



THIRD SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

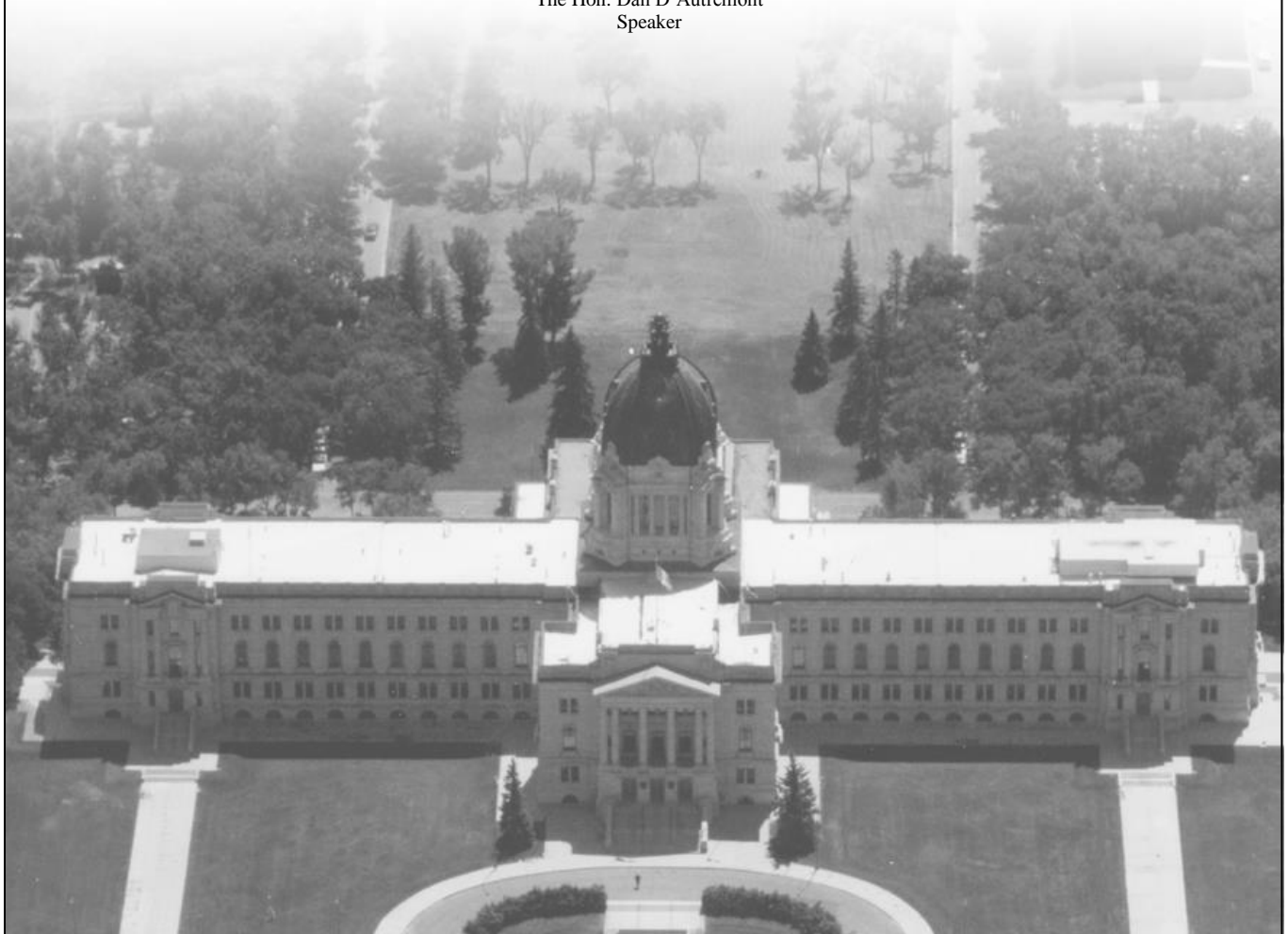
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
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

Name of Member	Political Affiliation	Constituency
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
Cox, Herb	SP	The Battlefords
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
Harpauer, Hon. Donna	SP	Humboldt
Harrison, Hon. Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Hon. Nancy	SP	Martensville
Hickie, Darryl	SP	Prince Albert Carlton
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
Ottenbreit, Greg	SP	Yorkton
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 met at 13:30.]

[Prayers]

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**The Speaker:** — I recognize the member for Cypress Hills.

**Hon. Mr. Elhard:** — Thank you, Mr. Speaker. Mr. Speaker, to you and through you, it's my pleasure to introduce a group of French students from École Monseigneur de Laval here in the city of Regina. I believe they're occupying both the east and west galleries today. And we've got quite a large number of them, and we'd like to welcome them here.

With the students and their chaperones from Laval we also have some other representatives from the francophone community known in Saskatchewan as the Fransaskois. They're joining us today in celebration of the Rendez-vous event.

Today Françoise Sigur-Cloutier is with us. She is the president of the Assemblée communautaire fransaskoise, an organization designed to build and strengthen the francophone community here in Saskatchewan. Thank you, Françoise. And along with her today is Chelsea Valois, a bobsledder who recently competed at the Sochi Olympics, originally from Zenon Park.

[Applause]

**Hon. Mr. Elhard:** — Chelsea got the same reception downstairs, an enthusiastic reception from the students. And we'd like to welcome all of our guests here today and we hope that you enjoy the rest of the proceedings that you're going to witness this afternoon. Thank you.

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

**Ms. Sproule:** — Merci, monsieur le Président. Grâce à vous et à vous au nom de l'opposition officielle, il est mon grand plaisir d'accueillir les élèves de Monseigneur de Laval, Madame Sigur-Cloutier, et Chelsea Valois, et les autres membres des notre communauté fransaskoise à leur Assemblée législative.

Vous avez beaucoup à être fiers, une histoire de force dans l'avérité and un avenir de l'espérance. Et je suis également fière de me considérer comme un membre de cette communauté, comme la petite-fille d'Adrien et Jeanne Belcourt qui est venu en Saskatchewan dans le début des années 1900 pour chercher une nouvelle vie et élever leur famille dans leur première langue — français. Merci pour tout ce que vous faites et bienvenue à votre Assemblée.

[Translation: Thank you, Mr. Speaker. Through you and to you, on behalf of the official opposition, it's my great pleasure to welcome the students from Monseigneur de Laval, Madame Sigur-Cloutier and Chelsea Valois, and other members of our Fransaskois community to their Legislative Assembly.

You have a lot to be proud of, a history of strength in adversity,

and a future of hope. And I'm proud to consider myself a member of this community, as the granddaughter of Adrien and Jeanne Belcourt who came to Saskatchewan at the beginning of the 1900s to look for a new life and raise their family in their first language — French. Thank you for all you do, and welcome to your Assembly.]

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

**Mr. Steinley:** — Thank you very much, Mr. Speaker. To you and through you, I'd like to join the member from Eastend in saying hello to Ms. Valois. I had the privilege to be on the track and field team at the U of R [University of Regina] with her for three years. She is a much more accomplished athlete than I am.

She was a fantastic ambassador for the University of Regina when she was on the track team for five years, winning countless awards and doing us very proud: CIS [Canadian Interuniversity Sport] championships, and a world champion bobsledder with her partner, Kaillie Humphries. And I just want to say congratulations on making it to the Olympics. We're so proud of you. You're a great ambassador for Saskatchewan, Zenon Park, and all of us, and you did us proud. Thank you very much and welcome to your Legislative Assembly.

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

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. To you and through you, I'd like to introduce a guest in your gallery, a community leader and a parent in our community, Sarah Truskowski, along with two very adorable guests, one wearing a Superman attire there — Otis, can you give us a wave? — and then Grace who's there as well. They're interested in the proceedings here today. I ask all members of this Assembly to welcome them here today. Thank you.

**The Speaker:** — Bienvenue à tous.

## PRESENTING PETITIONS

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I rise today to present a petition in support of anti-bullying. And we know that bullying causes serious harm and the consequences of bullying are devastating, including depression, self-harm, addictions, and suicide, and that it's a human rights issue, one of safety and inclusion.

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly call on this government to take immediate and effective action to protect Saskatchewan's children from bullying because the lives of young people are at stake and this government must do more to protect our youth.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, I do so present. Thank you.

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

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. I'm pleased to rise to present petitions on behalf of concerned residents from across Saskatchewan as it relates to the province's finances and the improper reporting of those finances. They're concerned by the failed audit that occurred in December. In an unprecedented way this government failed an audit of its books, of course, and it was brought to the attention of Saskatchewan people that this government was masquerading a \$600 million deficit as a \$60 million surplus. And certainly Saskatchewan people deserve better. The prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly call on the Sask Party government to provide Saskatchewan people with the fair, true state of our finances by providing appropriate summary financial accounting and reporting that is in line with the rest of Canada, in compliance with public sector accounting standards and following the independent Provincial Auditor's recommendations; and also to begin to provide responsible, sustainable, and trustworthy financial management as deserved by Saskatchewan people, organizations, municipalities, institutions, taxpayers, and businesses.

And as in duty bound, your petitioners will ever pray.

These petitions today are signed by concerned residents from Saskatoon, Shaunavon, and Saskatoon. I so submit.

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

**Mr. McCall:** — Merci, monsieur le Président. [Translation: Thank you, Mr. Speaker.] I rise to present a petition in support of replacing the gym at Sacred Heart Community School. The petitioners point out that the gym at Sacred Heart Community School in north central Regina is now quite literally falling apart, has been closed indefinitely, and is no longer safe for students or staff.

Petitioners would also be aware that that has been the case for coming up a year now, Mr. Speaker, in terms of the closure. They're also aware that the school and community have raised this issue with the Sask Party provincial government since 2007 without resolution. They're aware that the gym at Sacred Heart has played an important role in the school's efforts to become a literacy leader, having served as the gathering place for the very successful reading assemblies and reading nights. They're aware that the Sacred Heart Community School is the largest school in north central Regina with 450-plus students, 75 per cent of whom are First Nations and Métis. They're aware that enrolment has increased by 100 students over the past four years and that attendance and learning outcomes are steadily improving. And they're aware, Mr. Speaker, that as a matter of basic fairness and common sense that Sacred Heart Community School needs a gym.

In the prayer that reads as follows, they:

Respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the Sask Party provincial government to immediately commit to the replacement of the gymnasium of Sacred Heart Community School.

Mr. Speaker, this petition is signed by citizens from Regina, Sedley, and Saskatoon. I so present.

**The Speaker:** — I recognize the Provincial Secretary.

**Hon. Mr. Elhard:** — Mr. Speaker, I seek leave of the House to make a statement of proclamation regarding Rendez-vous de la Francophonie.

**The Speaker:** — The Provincial Secretary has requested leave to make a statement regarding Rendez-vous de la Francophonie. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried. I recognize the Provincial Secretary.

## STATEMENT BY A MEMBER

### Rendez-vous de la Francophonie

**Hon. Mr. Elhard:** — Thank you, Mr. Speaker. I rise today to officially proclaim March 7th to 23rd as Rendez-vous de la Francophonie 2014 in the province of Saskatchewan. Rendez-vous is a chance for all residents to join with other Canadians to celebrate the French language and francophone culture. It's held annually throughout Canada in the month of March and coincides with the International Day of the Francophonie, which is designated as March 20th.

In Saskatchewan, Rendez-vous recognizes the historic Fransaskois contributions to the cultural, economic, and social fabric of our province. And that's been happening, Mr. Speaker, for more than a century. The Fransaskois role in our province's future, however, is even more relevant as an increasing number of French-speaking newcomers continue to make Saskatchewan their home and contribute to the growth of our province.

We're proud to have a Francophone community that helps shape our cultural identity and contributes to Saskatchewan in such important ways. I encourage all citizens to join us in celebrating the Francophonie in Saskatchewan. Bonne célébration. Thank you, Mr. Speaker.

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

**Ms. Sproule:** — Merci, monsieur le Président. Est-ce je peux avoir un leave pour répondre?

[Translation: Thank you, Mr. Speaker. May I have leave to reply?]

**The Speaker:** — The member for Saskatoon Nutana has requested leave to respond. Is leave granted?

**Some Hon. Members:** — Agreed.

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

**Ms. Sproule:** — Merci, monsieur le Président, et merci au secrétaire provincial pour son discours éloquent.

Comme j'ai dit plus tôt, je suis fière d'être une membre de la communauté francophone et je suis très heureuse de pouvoir prendre la parole aujourd'hui pour souligner les réalisations de la communauté francophone de la Saskatchewan grâce à cette proclamation à l'Assemblée législative.

Le mois dernier, j'ai eu l'occasion de donner un atelier musique et la danse à l'école française à Bellegarde. C'était un bel après-midi. Je dois appeler une danse-carré en français pour la première fois, et j'ai aussi appris à appeler "la danse des canards." Quele plaisir!

Le français est bien vivant dans cette province et de plus en plus. Je suis tout à fait consciente cependant que la croissance est livré avec ses défis, et la lutte que vous êtes confrontés à assurer un éducation en français est financé de manière adéquate n'est pas une tâche facile. La bataille judiciaire se poursuit, et le jugement de la cause Caron-Boutet de la cour de l'Alberta d'appel est décevant.

Cependant, j'ai la foi que la Cour suprême du Canada, chargé de la tâche de veiller à notre Charte des droits à la liberté de la langue est protégé d'une manière significative, entendra votre plaidoyer pour l'égalité. L'enseignement du français financé adéquatement est la clé de votre avenir, et l'opposition officielle continuera à soutenir vos efforts pour obtenir une véritable égalité dans le financement.

Félicitations à toutes les personnes fransaskoises que vous célébrez la Rendez-vous de la francophonie 2014.

[Translation: Thank you, Mr. Speaker, and thank you to the Provincial Secretary for his eloquent remarks.

As I said earlier, I am proud to be a member of the francophone community and I am very happy to be able to speak today to accentuate Saskatchewan's achievements thanks to this proclamation in the Legislative Assembly.

Last month, I had the opportunity to give a music and dance workshop at the French school in Bellegarde. It was a lovely afternoon. I called a square dance in French for the first time, and I also learned how to call the Bird Dance. What a pleasure!

French is alive and well in our province, and becoming more so. I am always aware that growth has its challenges, and the struggle you faced to ensure the adequate funding of Francophone education was not an easy task. The legal battle continues, and the judgment of the Caron-Boutet case in the Alberta Court of Appeal is disheartening.

Nevertheless, I have faith that the Supreme Court of Canada, given the task of ensuring that freedom of language under the Charter of Rights is protected in a meaningful way, will hear your plea for equality. Adequately financed French instruction is the key to your future, and the official opposition will continue to support your efforts to achieve true funding

equality.

Congratulations to all the Fransaskois as you celebrate the Rendez-vous de la Francophonie 2014.]

#### STATEMENTS BY MEMBERS

**The Speaker:** — I recognize the member for Regina Qu'Appelle Valley.

#### Saskatchewan Book Awards

**Ms. Ross:** — Thank you very much, Mr. Speaker. Now that the Oscars are over, I would like to direct members' attention to our own Saskatchewan-grown awards excitement. Created in 1993, the Saskatchewan Book Awards is the only provincially focused book award program and it is the principal ambassador for our literary community.

These awards not only help people choose excellent books to read, they make a tangible difference in the lives of our province's more than 500 authors and 75 publishers. The Ministry of Parks and Culture and Sport is proud to sponsor the awards for publishing in celebration of these hard-working members of our business community. This year more than 180 of Saskatchewan's best writers and publishers submitted their entries to these prestigious awards and the finalists were announced a few weeks ago. Members will soon receive an invitation to attend the Saskatchewan Book Awards ceremony on April the 26th when the winners of the 13 awards will be announced.

Through you, Mr. Speaker, I encourage all members to attend the ceremony and the numerous events leading up to the event to support and celebrate Saskatchewan's wealth of literary community and our talent.

Thank you very much, Mr. Speaker.

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

#### Grain Transportation Solutions

**Ms. Sproule:** — Mr. Speaker, just last week more than 50 ships sat empty on the West Coast waiting for our province's beautiful bumper crop to reach port. Bins sit full across the province and so do producers' mailboxes — filled with bills — and they face the stress of financing the input costs for this year's crop. The economic losses to farmers are huge, in the billions, hurting producers, farm families, and rural and urban communities alike.

Now more than ever our province needs governments willing to stand up to the big rail companies and demand immediate accountability. For too long, farmers in the Prairies have been held ransom by big rail. This duopoly must end. But in the meantime there must be penalties for this outrageous scenario producers in our province are facing.

[13:45]

Mr. Speaker, we called on this provincial government and the

federal government to get to work and put in strong penalties to force the rail companies to live up to their duty to move this harvest to market. And we've called for solutions that could help ease the problem in the short term and long term, like opening up running rates and the rail lines and using all the good tools available to help producers.

I was glad to hear the Minister of Agriculture yesterday finally admit that joint running rates can be part of the solution. I encourage him to demand that his federal counterpart put all solutions on the table, including legislation.

And, Mr. Speaker, I call on all members of this legislature to put more pressure on the federal government and the big rail companies to help our producers and farm families get this record harvest to market. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the Minister for Social Services.

### Volunteer Wins Community Futures Award

**Hon. Ms. Draude:** — Thank you, Mr. Speaker. Mr. Speaker, there's a quote from an unknown author saying:

Volunteering is the ultimate exercise in democracy. You vote in elections once a year, but when you volunteer, you vote every day about the kind of community you want to live in.

Mr. Speaker, we all know that Saskatchewan is known across this country for its strong volunteer base. Today it gives me great pleasure to recognize a volunteer, Annette Dubé of Kelvington, who recently was honoured for her many hours of volunteer work when she received the provincial 2013-14 Community Futures Volunteer Award. Nominees must be current or past members of the Community Futures board, and have delivered outstanding and sustained leadership and achievement in the Community Futures world.

Annette has served on the Newsask Community Futures Development Corporation for 13 years. She's been chairperson since 2007. As a member of this corporation, she's served on the northeast supported employment program board since 2006, and as well being instrumental in the Newsask administering the program there. The program enhances the employment opportunities, including self-employment of all persons with disabilities, in the Newsask region.

Provincially, Annette is a member of the entrepreneurs with disabilities program committee and a member of the Saskatchewan Bed and Breakfast Association board of directors.

I would ask that everyone in this Assembly join with me today to congratulate Annette on her award and thank her for her volunteering.

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

### Saskatchewan Artists Nominated for Juno Award

**Mr. McCall:** — At the end of the month, Mr. Speaker, the music scene in Saskatchewan will be rooting for Rah Rah as

this Regina-based band is up for the Juno Award for Alternative Album of the Year. Rah Rah were long-listed for the Polaris Music Prize and they won Independent Album of the Year at the Western Canadian Music Awards in 2013.

Before they head off to Winnipeg for the Junos, Rah Rah will have freshly impressed audiences in Vancouver, Edmonton, Calgary and have blown the doors off gigs here at home last weekend in Regina and Saskatoon. Following the Junos, Rah Rah is off to Europe to play more shows, and they're already working on demos for their next album with plans to start recording this summer.

Mr. Speaker, Rah Rah is comprised of Erin Passmore, Marshall Burns, Joel Passmore, Kristina Hedlund, Jeff Romanyk, and Leif Thorseth. When asked about their nomination, they were humble. Marshall said, "You just try to make records that you're proud of." I know there are many folks here in Regina and throughout the whole province and Canada that are extremely proud of not only this album, *The Poet's Dead*, but also of Rah Rah.

There are other great Saskatchewan talents nominated, Mr. Speaker. Our congratulations go out to Little Miss Higgins for Roots and Traditional Album, George Leach for Aboriginal Album, and father and son duo Kevin and Kane Churko for Recording Engineer of the Year.

I ask all members of the Assembly to congratulate these amazing Saskatchewan musicians and producers for their Juno nominations, and here's hoping for winning the awards come March 30th. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member for Prince Albert Northcote.

### 2014 Saskatchewan Winter Games

**Ms. Jurgens:** — Thank you, Mr. Speaker. Last month the 2014 Saskatchewan Winter Games were hosted in Prince Albert. I had the pleasure of attending both the opening and closing ceremonies with my colleague from Regina Northeast who is also the Minister of Parks, Culture and Sport. As well, I enjoyed the games in the capacity of a volunteer, Mr. Speaker.

The 22nd edition of the games brought together our finest young athletes, joined by coaches, managers, and mission staff from all corners of our great province to showcase their talents in 19 different sports.

Mr. Speaker, by leading healthy, active lives and by pursuing something with commitment, the Winter Games athletes are role models for people of all ages in our province. Our government will continue to support our amateur athletes as they pursue their dreams. Last month I may have met some of our future Olympians, Mr. Speaker.

I also would like to commend the Saskatchewan Games Council for their \$125,000 legacy grant to help the community of Prince Albert purchase sporting equipment and upgrade facilities that all current and future athletes can enjoy. Mr. Speaker, I'd like to thank all the organizers, sponsors, and volunteers who helped make the 2014 Saskatchewan Winter Games such a great

success and congratulate all of the hard-working athletes who competed in the games. Their dedicated parents who are an integral part of their journey also deserve recognition. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member for Moose Jaw Wakamow.

#### All-Star Night Fundraiser

**Mr. Lawrence:** — Thank you, Mr. Speaker. This past weekend I had the opportunity, along with the member from Moose Jaw North, to attend the Friendly City Optimist Club of Moose Jaw's All-Star Night. The freezing temperatures couldn't keep Moose Jaw's football fans and some of the CFL's [Canadian Football League] finest from raising funds for the pediatric unit at the new Moose Jaw Regional Hospital.

Former CFL greats Don Narcisse and Luc Mullinder were in attendance, as well as Grey Cup champs Chris Best, Ben Heenan, and Moose Jaw's own Levi Steinhauer. The highlight of the night was special guests Chris Getzlaf and Henry Burris.

I was struck by Henry Burris's quote when he was asked about coming back for this event. He replied that, "Saskatchewan was home for me and it still feels like home for me." Chris talked about the Grey Cup experience and watching his brother play hockey in Sochi during the Olympics.

The Optimist Club's motto is Friend of Youth. When planning this event, they decided there was no better cause than helping children and families in the Five Hills Health Region. I ask all members to join me in congratulating the Friendly City Optimist Club of Moose Jaw and their successful All-Star Night, and also for their ongoing commitment to the youth of this city and the new Moose Jaw regional hospital. Thank you, Mr. Speaker.

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

#### Recognizing Constituency Assistant

**Hon. Ms. Heppner:** — Thank you, Mr. Speaker. There are many people that we as MLAs need to thank for supporting us, and I would like to thank one of those people today.

Twenty years ago, a very young man walked into the office of Bill Neudorf, the MLA for Rosthern. He had a new-found interest in conservatism and wanted to chat with his MLA. He walked out with a job as a constituency assistant. Twenty years later, Whitney Friesen is still serving the people of that area even though the constituency has changed quite a bit over the years. Boundaries have changed. The constituency name has changed. The MLA has changed. But Whitney remains so incredibly dedicated to his job, to supporting his MLA, but most importantly to helping the people who live there.

Whitney worked for two years for Bill Neudorf. After the 1995 election, he started working for my dad. And today is the seventh anniversary of my by-election win, and over these past years it has become so obvious that he is more than just a constituency assistant. He has been a friend to my family for many years. To his wife, Rebecca, and his children, Matthew,

Simon, and Julianne, I thank you for loaning us Whitney and your patience over the years. And to Whitney, congratulations on 20 years of service to the people of this province, and thank you so much for all that you do.

#### QUESTION PERIOD

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

#### Standards in Care Facilities

**Mr. Broten:** — Thank you, Mr. Speaker. We keep hearing very concerning news about this government's approach to seniors' care here in Saskatchewan. We heard incredibly concerning testimony from the inquiry into the deaths of seniors at St. Mary's Villa about how this government's failure to fix a boiler led to tragedy.

And we learned this week, Mr. Speaker, that this government still hasn't learned its lesson from that because it recently forced health regions to significantly pare down, pare back their urgent requests for much needed staff, much needed equipment, and much needed repairs. And now we're hearing even more concerning information. It shows that this government's excuse for why it eliminated minimum care standards was nothing more than spin.

My question is for the Premier, and he's had months to look into this: how many hours of care per senior do they currently receive in each of the health regions in Saskatchewan?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, it would be incorrect to state that there are no standards of care within long-term care facilities within Saskatchewan, Mr. Speaker. In fact the most recently updated program guidelines for special care homes that was updated April of 2013, it's 193 pages. I'd urge the opposition to have a look at it.

Clearly on page 1 it says, "All special care homes shall operate in accordance with the standards set out in these guidelines." It goes on to state, "The standards set within this manual are considered minimum standards and must be adhered to in publicly funded facilities that offer long-term care services."

Mr. Speaker, what we do know within long-term care, despite the fact that the number of facilities have really not changed over the last six years, despite the fact that we roughly have 8,700 residents within long-term care, Mr. Speaker, as did the members opposite when they were in the government, Mr. Speaker, the full-time equivalent workers in long-term care, be it care aids, LPNs [licensed practical nurse], or RNs [registered nurse] is up 750 from when the members opposite were in the government. So I would say by that standard alone, Mr. Speaker, that people in our care, our residents, are getting better care.

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

**Mr. Broten:** — Mr. Speaker, we've covered in this Assembly how this government, in secrecy, removed the specified

requirement that there be two hours of care per resident per day. And, Mr. Speaker, when they made that decision and did it in secrecy, they later on explained, Mr. Speaker, that they did that because they saw two hours as too inadequate. But now we know, Mr. Speaker, that seniors are hardly receiving anything more than that.

The Heartland Health Region has been working over the past several years to move towards two and a half hours of care per resident per day. They're still struggling, Mr. Speaker, to reach that mark of two and a half hours of care to seniors. So my question is for the Premier. He said that the standard of care of two hours per day per resident, Mr. Speaker, was too inadequate and was incredibly out of date. So my question for the Premier is, is two and a half hours of care per resident incredibly out of date and too inadequate?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. What we did do, and to correct the member opposite because it is in regulations . . . When the regulations do get changed, that does get publicized, Mr. Speaker. As legislators you would think that they would look to see what the regulation changes have been. Unfortunately, Mr. Speaker, it took two years for the members opposite to actually do their jobs.

Mr. Speaker, in terms of . . . Mr. Speaker, in terms of what is taking place within long-term care as I said before, Mr. Speaker, the positions of LPNs, the positions of RNs, of care aids, for example, care aids in long-term care, full-time equivalent positions in the last year of their government, Mr. Speaker, 4,487. Today it's 4,924, a 9.7 per cent increase. Mr. Speaker, LPNs are up 37.4 per cent in long-term care and RNs are up 9.3 per cent, Mr. Speaker. When you take all of that combined, all of the hours that are combined, Mr. Speaker, under the NDP [New Democratic Party] in their last year, Mr. Speaker, would have averaged 4.09 hours per day for a resident. Today with those increased numbers, it's closer to four and a half hours per day, Mr. Speaker. But of course every individual case would be different.

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

**Mr. Broten:** — Mr. Speaker, it is this government, it is that minister, that cabinet, Mr. Speaker, that chose to eliminate the minimum care standard of two hours per resident per day. And this was reported in the media, Mr. Speaker: "Health minister Dustin Duncan told reporters the regulations that were changed dated back to the 1960s and didn't speak to the care needs of the present day."

So the government's excuse for scrapping the minimum care standards was that it was out of date and didn't speak to the present reality. But the reality for seniors who are in care, Mr. Speaker, is that the current amount of care they receive hardly exceeds that two-hour minimum requirement that was there. So instead of scrapping the minimum requirement, Mr. Speaker, this government should have strengthened it. My question to the Premier: will this government realize that strong, province-wide minimum care standards are absolutely essential here in Saskatchewan?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, we do believe that . . . A number of things. First of all that we do need to ensure that we have the proper complement of staff within long-term care facilities, Mr. Speaker. I would wonder and I would question the Leader of the Opposition, Mr. Speaker, if he would agree that long-term care was clearly understaffed when they were the government, considering there were 750 fewer full-time workers in long-term care for the same number of residents in the system, Mr. Speaker.

Mr. Speaker, in terms of the standards, Mr. Speaker, as I've indicated, when we updated the program guidelines that all long-term care facilities have to follow in April of 2013, we clearly indicated that those were considered minimum standards, Mr. Speaker. They speak to, Mr. Speaker, they speak to the care standards that are required for resident-centred care. Mr. Speaker, they speak to the staffing requirements that are required within long-term care, keeping in mind that every facility is different, the makeup of every resident is different, and we should provide individual care when possible, Mr. Speaker.

[14:00]

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

**Mr. Broten:** — Mr. Speaker, residents are hardly getting more than the two hours of minimum care that were in the regulations that were specified. It's this government that took those out.

It's the government's role, Mr. Speaker, to provide leadership here and to provide clear minimum care standards for seniors in Saskatchewan. And if the minister does not like my belief that there are not the appropriate standards in place, he should listen to his own health region. And here's what the Heartland Health Region says: "In the absence of any provincial staffing standards, Heartland Health Region developed regional minimum staffing guidelines for services provided in our facilities."

We know, Mr. Speaker, that Heartland Health Region is struggling to even hit 2.5 hours of care per day. Their long-term goal, Mr. Speaker, is 2.75 hours per day. That's their long-term goal. That's just three-quarters of an hour more, Mr. Speaker, than what the supposedly outdated, inadequate guidelines were that the minister was referencing or claimed to reference. And we know, Mr. Speaker, that experts say seniors actually need around 4.1 hours of care per day.

So again my question is for the Premier: when will this government set strong, province-wide minimum care standards?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, I believe, and I think the numbers would bear out, that we are in a better position today to provide, Mr. Speaker, a standard of care for our residents that we should strive for, Mr. Speaker.

We're in a better position today because of the fact that this



government has invested significantly within our regional health authorities, within the budgets of our authorities to the point where they can hire 750 more full-time equivalents for the same number of residents, Mr. Speaker. Mr. Speaker, as well as through the Urgent Issues Action Fund, an additional 57 positions will be hired through that, Mr. Speaker. Mr. Speaker, that shows I think the level of commitment, knowing that there is more work that needs to be done, Mr. Speaker.

I would ask though the Leader of the Opposition — he indicates a few numbers — what his number would be, Mr. Speaker. What would be the number that he would suggest, Mr. Speaker, that he would provide for if he were the, heaven forbid, ever be the government of the day?

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

### Hospital Conditions

**Ms. Chartier:** — Kerrie and Darren Anderson are constituents of mine. Kerrie has MS [multiple sclerosis] and has spent a lot of time as a patient in Royal University Hospital over the last year.

Kerrie and Darren have major concerns about cleanliness and short-staffing at RUH [Royal University Hospital]. They use words like disgusting and filthy to describe the condition of the hospital. They do use words like phenomenal to describe the front-line staff, but they say the number of workers is woefully inadequate. We keep hearing these kinds of concerns, Mr. Speaker. To the minister: why isn't this government listening?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, this has been something that has been raised in the past, and certainly Saskatoon Health Region is well aware of the issue, Mr. Speaker. And they are making strides to make improvements within not only that hospital, but other hospitals so that, Mr. Speaker, patients can have as best an experience as possible and so that we can address issues around infection control, Mr. Speaker.

What this government has done is we have indicated that we will be investing into our health regions as we have over the last number of years. Mr. Speaker, the budget of the Saskatoon Health Region six years ago, when the members opposite were the government of the day, was \$640 million, Mr. Speaker. In this past fiscal year that is just ending, it is \$962 million, a 50 per cent increase, Mr. Speaker.

The health region has used those dollars to be able to provide better service, quicker service, Mr. Speaker, more efficient service, and have done so by ensuring that they have, Mr. Speaker, hired positions, whether that be front-line staff, nursing staff, or in this case, maintenance staff. But they do know that they need to do a better job going forward.

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

**Ms. Chartier:** — Kerrie and Darren talk about a bathroom with

black mould in it, a tap that wouldn't work properly, garbage not emptied for days, brown liquid caked on to the wall and left there for weeks.

Workers told Kerrie and Darren that the filthy conditions were caused by cuts to the cleaning staff. And the system is getting worse under this government. For a family dealing with severe pain and the constant worry of infection, filthy conditions are not only unacceptable but they are a threat to health. To the minister: how many times does this government need to hear these concerns before it will listen?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, as I indicated last fall when these issues first arose within Saskatoon Health Region, the health region had indicated that they were aware of the concerns that had been raised, Mr. Speaker. They were instituting some new processes to do more timely checks and cleaning, Mr. Speaker, of areas that were particularly high traffic use areas, Mr. Speaker, that see more volume, that will from time to time, Mr. Speaker, need to be cleaned more often. They are embarking on putting in place the people and the processes to ensure that that's done.

Mr. Speaker, as well the member opposite did reference what would be considered some maintenance issues within Saskatoon Health Region in those facilities. Certainly we are well aware of that, Mr. Speaker. That's why we have, just in life safety and emergency, in maintenance, Mr. Speaker, in the last six years invested \$145.5 million in our health regions as opposed to only \$22 million by the previous NDP government. In six years, Mr. Speaker, a 561 per cent increase under this government.

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

**Ms. Chartier:** — Mr. Speaker, it's not just the lack of cleanliness that is a major concern to Kerrie and Darren. They are extremely concerned about the overall quality of care. In at least one overcrowded room on the neurosurgery ward, they gave the patient a urine sample container to shake. A urine sample container with something in it to make noise was supposed to serve as the call bell. To the minister: how on earth is it acceptable to make a patient shake urine specimen containers in order to get attention from nurses when they need help?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, I'm not aware of what the member opposite has raised in terms of that being told to a patient. Mr. Speaker, I would be very happy to look into that for her.

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

**Ms. Chartier:** — Mr. Speaker, short-staffing was also a major concern for Kerrie and Darren. What short-staffing meant for Kerrie is a whole lot of unnecessary and unbearable pain. Kerrie needed pain medication every hour but she was lucky to see a nurse every three hours because there weren't enough nurses on

shift to give her the medication that she needs.

These are all huge concerns and this government needs to start listening. Filthy conditions, overcrowded rooms, bizarre improvised call bell systems, not enough nurses and front-line staff, and patients are bearing the consequences of all of that. In Darren's words, "When it becomes unsafe for the patient, they need to start to do something different."

To the minister: what assurance can you give to Kerrie and Darren that this government is going to stop making health care worse in this province?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Duncan:** — Mr. Speaker, Mr. Speaker, with all due respect to my colleague across the way, I don't know how, I don't know how the member opposite can ask a question like that, Mr. Speaker, and insinuate that the health care system in this province is getting worse, considering what we inherited from the members opposite, Mr. Speaker, in a lack of support and budgets for RHAs [regional health authority] in previous budgets under the members opposite. We had to drastically improve that, Mr. Speaker. A 100 per cent increase in the Saskatchewan Cancer Agency's budget in the last six years, Mr. Speaker.

Obviously we had some deficits to get rid of, Mr. Speaker. Mr. Speaker, what we found in terms of the lack of investment into our capital facilities in this province, Mr. Speaker, in health care, Mr. Speaker . . . Mr. Speaker, record investment is what we're doing now, Mr. Speaker. Hiring, ensuring that we have RNs and LPNs and physicians and specialists, Mr. Speaker, in this province, and the training seats to train the next generation of physicians and nurses and practitioners in the province — those are all the things that we're doing, Mr. Speaker, as opposed to what the members opposite left us in terms of health care in this province.

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

### School Funding

**Mr. Wotherspoon:** — Mr. Speaker, an engineering report received by the Regina Public School Board has cast concern and uncertainty for the school board and the Connaught School community. This requires urgent action and support from that government. It needs immediate interim funding made available to make sure that a solution for next year that meets the needs of community and the school board can be arrived at.

We're joined today by the Vice-Chair of the Connaught School Community Council, Sarah Truskowski. She's here with her son Otis who's planning to go to kindergarten at Connaught next year to join his sister who's a student there right now. Students like Otis and his sister and parents like Sarah deserve some certainty as it relates to school next year for their children.

To the minister: will he make an immediate commitment for the required interim funding to support the school board and community to find a solution that meets the needs of parents, the community, and students for next year?

**The Speaker:** — I recognize the Minister of Education.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. I'd like to thank the member opposite for the question. I can advise the Assembly and particularly the people that are here today that the safety and security of our students is absolutely paramount.

Mr. Speaker, I've been at Connaught School. I'm aware of the situation that's there. They have made a formal request to the school division with regard to the issue. I happened to be in the school by coincidence on the day that the engineer's report was there. This is a difficult thing for the community and for the school division to go through. I can advise them that this is something that will be considered as the ministry officials assemble information and deal with the matter as part of budget.

I would like to also, Mr. Speaker, while I'm on my feet, welcome Ms. Truskowski to the legislature. She'd written to us earlier indicating that they were having a meeting. We sent officials to the meeting. And, Mr. Speaker, it is an issue that is taken seriously.

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

**Mr. Wotherspoon:** — Mr. Speaker, but no answer to the interim funds that are needed right now. Amy Petrovitch is the Chair of the SCC [school community council]. Amy says, "Our school serves a very diverse cultural, socio-economic student population which houses English and French programming, a fantastic pre-K class, and the all-important Wise Owl daycare program."

The Regina Public School Board has written that minister on February 12th calling for the approval of funding for the long-term needs of the school. They highlight in that letter that they've been calling for support for Connaught from this government for many years. They state, "In light of recent developments, the urgency of this request is now paramount." And we followed up as the official opposition with a letter to the minister calling for the funds required for the full rebuild or renovation needed to serve the Connaught community for decades forward.

Can the minister here today make a commitment to families that those dollars will be made available at the latest by the upcoming budget?

**The Speaker:** — I recognize the Minister of Education.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. To the members opposite, we will continue to work with the various applications dealing with priorities within our school division. We're well aware of the importance of this particular issue and want to have a resolution. We will continue to work with the school division as they work through this as well. I can advise the Assembly, Mr. Speaker, that this is a government that has spent over \$600 million on school projects, big and small. There's been 43 major capital projects. Nine new joint-use schools have been announced.

Mr. Speaker, one of the things that we inherited from the previous government was a lack of any kind of capital expenditure in Regina. Mr. Speaker, I have a quote that I'd like

to read from Don Hoium, director of education, Regina Public Schools, in January . . . [inaudible] . . . “We haven’t had a new build in Regina for over a decade.”

So we’re looking forward to what is quite an expansive capital development in Regina public schools, Mr. Speaker. That deals with some of the new capital and some of the new joint P3 [public-private partnership] facilities that are going to be built. We look forward to the members supporting those as they go forward.

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

**Mr. Wotherspoon:** — Mr. Speaker, the school board and community need immediate resources to address the current uncertainty and to do some short-term planning. No answer from the minister here today on that front. They also need a commitment of funds required for a full rebuild or renovation for the long term to serve the Connaught community well into the future. No answer from the minister on that front either. What the community and school board don’t need is any further delays or to be dictated to or hamstrung by that government.

For example, the approach this government has taken with its private P3 rent-a-school scheme has caused widespread concerns. Like many, for common sense reasons we know that’s the wrong way to go. So can the minister confirm today that he won’t be forcing a P3 rent-a-school scheme on the families and kids of the Connaught School community?

**The Speaker:** — I recognize the Minister of Education.

**Hon. Mr. Morgan:** — Thank you, Mr. Speaker. The member is concerned what we won’t do. I can tell you what we won’t do. We won’t be taking any lessons from them. We won’t be closing 176 schools like those people did. What we will be doing, Mr. Speaker, is continuing what we’ve done for the last six years.

Mr. Speaker, Regina and area capital, \$131 million spent. Ten major capital projects: École Monseigneur de Laval, Balcarres, Lumsden Elementary, Emerald Ridge, Campbell, Scott Collegiate, Arcola, Douglas Park, Seven Stones, and . . . [inaudible] . . . 11 relocatables, 121 renovation projects, seven early years projects and three joint-use projects. Mr. Speaker, I would call on the members opposite to support the budget when it comes. It will have things in the budget that they should like and I’d encourage them to look at it, set the politics aside, and do what’s right for the family and children of our province, Mr. Speaker.

[14:15]

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

#### **Malfunction in Parks Reservation System**

**Ms. Sproule:** — Mr. Speaker, this year’s much anticipated provincial park registration opened up on Monday, and as of yesterday at least 1,500 Saskatchewan people had already been overcharged because of a malfunction in the system. To the minister: has his ministry figured out exactly who was

overcharged and how much they were overcharged?

**The Speaker:** — I recognize the Minister of Parks, Culture and Sport.

**Hon. Mr. Doherty:** — Thank you, Mr. Speaker. I want to thank the hon. member for the question. In fact on this past Monday our reservation system went live, and we discovered . . . I was informed about noon that there was a malfunction between an interface system between the reservation system and the financial transaction processing system, Mr. Speaker.

Officials worked with the service provider well into the wee hours of Tuesday morning to identify there’s 1,500 individuals that we believe where an error code has shown up in the system that have been possibly overcharged. We are proactively contacting those people, Mr. Speaker. As soon as we were aware of the problem going on with the system, we put a notice on our website where people were going to the parks website to indicate that we had discovered there may be a problem with their credit card charging; please check your statements proactively and let us know if in fact there was.

Other than that, Mr. Speaker, we have contacted all 1,500 by 8 o’clock last night to indicate that we would ask them to check their credit card statement to find out. They will be fully reimbursed, Mr. Speaker, in due course. We’re working as quickly as we possibly can. I briefed the hon. member yesterday at noon with officials to let her know exactly what was transpiring.

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

**Ms. Sproule:** — Mr. Speaker, this government chose to privatize the parks registration system and hand control to an Ontario company. The government argued that this privatization was necessary because it would improve the system. But what it has really meant is that Saskatchewan families have had to pay significantly more in fees with the lion’s share of that money going straight to that Ontario company, not to improving our parks, and clearly not to improving the park registration system.

The contract with this Ontario company specifies penalties when incorrect fees are charged to Saskatchewan campers. The penalty is \$100 per occurrence. To the minister: will this government be recouping that penalty of \$150,000 from this company and put that money into our park system?

**The Speaker:** — I recognize the Minister of Parks, Culture and Sport.

**Hon. Mr. Doherty:** — Mr. Speaker, I find it a little strange that the hon. member who represents that party, who literally walked away from the regional park system in this province, who walked away from our provincial park system in this province, where we are spending thirteen and a half million dollars annually, Mr. Speaker, in capital improvements to our parks, where we’re seeing record visitation year over year over year coming to our parks, I find it a little passing strange that that hon. member would make this a partisan issue.

Secondly, Mr. Speaker, this service provider deals with five provinces in the country of Canada plus Parks Canada, Mr. Speaker. Yes, in fact we have a contract with performance measures with respect to the delivery of this service. We will be reviewing that contract, Mr. Speaker. I can assure hon. members that every individual who had a charge on their credit card will not be charged for the transaction costs by that service provider, Mr. Speaker.

#### ORDERS OF THE DAY

#### GOVERNMENT ORDERS

#### ADJOURNED DEBATES

#### SECOND READINGS

##### 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 Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to rise to speak to Bill No. 106, *An Act to amend The Legal Profession Act, 1990*. It's pretty clear, Mr. Speaker, that one of the issues over this winter has been whether the government is listening to people when they raise concerns about all manner of issues. We've heard four or five different issues in question period today. We know that the papers continue to have issues that are of concern to them, whether it's the cleanliness of the hospitals, whether it's the contracting out of jobs that shouldn't be contracted out, all those kinds of things.

Today in this bill, Mr. Speaker, we have some amendments that are made to *The Legal Profession Act* that have been requested by the Law Society of Saskatchewan. And, Mr. Speaker, on first glance it appears that at least the Minister of Justice is listening to some of the requests that have been made so that particular issues can be dealt with by the legal profession.

Now, Mr. Speaker, this legislation, *The Legal Profession Act*, is the legislation which regulates the work that's done by lawyers on behalf of various citizens and corporations in the province. And it's quite often that we receive bills in this House that relate to the legal professions Act because there are so many times when different issues arise that need to be corrected.

And so, Mr. Speaker, in this particular legislation, we have some quite specific requests from the Law Society of Saskatchewan, and those requests I think are practical and they do make some sense. Now one of the quite interesting parts of the . . .

**The Speaker:** — Why is the member on his feet?

**Hon. Mr. Norris:** — Thank you very much, Mr. Speaker. Mr. Speaker, to ask leave of the House for an introduction of a guest.

**The Speaker:** — The member has asked for a leave to

introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried. I recognize the Minister of Advanced Education.

#### INTRODUCTION OF GUESTS

**Hon. Mr. Norris:** — Thanks very much, Mr. Speaker. Mr. Speaker, to you and through you to all members of the Assembly, I'd like to recognize a distinguished guest in your gallery, and that is a former minister of the Crown federally, a distinguished Member of Parliament, Monte Solberg. He's in town today doing some work on behalf of First Nations University.

And we just want to say how much we've appreciated his public service, his partnership with the province of Saskatchewan, and the work that he's doing on behalf of First Nations and Métis students and scholars across this province. Mr. Speaker, I'd ask all members to join me in welcoming this distinguished guest to the Saskatchewan legislature.

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

#### ADJOURNED DEBATES

#### SECOND READINGS

##### Bill No. 106 — *The Legal Profession Amendment Act, 2013* (continued)

**Mr. Nilson:** — Thank you, Mr. Speaker. As part of my speech, I think I'll also welcome Monte Solberg to the Saskatchewan legislature. Whether he knows it or not, but I think he does, he's part of the Viking club of legislators across the country who have strong Norwegian roots. And we know as Norwegian-Canadians that there are many things that are important, and we appreciate the work that he's doing in his present role. We look forward to many more good things from the work that he's done. So welcome to the legislature.

Now, Mr. Speaker, back to this legislation, the Act to amend *The Legal Profession Act*. The Minister of Justice has listened to the requests from the Law Society around some changes, and I was just getting to some of those changes. I think there's quite a few pages of amendments that are here. But I think one that's kind of top of the list, and it's actually quite small in the total text but it's the one that the minister identified first off because it's important, which is to make sure that the profession, the legal profession knows that the public interest is paramount over the interests of members of the Law Society when those members are being disciplined.

In other words, Mr. Speaker, the whole purpose of professional legislation is protection of the public, and sometimes this wasn't as clear as it should have been in this particular legislation. And what's brought forward in this bill identifies that that public interest takes precedence over the interests of any member of the legal profession who is being disciplined.

Now another aspect of this legislation is to deal with the

committees that are part of the legislation. And in fact, one of the definitions is being changed to make sure that the committees that are dealing with issues are done so in such a way that practically these steps can be taken properly.

And what's done in this particular legislation is that there's a definition of admissions panel which allows for the Law Society to set up panels to deal with particular problems primarily around discipline in a way that makes this workable. And it's ended up, I think, capturing and dealing with a particular problem and doing it in an appropriate way.

Another aspect in the definition section of this legislation relates to the definition of a firm. Over many years, *The Legal Profession Act* was set up in a way to regulate individual lawyers. But what it didn't do was specifically recognize the fact that many, if not most, lawyers in private practice operate within a structure which would be called a firm or a partnership. And so this particular legislation addresses that issue and it gives the Law Society the ability to regulate firms as well as individuals.

Importantly, it doesn't lump together all government lawyers as a firm so that they're caught in some of these rules nor does it deal with the fact that there may be a legal department in a corporation that's not designated as a firm. So it's primarily to deal with lawyers in private practice.

And once again going back to my first point, it's about protection of the public. It's making sure that anybody who deals with lawyers will be treated fairly and with appropriate care. So those are some of the changes that are in the definition part.

Then what we looked at in the legislation, that they've added a whole new section that wasn't here before, and this goes to this question of how discipline hearings are set up and how they're dealt with. And so this new section ends up creating procedures that make . . . are more practical in dealing with some of the discipline issues that arise.

And so what does this do? Well it effectively says that there will be panels available that include some of the benchers but also some others that can be part of that process, so that there's not such an overload on each of the benchers who are part of the overall management of the legal profession itself. I think that this is a request that's come forward over a number of years with substantial thought behind it from the legal profession, but I think also some pretty strict review from within the Ministry of Justice's lawyers to make sure that once again the protection of the public is the main goal of the legislation.

[14:30]

And practically what this means is that issues of discipline of lawyers will be heard in a more appropriate time than has maybe been some other times because of the pressures that were there on the subcommittee of the benchers. I should point out that the word bencher effectively means a member of the board that manages the legal profession in Saskatchewan.

Now the other issues that are being dealt with here is to address some of the time limits that were in previous legislation that

sometimes were quite unworkable in how the timing of the . . . [inaudible] . . . of the benchers were there. What this legislation does, after some appropriate discussion obviously, is to set out some of the deadlines to have much more flexibility. Always you have overriding any decisions that are made the common law rules of natural justice, in other words it has to be fair but there is a recognition that sometimes the very strict deadlines that have been in the legislation have not been fair either to the lawyer who is being disciplined or in fact to the people who have made the complaint and are part of the particular process. So I think that's an appropriate response to a particular problem that has arisen.

Now the next area under this legislation which has been changed relates to the statutory exemption for liability when members of the board, the benchers make decisions. And this statutory exemption is also being extended to the Law Foundation.

For the interests of the public, the Law Foundation is a place where interest on trust accounts that are held by lawyers — and some other sources of revenue but primarily interest on trust accounts held by lawyers — goes to a fund which is managed by a committee of primarily benchers but also some others who are appropriately involved with this. And this money is used for a whole number of very positive aspects in the community — whether it's law libraries, whether it's the law reform issues, or sometimes some other specific projects that relate to the public. But the Law Foundation has as its goal to use this revenue, which comes to them as the foundation, in a way that benefits the public as a whole.

And so what this legislation will do is extend the protection to those members who are part of that body, the same protection that's there for other volunteers who are involved in various activities and who end up doing work that is of benefit to the public.

Now the other, the one aspect of the legislation which I think it's practical but it's something we do need to watch and that does relate to this whole question that I talked about earlier where changes have been made to facilitate the hearing panels for lawyers who are being disciplined, this legislation, responding to the request from the benchers of the Law Society of Saskatchewan, allows non-benchers and non-lawyers to sit on hearing panels around discipline matters. And this I think is a practical way of dealing with this, but I think that it would be prudent for the Minister of Justice and various people who work within his ministry to monitor it carefully as this is developed over the coming years.

One of the traditional values of having just benchers do this was that there was pretty clear responsibility for the final decisions, and that went right to the benchers as a whole. I don't think there's any intention of changing that responsibility, but there is the possibility of diluting that responsibility if you end up having a number of non-benchers, in other words, people who aren't elected to their position, or in fact lawyers, non-lawyers who are part of the process. So my suggestion would be that, as it relates to this particular legislation, there is a need to monitor that aspect of what's being done.

Now when the legislation was brought forward to our

legislature, there are a number of other issues that are procedural issues. For example, one issue as it relates to eligibility to be a student-at-law, that provision is changed to allow for these committees that may include non-bencher lawyers and in fact non-lawyers to deal with any appeal around their time as a student-at-law. Those matters can be dealt with by these other committees. And once again, there may not be very many of those types of hearings, but I think it will be important to monitor what happens there and how the matter is dealt with.

Now the other aspects of the legislation are quite specific. I think that I've ended up identifying most of the key points, but clearly the issue is, has the minister listened to what the benchers have requested? I have to say that my sense is that he has and that he's then identified most of the issues. Does this mean that we won't see legislation like this next year? I don't think it means that, because quite often there are issues that arise within a year that will require further activity.

But practically this legislation has clearly been vetted by many lawyers, both within the Law Society and outside the Law Society and within the Ministry of Justice and now here in the legislature. And so, Mr. Speaker, I have no further comments on this legislation. Thank you.

**The Speaker:** — The member has moved adjournment of debate . . . Oh, committee? The question before the Assembly is a motion by the minister that Bill No. 106, *The Legal Profession Amendment Act, 2013* be now read a third time. Is it the pleasure of the Assembly to adopt the motion . . . [inaudible interjection] . . . Second reading. Yes. Did I say third? Second reading. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Law Clerk and Parliamentary Counsel:** — Second reading of this bill.

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

**Hon. Mr. Wyant:** — Mr. Speaker, 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. 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 Lakeview.

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to rise to speak to Bill No. 113, *An Act to amend The Powers of Attorney Act, 2002*.

Now, Mr. Speaker, once again this legislation is responding to requests from the community that have come in various ways. I know as a former attorney general that legislation like this is under constant examination and review by various of the civil servants involved in this area, whether it's a public trustee or public guardian and the various people involved there, or individual lawyers who have concerns or just individuals themselves who have questions that arise as it relates to the whole area of powers of attorney. Now the power of attorney is the . . .

**The Speaker:** — Why is the member on his feet?

**Hon. Mr. Norris:** — Thank you very much, Mr. Speaker. Mr. Speaker, to you and through you to ask leave of the Assembly for an introduction of a guest.

**The Speaker:** — The Minister of Advanced Education has asked for a leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — I recognize the Minister of Advanced Education.

### INTRODUCTION OF GUESTS

**Hon. Mr. Norris:** — Mr. Speaker, thank you very much. Mr. Speaker, as I've previously mentioned, we're delighted to have a former parliamentarian, Monte Solberg, here. He's joined this afternoon, Mr. Speaker, in your gallery by Mr. David Sharpe who is the board Chair at First Nations University.

And I've had the opportunity to work more closely with Mr. Sharpe. I know the significant contribution and also that real sense of dedication that he has to First Nations University but also to our First Nations and Métis scholars at First Nations University and, more broadly, First Nations and Métis students right across the province of Saskatchewan.

I just want to take this opportunity to say how much we appreciate his presence in the Saskatchewan legislature today, and I'd ask all members to help me welcome Mr. David Sharpe to the Saskatchewan Legislative Assembly.

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

### ADJOURNED DEBATES

#### SECOND READINGS

#### Bill No. 113 — *The Powers of Attorney Amendment Act, 2013/Loi de 2013 modifiant la Loi de 2002 sur les procurations* (continued)

**Mr. Nilson:** — Thank you, Mr. Speaker. I'll take this opportunity to also welcome Mr. Sharpe to the legislature. It's very clear that the role of First Nations University in Saskatchewan is crucial. I personally, my wife and I, have been supporters of First Nations University ever since we came to Regina in 1978. And all of us are proud of the good work that's been done at that particular institution, and we look forward to

many more years of growth and development and service to all the people of Saskatchewan and of Canada.

Now, Mr. Speaker, going back to the Act to amend *The Powers of Attorney Act* which is Bill No. 113. Mr. Speaker, powers of attorney are documents that transfer powers from one individual to another for various reasons. And there are some fairly standard forms on how to do this, and most of the time they will follow quite carefully legislation like *The Powers of Attorney Act*. And so what happens as new issues arise or new problems arise, there are changes that are required.

And, Mr. Speaker, it appears that this legislation is being brought forward as a result of consultations with vulnerable adults. We don't have in our second reading speech exactly who these groups are. I assume the minister might provide more information about that at such time as we get to committee, but what I do know is that the legislation around power of attorney is legislation that is constantly being challenged, updated, and looked at in various ways.

So what we have today here, Mr. Speaker, is legislation which makes some changes. So the questions for us here in the legislature are, what are these changes? Why are they being asked for? Who's asking for the changes? And do the changes make sense in 21st century Saskatchewan? And so, Mr. Speaker, I think the best way to look at this is to then look at exactly what kinds of changes are being made to the legislation. And so if we go forward here, let's take a look at what some of the changes are.

[14:45]

Often the easiest way to examine the changes is to go through the legislation section by section, and this particular legislation starts out with a definition section or an interpretation section, which is section 2. And there have been some changes here to make sure that some particular issues are dealt with. I think the first one relates to the definition of a dependant. And basically the definition of family member as it relates to dependants, as it relates to spouses, has been amended to reflect the new definition of spouse. What's important here is that that definition in the legislation is that it's very clear that spouse means a legally married spouse of the grantor or a person who is cohabiting or has cohabited with the grantor as spouses continuously for a period of not less than two years or continuously for a period of not less than one year if they are parents of a child.

Now, Mr. Speaker, this is another place where legislation defines the responsibilities of marriage or marriage-like relationships in some very specific ways. And I think often members of the public don't fully have all of the information available to them when they're involved in relationships. Or it's not specifically a concern until there's a rift in that relationship and there then becomes a question of who's responsible for what.

But very clearly here, this legislation would allow for a property guardian to make sure they could pay money to a dependant who is . . . as defined in this legislation, or to a spouse which could be a man or a woman who's legally married or living or cohabiting — and also it could be to a person who is caring for

a child — and that these responsibilities are there very quickly.

Now why would you need something like this? Now we don't have a specific example from the minister here, but let's have an example of a man and a woman were in a car accident and one spouse basically had some major difficulties with the ability of managing their money after the accident. And when the insurance money comes and is payable to that person who has responsibility for a spouse and possibly for some children, there's been some difficulty in making sure that that money can be transferred to this spouse. So what we have here is some very specific definitions of what spouse means, what family member means, what dependent means so that there isn't an issue as it relates to that. Now I'm not sure if that's the specific example that's triggered this change in the legislation, but clearly it's the type of thing that I think is being anticipated.

Another part that's somewhat related to this is the whole issue of gifts. And when gifts are given in a situation where everybody's competent and there's no challenge to the competence to the individual, there's really no question that can be raised. But if you have somebody whose assets are being managed under a power of attorney, there may be an appropriate spot for a gift to be given, but traditionally there hasn't necessarily been direct authorization to give those kind of gifts.

So what this legislation appears to be doing under section 16.1 is to change the rules to allow for gifts to be given. And so this I think is a positive thing. It appears to have quite a number of fairly onerous rules to follow around these gifts, but it does allow for the possibility of a gift which is often important. And so here we have something that responds to a need in the public that appears to make sense.

Now another aspect of this legislation relates to what kinds of fees can be charged by somebody who is acting in a power of attorney capacity. I think traditionally those kinds of fees have not been set out because usually the tasks are not too onerous and there isn't a requirement for a fee or things are managed by somebody who is a close friend or a family member and those matters are dealt with.

I think what this will allow for is specific fees for powers of attorney. And it does reflect the fact that quite often we'll have people who are civil servants doing this role, and it's part of a way of making sure that there's appropriate compensation to the provincial treasury when activities are taken on behalf of somebody who has appointed a power of attorney that way or has been appointed by a court to do that kind of work.

So practically some of those changes are right in the document itself. But what we know is that there will continue to be questions that arise around how some of these documents work. And once again I wouldn't be surprised within a year or two that we'll have more legislation coming forward to further define some of the things that we are looking at in the legislation today.

Now the legislation also addresses some of the concerns around who has the ability to require an accounting by an attorney, somebody who's been appointed under one of these documents, somebody who's been appointed under a power of attorney.

And so what this legislation does is it gives the Public Guardian and Trustee the power to carry out an investigation to ensure the accuracy of accounting. And it actually does, sort of copies exactly what's in *The Adult Guardianship and Co-decision-making Act*, which we'll be hearing about a little bit later today, and makes sure that there is a public ability to publicly account for how funds are being expended. And I think that's appropriate.

I think most people have assumed that there is that kind of power, and I guess technically there is that power if you wish to apply to a court. But what this will do is set out the form of the accounting in regulations, so we'll be watching for those regulations to come. And it also sets out a simplified procedure, and it does save some substantial legal fees in actually getting the information that may be requested.

I don't think this happens that often, so I don't think there's going to be a huge loss of work for lawyers on this or for judges for that matter, but it does I think provide for a simplified procedure that will make sure that there is an accounting in situations where people are acting as an attorney under a power of attorney. And so I think that's good, a good piece of legislation responding to a need from the public.

And now the other change that's coming forward here is — I'll see what section it's in — is the whole change around the section 18, which I guess is in section 7 of this legislation. And section 18.1 is being added to the legislation. It talks about how a final accounting is required when somebody terminates their role as an attorney under the power of attorney. And this is once again setting out a simplified procedure and a clear procedure so that when somebody ends their role as a power of attorney, whatever is passed over to the next person involved — often it's when somebody dies, power of attorney is no longer valid — and obviously the executor or the administrator of the person's estate takes over managing the funds involved.

What this appears to do, and I think it does it in a fairly straightforward way, is to say at that point it's important that there be an accounting, that there be a full rendering of all of the decisions that have been made around the assets of the party involved and that that particular information is then finalized and approved if necessary by a court I suppose, ultimately. But if the form is followed, it allows for an orderly transition to the next person who is to be managing these funds or if it's maybe just a total termination of what's going on. So I think once again that's a positive thing, responding to requests by the public for some changes.

The next change, which is section 8, relates to termination of authority under an enduring power of attorney. And there's basically here a making sure that the word spouse is used appropriately as far as the new definition that we have in the legislation and also making sure that there's a consistency and clarity in this legislation around the termination of a power of attorney, or the attorney's authority under a power of attorney is when the assets are being transferred to a property guardian that's appointed for a missing person or for a person that's presumed dead.

Once again, this is not a procedure that would happen very often, but it is a procedure where having very clear rules makes

it easier for everyone involved. There's enough difficulty for people when somebody's missing or presumed dead. To add further legal complications is not helpful, and so what this tries to do is to make sure that there's consistent rules, there's clear rules and that those rules protect the assets of the person who's missing or the person who's presumed dead.

[15:00]

Now the next provision that's here is the regulation-making powers, and as we can see that in this legislation, they've expanded a number of areas. And so what section 9 does, which amends section 22 of the existing Act, gives further powers around the regulations and what can be done to deal with specific issues of this legislation.

Now, Mr. Speaker, this legislation is bilingual legislation, so the Act itself has both French and English versions of the legislation. They both are equally valid obviously. And I think it's important to acknowledge that we have an ongoing task to make sure that laws are available in both French and English. And I know that the task over many years has been to make sure especially those laws that relate to individuals and to the powers of individuals are in both official languages.

And so *The Powers of Attorney Act* is a piece of legislation that has been part of the long-term process of having legislation in both official languages. As we all know, there is still quite a few bills that are only passed in English. And as the years go by, this number of bills that are only in English will decrease I guess as a percentage of the overall total and that's an important task as well.

Now, Mr. Speaker, when this type of legislation comes to the legislature, it's often important to understand the stories or the concerns that have arisen that have this legislation here on our agenda. And we don't have that in the rather short speech from the minister on the second reading. I assume that he has much of this information available and he will be able to provide incidents or issues that have arisen over the years that require this legislation to be introduced. But at this point, we can only speculate on some of the issues that arise.

I think one of the areas that isn't as well known as we might think is how few people actually enter into powers of attorney or enduring powers of attorney to deal with their own financial affairs. Often people assume that they should wait until they're a little bit older and maybe faculties are starting to fade a bit that they should enter into these types of arrangements. But practically some of the most difficult problems around the use of powers of attorney relate to younger people, our age if I could put it that way, Mr. Speaker, that we think we're all capable of doing something, and something quite dramatic happens and all of a sudden your family members or friends or others are scrambling to figure out who has the authority to make decisions about various important issues.

And it can be things like choices in a pension plan or choices around insurance policies. It can relate to sale of assets that are no longer necessary because a person's not capable of using . . . And that could be somebody who has a vehicle but now can no longer drive. So how do you get rid of something like that? And so I guess what I would say is that there is an education



campaign that may be necessary coming from the Ministry of Justice or from other parts of the government or just in the community in general around the role of a power of attorney or an enduring power of attorney and making sure that people look at this.

It's not dissimilar to the concern that one has when one prepares a will. And quite often the standard speech given by lawyers or trust people or others is that, do you want to write your own will, or do you want to have the state, the province, write your will? Because we in this legislature have passed legislation that's quite clear about how assets are distributed upon death. And often it's not the same as what you yourself would want. And so I encourage members of the public, if they don't have a will or if they haven't thought about that, start thinking about it because there may be certain of your close relatives that you don't want to get certain assets, but they would get them if you let the province write your will.

The same thing is true around these uses of the powers of attorney. There may be certain people in your family that you don't want making decisions about your assets, but they may get that power if they apply under existing legislation. If you enter into or if you prepare an appropriate document, this power of attorney, you can eliminate those kinds of problems.

Now the aspect of choices in this whole area is such that when people go after a problem has arisen, whether it's, you know, like I say, a bad accident or a stroke or some other issue that's arisen with the person involved who has the assets, it's very easy to say, well you should have done this or you should have done that. But it doesn't allow you to go back and do something *nunc pro tunc* was the term we always used in court. What it means, do something now for then. You can't redo things that you should have done appropriately later, even though it would be easier for everyone. And so, Mr. Speaker, this kind of legislation, this powers of attorney legislation is legislation like that which gives all of our citizens the tools they need to make sure that their wishes are fulfilled. And so I encourage people to look at this legislation, the amendment legislation, but more importantly look at the Act itself which is being modified.

Now we see that the legislation that's being amended today is the 2002 version of this legislation. I know that that legislation when it came forward was as a result of quite an extensive review of all the legislation relating to vulnerable adults or adults who were in a situation where they couldn't make decisions on their own. And what we know is that the provisions that have been brought forward here build on that previous work and I think build on them in mostly a positive way. But as I said earlier, we will appreciate getting on the record when we get in committee some of the very specific incidents that have arisen that have generated the changes that are being proposed here.

Now what other pieces of legislation or what other institutions do we have in Saskatchewan that relate to this particular legislation? One of the positive institutions we have in Saskatchewan is the Public Guardian and Trustee. And I think people often don't totally understand how much work the Public Guardian and Trustee does as it relates to individuals in the province. We often forget about a generation of people who didn't have children or who have children who live long ways

away from Saskatchewan who, as they get older, don't have people locally who can help them take care of their affairs. And often the Public Guardian and Trustee steps in in that role and manages the assets of the neighbour down the street in a way that's appropriate. And I think that experience in that particular office over the years as they've managed property of individuals is the reason that this particular legislation gives them new powers to actually investigate the accuracy of accounting around the powers of attorney.

Now we also should acknowledge that there's another type of document that relates not to guardianship of assets but to effectively guardianship of decisions, so that what this other area that complements this is that you could have one person who you trust deal with your assets and another person help you make decisions that are appropriate. And so this legislation is part of an overall suite of bills that provides lots of options for us in Saskatchewan.

So, Mr. Speaker, I think this legislation responds to some very specific needs. It will be important to get some of those specific stories on the record when we get into committee. I think that there is also possible that some other issues may arise as we discuss this in committee that might require some minor amendments. But practically this is legislation that is of benefit for Saskatchewan citizens, and at this point I have no further comments. Thank you, Mr. Speaker.

**The Speaker:** — The question before the Assembly is a motion by the minister that Bill No. 113, *The Powers of Attorney Amendment Act, 2013* be now read the second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

**Law Clerk and Parliamentary Counsel:** — 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. To the Standing Committee on Intergovernmental Affairs and Justice.

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

#### 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 Athabasca.

**Mr. Belanger:** — Thank you very much, Mr. Speaker. I'm pleased to offer a few additional comments as we look at this bill, Bill 114, the health care directives Act. And, Mr. Speaker, what the bill primarily entails, as I've spoken on this bill previously — and for those that may be watching and be

watching this particular bill as it proceeds through the Assembly and it proceeds through the committee stage — is the bill allows and really recognizes the challenges when one is going through the health care system or has other challenges in which they're not able, not capable of making certain decisions around their care, whether that be day-to-day care or whether it'd be placement of a special home or have special needs, Mr. Speaker.

Some of the bill that we're speaking about today, Bill 114, is primarily looking at some of those options. And I understand that in the case of a family or a spouse or a relative or somebody within their extended family, there's a process in place to help the facility or the administrators of any facility to determine the course of treatment and the course of even a stay at a certain facility in concurrence with the family member that might be involved.

[15:15]

So a lot of times, as I mentioned at the outset, when you have senior citizens or any other citizen that gets to a stage in their life where they're incapacitated or they're unable to make certain choices for themselves for a number of reasons — it could be an accident; it could be the natural process of aging; it could be a number of factors, Mr. Speaker — oftentimes the health care system and the managers and the doctors and the nurses will approach a family member.

And it's fairly straightforward in the sense of there's two particular areas that you'd have to have consultation. If it's not a family member, it could be a next of kin, it could be an extended family member, or it could be two health care professionals. And what could happen, Mr. Speaker, in concert with the defined group of people, they can determine two things — the day-to-day care of that particular individual or the decision to put them in a special home or a special organization that could assist them in their day-to-day needs.

So I think it's important to note that if this is intended to assist the many people that are in this situation, to clarify the rules, and to offer as much advice and guidance and support to (a) the patient, of course, but (b) to often help the family along and (c) that if there is a process where no families are involved, then they can certainly talk to health care professional people that could give good advice to the administrators of the hospital or the special care homes.

So I think it's important, Mr. Speaker, to note that while the bill itself will have some impact on the elderly people, there are some other people in the province, through a number of issues that may have occurred in their lives, whether it's a traumatic accident or whatever, they would also be able to be impacted by this bill.

And I would point out, Mr. Speaker, there are many challenges when we talk about seniors' care in the province. And I go back to some of my statements that I've made earlier. In northern Saskatchewan where many elders are surviving on a meagre allowance of 1,100 or \$1,200 a month, and at the end of the day, Mr. Speaker, they certainly have a tough, tough job ahead of themselves. But they ought to be concerned that if something were to happen to them, an elderly aunt or an uncle or a parent,

that where they're unable to make certain choices on which medicine that they can take or to where they're going to be placed, that at least they know that there is a process in place, that there is a bill that defines the rules and regulations as to how decisions are going to be made about their day-to-day care and certainly about their . . . or the decision to place them in a special home.

So I think that's important to note on this particular bill. So on that note, I think we've spoken about the bill extensively. We have had, a lot of my colleagues had the opportunity to have their input. And it's all, of course, part of the process to put this bill through the Assembly. So on that note, Mr. Speaker, those are my very brief comments on Bill 114.

**The Deputy Speaker:** — Is the Assembly ready for the question? The question before the Assembly is a motion by the Minister of Justice that Bill No. 114, *The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013* be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

**Law Clerk and Parliamentary Counsel:** — Second reading of this bill.

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

**Hon. Mr. Harrison:** — Thank you, Mr. Speaker. To the Standing Committee on Intergovernmental Affairs and Justice.

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

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

**Mr. Nilson:** — Thank you, Mr. Deputy Speaker. It's my pleasure to rise to speak to Bill No. 115, *An Act to amend The Public Guardian and Trustee Act, to repeal The Mentally Disordered Persons Act and to make a related amendment to another Act.*

Mr. Speaker, we're dealing with a number of different issues in this particular bill that's brought forward. Now, Mr. Speaker, the Minister of Justice once again provided some remarks about the purpose of this legislation on November 18th, 2013, and as he states quite succinctly, there's some fairly straightforward changes that are being made.

Unfortunately we don't have on the record there what particular incidents or what particular stories that were brought forward

by people who were affected by this legislation that has resulted in the amendments that we see here, and so I think to get at some of that we'll have to ask questions in committee.

But let's look at this legislation in general. The Public Guardian and Trustee for Saskatchewan is Mr. Ron Kruzeniski. And Ron is a lawyer that I worked with at MacPherson, Leslie & Tyerman many years ago, in fact I think until he was appointed . . . well he went to work for the provincial government but then he was appointed as the provincial Guardian and Trustee, I think, in 1995.

And Ron has had many years of experience in dealing with these particular issues, and I have to have some sense of confidence in what's being proposed here that it's come forward with his words of advice and his suggestions along with advice from lawyers within the Ministry of Justice.

And so practically I'm not sure I have a lot of concerns directly about the kinds of changes that are here. But once again, as I stated in the legislation that I was looking at previously, sometimes the public doesn't totally understand what powers there are, what powers the Public Guardian and Trustee has, or the necessity of taking some personal steps around getting a will or entering into a power of attorney or an enduring power of attorney as it relates to having their own personal wishes being fulfilled in the way that they want.

And so, Mr. Speaker, this legislation deals with the kinds of issues that have arisen for the Public Guardian and Trustee as it relates to people who need or require somebody else to make decisions for them. And so because of that we need to be very careful what we do and be very vigilant to make sure that any change that we make here does not put somebody in a spot where we have to try to correct it later by going through an expensive court process.

So what is it that's being done here? Well as the Minister of Justice has stated, there has been a consultation or a discussion around our vulnerable adults legislation. It's legislation that relates to people who can't make a lot of these decisions themselves. And so I think practically what we should do is go through a number of the provisions of this legislation. And I think most of them we can have a pretty good sense of why they're being brought forward, but there may be some where we clearly need to have the story; we need to have the incident that's arisen that's triggered the particular changes that are in the legislation.

Now once again the legislation starts out with a definition section or an interpretation section, and there have been a few changes that have been made. They're fairly straightforward — defining business day, which is the same through all our legislation, and also the whole issue of capacity, which is a new term being used, is put into this legislation. And the term capacity does relate to the issue which we used to call incompetence or the inability to make a decision. That term has some fairly loaded aspects to it, that term incompetence. And so the term that we're now using is either capacity or you are able to make decisions, or incapacity, you're not able to make decisions. And I think that is a positive change that's here in this legislation. It reflects, I think, how physicians who assess people's capabilities would describe what happens and I think

that's appropriate.

There's also a change in the legislation in the definition part that updates the references to *The Children's Law Act* to make sure it refers to the 1997 version of *The Children's Law Act*, which is the one that's presently being used.

And then the next change is just a reference in a name. We used to have an Act called *The Absentee Act*. That's been changed to *The Missing Persons and Presumption of Death Act*, so that's the term that's in the legislation in section 6 of the existing legislation, section 4 of this legislation. And we'll continue to see throughout the legislation references to *The Children's Law Act*, and so there are quite a number of references where that particular reference is changed to children's law Act, 1997.

There's also a reference to *The Dependants' Relief Act*. Once again that's a situation where the Public Guardian and Trustee has the responsibility to care for an infant. That's somebody under age 18 or somebody over age 18 that doesn't have the capacity to make their own decisions. And that legislation is now . . . The present legislation is *The Dependants' Relief Act, 1996*, so there are references to that particular legislation. And so we continue to go through quite a few of the provisions in the legislation with just those kinds of changes.

Now when we get into the whole issue of the capacity versus incapacity, it's important to have definitions in this new legislation that are similar to or are the same as . . . Actually they're exactly the same as the definitions that are found in *The Mental Health Services Act*. And what that means is that there's definitions of things like the chief psychiatrist, facility, in-patient, nearest relative, physician, review panel. All of those kinds of definitions are important because there's only certain places and ways that people's civil rights can be limited when they're bound to require the services under this legislation and give the Public Guardian and Trustee power over their decisions.

Now we always used to have what was called the certificate of incompetence. That's now the certificate of incapacity, and it's the same definition. The same certificate is used if somebody's been committed to a mental health facility. And there are provisions around notification of the Public Guardian and Trustee in the same way that when somebody's committed to a mental health facility there'd be notification to next of kin, people who are concerned about somebody who has been committed into a hospital. And so practically there are a whole number of rules that have been changed, including making sure that there are review processes involved.

[15:30]

And I always look at legislation like this pretty carefully because I guess it's getting close to 40 years ago now when I was in law school, I spent a whole year sitting in on mental health review panel hearings. And these would take place in the evening at Riverview Hospital out in Coquitlam. Well actually I think it's called Essondale. It had its own little municipality, but it's basically Coquitlam, British Columbia. And what I was doing was to see whether the ordinary rules of law were being applied in how decisions were made on people's capacity or incapacity. And after I think attending . . . I can't remember if

the number was 36 or 42 of these hearings which were often one or two or three hours long, I ended up writing a paper about that.

But I mention that because in that process, I came to understand very clearly how people who appeared quite rational and quite able to make their own decisions often were not able to do that, and that the process used by the professionals, whether it's the psychiatrists or the psychiatric nurses or others, or even the lawyers that were involved, or sometimes the judges that were involved, that process had many sort of rules and conditions with it. And this particular legislation that we have here adopts or adapts those kinds of rules which we have in *The Mental Health Services Act* to also apply to situations where the Public Guardian and Trustee steps in.

So why would we need to do all this? Well I think it's here because there are situations where the Public Guardian and Trustee takes over the management of the finances of an individual where there's a strong objection for the person. I can think . . . In my legal career I was quite often called in by somebody who I hadn't seen for quite a long time, and they were convinced that you as a lawyer could come and help them fight their case. And when you then heard the evidence that they'd been running through 2 or 5 or \$10,000 a week on expenditures that their family and friends and other relatives thought were not appropriate, well then all of a sudden you ended up flipping into some of these kinds of rules that are here. Well it's that kind of a situation where the Public Guardian and Trustee is called in.

And so what this legislation is doing is making sure that the kinds of powers that are there to take away a person's civil liberties by putting them into a mental health facility, that the same kinds of rules and the same kinds of definitions are used when the Public Guardian and Trustee steps in to take away a person's ability to spend their own money or do things in an appropriate way. And so this legislation may sound sometimes a bit boring as you look at it, but practically it gets in to deal with some of the most difficult issues that any family can have or any community can have.

And that's why I think it's good that we respond to the requests that come from the community, but that we also do it in a way that has some very clear rules. And as I mentioned earlier, I've worked a lot of years with Mr. Kruzeniski and I know I can see his hand in the legislation that we have here, and so that provides me some assurance. But there are provisions here that will respond to situations that haven't existed before, and practically we need to have the whole situation dealt with. But now what other kinds of things are being done in this legislation? I think there are a couple of other smaller amendments that give new regulatory powers, but practically there aren't many other changes that have drastic consequences.

So in summary the main issue really is this bringing in the concept of capacity or incapacity and then adopting all of the rules from our mental health legislation into this legislation to allow for appropriate procedures and, like I said, appropriate appeal procedures for the individual who has been covered and then where there are objections that those can all be dealt with in a way that's fair to everyone involved.

So practically there's a whole number of pieces of legislation that fit together here, and they all deal with a response to consultation around legislation related to vulnerable adults. And this is one of the crucial pieces that give some new powers to the Public Guardian and Trustee, but it complements the protections that have also been given to the individuals where this particular legislation may apply.

Mr. Speaker, I think that there's a few things that we will be able to ask about in the committee. We'll be able to get some stories around some specific things, but at this point I don't have any further comments. Thank you.

**The Deputy Speaker:** — Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Deputy Speaker:** — The question before the Assembly is the motion by the Minister of Justice that Bill No. 115, *The Public Guardian and Trustee Amendment Act, 2013* be now read a second time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

**Law Clerk and Parliamentary Counsel:** — Second reading of this bill.

**The Deputy Speaker:** — I recognize the Government House Leader.

**Hon. Mr. Harrison:** — Thank you, Mr. Deputy Speaker. I designate that Bill No. 115, *The Public Guardian and Trustee Amendment Act, 2013* be referred to the Standing Committee on Intergovernmental Affairs and Justice.

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

#### 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 Deputy Speaker:** — I recognize the member from Cumberland.

**Mr. Vermette:** — Thank you, Mr. Speaker. To join in on Bill 116 and give some clarification, I think what it's trying to clarify is new municipal layers of governance. And they're referring to it as the municipal districts and looking at I guess some of our urban-rural communities, our towns, our villages, whether it's about population and maybe the numbers of population. So they're trying to find ways to make sure we provide services, from what the amendments and the Act's doing.

It's to make sure that residents that are living in our

communities, and if there was an opportunity for . . . whether they're both rural. And that's what we're wondering. Would it be urban, a town, a village . . . to come together. And there will be some clarification that'll be asked. And when you look through the bill itself, there's a lot of information. There's going to be lots of questions that I know people are going to want.

Now this may be something that the municipalities have been asking for, the municipalities, to allow them to come together to provide services to the residents. And when you talk about services to the residents, we're talking about roads, garbage, grading, snow removal. There's many areas where our residents ask our municipalities to provide the services. And at the end of the day, they want to make sure that their dollars are being taken . . .

So there are provisions in here to allow a merger and to allow communities that . . . Maybe the population base is not there where it used to be, and maybe there's a reason why it makes good sense. And I think what it's allowing is for municipalities to volunteer rather than government saying, and this I what I think. And my understanding is rather than push it, saying no, it's time that we start pushing.

They're trying to encourage ways for municipalities to come together is my understanding, volunteering to come together to say, can you work together? And we know our Saskatchewan people do work together to make sure they give the best services to the people that they represent. And I'll give credit to many of our mayors and aldermen that work together in all the . . . whether it's the North, the urban, the rural. They come together representing the people that have asked them to take care of their needs. Whether that's paying the taxes for municipal taxes, at the end of the day it's making sure services are being provided.

So what I can get from some of this — and I know we will have lots of questions — is it's looking at it. And I don't know if it's taking too . . . And I don't think in the legislation it's asking that it's too rural. And I don't know. You know, can two of them merge together? And I think we're going to have to ask some questions to make clear in committee to find out exactly is that the case, or am I misinterpreting what I have read? And maybe, you know, I don't have all the facts that are in here. But having said that, you know, we'll ask those tough questions.

And whether which way that these communities can come together to have a municipal district that will serve the people that they represent from, you know, a bigger area, and maybe there isn't enough services being provided. And this is one way that they can. And I know there has been talk about our communities. And some of them, you know, unfortunately for whatever reason, people are moving out of our smaller communities, maybe for whatever reason — education, growing population, there are many reasons — rather than I guess government.

And in this case maybe not ramming it down them, telling them they have to merge together, they're giving them the opportunity to come together in a municipal district. And that's a good thing I mean for those . . . [inaudible] . . . as long as at the end of the day I think we have clearly talked to the

municipalities and if this is a recommendation and legislation that they're asking for. And we have to make sure that their needs are being met. And when I say the needs are being met, it's the residents. And I talked a little about that, services.

And it also goes into if these I guess municipalities come together, whether they're rural and they have a municipal district, residents and by a petition, or they can ask by one-third of the citizens that that municipal district represents can ask for financial accountability, can ask for some of those information that they want to make sure that their needs and their finances are being taken care of. And I'm not saying they're not. But this gives them an opportunity to petition and ask. We've seen that as one of the areas where . . . So it takes one-third to ask. And that's good. It's showing accountability for the individuals that are providing governance in the municipal district, however they come together.

We're not sure how that will look. And I know there's going to be some questions in committee that we'll have to find out. How exactly will they be structured? How will they operate? How will they look? And I mean those are a lot of questions that will come out, and maybe there are some good suggestions that have been provided to government. But you know, at the end of the day there are some provisions, and I know there's a lot of questions. There's a number of different points in here that the legislation talks about, you know, in here, clearly saying where we go but giving the powers.

And you know, in that provision to . . . And I know I'll go further in the next bill, but at this point, I think from our point, I know more of my colleagues will have questions in committee, you know, you're going to work out. And then there'll be the regulations on how the municipal districts will be governed. And how will they operate? And how will they be regulated? And I'm sure they're going to have the same responsibility as they do to the municipal Act that's in there, and this just brings them in compliance and using the wording, you know, municipal district.

So at the end of the day, they can come together in a positive way I hope, I hope in a positive way represent the individuals and residents of our good province and making sure that they get the services that, as residents of our province, we want our municipal governments to look after us. So it's creating a governance, but also it's changing some of the wording and making sure municipal districts are seen as . . . and have the authority the municipal Act does. So that does. So at this point, Mr. Deputy Speaker, I have no further comments, so I'll adjourn debate on Bill 116.

**The Deputy Speaker:** — The member has moved to adjourn 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 Deputy Speaker:** — Carried.

[15:45]

**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 Deputy Speaker:** — I recognize the member from Cumberland.

**Mr. Vermette:** — Thank you, Mr. Deputy Speaker, to join in on Bill 117, the consequential amendment Act. I just want to give a brief . . . I talked about some of the changes. What's going on here, of course this follows Bill 116. And it's going to make the corporations non-profit Act so that not only is there where the provisions in the Act say municipalities, that protect municipalities within the corporation Act, it will now also recognize municipal districts will be recognized in there and will make those changes so that they have the same I guess authority and the same protections, responsibility that they do in *The Municipalities Act*. So this just makes the changing and changes some of the wording so that the municipal districts are covered as well.

So at this point I know in committee we might have more questions on this one. At this point I have no further questions on Bill 117, so I adjourn debate on that.

**The Deputy Speaker:** — The member has moved to adjourn 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 Deputy 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 Deputy Speaker:** — I recognize the member from Regina Lakeview.

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to rise to speak to Bill No. 118, *An Act respecting the Saskatchewan Polytechnic and making consequential amendments to other Acts and Regulations*.

Mr. Speaker, this is legislation that's been brought forward by the minister of post-secondary education, and basically it's a reflection of some changes that are happening within Saskatchewan as it relates to technical schools. And what we're really talking about here, Mr. Speaker, is the Saskatchewan Institute of Applied Science and Technology. That's SIAST in our regular discussions about it.

And this is legislation that changes the name of SIAST to Saskatchewan Polytechnic. And so why change the name?

What's going on here? Well, Mr. Speaker, the whole concept of a polytechnic has developed in Canada to become a name for an educational institution that is one that provides technical training and many aspects of some of the most important jobs in our community.

But what this legislation appears to do is to expand that definition to reflect the fact that institutes of technology are now institutes that do a lot of research, applied research. They raise funds. They grant degrees, certificates, and other kinds of things. And so this legislation is being brought forward to make some of these changes.

Now this is part of a broader move across Canada for changes like this. And Saskatchewan is one of the early adopters of this term. SIAST I think has been part of something that's called Polytechnics Canada, a fairly new member of that group. But effectively this group, as the minister states, includes the British Columbia Institute of Technology, the Southern Alberta Institute of Technology, the Northern Alberta Institute of Technology, as well as Red River College. Now I think there is some discussion that some of these other institutions will change their name to reflect the polytechnic term that we are using here in Saskatchewan, but Saskatchewan is pretty early on in using this term.

But effectively what it does is recognize the broader roles of the Saskatchewan Institute of Applied Science and Technology. And so what are some of those broader roles? Well I think what they are can be shown when you look at the legislation itself. The legislation is quite lengthy. It's got 40 sections, and it effectively rewrites the legislation for SIAST by making some changes, but practically it incorporates most of what was there in the previous SIAST legislation.

Let me identify some of the things that are new in the legislation and perhaps give some explanation of why I think they're here. I think some of them will require discussion in committee to totally understand why some of the terms are here. But one section, section 3(3) is a new section, and effectively what it does is it protects the term polytechnic so that no educational institution can use that term unless it's been approved by the Lieutenant Governor in Council. And so practically that's a new area.

Then when you go to section 4, there are a couple of new paragraphs added to the types of things that SIAST can do, and those things are section (h), so it's 4(h), and it says that it can provide "services to encourage and support scholarly activity related to programs of study provided by the polytechnic." So effectively this is to encourage research, to encourage all kinds of things that I think institutions obviously do now.

Another aspect of this is that the legislation will allow for other particular activities that are important in the work that they do. But I think it is important to encourage research. It is important to encourage the scholarly activities that one sees in our present institutions.

Another part that's changed is section 10, where right now we have a chief executive officer of SIAST, but the new legislation will have a president of the polytechnic. And so that's a change that's here as well.

And then the other aspect is that under section 14, and it sets out the powers re property of Saskatchewan Polytechnic. And what's new here is that the polytechnic will be able to receive gifts of real and personal property, so that if they get large grants like a recent grant they got from Husky, they will be able to receive them without . . . you know, with the power in the legislation. The difficulty has been that it wasn't entirely clear what kind of fundraising they could do.

The other new aspects are in part 16, which is additional powers. And those additional powers include granting honorary diplomas and granting of degrees under *The Degree Authorization Act* and also entering into any agreements for the purposes of performing applied research.

But practically, the main part of this legislation is to give a new name to SIAST. And I think it'll be a while before we are used to this, but it is something that appears to reflect a national movement. Now will this make a difference in how the institution is run? I think there are some pretty positive things that are there. Ultimately the SIAST or Saskatchewan Polytechnic can do the job that it's supposed to do when it has sufficient resources. And in a couple of weeks we'll see what kind of resources are available for our post-secondary institution. I hope that bringing forward legislation like this reflects the fact that there is going to be a commitment around this.

I personally know from a long history here in Regina that many of us were extremely disappointed when SIAST eliminated a number of programs. The one that I'm specifically, was specifically concerned about was the photography program. We had produced many fine photographers for the province and for the country, and that whole program was wrapped up and effectively all of the equipment and all of the history of being a good teacher for photographers was lost to Saskatchewan.

I sincerely hope that this legislation will not be authorization to make changes like that, where we lose something that's really valuable for the province. And I think that sometimes the decisions that are made are not always made with the long-term thought involved, and so we need to be very careful when we pass legislation that does make some of these changes.

I know some of my other colleagues have concerns about some of the things that this may allow the SIAST institution to do, and so I know that there will be other of my colleagues that will wish to comment about it so at this point I will adjourn debate.

**The Deputy Speaker:** — The member from Regina Lakeview has moved to adjourn debate on Bill No. 118. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

**Mr. Nilson:** — Thank you, Mr. Speaker. Bill No. 119 is *An Act to make consequential amendments resulting from the enactment of The Saskatchewan Polytechnic Act*. Now, Mr. Speaker, this is a pretty straightforward piece of legislation. Effectively what it does is goes into a few other pieces of legislation and changes the name in the legislation from SIAST or Saskatchewan Institute of Applied Science and Technology to the term Saskatchewan Polytechnic.

The first piece of legislation that's amended is *The Education Act, 1995*. Also then it amends regulations, and these are *The Teacher Certification and Classification Regulations, 2002* where the term or the use of SIAST is replaced by the term Saskatchewan Polytechnic. Mr. Speaker, that's the full extent of this bill. It does it both in French and in English as a bilingual bill. And I think that it's relatively straightforward.

It is kind of curious though that when the minister was making his comments about this bill, he talked almost as long about this short bill as he did about the previous bill, No. 118, because he was reacting to some of the comments made by one of my colleagues. And I think that normally the advice given to ministers by the Minister of Justice and by various officials in the department is to stick to the script when you're making second reading speeches because what a minister says about a bill is crucial in later interpreting the legislation. And I think this example of the comments made on November, 25th, 2013 by the minister in charge of Advanced Education is one where some of that advice was not followed.

So, Mr. Speaker, I know that my colleagues will have further comments on this legislation, and especially on Bill No. 119 even though it is quite short, and so I will adjourn debate.

[16:00]

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

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Agreed. Carried, sorry.

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

**Mr. Forbes:** — Thank you very much, Mr. Deputy Speaker. It is a pleasure to rise this afternoon to enter into the debate on Bill No. 120, *An Act respecting Lobbying*. And of course this is

a bill that's long overdue and one that we were anxiously all waiting for. And in fact I know when we came back from the election in the fall of 2011, it was one that I know the government was most interested on getting right to work. And of course we appreciate that attitude from any government when they want to get right to work and get down to brass tacks. And this was one that they seemed pretty anxious to get moving on right, right away. And here we are in third session now debating this.

And of course we don't know whether it'll actually be enforced even before the next election, ironically. Will the regulations be in place? Will the registrar be in place? All the pieces that need to make it happen, who knows? It could be the thing that they want to get right to work. Maybe, even hopefully, it'll be us who will be getting right to work on putting this into force after the next election. So, Mr. Deputy Speaker, you heard it first here. This is the thing that we'll be looking forward to putting into action. So put that . . . Write that down. Write that down.

But seriously, it is an important piece. But it is amazing how when things are so critical and they seem to start off out of the gate so quickly, that something happens with the gas. I don't know whether somebody put water in the gas or sugar in the gas or what happened, but something happened that caused the fizzle between the report . . . And I'll get into the specifics, but I understand that the people did their work and we had a minority report. It was finished May 12th but we didn't actually see it. It sat on the shelf for a year, a year, which was quite amazing.

So with that, what we have . . . The debate is before us about this bill and what the content is and whether it's effective, whether it will be a good start or a poor start, or whether it's something that should go back to the drawing boards. You know, the big question is, what are the unintended consequences? And so with that, we need to make sure we examine this thoroughly. And when we're in committee, we'll have another go through it because I think the people of the province expect a high standard when we talk about transparency and accountability. This government, this party has come to power under that banner of transparency and accountability.

And we think that's an important piece, that's an important piece of any government to make sure they're transparent and accountable. And that means everybody, everybody, not just a select few. And this is one of the problems that we'll talk a bit about in terms of those who were included, those who were excluded, and why would they be included and why would another group be excluded? It doesn't seem to make a lot of sense. Because no matter what business you do with the Government of Saskatchewan, it's all important and it all should be accountable and it all should be transparent.

There's nobody who gets a special key to the back door. That doesn't happen. That's not on, and we should not allow that to happen. And so everybody's work — and I always start with the assumption that whoever comes to meet with the government or the opposition is doing their best for the province and the people of Saskatchewan — they may have a different perspective. We may not agree with them, but they think it's in the best interests of whatever the cause that they are trying to promote.

And with that I can't see why anybody would want to be excluded from the registry. In fact I think it would be something they would feel would be an honourable thing to be part of. And so why would anybody want to be excluded? The only reason I could actually think that might make some sense is if it's an overbearing amount of work to undertake. You know, I mean, is it writing a simple letter? Now in a sense that is lobbying, isn't it? But should they then register within this process? That makes it a little absurd, doesn't it? So there is some reasonable levels that we have to take into account. But with that, I think that this is one that we are glad to have before us for this discussion because I think that we need to have something in place regarding lobbying.

And so with that I want to take a minute and review the minister's comments because I think it's always interesting that we can take a look at what they've done. And so he talks about how, and the reasons that are driving, the reasons behind the legislation before us. And I know as my colleague just remarked earlier, there's a good reason to have a minister's comments because we can look back and talk about the reasons why. And in fact it might actually serve as part . . . it is part of the public record, but a significant part of the public record in future years.

And so he talks about how on December 7th, 2011, shortly thereafter — I think that's almost a month after the election, the election being I think in November 7th, 2011 — one month later the Legislative Assembly passed a motion to refer the issue of lobbyist legislation to the Standing Committee on Intergovernmental Affairs and Justice for review and to report back. And what they wanted to do was make recommendations on a legislative model for this new legislation, for new legislation in Saskatchewan that will ensure that the public is informed and aware of who's lobbying the public office-holders in Saskatchewan while ensuring that free and open access to government decision makers is not unduly impeded. And I think that's important.

That's what we were talking about before because we do want to engage the public. We do want to listen to the public. And in fact, that is one of the major concerns that we hear from organizations and the public, that we don't seem to listen to them. We work really hard on this side to listen to them. I know that on that side the record is rather spotty in terms of how they engage the public and how they listen to them and how they hold public meetings and that type of thing. And I could go on at length about the changes in labour legislation, about whether or not they actually engage the public and how the people can have free and open access to government decision makers. We want to make sure that's not unduly impeded.

And we have seen for example the refusal to hold public meetings, to meet with the public. But they've been told instead, please write a letter. That's the only way that we'll hear from you is via the Internet or via Canada Post. And that's a problem because I think that people want to say, we want to have access to government decision makers that's open and free. And I think this is an interesting comment from the minister to say that that's our goal when often we see that not being the actual case when the rubber hits the road, that they are actually not open and it's not a free access to government decision makers. But I digress, Mr. Deputy Speaker, about that.



That's just part of this whole thing.

But just a short few months later, five or six months later, the standing committee tabled the majority report. We had a minority objection, and I will refer to that in a minute because I think it's a pretty key piece of the discussion today about this bill.

So they talked about how there was considerable consensus around preparing an Act based largely on the Alberta and British Columbia legislation and further consultation with stakeholders was considered desirable before introducing a government bill. And so while it's based on the recommendations, they went back to have more consultation with the stakeholders. And that showed up perhaps in this; we don't know.

And that's the question we'll have: who did they consult with? Did they listen to the recommendations? Did they not? If not, why not? And we will have questions about that because it just seemed rather odd that you would send out a committee, a standing committee of the legislature to do this work and then say, but we want to refine it further. So that is what happened though; that's the case before us.

And they talked about how the bill will do a number of things and establish types of lobbyists, and that makes sense. A registration requirement, a process, and that makes sense. We have to keep track of who the lobbyists are, what that will mean. It will be an interesting process to see how that plays out.

And you know, we'll have those kind of questions in committee. How are the registration processes? How is that done in Alberta, Ontario, the federal government? How effective is that? And how effective is it vis-à-vis this kind of legislation, particularly when we have some of the concerns about essentially how effective it will be and how many registrants, how many lobbyists will actually be on the registrar. You know, the concern is because some of the benchmarks are so high, that in fact there won't be that many that will actually qualify for it. So this will be interesting.

This will be an interesting process to see, appointing a registrar as an independent officer of the Assembly to oversee the Act, investigate the complaints and offences. So we have another officer of the Assembly, and how that will play out. And restricting lobbying by former public office holders, the MLAs here, that will be here, and some of the people who have worked for government, that will be interesting.

It does talk a little bit about the exemption for local authorities, including universities, SARM [Saskatchewan Association of Rural Municipalities], SUMA [Saskatchewan Urban Municipalities Association], and the School Boards Association. And I have some concerns about that. And I know particularly those people do really good work, and I think it's really important that we keep in touch with them.

And this is in no way . . . I don't think, the Act respecting lobbying is meant to curtail lobbying. It's just made to keep track of it. And in fact, that's a good way of seeing so how does, who is the government talking to? Who are they listening to? And I think it's important that they listen to all sorts of

people and that's registered. I don't see a problem with that.

And I think that that in fact, as I said, all of these organizations, part of their job is to inform and to talk to both the government and the opposition side so we can support their work and support the changes that they need to have done. If we don't do that, then we're not doing our job. And if they don't do it, they're not doing their job. And so it's really critical that actually that be seen to be part of their role. They all work for the public, and the goal of this piece of legislation is something to help the public understand, so what's happening?

And I find it interesting in fact how we've done . . . worked really hard to make this legislature an efficient place. And it's much more efficient than when I was first elected. And I think, Mr. Deputy Speaker, you would remember those long days and long nights when we would all sit in here in Committee of the Whole, and we couldn't do two committees at the same time. We had no idea of what the calendar was. We didn't have the processes we have now, which are largely really effective getting the job done in a certain amount of time and making sure that we can be back in our constituencies, just a simple thing like having our Fridays as our day in our constituency office. And it's really important to remember that's not a day off. That's a day back at our constituency office to meet with people.

[16:15]

So now we have this situation. People want to know, so what are you really doing? Who's really talking to you, and what are they talking about? I think they'd be very happy to know that SUMA and SARM and the school boards and universities are talking to us. But now they won't know, and they won't know how much they're talking to . . . They're also being paid by the public. All of those groups of people are paid through tax dollars, and the taxpayers want to see an efficient and effective use of their money. And if they want to see these two levels or three levels getting together to talk about the issues of the day, they would like to see some evidence of that. And I don't think that's a bad thing. I think that's a good thing and a thing that they can be proud of.

But it's sort of this exemption that I think has some concerns, concerns also about charities. And of course I need to take a look closely, and we'll have this discussion in committee because there seems to be so many different levels of the term charities, whether you have NGOs [non-governmental organization] or CBOs [community-based organization] or you know, who's funded by provincial dollars? Who's funded by donations? Who are able to be run by foundations and therefore are exempt by the advocacy rules of the Canadian Revenue Agency?

Those are all big differences, so I think that we kind of get into this trouble of when you exempt groups and not have a really good reason. There are some good reasons, and particularly when it comes to the size or the time of lobbying. Clearly, as I stated earlier, the idea of simply writing a letter or a letter-writing campaign, I think that's fair enough that they're not really in the ballpark of having what we call in-house consultants or lobbyists. Yes, in-house lobbyists, people who make it their business to make sure government and opposition

are informed about the issues of the day because we are all busy people and we need to make sure we have that. So I will come back to this again because I think it's very, very important.

And talking about recommendations, the minister goes on and talks about recommendations on post-employment restrictions for cabinet members and to continue what's already in place in the members' conflict of interest, which only makes sense.

So this reflects a focus on private sector and paid lobbyists' activities. It's where the risk of influence is most acute and there is limited public disclosure. And that may be all true and I understand that, and definitely . . . And we've seen this from the American experience. But clearly we are in a North American area and it's important that we take a look at lessons from America in this.

Where the risk of influence is most acute, and that's fair enough, and you know, you have to talk about the issues around risk. And I would assume that we really do talk a lot about this and conflict of interest. And the unfortunate thing, and I think this is in some of the things some of the experts in this area have pointed out, that really there's no lack of code of ethics related to this.

There was some discussion around that. Why is there not something in place around code of ethics for lobbyists? And I think that's an important area. But I don't think that this really needed just to focus on private sector. I think there should not have been a distinction between private and public, that in fact it's all about who we're talking to, about who we're listening to. And I think that's important. I think that's an important aspect.

So, Mr. Deputy Speaker, as the minister talks about when he's first referenced, talked about free and open access to government decision makers, that's an important matter of public interest and as I would say, that's all sectors, not just one sector. And it's a legitimate activity. And I couldn't agree more, and it is one that has to be conducted appropriately.

He goes on and talks about thanking the committee for their excellent work. And I sure would agree with that. And I would want to, at the same time, thank our member from Nutana for representing our points of view on that well. So thank you. My thanks to her for making sure that we were brought up to date and our points of view as the NDP opposition caucus were fairly reflected in that.

But I do want to reflect on hers if I could now, on her minority objection. And I think that's important to do because we don't often do this. But we have done, and we have done that. In fact, Mr. Deputy Speaker, you may remember that when I was first elected we had a chance to talk about farm land security. And I was a member of that committee and we actually, even within the government we had a minority report even though it was our side, which was a very unusual situation. We should have been all agreeing on this, but we didn't.

And I think it's only fair in democracy that we have that freedom to say we have concerns about things going forward. And I think there's absolutely nothing wrong with that. I think it's important that committees . . . And this is something we're striving for, I think, and it's something that's been a difficult

challenge for us as a legislature to have our committees work more freely as a committee. And again reflecting that maybe that that sphere of influence from America where we could learn a bit from them, where their committees are much more . . . when they have standing committees they truly do stand with a lot of independence.

And I think that's something that our committee structure right now could learn a little bit about, where we could have a little bit more independence. You know, I mean I know the Canadian system really talks about party discipline and that type of thing. But I think that we could do with a little bit more rigour and a little bit more independence.

But I do want to talk about the minority opinion that was registered by my colleague from Saskatoon Nutana. And she talks about, she wants her opinions to address concerns regarding the scope of the proposed legislation, and the Intergovernmental Affairs and Justice Committee's recommendations on the report. The committee's . . . And I quote. I'm quoting:

The committee's discussions have centered around the stated goal of the Assembly's motion: "to ensure that the public is informed and aware of who is lobbying public office holders in Saskatchewan." We recommend that the requirements for registration and reporting be as simple and easy as possible so that lobbyists who are included in the definition of "lobbyist", [are] those who are not exempted for specific reasons, and the threshold of time are not onerous, and people who are encouraged to err on the side of registration and reporting when in doubt.

So we're actually being more cautious, and I think that's a good principle to be on as opposed to being dismissing someone who probably should be included but there may be some doubt. She goes on to write, and I quote:

On that basis, the committee looked at whether or not charities should be exempted and it was originally discussed that they should not, as the registration and reporting requirements would be minimal, and the stated goal of ensuring the public knows who is lobbying would be impacted if they were excluded. It is for that reason that I continue to recommend that charities NOT be exempted from the definition of lobbyist. Further to that, the threshold which is originally discussed to be 100 hours, including preparation and travel time, is now being reduced to 100 hours including travel time. It is my view that this watering down of the 100 hour content will effectively eliminate most lobbyists from the requirement to register and will emasculate the legislation, particularly in the light of exempting charities from the definition. It is my opinion that the legislation will be ineffective if the committee recommends to exempt charities and water down the 100 hour benchmark by excluding preparation time.

So I think her points are very clear, and I really do want to say and be on the record of supporting the minority opinion. I think it is important, and it is not a problem if, and again and maybe this is a big if, but the question is we do not want to make the registration onerous, an undue hardship so that people are

avoiding it just because it's a red tape. We know this government, and it's gone on a real offensive, and we enjoined that too. Reducing red tape is important if it's just about making sure unnecessary steps can be eliminated.

Sometimes you have to have some strong regulations, and I don't call that red tape. I don't call that red tape, but by, you know, the informal definition of red tape, we can always do with getting away with less of that. But I do feel that. And when she talks about "... the registration and reporting requirements would be minimal, and the stated goal of ensuring the public knows who is lobbying would be impacted if they were excluded." And I think that's a problem.

I totally agree with her in terms of we want to make sure people know who's been talking to the government, and that's only fair and reasonable. That's not an unreasonable request. And I would think that it's in everyone's best interests to show that they're doing their work — particularly the voluntary sector, the charitable sector, the administrative government-public sector of SARM, SUMA, universities, the School Boards Association — that they all want to be.

It should be relatively straightforward. You register and then you're keeping track of those hours. I'm sure they're keeping track of those hours anyways for their own efficiency. Now they may have their own sort of lean type of work models that they have to be, but somebody's got to know when they come to Regina for the day and what did they do. And essentially, as many of these organizations know, I mean they have people who are working those jobs to make sure we're up to date in terms of their own goals, their own initiatives, that type of thing, and their problems.

So I think it's a harmful omission and it's one that will be interesting to see if we're back. Now it will be interesting to see — and I don't know the answer to this question; maybe this will come up in committee — what is it like across the country in terms of this omission? I know there's different reasons for different provinces to have different standards, but I think this is one that we need to really consider.

And we'll probably be back, if this bill passes as it is now, talking about this later. Because I think the public expects it and the public will demand it and will ask why; why are we omitted? Why is there an omission like this? Because really I mean I can't ... Other than the undue hardship, which is a fair enough reason, if we're making it so onerous that the school boards association says we cannot, we cannot provide that kind of information, you know, SARM and SUMA saying that we just don't have the resources to do the red tape that this government would set up for lobbyists. But I have a funny feeling it's not going to be that hard to do. And so I think that's an important thing.

I want to take a minute if I can. We all read with interest some of the commentary about this. And I think that it was insightful because, you know, when you have a piece of legislation come forward, it's interesting to see what people across Canada think. And we were interested. So what do you think? You know, it's our Saskatchewan, made-in-Saskatchewan model, and so how does it stand out against others?

So there was a blog last year on November 22nd by Guy Giorno, if I'm saying that right — Giorno — talking about the bill. And in many ways he said that there were positive parts to it but there were some really questionable parts to it too. And I think it's important that we take a minute to ... And I know the people at home would be very interested in that. And of course he was talking about, and he quotes, he says:

... if passed, would give the Province one of the most strongly enforced lobbying laws in the country, and lobbying conflict-of-interest rules among the toughest in Canada. [But, and I quote] The law would not, however, affect interest groups, many non-profit organizations and some businesses.

[16:30]

So clearly he sees that there is gaps in this legislation. And this is the problem when you're trying to set something up. And it will be very interesting to see how those gaps will play out because in fact, you know, Saskatchewan is a unique province in the fact that we have so much of our work is done by public groups, different levels of government and CBOs and NGOs and that type of thing.

But he was talking about that, you know, until now — and this is a good reason for us to be moving on this — "... the largest Canadian province that lacks a lobbying transparency law ... ." And that was often the subject of criticism. And I think that's what drove the speed at which we got to work on this one month after the election, and now here we are like 30 months later, and we're still counting. And so I think we need to get to work on it.

He talks about "Despite warnings ... ." And I quote, and here are the gaps:

Despite warnings that these provisions would probably exclude most lobbying in Saskatchewan, Bill 120 would exclude lobbying by employees, officers and directors of:

Interest groups, lobby organizations and other non-profit entities, except those that represent businesses or management, union or professional interests.

Businesses whose employees, officers and directors collectively lobby Saskatchewan public office holders less than 100 hours in a year.

And so some of those might be, I mean we don't know what the Canadian Taxpayers Federation, how much time ... I mean, would you know because we're excluding preparation. So is a letter ... And especially a lot of the work that we go into, and we can see the Canadian Taxpayers Federation, some of those that do some, it appears, a lot of preparation on their work that they give us. They don't just drop by over a cup of coffee. And they don't have any ... They do have paper. They have charts and graphs. They have a lot of arguments. They spend a lot of time on this.

And so if we're not counting the preparation, I think this will be interesting to see who does register. And so it's a bit of a, it'll be an interesting thing when this actually gets going and we see

who actually registers. You know, this is a really, really important thing.

So we have a whole roll of different things here it talks about:

Consistent with the approach of most Canadian jurisdictions, the Saskatchewan law would impose the registration filing requirements on:

Each individual consultant lobbyist, in the case of consultant lobbying.

The CEO (senior officer) of . . . [that group] . . .

He goes on, that it does contain two strong conflict of interest provisions:

Former Ministers would be banned for all lobbying for one year.

Former MLAs and former Premier's Office employees, and former deputy ministers, former associate deputy ministers and former assistant deputy ministers in the Office of the Executive Council would be banned from all lobbying for six months.

And I want to talk a bit about that. Because you know, the fact is six months is not a long time in our cycle here. It may mean actually that they only sit out the spring session, or the last month of the spring session, or maybe the fall session. So I actually, you know when I first saw that, I thought well that seems like a reasonable length of time. Then I'm thinking about the time that we're actually here because we're here for 10 weeks in the spring and I think it's six or eight weeks in the fall. Actually when you take in the six-month window, it's not hardly any time at all.

And probably it should have been because the way our schedule is now set, we have our Throne Speech in October and then the rest of the year is supposed to play out from that Throne Speech. The budget follows the Throne Speech; it would have been logical to have that reflect that time period. So you set out one session and not one six-month period because you could actually be lobbying something that came up in the Throne Speech because it wasn't six months later. So this is an important thing.

But he does talk about one really important, significant omission. And this I'll quote here:

One significant omission from Bill 120 is a code of conduct for lobbyists. The federal, Quebec and Newfoundland and Labrador laws itemize specific ethical rules that lobbyists must follow. The Saskatchewan Government has declined to do likewise at this time, but will continue to review the possibility.

And I think that's really important, that we talk about that because we all work from a code of ethics. And people do have an expectation that there will be some sort of code of ethics, and I think this is really, really critical. So I think that you see that it's a start, and the debate will be whether it's a good start or a poor start. I think that it's a start, but the question really

becomes will we be back here and what will be the unintended consequences?

And I know that we've seen the media respond to this, and I refer to a column that came out on November 23rd, 2013 by Murray Mandryk. And it's "Sask's lobby law needs to be improved." So he asks, and the quote is, his opening line is:

So the burning question in the wake of the Saskatchewan Party government's new lobbyist registry law is this: Is it better to have a weak, potentially ineffectual law or no law at all?

And so that's sort of how he presents it, that this is potentially ineffective. But the other option is no law at all. And I think that's where we have the question of the day. And I think that's a critical question here.

And so we need to talk about the quote, the blog that I was referring to, and you know, the fact that, and he refers to the fact that there will be large gaps in the legislation, and it would not affect the interest groups and many non-profit organizations and some businesses, particularly those organizations because of the exclusion of the preparation element. Because we know — and as I've said before and, Mr. Speaker, not that I want to repeat myself for you — but I think it's critical that I think they be included. And this is what he says. And I quote that editorial, the column by Mr. Mandryk, and I quote:

This seems a particularly bad oversight in a small province where everyone seems to know everyone else and where municipal lobbying interests like the Saskatchewan Urban Municipalities Association (SUMA) and the Saskatchewan Association of Rural Municipalities (SARM) carry a lot of weight.

While some high-profile lobbyists like the Saskatchewan Federation of Labour (SFL), chambers of commerce and the Canadian Federation of Independent Business (CFIB) should be captured by the bill's broad definition of a "profit-seeking enterprise", others with "individual" memberships, like the Canadian Taxpayers Federation, might argue the law does not apply to them. That this thinly veiled "non-profit" right-wing organization — one that doesn't disclose its own membership — might be viewed differently under this law is troubling.

So the key . . . And he goes on, and I think this is a very important quote. He says, "The key is for the public to be able to see what government is doing, said Giorno, likening the lobbyist Act to a flashlight rather than a hammer." And I quote, "Right now, you (in Saskatchewan) don't even have a two-watt flashlight," he said."

So maybe this goes further, and it can always be fixed in second reading with amendments. Laws too can always be later amended. But he says it's a start. So the debate, is it a great start or can it be amended? I think that unfortunately it will be one of those things.

And I think that, you know, once we see this, and it's a big, big concern is when you have legislation, the cost of the legislation and how effective, and it's particularly when we're looking at,

you know, creating a new officer of the legislature, what that cost will be and how effective will that be. How effective will that office be? Will it be more of an ornament to say that we have something up on the wall? Or will it be something that the public of Saskatchewan will say, you know what, we really can go to that office, like the Ombudsman or the Children's Advocate, and they will engage with the public. And they will be straight shooters, and they will say this is what the reality of the lay of the land is. Or will that officer be saying . . .

You know what, already we see big gaps. Already we see the kind of problems that we knew, that we knew, and nobody can say we didn't see this coming. And so this government can't say that they weren't warned about this. We warned about it. We had a minority opinion about this, so clearly the writing was on the wall. Our speeches will reflect this, and I think they have to date. And we will speak at length about this and we will ask questions at length about this. So it's pretty critical. Columnists have written about it. People across Canada have written about it. They have reflected on the good parts of it. There are good parts to it, but there are gaps. There are gaps and there is no reason for those gaps at all.

I think, as I said, I think that public organizations should feel proud to be part of the registry. And the non-profits, as long as it's not undue hardship to register — and that should not be an issue for a government that prides itself on cutting red tape — there should be a minimal amount of work just to make sure that it's accurate, that we should be able to have this done. So it should be a piece that we're all proud of. I can't say that we're all proud of it. We can all say it's a start and whether it's a good start or not is the question of the day.

So with that, Mr. Speaker, I know that there's a lot of work that we want to get to today and a lot of speeches we want to hear. And so with that, I think this Bill No. 120, *An Act respecting Lobbying* I would adjourn. Thank you, Mr. Speaker.

**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 member for Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. It's my pleasure to enter discussion as it relates to Bill No. 122, *The Alcohol and Gaming Regulation Amendment Act*. We have read through the minister's comments here and taken a cursory glance at the legislation. We do look forward to following up in a more direct way with the minister at committee because, you

know, there is a lot of questions that need to be asked directly to the minister as to the intent and purpose of the changes that have been brought forward here.

Just a couple of the pieces that I would recognize here is that the minister is suggesting that one of the changes is that this provides authority for a First Nations gaming licensing authority to register on-reserve charitable gaming employees and suppliers. That's one piece of the Act that the minister has laid out and that's the First Nations licensing authority role here, the registration authority. That seems reasonable. Certainly we'll be doing some consultation on that front.

The second piece of this is establishing a subsidiary, I understand, or subsidiaries. And I think there's some questions that we would have for the minister on that front as to the purpose of those subsidiaries, and making sure that the answers are practical and that they make sense and so we consider all the consequences of that decision.

And then the third focus is I guess addressing regulations within the industry. And so there's various changes on that front that have been identified by the minister. We'll want to make sure we do a full review of all which is contained within the Act, and then of course consulting directly with industry, with stakeholders, with partners to make sure that the changes this government's bringing forward make sense.

We do know that, you know, far too often when this government pushes forward with legislation, they actually do so without the proper consultation, proper listening with Saskatchewan people. And we hope that's not the case with this piece of legislation, but the fact that this government does that causes us to make sure we fulfill an important role in this process of consultation, due diligence, and making sure that all voices are heard and that those directly impacted are heard, and that all consequences intended and unintended are considered. Otherwise you end up with sloppy legislation that's rammed through with impacts for many that could have been considered and addressed at another time. So that's some of the focus we'll be taking as an opposition.

[16:45]

I would, you know, there's changes here to Liquor and Gaming within this. It didn't do anything to address the shutdown that this government forced of West Meadows Raceway I noticed, here in Regina, standardbred racing here in Regina. And I find this important. This was a track that had established itself here just outside of Regina, west of Regina, out off of Pinkie Road and was set up by private sector partners, by investments, by shareholders, and had set up a venue for prairie horse racing, for standardbred racing here in Saskatchewan.

And in fact it was quite the environment out there. I had the pleasure of going out for a tour and an experience out there, took my wife Stephanie. And we really enjoyed having that experience and realizing that there's a range of gaming options that the province regulates and makes available. It seems to me that that's a gaming option that, you know, shouldn't have been shut out.

And what I really don't like about this whole thing is this is a

government that's choosing winners and losers on this front, that it's saying to a whole bunch of private sector investors, shareholders in this operation who have built out a business plan, that have skin in the game, that have made acquisition of land and have invested dollars into the assets and put forward a successful enterprise, they've been shut down by that government.

And you know, it's . . . As I say, I mean this is . . . When we talk about the range of gaming options that are made available by government, regulated by government, you know, I find it disappointing that, you know, their focus maybe seems to be on, you know, VLTs [video lottery terminal] with the exclusion of supporting the private sector here in Regina who had a really solid investment with their own dollars into ensuring standardbred racing for Saskatchewan people to enjoy. And certainly on the range and the spectrum of gaming options, like I say, it seemed like a reasonable and enjoyable environment. And, you know, I find it wrong that they'd shut down that activity.

Certainly that activity itself generated tourism activity back to Regina as a whole. It also brought in horses and owners and teams from all over Saskatchewan, but also right across Western Canada and the United States. So generating all sorts of good activity, economic spinoffs, and something that was shut down by this government, and done so without any real listening or real considerations for that industry or for those partners, those individuals, those shareholders that had made an investment here in Regina.

And as I say, we've raised this case. We're disappointed with this government to have shut this investment down, private sector investment, the investment of shareholders at West Meadows Raceway, and disappointed by the fact that that minister and the Premier never cared, never cared to listen, forced them out of business. And the minister shouts across that she never shut them down . . .

**The Speaker:** — The member knows he's not to refer to the absence of members in the House. So please withdraw that. I recognize the member for Regina Rosemont.

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. The shareholders of West Meadows, those that were operating it certainly know that this minister and this government are the cause for the closure of their facility. They forced the closure. They chose winners and losers, and that's disappointing and it's a loss for the region, as they say. It's a loss for standardbred horse racing. It's a loss for horse owners and horse teams, and it just isn't something that sits well with many.

The changes that are brought forward here in this Act around registration of on-reserve charitable gaming seem reasonable. To provide those responsibilities and those authorities to IGR, the Indigenous Gaming Regulators, seems like a reasonable, common sense sort of a change, something that we do want to follow up and make sure that it's supported with those direct partners. But of course there are all sorts of raffles from a charitable perspective and lottery-type events on reserves. And certainly it's important to ensure that there's integrity in those events, which is certainly an important role that IGR has provided as well as the First Nations themselves who, I think,

do a good job on this front.

So we'll continue to consult as it relates to government transferring that responsibility on to IGR. We want to make sure they have the resources they need to properly regulate, and we recognize the important events that are held on First Nations and making sure that they have the supports that they require.

This will also allow the registry, of course, of gaming employees and as well suppliers. And we'll learn more through our consultations with the sector on this front as to the value of these changes, and we'll make sure we bring that voice to the Assembly. We will have questions about the subsidiary, the changes they're bringing forward here, just specifically what the purpose of creating that subsidiary is on behalf of SLGA [Saskatchewan Liquor and Gaming Authority]. What does this allow them to do that they can't do otherwise?

I sometimes do have some concern with a government like this that you just can't trust with, say, our Crowns. Going out and creating subsidiaries that might be able to be broken apart more easily by a government that we know doesn't believe in ownership of our Crown corporations. So we will be observing that. Of course we regularly identify and speak to the undermining of our Crown corporations by this government, the eroded financial position, the raided dividends that this government has taken, and the outright outsourcing and privatization that we've seen by this government. And it's something that we'll continue to observe. Certainly, you know, this government's broken its promise as it relates to protecting the Crowns in its outsourcing, its privatization, in its sell-offs. And we see this as selling off opportunities for Saskatchewan people. And we'll be certainly fighting for a strong Crown sector along with a strong private sector in Saskatchewan. And we'll stand opposed to moves, manoeuvres, tricks, and games by that government to sell off and outsource our Crown corporations.

The other pieces of this legislation speak to regulation, Mr. Speaker. And some of these pieces just simply require more detail from the minister at a committee table and with the partners and stakeholders that are affected. I'll give you an example. The minister states that some of the elimination, they eliminate:

. . . the requirement for medical use, non-consumptive use, and educational use [of] . . . permits and removing provisions that grant SLGA authority to demand explanations from permittees when a person has been refused entry.

Now those may be redundant as described by the minister. But it would be interesting to go back and just understand the full purpose of when those regulations were created, and look at the modern environment of these regulations, and just making sure that we're not taking something out that still has purpose in the current environment.

Of course, regulations themselves should have purpose. We don't oppose removal of regulations that are old, outdated, redundant, without purpose. But we do support regulations that protect people and protect industries and integrity of organizations. I mean, we'll probably have some questions, or I have questions when I look at this as it relates to no longer having explanations

from permittees when a person has been refused entry. Be interested in learning a little bit more about that piece itself and what those changes mean, and what some of the unintended consequences of that regulation change or elimination could mean here in the province.

I recognize they've taken out what I think the minister refers to are outdated legislation as it relates to the . . . something about a requirement of having some Saskatchewan content for beer manufactured here in Saskatchewan. You know, this is an area that I think we'll want to examine. And if this is outdated, if this didn't make sense or if this wasn't enforced as I think the minister sort of relayed to us, I would like to hear a little bit more from this government about what they are doing to support and promote the Saskatchewan brewing industry or the Saskatchewan distillery industry, and all these, you know, opportunities to support some of the entrepreneurs in this province who are making investments and running operations and creating employment.

And certainly when it comes to brewing itself, we certainly have many operations we can think of, but Great Western in Saskatoon is certainly a fine example and craft beer with Paddock Wood is another. There's different operations across the province. I think of the District Brewing here in Regina as a newer operation as well.

So I do think that, you know, if this regulation that was in place, as the minister says, is outdated and no longer fits what it was originally intended to do, you know, we'll have questions about that. But what I'd like to hear more of from this minister is what are they doing to actively promote and encourage that Saskatchewan industry of brewing and distilling here in this province? And what are they doing to allow those entrepreneurs to thrive here in Saskatchewan? And there's many of them, you know. I think of the new Last Mountain Distillery in Lumsden who are making fine product and they are providing employment. And certainly I think that there's a consumer trend as well and an appreciation of Saskatchewan people for products that are local, and I think that extends as well to brewing and distilling. And there's a sense of pride in being able to appreciate those local products.

So I mean certainly there's an economic case to be made about strengthening Saskatchewan and those entrepreneurs, as I say, that are placing their investment here in the province, expanding operations, creating employment. But there's also a whole other piece about a bit of pride of where you are as a province and pride of those local products. And of course anyone who ever frequents a farmers' market or has a garden or appreciates local product or appreciates where their meat is coming from or their products are coming from would understand this. So I would like to see a little more from this government on that end.

There's other pieces here that the minister suggests are about modernization, I believe. But we do want to make sure that, as these regulations are changed, that we fully understand what the purpose of the regulation was in the first place. Is that regulation effective in meeting that challenge or addressing that problem? If not, then certainly it's the kind of regulation that could be considered for elimination. But does the problem persist or has the problem changed? Because there's a place for

public protection and regulation of industries to make sure that protection is in place.

And when I think of the industry as it relates to gaming and alcohol in this province, certainly there is some safety considerations of community as a whole that we want to be considering and making sure that we're fully understanding and making sure that, if regulations are needed, that they're in place. You know I think of, you know, regulations and the place of laws and the importance of these. I think of that government. They're doing some things here to change alcohol legislation here but, you know, they were unwilling at a time to address some of the safety challenges that we have on the roads related directly in a tragic way to drinking and driving.

This government was too willing to simply brush off doing the meaningful work that was required to bring forward solutions that are proven in other jurisdictions. And the fact that they were unwilling to support the, I believe, a three-day impoundment of vehicles when driver is found to be over the limit of .04 was disappointing. And I think it was disappointing for all Saskatchewan people, because they will know the issues or have a connection to a story in some way or another, I'm sure, as it relates to tragic loss with drinking and driving. And they should have been following the lead of other provinces on that front like Alberta, like BC [British Columbia], who have effectively cut down deaths.

At this point in time, though, as it relates to Bill 122, I'd like to adjourn debate.

**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. The time being now after 5 p.m., this House stands adjourned to 10 a.m. tomorrow morning.

[The Assembly adjourned at 17:00.]

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