as it needs to be. The legislative framework, the minister responded to those changes in habitation.

In terms of what is an organized hamlet, and again this is certainly, I think, accurate in terms of the minister's second reading speech where he states:

... an organized hamlet can be essentially a training ground for an unincorporated community to demonstrate it can meet legislative requirements prior to becoming a village or resort village. This includes holding meetings, preparing annual financial statements and budgets, and reporting on its activities to the public and the municipality in which it's situated. Having a minimum population will be one criteria and is generally accepted as one measure of whether an unincorporated community can fulfill the legislative requirements of a municipal government. Others include minimum dwellings or business premises and minimum taxable assessment to ensure the available tax base is sufficient to support service delivery. The specific criteria will be set out in

regulation after further consultation with the municipal sector.

Fair enough, Mr. Speaker. This is again a scalable solution to the way that different habitation patterns are presented in the province and would make sense in terms of not going too far right out of the gate, helping these organized hamlets to walk before you get into the running involved in becoming a full municipality. So I think that, on the face of it, makes some sense, Mr. Speaker, and we'll be watching to see how that plays out again with the regulations that will be promulgated after further consultation within the municipal sector.

Another thing that the minister refers to in terms of this first group of amendments, Mr. Speaker, is to:

... provide for the criteria to incorporate new villages and resort villages to be set in regulation. This is to ensure sufficient capacity for governance and for meeting the challenges and opportunities associated with growth. The current criteria for villages and resort village incorporation: [being] 100 persons, 50 separate dwelling or business premises, and a minimum taxable assessment of 15 million. It's been in place for a long time without change, at least since 1930.

Again, Mr. Speaker, you've got to keep current with the legislation. And certainly in 1930, I believe the time of the J.T.M. Anderson Conservative government, perhaps there are some improvements that we can arrive at in terms of how these habitation patterns are being dealt with. So again, we'll be looking to see how that works out.

And I notice not just from the minister's second reading speech, but certainly talking with municipal elected officials and administrators and ministry officials from the Ministry of Government Relations, just the diversity of habitation patterns in the province of Saskatchewan. And the minister references those particularly under 300 population and the:

... struggle to operate independently and generate sufficient own source revenue to deliver services, fund infrastructure, and retain qualified administration. They have difficulty meeting financial, reporting, and other statutory requirements. Updating this criteria to better reflect the capacity and growth occurring in our smaller urban communities throughout the province is long overdue.

Again, fair enough, Mr. Speaker. And we'll be looking to see how this tailoring of the legislative cloth to meet the requirements for the way that people are organizing their communities, the suit of that, Mr. Speaker, we'll be looking closely to see how it goes.

Again referring the minister's second reading speech with the proposed organized hamlet criteria:

... the increased criteria for villages and resort villages will be set out in regulation after further consultation with the municipal sector... They will apply to new municipal entities going forward to help ensure their future success as local governments in providing the services, facilities,

infrastructure, and administration desired by their residents and ratepayers.

Again, Mr. Speaker, that's about as fundamental to governance as it gets in terms of, again, aligning responsibilities with the resources available in the community and making certain that those are scaled to the population as it presents in the particular circumstance.

In terms of the second area of amendments, what the minister describes is the need to deal with uneven growth and the idea that some communities may be growing, some communities are in decline, and I know in certainly my home community of Regina we're certainly a growing community and a very interesting time in my home city of Regina. I also think about my dad's home community where he grew up in the RM [rural municipality] of Montmartre and the different communities there, some doing better than others and the different challenges that that presents, Mr. Speaker.

And again, making sure that the responsibilities and the expectations under the legislative framework presented here in *The Municipalities Act* align with the population that is there in places like my dad's old stomping grounds. And again a very fundamental challenge of government and governance is to make sure that you've got those resources aligned with responsibilities and that the responsibilities are appropriate to the circumstance presenting.

In terms of the minister's second reading speech he states, quote, and this is the second group of amendments:

These amendments propose to require a council to act and potentially dissolve its municipality if it's non-compliant with specified statutory requirements for two or more consecutive years and if it no longer meets a minimum population for two consecutive censuses.

Again, Mr. Speaker, in terms of . . . you need a time frame for these legislative measures to have real effect. And this, what is outlined here in terms of the two or more consecutive years and the minimum population requirement over two consecutive censuses, again this would seem to be fairly reasonable. And in terms of the condition, both of those conditions needing to be in place before the provision comes into effect. Again quoting from the minister's speech:

The municipality must be in non-compliance and be below the minimum population that will be set out in regulation after more consultation with the municipal sector. Municipalities under the minimum population that demonstrate compliance with legislative responsibilities and requirements would not be affected. Rural municipalities that demonstrate compliance with legislative responsibilities and requirements would also not be affected. Both are clearly still functioning as local governments and can continue to meet their residents' needs.

Again, setting out the need for more consultation with the sector which is as it should be in terms of that respect and that mutuality that needs to be there between different orders of government. And again though, Mr. Speaker, we'll be looking

with interest to see how those consultations work out and how the regulations usher forth from them.

In terms of the specific statutory requirements, minimum populations and applicable census periods, again we'll see how the consultations wind up on those. And again to quote directly from the minister's speech, and I agree with his sentiment, Mr. Speaker, "These amendments are intended to place the onus on councils as the leaders of their communities to initiate and lead change processes if their local governments cannot meet legislated requirements."

Again, Mr. Speaker, it's one of the . . . another challenge of governances properly delineating responsibility, properly delineating accountability, and I agree with that statement as it stands in the minister's speech.

In terms of the work that is ongoing between the ministry, probably you gain different sort of glimpses of this, Mr. Speaker, but certainly one of the most interesting ministries in all of government is the Ministry of Government Relations and the interplay that exists between that ministry and the different sort of expertise that is there and the partnership and the ongoing — almost daily I would imagine — consultation that is carried out by that ministry with municipalities and local governments from one corner of this province to another. So again, that ongoing work of the ministry of partnership and trying to foster the changes as they come through in the legislation, we'll see how that works out but again we'll be watching to see how that carries forward.

[21:15]

And you know, if you are in a community where there isn't . . . you are not able to discharge those legislative requirements and you do need to make that change, certainly those can be very stressful times for local government. And I would expect that the ministry will be there to work in partnership and co-operation, but that's certainly undertaken by the minister in his speech, and also providing that expertise or that matchmaking capacity with lining up different situations with possible solutions, perhaps partnering with other municipalities via existing mechanisms and legislation, perhaps achieving economies of scale and administration in the delivery of services through joint administration and shared services agreements, additional service areas, or voluntary restructuring, to reference the minister's speech. Again those are all worthy of consideration, Mr. Speaker, and again presenting possible alternatives, possible solutions as the circumstances change on the ground.

The third area of proposed amendments are those that provide for urban and rural municipalities to voluntarily agree to join to form a new type of municipality called the municipal district, recognizing that it is both urban and rural in nature. We had the good fortune to meet with some municipal elected officials not too long ago, Mr. Speaker, and the mayor of Humboldt, Malcolm Eaton. Mayor Eaton was talking about the challenges presented by rural areas, Mr. Speaker. And certainly, you know, right across the province this is an area of consideration for proper governance, for proper approach by all the different levels of government, Mr. Speaker, that I think will only increase in terms of the sort of complexity and vitality that is

presenting out right across this province. And you know, certainly I think of the different sort of endeavours that have worked around here in my home neighbourhood, home city of Regina, Mr. Speaker, and the different sort of contretemps that have been experienced with the RM of Sherwood, you know, representing one set of problems but the way that that is hopefully being resolved in a durable and ongoing basis.

I also think about the great work done in terms of White Butte and the way the different municipalities came together there to say, look, we've got common expectations, common services that we can provide to our collective citizenry. And I believe it was the then mayor of Balgonie at the time that talked about, you know, we've decided to no longer . . . We're not going to push the elephant anymore; we're going to ride it.

And that always stood out to me as a great sort of example of the way that if you can get around that table and co-operate, again all the things that have been enumerated here in the minister's second reading speech in terms of economies of scale and in terms of deeper collective pockets, but at the same time aligning them to a common experience and common sort of expectations on the part of citizens, it is indeed possible to ride that elephant and to good effect.

So again we'll see how this set of legislative amendments aid or facilitate the further sort of experience in terms of municipalities working together, and the way that we see municipal districts moving forward. And again the minister's undertaking in the second reading speech stating that:

These provisions will better enable councils to agree on how representation, elections, administration, and services will be undertaken in the new municipality, drawing on both urban and rural municipal approaches.

And ensuring:

. . . that in instances where the legislation may apply differently to the areas of the former municipalities, such as the application of *The Municipal Hail Insurance Act*, the legislation will continue to apply in the same manner in the same areas as it did before. The amendments proposed do not give municipal districts any new or additional powers than any other type of municipality in *The Municipalities Act*. The municipal districts will have the same bylaw-making and corporate powers, the same accountability requirements, and no new taxing powers or authority.

Again, Mr. Speaker, we'll see how this works out. We'll see how it either facilitates or not the work that is already going on out there in the countryside or out through the province, and we'll be interested to see how this plays out in the days and weeks and months ahead.

In terms of the fourth area of amendments, Mr. Speaker, there's an attempt to:

. . . provide citizens with the ability to petition their council to conduct and make public the results of a financial or management audit. This will provide a means for citizens to address their concerns locally. Currently the

legislation provides for annual audits of a municipality's financial statements, the main objective being to confirm whether these are prepared in accordance with generally accepted accounting principles.

Again, in terms of the sort of brass tacks work of local governance, Mr. Speaker, the citizens wanting to know not just how their money is being spent but to have that verified through something as an audit, it's pretty fundamental to the importance of the work of government. And again making sure that that information is available to citizens in a fairly straightforward process is an important provision, and we'll be interested to see how that works in the days ahead.

The fifth and final area of amendments contemplated in this piece of legislation, Mr. Speaker, concerns ". . . municipal compliance with legislation and regulations and to constrain the potential misuse of local property tax tools and tax abatements if it . . . [should so occur]." Again referencing the minister's second reading speech:

Specifically these amendments will do the following: they will provide the authority to prescribe limits if necessary on minimum taxes and base taxes, and restrict by ministerial order the use of tax tools by an individual municipality. This is to give the government more ability to constrain misuse and misapplication of local tax tools if it occurs.

One thing I know that talking to our municipal affairs, urban municipal affairs critic, the member from Rosemont, I know that that is something that he will be asking about in committee. So should there be any Government Relations officials out there in Government Relations officialdom, make sure you've got a good answer ready for the minister. I'm sure that he's got one already, but always good to flag these things in advance, but . . . And the minister references the relatively limited occurrence of these types of misuses and abuses entertained in this, these round of amendments, Mr. Speaker. But we'll be interested to know with as much detail as possible the specific occurrence, what the patterns of occurrence are, and how the proposed legislation relates to remedying those problems out there in the municipalities.

I guess, Mr. Speaker, in terms of the sort of a roundup of the remarks from the minister in terms of the . . . Again there's some other minor changes that will come with . . . they're sort of consequential in nature, more housekeeping than anything else. And then as well the minister states:

In terms of consultations, the ministry has consulted extensively on these amendments with both the Saskatchewan Association of Rural Municipalities and the Saskatchewan Urban Municipalities Association, and through them also with municipal administrator associations. These consultations began in April 2013 and concluded this past September. They involved meetings, presentations, and sharing drafts side-by-sides of the amendments for review and comment.

Glad to hear that from the minister. And certainly in terms of the way that the province for the most part interacts with the municipal sector and that respect that should be there between

different levels of government, we'd expect no less. So we're glad to hear that referenced as well. This is not to say that we don't have further reflection to engage in upon this legislation and further consultation to engage in ourselves in terms of doing that due diligence.

But with that, Mr. Speaker, Bill No. 116, interesting piece of legislation, goes to some of the very fundamental questions that present in terms of local governance and the way that the province interacts with the municipal sector and making sure that you're trying to align resources with responsibilities appropriately, Mr. Speaker. A very interesting piece of legislation, from my perspective in any event.

With that, Mr. Speaker, I know I've got other colleagues that are very interested in the debate and I certainly want to facilitate that. So without any further ado, I would move to adjourn debate on Bill No. 116, *The Municipalities Amendment Act, 2013*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 116, *The Municipalities Amendment Act, 2013 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 117

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Reiter that **Bill No. 117** — *The Municipalities Consequential Amendment Act, 2013/Loi de 2013 portant modification corrélative à la loi intitulée The Municipalities Amendment Act, 2013 (No. 2)* be now read a second time.]

**The Speaker:** — I recognize the Opposition House Leader.

**Mr. McCall:** — Thanks again, Mr. Speaker. I was just waiting for the lights to be on so I could tell everybody I'm home, but there we go. Anyway again good to join the continued debate on Bill No. 117, *The Municipalities Consequential Amendment Act* . . . [inaudible interjection] . . . . Okay. It's of great consequence and eliciting no end of interest from across the way, so that's also encouraging.

And I should say at this point, Mr. Speaker, from time to time the member from Cypress Hills likes to tease me about never having seen a water-powered windmill. But I don't know if he's been into the solar power investigations over there or what the case is, but anyway he's all charged back up and bright-eyed and bushy-tailed and apparently been seeing the sun and interested in the debates of this place as is often the case, but not water powered.

And now we get the member from Moose Jaw North into the bargain, Mr. Speaker, and you know, as often as that member might ask, you know, what are you talking about, I don't know if anyone can ever really answer him because that might be beyond the abilities of, you know, anyone in this place, Mr. Speaker.

But anyway, good to join the debate again on Bill No. 117. This is the consequential amendment Act, certain provisions arising from Bill No. 116 in terms of the again consequential amendments that need to take place. As well, Mr. Speaker, in terms of one thing that's interesting to see, a resultant amendment to one bilingual Act, *The Non-profit Corporations Act, 1995*.

But again the change, and I'll quote from the minister's second reading speech. And it's of consequence, not terribly long. Mr. Speaker, but I quote:

The change to *The Non-profit Corporations Act, 1995* is required to add a reference to municipal district to the definition of municipality. This will ensure that the statute applies to municipal districts in the same way as it did to the former municipalities that merge to become a municipal district.

Again, Mr. Speaker, it's not, as is often the case with the consequential amendments, this one, the meat in the sandwich I think, was with us in Bill No. 116. And this Bill No. 117 is just sort of dotting the i's and crossing the t's that are made necessary from Bill No. 116. So with that, Mr. Speaker, I would move to adjourn debate on Bill No. 117.

[21:30]

**The Speaker:** — The member has moved adjournment of debate on Bill No. 117, *The Municipalities Consequential Amendment Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 118

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Norris that **Bill No. 118** — *The Saskatchewan Polytechnic Act* be now read a second time.]

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I rise tonight to enter into the debate on Bill No. 118, *An Act respecting the Saskatchewan Polytechnic and making consequential amendments to other Acts and Regulations*. And as we look through it, it seems that the most striking part of this is related to the name change of this pretty important educational institution here in Saskatchewan. And there are some parts to go along with that: the ability to raise funds for property, the changing of the CEO [chief executive officer] now as a president, but essentially it is the Saskatchewan Polytechnic.

And it is one that we have some curiosity about in terms of why. We appreciate the fact the nature of technical training has evolved and will continue to evolve. And that's an important thing. It's important that we keep abreast of those changes to make sure our youth are enabled to do, to enter into the workforce and be able to get those good jobs and create those



great opportunities for themselves and to start a young family if they're so inclined or whatever they wish to do to pursue their potential into adulthood.

And I know we often reflect on SIAST [Saskatchewan Institute of Applied Science and Technology] has that ability to do that. And I think it's important. And we've seen changes; you know, it sort of ebbs and flows between the university. Is it a liberal art education or a technical education? And clearly with so many things happening in our province now, we do need to have that technical education.

But I am, you know, interested in this in terms of what this all means in terms of a changing mandate and is it the right thing to be doing. And as this government is loath to do, to get out and talk to the people about what do you see as an important role for post-secondary education, I think it's important to ask that question of what drives this change.

And to go through this new name change . . . And it's quite significant. You know, I know that, as my colleagues have remarked, or even when I think about when I was growing up near Moose Jaw, we thought of the Saskatchewan Technical Institute, STI, thought of Kelsey in Saskatoon, Wascana here, Palliser in Prince Albert. And they seemed to be able to identify with their local communities, and they were a key part of their local communities. Those names really reflected that. And there was a certain community pride, and there was a certain pride in the institute that you attended too.

And I'm not sure, now that we've gotten rid of the word SIAST, SIAST from what I understand will no longer be used, it will be Saskatchewan Polytechnic or it will be Sask Polytechnic, Sask Poly. What will be the short name for . . . What will the kids get to know their school as? It will be Sask Poly, Poly Sask? I don't know . . . [inaudible interjection] . . . Yes, yes. You know, this may not be a . . . I'm curious about this because, you know . . . [inaudible interjection] . . . No, you spend and then maybe, maybe, maybe they haven't thought this through. Maybe they haven't thought that through, but you do have branding exercises. And a lot of major institutions spend a lot of time thinking about the name of their organizations. Maybe it'll be in the regulations. Maybe they have a name in the regulations.

But I think what's interesting is the minister, the minister points out there's . . . And I'll quote. I'll quote this. And this is from page 4181 from November 25th, and this is what the minister says. And I quote:

Mr. Speaker, SIAST is the newest member of Polytechnics Canada and joins other prestigious organizations, including the British Columbia Institute of Technology, the Southern Alberta Institute of Technology Polytechnic, and the Northern Alberta Institute of Technology, as well as Red River College.

Now it seemed only one of those had the interest to add polytechnic to their name. British Columbia Institute of Technology kept their name even though they became a polytechnic, which really meant that you could do more applied research, and you could do work to help with the local economic development. Northern Alberta Institute of

Technology did not change their name. Now maybe they just . . . I don't know why they wouldn't change their name. That would be a good question to know. And the Red River College in Manitoba, even though it became a polytechnic, did not change its name.

So why are we in Saskatchewan throwing out SIAST? A lot of people have come to know what SIAST means. Will they know what polytechnic means? They didn't change the name in Manitoba. And maybe the folks from Moose Jaw, maybe the member from Moose Jaw didn't know that when he voted for this bill in caucus. But in Manitoba . . . Well, this is what this bill is all about, a name change. This bill is all about a name change . . . [inaudible interjection] . . . It sure is. It sure is. That's essentially . . . They become a polytechnic and they've added things to it, but it's a post-secondary institution that focuses on technical knowledge.

You know, I see these other institutes like the British Columbia Institute of Technology, now I would think they have some credibility in BC [British Columbia], decided not to change their name even though they became a polytechnic. So what's the big deal?

But in Saskatchewan we're throwing out a pretty well-established and institutional name that has a lot of merit and credibility. And people look to it and say, SIAST, we know what that's about. It's a great institution and it has numerous campuses throughout the province. People know SIAST. They know Palliser. They know Wascana. They know the Moose Jaw — I think of it as STI — Palliser. Palliser is what it is.

So what's the deal? This will be the discussion. And then they change the CEO to the president. So I am really curious. In Manitoba, Red River College so, you know, the name change, we have some questions about this. We have some questions about this. And you know, we support and we think it makes a lot of sense that technical training evolves. And the idea that, you know, the concept of the polytechnic that represents evolution, it's not a bad . . . It is a good one. It's a good one. We think that's a good idea. But it's the name change and this is what we see largely in this bill. That'll be the significant piece that the public will see, is now we have SIAST become Sask Polytechnic. And maybe they feel that's what has to happen.

So clearly this means an awful lot to the government. We see that they get quite animated over the name and they must like it. So that's a good read of what's happening over on the government side.

I'm not sure, again though, it would be interesting and maybe in estimates we'll have a question about how much did this name change cost? Is it going to cost anything? Did they put anything aside? They will say probably it didn't cost anything. And then next November we'll come back and we'll have supplementary estimates. We've heard this before where it's not going to cost anything — not a thing, not a thing. And then we see them come back and say, you know, it did. It's like the employment Act where they said it was not going to cost a penny to do it. And all of a sudden here it comes back and it cost hundreds of thousands of dollars.

So this is not good planning. This is not good planning, and we

know the other side is known for that. So I'm interested to see how this goes, and we will have questions in the committee about had they thought through the identification of this and what that will mean. And maybe it doesn't mean anything. Maybe it doesn't mean a thing. But we've seen the evolution, the changes of technical education in Saskatchewan with a proud history, a very strong history. And while we support the increased capacity and building capacity of those institutions to deliver the programming, that's hugely important.

But I have to say, BC, if it's good enough to keep their old names of the British Columbia Institute of Technology, so much the same in Alberta and the same in Manitoba, why in Saskatchewan we've gone to such an extreme, I don't know. It doesn't seem to make a lot of sense to me.

So with that, Mr. Speaker, I know we'll have lots of comments, and many of my colleagues still would like to speak on this. We will have questions in committee on that. But I think that at this point, Mr. Speaker, I would like to move adjournment of Bill No. 118, *An Act respecting the Saskatchewan Polytechnic and consequential amendments to other Acts and Regulations*. Thank you very much, Mr. Speaker.

**The Speaker:** — The minister has moved adjournment of debate on Bill No. 118, *The Saskatchewan Polytechnic Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 119

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Norris that **Bill No. 119** — *The Saskatchewan Polytechnic Consequential Amendments Act, 2013/Loi de 2013 portant modifications corrélatives à la loi intitulée The Saskatchewan Polytechnic Act* be now read a second time.]

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. It is a pleasure to introduce . . . [inaudible interjection] . . . No, not introducing but speaking to Bill No. 119, *An Act to make consequential amendments resulting from the enactment of The Saskatchewan Polytechnic Act*.

And they're talking about striking out the Saskatchewan Institute of Applied Science and Technology and then substituting Saskatchewan Polytechnic, and it goes through the places where that will have to happen in terms of *The Education Act, 1995* and talking about *The Teacher Certification and Classification Regulations, 2002*. They will be amended in a similar way, where you strike out SIAST, a well-known acronym here in Saskatchewan, and substituting Saskatchewan Polytechnic, which may be more vague for people and not really knowing what that really means. And of course it will be done in French, that the name changes will take place. And there you have it. That's what this is all about: the name change.

And as I've said earlier, that we do support the evolution and the increased capacity for post-secondary education, particularly when it comes to technical training, and whether that means degrees or capacity building and applied research, we know that's an important part of that. And this is in many ways a natural growth that's happening right across Canada. We're glad to see that it's happening here in Saskatchewan.

But I have raised earlier the name change and what that will mean about Sask-a-Poly or Saskatchewan Polytechnic or the abbreviations or what that all will be. We'll listen to see what that will mean and we'll have those questions in committee.

[21:45]

We'll be interested in knowing how they consulted about this. They do have a strong board and I know several people on the board and it's a very active and constructive board. And so it will be interesting to hear from the folks in committee about the kind of consultation they did about this, what they've learned from the British Columbia Institute of Technology which . . . if they have consulted with them and what their plans are for future growth and what organizations did they consult with? The individuals, the students, the post-secondary community?

It is good to see that they are maintaining their relationships at the regional colleges and recognizing the work that they do. That's very important. But we're curious about the kind of consultation they got, the information they got, and the advice they got, and did they listen to their advice — yes or no? What did they leave on the table?

You know, Mr. Speaker, we've said this many times that we're willing to work with this government when it makes sense and when they're open, transparent, and accountable. But this seems like one we'll have a lot of questions about and we need to have more information.

So with that, Mr. Speaker . . . I know that this ties very much into the earlier one and, as I said, we have questions about the costs. What is the impact of such a name change when you see across Western Canada other institutions have decided not to change the name but to embrace the idea, the concept of polytechnic? But they didn't see a need to change their name. Here we're going to have something that's going to be . . . And I'm going to be curious about whether they're going to keep the names of their campuses or will they be changing them? What will the branding be looking like?

Now the other side may say it's not going to cost anything. There may not need to be any research. They're just going to do it. And I just don't know if that's actually in the spirit of good applied research. The people at the polytechnic may not say, this is how you do branding, this is not how you get yourself known in the committee by not doing the kind of work that needs to be done.

So with that, Mr. Speaker, I know that we have much more work to be done tonight and we want to get as much of that done as possible. And so with that, I will be moving adjournment of Bill No. 119, *The Saskatchewan Polytechnic Consequential Amendments Act, 2013*. Thank you very much, Mr. Speaker.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 119, *The Saskatchewan Polytechnic Consequential Amendments Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 120

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 120 — *The Lobbyists Act*** be now read a second time.]

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

**Mr. Vermette:** — Thank you, Mr. Speaker, to join in on Bill 120, *The Lobbyist Act*. I just want to give some comments opening and start out by . . . I know that there was a committee that came together to make some recommendations and for the work that they've done. That doesn't limit what the work that the committee did making recommendations when it goes to committee or to improve legislation. And we'll have different, I guess, comments from whether it's media, whether it's the public out there, who was consulted. And sometimes organizations will come out. Does this lobbyist Act have enough teeth in it?

There's many things that we're going to be considering. Who do they report to? And I mean there's provisions in here that they're bringing forward that someone would monitor whether it's a registrar or someone from the House, however that's going to come into play. And I know there's going to be lots of questions in committee and we can get that clarification. But overall I realize we had a member on this committee as well that worked with members opposite to come up with, you know, probably a lobbyist Act that was required and Canada, maybe many of the provinces have that, and Saskatchewan for some reason did not. Now it's just coming into effect. Once it goes through the process, goes through committee, and becomes law in the province, then there'll be provisions.

Now I know some are going to say, and whether it's media or the public and already comments, will it have the teeth? Will it have the penalties that are required in this legislation to make sure it has the teeth and making sure people report in a timely manner if they're going to be lobbying government, whether it's a government agency department? And I know there's lots of questions and we'll have more questions about this.

But let's just go over some of the areas that they're going to be going into when it talks about *The Lobbyist Act* and just about . . . I'm not sure who they would have consulted at the time and maybe the committee did talk to a large group. Maybe they went out. I don't have all the details. I wasn't a part of the committee but I know at the end of the day it's about . . . And they talk about the code of conduct and different things. Will there be a provision in that?

And they outline some of the . . . And I think the minister's comments, if I can go into that a little bit, I just want to, you know, talk about the standing committee and what it's

accomplished and what it tried to accomplish. And overall, it having a registry that will register organizations, individuals, and it talks about exemptions. It talks about who will have waiting periods before they can approach, whether the minister, deputy minister . . . There is provisions in there, and those provisions give times — some are a year, six months — before they can actually, I believe, come forward and I guess lobby with government departments. But it's unclear, and I know we'll get the clarification in committee and the regulations that will come into effect. And I guess, once the Act comes in, they'll develop the regulations that these lobbyist organizations, whether they're individuals, groups, will have to comply with.

There will be a registrar who, from my understanding, will ensure that these individuals, in a timely manner, follow the regulations and the provisions that have been passed in the legislation once this becomes law and if it becomes law. And that's always the case we have to talk about, if it does. I mean, yes it's one thing to enact a bill and go through the debates and make it law and come up with the regulations.

So at this point, I know Saskatchewan has waited a long time, some will say, for those that have required this. And think it needs to have a lobby so we know who's pressuring and who's asking of certain things by government, and I think sometimes the public wants to know that. And I think it's important that we have a . . . whether it's a registrar or someone at the legislature here who'd be in charge of that, whether it's somebody designated by the rules, the regulations, however.

At the end of the day, these lobby groups would have to register in a timely manner. There'll be provisions so that the public gets to know, so everyone gets to see who's lobbying government for certain, I guess, amendments to law, whether I guess it would be finances, whether it'd be programs. It could be all kinds of different things that they would be pressured on — changes to legislation, amendments to legislation, new legislation, new provisions — that would give them, whether it's regulations, whether it's . . . And sometimes it is that. And sometimes the minister and the ministry has the power to change. And sometimes some of the changes in here that we have introduced may be, for whatever the reason, at the end of the day government feels it needs to bring legislation forward.

But having said that, we'll go through the process. And I know, you know, additional . . . They're going to exempt local authorities from this, including SARM [Saskatchewan Association of Rural Municipalities], universities, SUMA [Saskatchewan Urban Municipalities Association], and Saskatchewan School Boards Association. There are different groups that will not have to go through the compliance, from what I'm understanding, as registering with *The Lobbyists Act*, and those provisions that say they have to. There are some provisions for those organizations to be exempt, which I think is good. Those organizations, you know, try to work with governments, whether truly to benefit Saskatchewan people, our students, so in that case I think it's for the public. They serve the public. Most of these are elected officials that actually serve the residents of the province that we all represent from different ridings and constituencies.

So at this point, Mr. Speaker, I know there'll be lots of questions and I know we'll be looking for details in committee,

and at the end whether it needs to be strengthened, the regulations. I guess there are provisions for that and we can bring forward concerns that we're hearing out from the public, from organizations, and hopefully at the end of the day just have some teeth to it to making sure that those groups, you know, do come forward in a timely manner and register so that the public and all of us know who is lobbying our governments and the ministries for certain things.

So at this point, Mr. Speaker, I'm prepared to adjourn debate on Bill 120, *The Lobbyists Act*.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 120, *The Lobbyists Act*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 122

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 122 — *The Alcohol and Gaming Regulation Amendment Act, 2013 (No. 2)/Loi n° 2 de 2013 modifiant la Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard*** be now read a second time.]

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

**Mr. Vermette:** — Thank you, Mr. Speaker, to join in on Bill 122, *The Alcohol and Gaming Regulation Amendment Act, 2002*. There are some provisions in here, and looking at it I think the minister talks about four primary areas where they're going to make some changes in the regulations. And the first, providing the authority for First Nations gaming, licensing authority to register on-reserve charitable gaming employees and suppliers. So it would give First Nations the ability, from what it's saying, the authority to license and authorize, to register on-reserve gaming employees and suppliers to make sure that compliance happens. So they would give them the regulation. This is a good a thing. Obviously, I'm hoping this is what they've asked for in partnership. We talk about that. It's important. So that's a provision that obviously gaming, to provide the licensing to make sure employees are registered that work on First Nations reserves, and that's where a lot of the casinos are in our province. Having said that, this provision gives them the opportunity and the authority to provide those changes to on-reserve charitable gaming employees and suppliers.

Second, allowing Saskatchewan Liquor and Gaming to establish subsidiary corporation through an order in council. Now we talk about the mother company. Saskatchewan Liquor and Gaming is the mother company. It may have a wing of it or a subsidiary that actually provides advice, whether it's looking at the finance, there's different things. You'll look at different organizations and I think some of the bigger companies have different departments that report again to the mother company. And at the end of the day, this is just one tool that they would have.

Some might say . . . I've heard different things, whether you're watching TV or you're hearing people talk about this. You sometimes wonder about if these are a good way of using the mother company to use, I guess, wings or organizations, departments, to do certain things. We hope that in this case this is something that would be used very positive and would not be used in any way to take away from the public the access to information to make sure that the government and the ministry is doing, Saskatchewan Liquor and Gaming is doing all they can. So you know, looking at that point.

So having said that, the third thing that they're looking at, and the minister refers to, is ensuring effective regulations, making sure that the regulations are there. And that's a good thing at the end of the day. We want to make sure. We have a lot of questions about that sometimes, the regulations that are put in place, whether they're strong enough, whether they need to be improved. And Saskatchewan Liquor and Gaming right now — from my understanding — in those provisions, they provide the regulations that are given by the legislation and the powers once the Act is passed here. The ministry or their officials will come up in regulations, and we see that. But once you pass an Act and it comes here, my understanding they will develop the regulations.

And those regulations can be dealt with consulting whether . . . in any capacity that they need to go out and consult. And that's always the thing. The public wants to make sure.

[22:00]

And we've seen the past practice of this government has not been to consult, very poor when it comes to consulting the people that will be impacted. And we've seen that time and time. For seven years we have talked about that. And that's the one thing, area, we've criticized the current administration and the ministries and the government for not consulting, whether it's First Nations, Métis, doesn't matter.

Who's being impacted? Our seniors when it comes to housing. When we see their housing, you know, when you look 30 per cent of their gross income being levied against them to pay their rent. And we see the challenges that our seniors . . . And I met with about 40 seniors in Creighton, and they were very concerned, and they're very angry. And they say this government did not consult us. They just moved us up to 30 per cent of our gross income. Well if that's the case they say, Doyle . . . And you know, the frustration I've seen with many of these seniors.

And I want to show the comparisons because I say this. It's about consulting. It's about talking to our seniors, Saskatchewan people, Saskatchewan residents who have done the good work, who have worked hard, paid their dues, and should be taken care of.

When a government . . . And they hear this. They hear the government talk about the record revenue, and they hear the government talk about the economy, and everything's booming and everything's so great. And they're saying, why are we as seniors suffering? Why do we have to pay for the mistakes that this government's making? Why should our seniors have to pay on the back a second . . . We're going after them a second time.

And they're very frustrated. Some of them are hurt. Some of them are wondering how they're going to make it. How are they going to pay to go to their medical appointments when they have to leave their communities? How are they going to pay the utilities, food? They're cutting back on everything, prescriptions.

And I listened for the whole afternoon, and the frustration. And I say this government did not consult us. And you know what? They have the Minister of Sask Housing has the nerve to tell them in a letter, oh well, we didn't tell you to live in that area. You should move, you don't like it. I mean they were insulted. They could not believe that that's the response they got to their concerns.

So just goes to show you sometimes how a government, a government who has such a majority as this Sask Party government has, just doesn't, doesn't hear what the community members . . . doesn't care, bullies, is not in tune with the rest of the province.

And you know what? They may talk about, yes, there's a large group that this government says are doing well. There's a very large group that is not doing well that is suffering. And they can talk, and I talk to different people. So there's the concerns that are being raised out there about affordability.

And I was just trying to show some comparisons, some comparisons about consulting. And it's so important that you have legislation every time we introduce something. You make changes that impact individuals whether it's their finances, whether it's to increase their utility rates, whether it's SGI [Saskatchewan Government Insurance] insurance, driver's licence. I don't care what it is. Power, phone, it doesn't matter what it is. You're charging them as a government. When you're raising rates on them and they're supposed to do with less, they're starting to wonder why this government is not . . . You had such wealth. You had so much opportunity that you could have helped so many, and you have left so many behind. And you will pay a price for that.

I know that because I've heard these seniors. They're angry. They have said, we'll wait and see. Judgment day, they talk about. The day will come. And that's amazing to see that. They talk about that. There'll come a time, re-election. They said they'll want our support. We'll show them. And I hope they are. I hope throughout this province they do send the message. There's so many groups who are not happy with this government, the way the ministry are dealing with them, ministers are doing. You're the government. You're supposed to be responsible. Do your job that you've been handed. You've been asked to do this. You were honoured to provide services to our seniors. So at the end of the day . . .

I want to go back to the last thing. The other thing that it talks about, the fourth area in the last point she talks about there are other housekeeping amendments that need to be done. And they will provide those as they go through committee, as we question them more, as more of my colleagues talk about, as people tell us here are the areas where we have concern when it comes to the alcohol and gaming regulations and the amendments that are being proposed here.

So at this point, Mr. Speaker, I would like to adjourn debate on Bill 122.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 122, *The Alcohol and Gaming Regulation Amendment Act, 2013 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 123

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Duncan that **Bill No. 123 — *The Miscellaneous Statutes Repeal Act, 2013 (No. 2)*** be now read a second time.]

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

**Ms. Sproule:** — Thank you very much, Mr. Speaker. And although it's getting late in the evening, I am thrilled to rise to speak to this bill. We always like the miscellaneous, obsolete, public and private statutes Act. And there seems to be one in every session. And this one deals with a number of organizations that used to provide health services here in the province. And the minister in his introductory comments, when the bill was introduced back in December described there's two parts to this Act. One is the private statutes that are being repealed, and then there's three or four public statutes that are also being repealed . . . or repealed, not repealed.

So first of all I think I'll speak to the public Acts. There's four that are being repealed here: *The Dental Care Act, The Medical and Hospitalization Tax Repeal Act, The Mutual Medical and Hospital Benefit Associations Act, and The Senior Citizens' Heritage Program Act*.

So he didn't give us a lot of comments about what the history of these Acts were and I think there's certainly stories to be told. *The Dental Care Act*, I'm not sure if this is true, but I think when I was a youngster in school, that's when we started getting fluoridation in schools and certain dental treatments in school, and that may have come from that time.

The one that's somewhat interesting to me is *The Mutual Medical and Hospital Benefit Associations Act*. And I started thinking about Mutual of Omaha for some reason, Mr. Speaker. When you hear the word mutual in this kind of context, what exactly does that refer to? And it's certainly not something you would see these days at all. But I went to Wikipedia and I was looking at how the word mutual is used in this context. And it's actually a word that's similar to the word co-operative. And what the Wikipedia says is:

A mutual, or a mutual organization, or mutual society is an organization . . . based on the principle of [yes, you guessed it] mutuality. Unlike a true cooperative, members usually do not contribute to the capital of the company by direct investment, but derive their right to profits and votes through their customer relationship.

So it sounds like, in this case, we have *The Mutual Medical and Hospital Benefit Associations Act*. I'm curious to know more about the history of that Act. I think it tells a story about the times where these types of organizations were established. But obviously the people that were members of this association were able to take advantage of some of the offerings of the organization. And I would assume it would be some sort of health insurance or medical insurance coverage, Mr. Speaker. But it just goes to show you how our evolution in the health care system has gone.

And certain ideas like mutuals, we hear . . . I just remember the TV show, Mutual of Omaha's wildlife kingdom or something like that. And I always wondered what a mutual was. But it sounds like it's a type of co-operative where members derive benefits from purchasing from them rather than having an ownership share. So it's an interesting little thought.

*The Medical and Hospitalization Tax Repeal Act*, so it was an Act to repeal a tax is now being repealed. So we have a repeal of a repeal Act. That's kind of interesting.

And there are other bills in part II that I referred to a moment ago that are private Acts. And I think if you read through the names of these Acts, you hear a story of what was the delivery of health care in this province before we had our public health care system established. And you will know this from studying history in Canada, Mr. Speaker, but quite often health care back in the days was done by charities and certainly through religious orders.

And so I'm just going to read some of these Acts because I think it tells part of our history, Mr. Speaker, about the provision of health care prior to the medicare system. So here's the list of the names of the private Acts that are going to be repealed: *An Act to validate a Certain Agreement with regard to the Lady Minto Union Hospital at Edam; An Act to incorporate Les Soeurs de la Charite de Notre Dame d'Evron; An Act to provide for Tax Exemption of Certain Property of Sisters of Charity, Providence Hospital, Moose Jaw; An Act to Incorporate Regina Grey Nuns' Hospital; An Act to incorporate St. Joseph's Hospital (Grey Nuns) of Gravelbourg; An Act to confirm a Certain Agreement between The City of Yorkton and Yorkton Union Hospital Board; An Act to incorporate St. Elizabeth's Hospital of Humboldt; An Act to incorporate St. Joseph's Hospital of Macklin; An Act to incorporate St. Michael's Hospital of Cudworth; An Act to incorporate Holy Family Hospital, Prince Albert; An Act to incorporate Swift Current Nursing Home; An Act to incorporate St. Therese Hospital, Tisdale; and The Sisters of Charity (Grey Nuns) of Saskatchewan Amendment Act, 1996.*

So I think that tells a real story, Mr. Speaker, of the charitable involvement of a lot of . . . particularly the Grey Nuns. We see I think four Acts here that refer to the activity of the Grey Nuns in providing hospital care. And I think it was Sister Margaret d'Youville, if I recall from my history books, that started the Grey Nuns in Montreal. And certainly the influence of the work of these sisters and these amazing women dedicated to health care has been told throughout our country since hospitals were being established.

And it just reminds me also of some of the efforts of the nuns in the field of education. And not too long ago, Mr. Speaker, I was down in your area in a small community called Forget. And there, there was actually a convent established by the Sisters of the Cross and they taught many years. And when I read about these nuns, they came from the Alps in France, beautiful part of France in the Pyrenees or in the Alps. And they were persecuted somewhere in that area, but they were being persecuted for their efforts to educate. So they actually came all the way to Canada. And I just often wonder what these sisters thought when they arrived in Forget and experienced the weather that we're experiencing now and wondering why they ever left France maybe, but they did that work.

And where I grew up, Mr. Speaker, in the town of Lafleche there was also a convent then, the Sisters of the Cross were there as well. And I not too long ago was asked to do a little thought about an impact a teacher had on me. And the one teacher that came to mind was Sister Juliette Marie who was a sister of that order and taught me grade one. And I'm currently doing some research to try and find her because those women were amazing. Sister Jean St. Paul taught me piano for 10 years. And I got to my grade 10 piano from Sister Jean St. Paul, and she actually taught my mother her grade 10 piano as well.

So I was very fortunate to have access to that kind of education and certainly my mom was. And I know in terms of health care, these nuns filled a role that is now being occupied by government. And it's one of the things that worries me, Mr. Speaker, is what we see happening in health care and sort of the gradual erosion, I think, of services that are being provided, particularly in the area of seniors' care where we see standards being removed and care standards really being questioned by a lot of people who are watching their loved ones in these senior care homes struggling and suffering maybe because of the lack of staff.

We know that many of the calls upon this government when they established the urgent fund last year were simply the government couldn't meet that need. And we have to question why, Mr. Speaker. Why is it in a time when we have record resource revenues, we have record numbers of people in the province paying income tax into the coffers, why is it that this government cannot keep up the standard of care that was so, so carefully guarded by these people like the Grey Nuns, Mr. Speaker?

So as always, these miscellaneous statute repeal Acts provide us an opportunity to look back over the history of these types of, these types of bills. And there is a history of Saskatchewan being told here. Again, I commend the folks over at Justice for, you know, doing the necessary work. And I think it's probably, we're fortunate these days to have the search functions in computers because I think what they're doing is they're finding a number of things that may have been covered up with the dust of time. And they're blowing the dust off that through the use of computer search functions and able to ensure that all of these bills are properly put to their rest as it is.

[22:15]

So at that point, Mr. Speaker, I think other of my colleagues may want to comment on this bill as well, so I'd like to move

that we adjourn the debate on Bill No. 123.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 123, *The Miscellaneous Statutes Repeal Act, 2013 (No. 2)*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 124

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Harrison that **Bill No. 124 — *The Miscellaneous Statutes Repeal (Consequential Amendment) Act, 2013/Loi de 2013 portant modifications corrélatives à la loi intitulée *The Miscellaneous Statutes Repeal Act, 2013 (No. 2)**** be now read a second time.]

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

**Ms. Sproule:** — Well, Mr. Speaker, as always, you know, there's the consequential amendment Act that gets tagged along with some of these other Acts. So we have the consequential amendment Act of *The Miscellaneous Statutes Repeal Act*. So it's a very technical term, but I think this one too tells a bit of a story, and there's only one clause.

And what's happening here is that because of the previous bill where we had to repeal all these, well in this case, *The Mutual Medical and Hospital Benefit Associations Act*, whatever that was. Mr. Speaker, we know it told a story of a time, but also it was referred to in another Act. And so now, we need this consequential amendment Act to deal with that Act.

What Act was it, Mr. Speaker? I'm sure you're dying to know. It was actually *The Co-operatives Act* of 1996. And in that case, there was a prohibition on who could use the words community clinic. And right there we have a whole chapter in the history of the medical care in this province, that I had the good fortune, actually on Sunday, of talking to one of the doctors who came over here from England to assist in the establishment of the community clinic in Saskatoon, Dr. Bury, John Bury. And he's a real character, Mr. Speaker, and is actually writing his memoirs about those times because he has some amazing stories to tell.

But you know, the establishment of community clinics was one that his wife Betsy often talks about in terms of the struggle for establishing medicare in this province. And I mean, we take it so much for granted now, but the actual establishment of medicare was a real battle. And Betsy tells stories of young mothers phoning her and feeling like the establishment of medicare and that these clinics was going to damage their children somehow. Like it was life and death for people in those days.

And I think the misinformation that was being spread about Premier Douglas's efforts to establish a universal health care system, really the rhetoric was quite amazing. And you know, the whole doctor situation, the doctors' strike certainly added

fuel to the fire. So when we see these words showing up in these bills, these technical, very dry sort of repeal Acts, it really does bring out some of the history of our province that too often I think we don't talk about it and we don't remember.

At any rate in *The Co-operatives Act* there is a clause that says who is allowed to use the words community clinic because that was seen as a form of a co-operative. Section 198 (2) is being changed now because the previous Act I just spoke to is repealing *The Mutual Medical and Hospital Benefit Associations Act*, and this Act was referring to it in the present tense. So there's really only one word being changed here where it says you can't use the word community clinic unless it was incorporated pursuant to that Act.

So there may be more stories in *The Mutual Medical and Hospital Benefit Associations Act* about the community clinics because it looks like that was the legislative authority for the establishment of community clinics, at least at one point in our history. And I can tell you, Mr. Speaker, having had this review of the legislation, I'm certainly going to go back and talk to Dr. Bury about some of his recollections of the time.

And another prominent historian in Saskatchewan who tells the story of the community clinics and the doctors' strike and the whole establishment of medicare is Dr. Stuart Houston who is also one of my constituents. And he's written a number of books on the area and about some of the decisions that were made at the time and some of the leaders in Saskatchewan, including people from Swift Current who established the first sort of medicare-type style of health care delivery. And all across the province it was being established. And Dr. Houston has written some very, very good historical reviews of some of those people who made medicare a possibility, and for that we're very thankful.

So I think my curiosity is piqued by just the simple change of a word from is to was on *The Mutual Medical and Hospital Benefit Associations Act*, and I hope that the listeners out there in TV land are also reminded to think about this, to realize there's a lot of history that goes on and sometimes, you know, we just take health care for granted, much like we take education services for granted. And I think a part of that is, you know, a result of the success I guess of what's taken place today, but I think we can become complacent as well, Mr. Speaker. And certainly as a member of the loyal opposition of Her Majesty here, I feel it's our obligation to continue to shine light on these issues and to ensure that we're never complacent, that we always take it very seriously and protect those things that people worked so hard for.

So I think I'll step down from my soapbox now, Mr. Speaker. And at this point, I would just like to adjourn debate on Bill No. 124.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 124, *The Miscellaneous Statutes Repeal (Consequential Amendment) Act, 2013*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Bill No. 125**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Harpauer that **Bill No. 125 — *The Traffic Safety Amendment Act, 2013 (No. 2)*** be now read a second time.]

**The Speaker:** — I recognize the Opposition House Leader.

**Mr. McCall:** — Thank you very much, Mr. Speaker. Pretty interested to rise tonight to join in the debate on *The Traffic Safety Amendment Act, 2013*, Bill No. 125.

Tonight, I guess to state right off the top, Mr. Speaker, this particular piece of legislation has a definite context from which it arises, and in many ways deals with the work that was done by the Traffic Safety Committee. That's not all this legislation is, Mr. Speaker, but the context and the work of the committee have an awful lot to do with the bill that we have here before us, a fairly substantial bill, a fairly complex bill, and obviously fairly, in the main a fairly serious bill. Because, Mr. Speaker, as we know too well here in Saskatchewan, we have arguably some very unsafe roads. And the loss of health and the loss of life that occurs in traffic safety incidents throughout the years here in our province is something that should give everyone pause for concern. Obviously everyone's got a need to pay attention in this debate and certainly something as essential to the legislation or essential to the whole issue as *The Traffic Safety Amendment Act*.

You know, it's sometimes said that one thing we have no shortage of here in Saskatchewan, Mr. Speaker, is geography. And certainly it doesn't take very long living in Saskatchewan to find out the importance of the roads to us, and again roads through all kinds of different weather as we've had particular opportunity to reflect on this year, in this winter, Mr. Speaker.

But I think it's safe to say that traffic safety is something that has reached into many of the families in this very Assembly. I know that there are things that have happened to my family in terms of unsafe or accidents on the roads and the way that that has impacted health and well-being. And I know there are others here who have been definitely impacted by situations that have happened on our roads, by accidents that have happened on our roads.

And I guess I wanted to say that, Mr. Speaker, because I acknowledge here tonight that I've got some disagreements with where the government is going in terms of this piece of legislation. But I also want to say right off the top, Mr. Speaker, that for me that doesn't take away from the good work that was done by people like the member from Prince Albert Northcote and the Traffic Safety Committee. You know, I think there are some definite improvements that have been made to the rules of the road here and how that will hopefully translate into preventing accidents, preventing that impact on lives and on health and on well-being for individuals and families and communities.

And I say that, Mr. Speaker, with respect, and I say that as again to acknowledge that I don't think that there are . . . I don't want to get into overly personalizing this legislation, and I don't want to get beyond the policy. But I think, you know, there's

that balance that we always try to strike, Mr. Speaker, in terms of, you know, this legislation is brought forward by a government. The government is made up of people, and people voted for this government. And you know, we as Her Majesty's Loyal Opposition have a duty to hold the measures brought forward by this government up to scrutiny, to shine that light as my colleague from Nutana had talked about. So I've got remarks that will go longer than my time remaining to me tonight, Mr. Speaker, and I'll certainly resume and get into some of the detailed critique that I have of what's been brought forward.

But I do know this. Again, there are good intentions on the part of members opposite when they worked on the Traffic Safety Committee. And I know that is certainly the case of the involvement we've had from our side with that Traffic Safety Committee on the part of the member from Saskatoon Riversdale and the member from Cumberland, again two individuals that in terms of, you know, diligence and legislative work trying to improve the lives of constituents and of citizens here in the province of Saskatchewan, two individuals that very conscientiously brought that forward. And while I may disagree with some of the aspects of this legislation, Mr. Speaker, I don't doubt the good motivation on the part of members opposite in terms of the work of that Traffic Safety Committee and the legislation that was ultimately brought forward.

All right. I don't want to get into name-calling or any of that, but on the policy that this piece of legislation represents, Mr. Speaker, there are improvements, to be certain. Will this make this . . . Will the items contained in this legislation make for safer roads in Saskatchewan? We certainly hope so, and we certainly think that it has the possibility to do that. But in terms of the evidence that was presented to the Traffic Safety Committee, and again the Traffic Safety Committee being appointed itself in the teeth of some pretty dismal statistics in the province of Saskatchewan of how unsafe our roads are, and again, behind each and every one of those statistics, Mr. Speaker, some very real lives and very real people that have been impacted.

There are some good items in this legislation. But is this legislation in keeping with the evidence that was brought forward? Did it live up to the challenge brought forward in other jurisdictions in terms of best practices and what has shown real promise in terms of making our roads safer and saving in lives and health? I would argue that this legislation does not meet that mark, and I'll have more to say about that.

**The Speaker:** — It now being after the hour of 10:30, this House stands adjourned to 1:30 p.m. tomorrow.

[The Assembly adjourned at 22:30.]



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