



FOURTH SESSION - TWENTY-SEVENTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

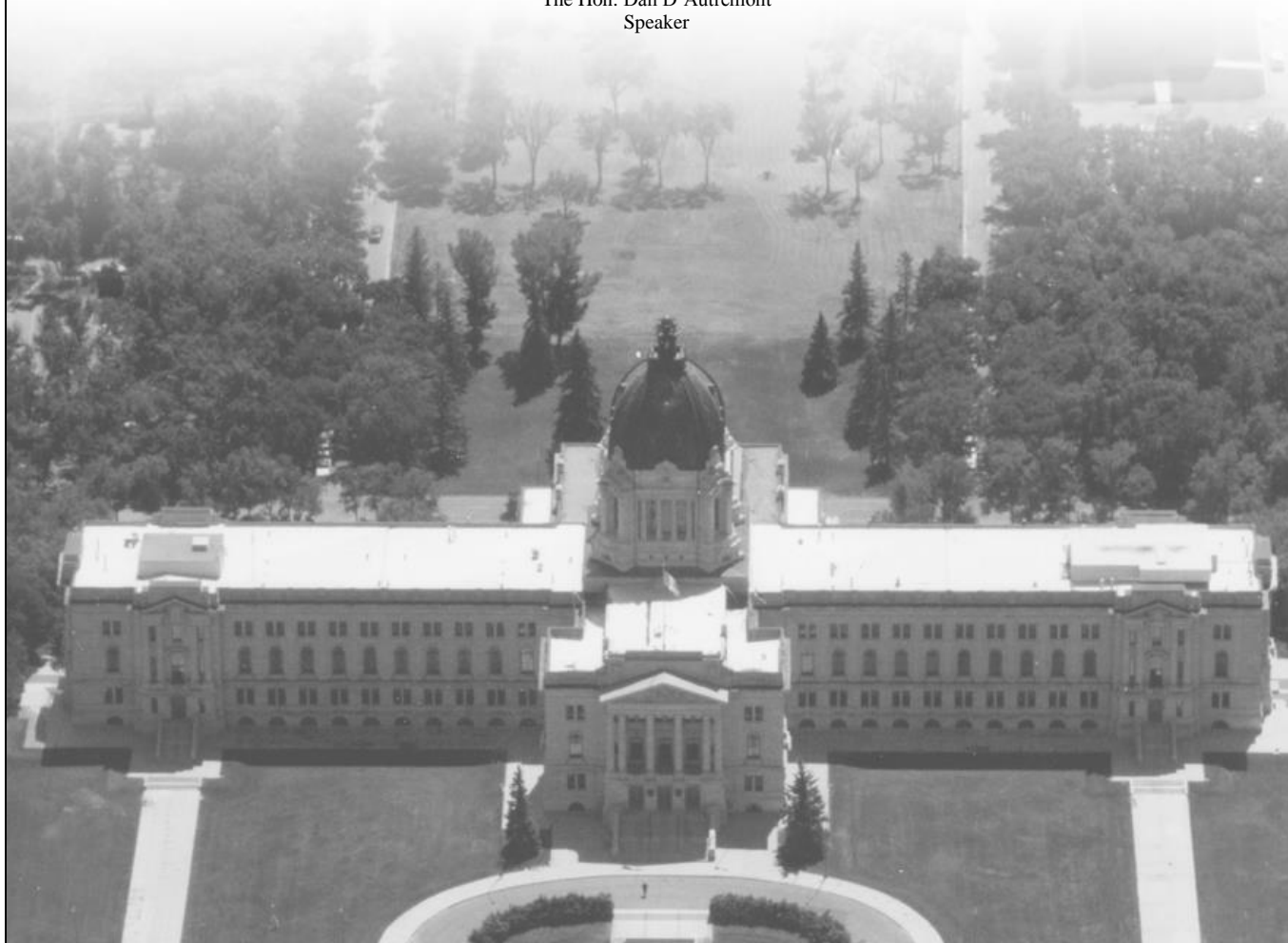
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**DEBATES  
and  
PROCEEDINGS**

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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, Hon. Jennifer	SP	Saskatoon Fairview
Chartier, Danielle	NDP	Saskatoon Riversdale
Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
Cox, Hon. Herb	SP	The Battlefords
D'Autremont, Hon. Dan	SP	Cannington
Docherty, Hon. Mark	SP	Regina Coronation Park
Doherty, Hon. Kevin	SP	Regina Northeast
Doke, Larry	SP	Cut Knife-Turtleford
Draude, June	SP	Kelvington-Wadena
Duncan, Hon. Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, 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
Hutchinson, Bill	SP	Regina South
Huyghebaert, D.F. (Yogi)	SP	Wood River
Jurgens, Victoria	SP	Prince Albert Northcote
Kirsch, Delbert	SP	Batoche
Krawetz, 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
McMorris, Hon. Don	SP	Indian Head-Milestone
Merriman, Paul	SP	Saskatoon Sutherland
Michelson, Warren	SP	Moose Jaw North
Moe, Hon. Scott	SP	Rosthern-Shellbrook
Morgan, Hon. Don	SP	Saskatoon Southeast
Nilson, John	NDP	Regina Lakeview
Norris, Rob	SP	Saskatoon Greystone
Ottenbreit, Hon. 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, Randy	SP	Biggar
Wilson, Hon. Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Wyant, Hon. Gordon	SP	Saskatoon Northwest
Young, Colleen	SP	Lloydminster
Vacant		Prince Albert Carlton

[The Assembly met at 13:30.]

[Prayers]

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**The Speaker:** — At this point I would like to introduce, in the Speaker's gallery, Provincial Auditor Judy Ferguson who took office on June 1st, 2015, and her husband, Mike Ferguson. Also Mr. Ron Barclay, the Conflict of Interest and the Lobbyist Commissioner, is present with us. And I would like to remind MLAs [Member of the Legislative Assembly] that there will be a reception in the Saskatchewan Gallery starting at 2:30 this afternoon for Ms. Ferguson.

I recognize the Minister of Justice and Attorney General.

**Hon. Mr. Wyant:** — Mr. Speaker, with leave, I'd like to have an extended introduction.

**The Speaker:** — The minister has requested leave for an extended introduction. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — I recognize the minister.

**Hon. Mr. Wyant:** — Thank you, Mr. Speaker. Mr. Speaker, to you and through you, in your gallery, I'd like to introduce a number of representatives from the Regina Sexual Assault Centre who are with us today: Sandra Mitchell — maybe you could give us a wave — Kristina Kaminski, and Debbie House who I don't think has quite made it up to the gallery yet, Mr. Speaker.

Mr. Speaker, the Minister of Education, the Minister of Corrections and Policing, and I had the pleasure of meeting with these committed individuals this morning. They presented a brief to us about ending violence and sexual assault against women. Mr. Speaker, as you know, there's been a focus on this issue in recent weeks, yesterday with the announcement of our domestic violence death review committee and, earlier this month, the launch of the public awareness campaign, Who Will You Help?

Mr. Speaker, we need to continue the work on this very important topic to protect the women in Saskatchewan against violence and sexual assault. And while it's a focus of our government, Mr. Speaker, we know there's more work that needs to be done, and to do that we need the help from dedicated and passionate people like those joining us today. So I wanted to thank them for their suggestions that they provided the ministers this morning.

Some find, Mr. Speaker, the issue of sexual assault and abuse difficult to talk about, Mr. Speaker. We don't on this side of the House. The dialogue that we're having is the foundation of the solutions which we will find, Mr. Speaker. So on behalf of the government, I wanted to thank these individuals and all others involved in this very serious topic. I thank them for their

commitment to the women of Saskatchewan. And I'd ask all colleagues in the legislature to welcome these guests to their legislature.

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

**Ms. Chartier:** — Thank you, Mr. Speaker. It's my pleasure to join with the minister in welcoming the folks from the Regina Sexual Assault Centre here today: Sandra Mitchell, Deb House, and Kristina Kaminski. The Leader of the Opposition and I had an opportunity this morning to sit down and have a discussion with these women as well about the work that they do, and some recommendations they think are very important in ending violence against women and girls and sexual assault — very good recommendations with great merit coming from people who work on the front lines and know what would make a big difference in changing the culture of violence against women and girls, Mr. Speaker.

So I want to thank these women today for the work that they do, and everybody who is involved with the Regina Sexual Assault Centre for all that you do in your work in changing a harmful culture. Particularly as a woman and a mother of two daughters, I'm especially grateful for the work that you do, so thank you. I'd like to ask all members to join with me in welcoming these folks to their legislature.

And while I'm still on my feet, I would like to join you, Mr. Speaker, in welcoming our relatively new Provincial Auditor, Ms. Judy Ferguson, and her family and her colleagues from the Provincial Auditor's office to our legislature.

I have had the privilege of working with Judy the last couple of years while she was the Acting Provincial Auditor and I was the new Public Accounts Chair. Her support and guidance in helping me learn my role, and a bit about her role, has been very useful as I've grown in that job. So welcome and congratulations to Ms. Ferguson on her appointment and welcome to your legislature.

**The Speaker:** — I recognize the member for Cut Knife-Turtleford.

**Mr. Doke:** — Thank you, Mr. Speaker. To you and through you, I also would like to welcome Ms. Ferguson to her Assembly here today. I'm the Vice-Chair of Public Accounts, and I'm sure it's been a real treat for her to work with me. Later this afternoon we're looking forward to the tea, and welcome to your Assembly. Thank you.

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

**Mr. Nilson:** — Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the legislature, 47 grade 8 students from Ethel Milliken Elementary School here in Regina. And they're accompanied by their teachers, Kristopher Jan and Janice Hiebert, as well as the interns, Steven Carston, Derek Haberstock, and Megan Donald. And I ask all members to welcome this fine group to the legislature. Thank you, Mr. Speaker.

## 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 calling for greater support for GSAs [gender and sexuality alliance] in Saskatchewan schools. And we know that this province lags behind others in securing the rights of gender- and sexually diverse students, and that gender and sexuality alliances, GSAs, play a pivotal role in providing inclusive, anti-oppressive learning environments and offer reprieve from bullying and assault.

And we know that GSAs offer opportunities to improve attendance and retention rates, generate meaningful relationships in schools, and reduce homophobic and transphobic bullying. And, Mr. Speaker, we know this government must act so that under no circumstances are gender- and sexually diverse students denied the right to form GSAs in their schools. I'd like to read the prayer, Mr. Speaker:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan call on the government to take immediate and meaningful action to pass *The Respect for Diversity — Student Bill of Rights Act* and enshrine in legislation the right of Saskatchewan students to form GSAs within their schools in order to foster caring, accepting, inclusive environments and deliver equal opportunities for all students to reach their full potential.

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

And, Mr. Speaker, these people signing this petition come from the city of Regina. Thank you very much.

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

**Mr. Belanger:** — Thank you very much, Mr. Speaker. I'm proud to stand in my place today to provide a petition as it relates to cellphone coverage in northern Saskatchewan. And the prayer reads as follows:

To cause the provincial government to improve cell service and coverage for northern communities like St. George's Hill, Dillon, Michel Village, Dore Lake, Michel Point, and Sled Lake and to provide similar quality of cell coverage as southern communities currently enjoy. This would provide support to our northern industries as well as mitigate safety concerns associated with living in the remote North.

Mr. Speaker, the people that have signed this petition are all from throughout Saskatchewan on this particular page. The people that have signed this page are primarily from Dore Lake, and I so present.

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

**Ms. Chartier:** — Thank you, Mr. Speaker. I'm pleased to rise again today to present a petition in support of better seniors' care here in this province. The petitioners point out about the

increasing number of stories we all hear in our offices, and just in talking to people about the adverse effects of chronic understaffing in our seniors' care facilities that include unanswered calls for help, residents being left on toilets for hours on end, and seniors not receiving things like baths for weeks at a time, Mr. Speaker. I'd like to read the prayer:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the provincial government to immediately undertake meaningful steps to improve the quality of seniors' care in our province, including creating more spaces and more choices for seniors; ensuring higher standards of care in public facilities, private facilities, and for home care; ensuring appropriate staffing levels in seniors' care facilities; and providing more support to help seniors remain independent in their own homes for as long as they desire.

Mr. Speaker, this petition is signed by citizens from Canora, Sturgis, and Regina. I so submit.

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

**Mr. McCall:** — Thank you very much, Mr. Speaker. I rise to present a petition from citizens in the province of Saskatchewan concerned about the high cost of post-secondary education in the province. As one cause for concern, Mr. Speaker, they point out that the average Canadian student in 2014 graduated with debt of over \$27,000, not including credit card and other private debts. In the prayer that reads as follows, Mr. Speaker:

The petitioners respectfully request that the Legislative Assembly of Saskatchewan take the following action: to cause the provincial government to immediately increase the funding for post-secondary education in this province, with a legislated provision that this increase in funding be used to lower tuition rates.

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

## STATEMENTS BY MEMBERS

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

## Action Toward Ending Sexual and Domestic Violence

**Mr. Broten:** — Mr. Speaker, we're joined in the gallery today by a number of community leaders from the Regina Sexual Assault Centre. They're here today to call for real, meaningful action to put an end to sexual and domestic violence in our province. Saskatchewan has the shameful distinction of leading the provinces when it comes to sexual assault, domestic violence, and murders by intimate partners. We need to put an end to this.

Last week I called for our province to follow the lead of other provinces in establishing a domestic violence death review committee, and I'm pleased to see that now we're seeing some movement on that. But we need to do much more to put an end to domestic violence. That's why I fully support the recommendations made by the Regina Sexual Assault Centre

today. I hope that the Premier and the government will support those recommendations as well as get moving on them immediately because enough is enough. It's time to get serious about ensuring the safety and security of women and girls in our province.

I ask all members to join me in thanking the members of the Regina Sexual Assault Centre for the important work that they do. And I ask all members to commit to taking the steps required to end domestic violence here in Saskatchewan. Thank you, Mr. Speaker.

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

#### Achievement in Business Excellence Awards

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. Mr. Speaker, it's my pleasure to congratulate all the Saskatchewan businesses that were recognized at the Saskatchewan Chamber of Commerce's 32nd annual Achievement in Business Excellence Awards in Saskatoon.

This year's ABEX [Achievement in Business Excellence] theme was Gold and Glitter, and the businesses featured set the gold standard for the quality of private enterprise in Saskatchewan. Mr. Speaker, the ABEX awards truly showcase the strength of Saskatchewan's business sector and demonstrate how we continue to move forward and grow as a province.

I am particularly pleased to say that it was a very good night for members of the Weyburn & District Chamber of Commerce as P.A.R. consulting of Halbrite, Saskatchewan won the Community Involvement Award. And, Mr. Speaker, I'd like to congratulate Minard's Leisure World of Weyburn who won both the Marketing Award as well as Business of the Year. So congratulations to Susan and Gene.

Mr. Speaker, this year also, for the first time in ABEX history, the award evening was augmented by student achievement. And, Mr. Speaker, I'm pleased to say that the Weyburn Comprehensive's Palletable Projects Junior Achievement Company received the Canadian Chamber of Commerce Company of the Year Award.

Mr. Speaker, I'd like to ask all members to join with me in congratulating the Saskatchewan businesses that were represented with this year's ABEX Awards. Thank you.

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

#### World Ostomy Day

**Mr. Forbes:** — Thank you, Mr. Speaker. I rise today to acknowledge the outstanding work of the Saskatoon Ostomy Association. On October 17th I had the privilege of attending a barbecue held by the association to celebrate World Ostomy Day.

World Ostomy Day is October 3rd. However, due to the sometimes unpredictable weather here in Saskatchewan, the barbecue was postponed until October 17th. It was held at the Saskatoon Forestry Park & Zoo, and many people enjoyed the hamburgers, hot dogs, cupcakes, and the beautiful fall weather.

The theme for this year was Many Stories, One Voice. Across the globe, people were using the hashtag #MyOstomyStory to raise awareness about life with an ostomy.

The Saskatoon Ostomy Association provides support and advocacy for people who have had or are about to have ostomy surgery. On a matter that's highly stigmatized and rarely discussed, this group openly embraces those who have had ostomy surgery. They're not embarrassed or ashamed to remind others that they simply have had a body part that didn't work and as a result they now have an ostomy.

They asked me as well to raise a concern that other provinces such as Manitoba pay full cost of the ostomy appliances while Saskatchewan pays half, and they can hope this changes soon. I'm honoured to carry their message into this Assembly and throughout the province to raise awareness and support those with ostomies.

Mr. Speaker, I ask all members to join with me in applauding the work the Saskatoon Ostomy Association does across the city and this province. Thank you very much.

[13:45]

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

#### Construction Company Inducted into Business Hall of Fame

**Mr. Tochor:** — Thank you, Mr. Speaker. Mr. Speaker, while this province is more globally connected than ever before, local companies with local roots still lie at the heart of our growth and prosperity. This weekend we were proud to see another locally born company recognized as the Saskatchewan Chamber of Commerce inducted Graham into the Saskatchewan Business Hall of Fame.

Graham had the start in 1926, Mr. Speaker, when P.W. Graham & Sons began building stations for the CP [Canadian Pacific] Railway in Moose Jaw. Since then they have built hospitals, constructed the Boundary dam power station in Estevan, and are now taking the lead in a number of government projects, including two P3s [public-private partnership], Mr. Speaker. Right here in Saskatchewan, the Regina bypass and the new hospital in North Battleford is being built by Graham.

As an employee-owned business, Graham knows the importance of community. Partnerships with the File Hills Qu'Appelle development, the University of Saskatchewan, the Saskatchewan Polytechnic are just a few of the ways they're building a stronger Saskatchewan.

Our government would like to repeat the accolades of their peers in the chamber and congratulate Graham and his over 400 Saskatchewan employees on their well-deserved honour.

While the opposition mistakenly portrays Graham as an out-of-province company, I'm sure even the members opposite will join me in this Assembly and applaud the strong history and future of Graham in Saskatchewan. Thank you, Mr. Speaker.

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

### Saskatoon Mayor Longest Serving in City's History

**Hon. Mr. Cheveldayoff:** — Thank you very much, Mr. Speaker. Mr. Speaker, he's been called Canada's favourite mayor, Canada's most popular mayor, and even Canada's craziest mayor in a fun way. I rise today to speak about mayor of Saskatoon, His Worship Don Atchison. Today Mayor Atchison becomes the longest serving mayor in the city's history. He has now served a record of 4,384 days as mayor. Members in this House can certainly appreciate his long commitment to public service. Each and every day, our mayor does his job with passion and spirit.

Mayor Atchison has guided Saskatoon for more than a decade of exceptional economic expansion and population growth. Saskatoon is one of Canada's fastest growing cities and is now home to nearly 270,000 people. Mayor Atchison sincerely cares about every resident, every area, and every issue arising in Saskatoon. I have witnessed him many times making the effort to listen to residents regardless of whether their concerns are big or small.

Mr. Speaker, our mayor is known for his eagerness to attend numerous functions and events. He has helped to shape Saskatoon into one of the best cities in the country.

Today is an impressive milestone. For Mayor Atchison, leadership matters and his co-operative leadership philosophy has brought together governments and the private sector.

Mr. Speaker, I ask all members this afternoon to join with me in congratulating a great ambassador for the city of Saskatoon and the province of Saskatchewan, Saskatoon's longest serving mayor, His Worship Don Atchison.

**The Speaker:** — I recognize the member for Canora-Pelly.

### Assiniboine Valley Medical Centre Opens in Kamsack

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, on August 25th I was pleased to attend the opening of the Assiniboine Valley Medical Centre in Kamsack. Mr. Speaker, this facility was truly needed to better serve the public, as the old one had many issues and required extensive renovations.

In 2010 a committee headed by Terry Horkoff was set up to research what would best serve the needs of Kamsack and area. In 2011 the medical services committee was formed, primarily to recruit physicians but also to plan for a new clinic. After consultation with the Sunrise Health District, it was determined that no space was available in the Kamsack Hospital, so plans went ahead to construct a new clinic on a parcel of land located across the street, which was donated by the town.

Later in 2011, plans were drawn up by C.A. Reed and Associates of Yorkton, and in 2012 the job went to tender. Logan Stevens of Yorkton was awarded the concrete and grade beam work, and Zarchikoff Construction the balance of the construction work.

Mr. Speaker, the community has raised \$1.6 million of this \$2

million project, and Mayor Rod Gardner has indicated it will be debt free very soon.

I ask all members to join me in thanking the generous donors and congratulating the town of Kamsack for bringing this valuable project to fruition. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member for Melville-Saltcoats.

### Agriculture Month

**Mr. Bjornerud:** — Mr. Speaker, earlier this month the Minister of Agriculture proclaimed October as Ag Month in Saskatchewan. This year's theme for Agriculture Month is Stewards in Sustainability.

We are celebrating farmers, ranchers, and agribusinesses and the way that they are exceptional stewards of the environment through innovation and practice. From using no-till farming systems to conserve moisture and prevent soil erosion, to using GPS [global positioning system] technology and drones to monitor crops, allowing them to only use crop protection products where necessary, Saskatchewan farmers are leading the way.

There are many initiatives that are being rolled out through the Ag Month, from subthemes highlighting different areas of agri-sustainability to profiles of individuals who stand out in the industry and an exciting ag scholarship designed to get young people thinking about agriculture and the environment.

While our government is working with farmers to move Saskatchewan agriculture forward, the members opposite don't seem to like progress. In fact, Mr. Speaker, yesterday the member from Saskatoon Centre even suggested we go back to the land bank saying, and I quote, "That was a pretty good thing happening." Well, Mr. Speaker, evidently the members opposite weren't out there farming and having to compete with the NDP [New Democratic Party] provincial government to buy farm land. Mr. Speaker, it wouldn't surprise me if the members also believe that we should go back to the horse and plow for a modern-day best farming practice.

Mr. Speaker, the people on this side of the House will stand shoulder to shoulder with our farmers, the best in the world, Mr. Speaker.

### QUESTION PERIOD

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

### Provision of Surgeries

**Mr. Broten:** — Mr. Speaker, I have a simple question for the Premier this afternoon. How many surgeries were done last year and how many surgeries will be done this year?

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

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Mr. Speaker, in the absence of the Premier, I'd be happy to take that question on behalf of the Government of Saskatchewan.

Mr. Speaker, we are going to, in this year, see across the entire province of Saskatchewan well over 85,000 surgeries being performed in the province of Saskatchewan. That is down just slightly from roughly 87,000 surgeries from last year. But, Mr. Speaker, the important part of this is that that is up from the 70,000 surgeries that were done under the NDP in the last year that they were in government.

Mr. Speaker, I can inform the House of these numbers, and I think that all members of the public will be interested in these. The number of people waiting 18 months and longer for surgery in Saskatchewan today, there are 18 individuals. The number of people waiting 18 months and longer for surgery under the NDP: 2,600, Mr. Speaker. And I would be pleased to go on with this line of questioning, with further questions, because there's a lot more good news for the people of Saskatchewan.

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

**Mr. Broten:** — Mr. Speaker, interesting. We see the minister revising numbers that he gave as recently as yesterday. Let's look at what he said yesterday. He said:

We're going to see close to, I would say, 86,000 surgeries take place in the province of Saskatchewan this fiscal year, which is, you know, a little bit lower than the 88,000 that we would have seen last year.

Not surprising, Mr. Speaker, we see the numbers wrong once again from this Health minister. According to the Ministry of Health's annual report, there were actually 89,420 surgeries last year. So if, if — and that's really called, it's called into question the way we see these numbers shifting — if we could actually take the Health minister at his word that the number is . . . [inaudible] . . . 86,000 surgeries, even though right now he says 85,000, that's not a drop of 2,000 surgeries like he claimed. It's actually a drop of over 3,400 surgeries at a time when the need for surgeries is going up.

And, Mr. Speaker, these numbers are even worse as the minister changes his numbers on the fly, as he is so apt to do. So to the Premier: will we actually see 85, 86,000 surgeries this year, or is he cutting even more surgeries than the minister has told us?

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

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. Well, Mr. Speaker, I can inform the House and the public this: we're going to see a lot more than 70,000 surgeries in this province, Mr. Speaker.

In fact, Mr. Speaker, part of our plan, which is different from the Leader of the Opposition who yesterday had indicated publicly in the rotunda that he is not apparently in favour of the use of third party private surgical suites in the province of Saskatchewan, we are going to see in this year in Saskatoon nearly 6,500 surgeries in the third party private surgical suites and nearly 5,000 in Regina — 11,000 surgeries that are going to be done in the public system, publicly funded using affordable third party private surgical suites.

The Leader of the Opposition is against that. Is he saying that he is against 11,000 surgeries being done for the people of this

province, day surgeries using those third party organizations? Is he against the over 40,000 people that have been served in this manner? That is the difference between the Leader of the Opposition and the party on this side of the House.

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

**Mr. Broten:** — Mr. Speaker, we see these shifting answers in this session from the Health minister and from the Premier. They'll give one answer, then they'll revise it in question period. They'll give a different one in the rotunda. The next day in the House, they'll give a different number altogether. We know that they've really struggled with the facts, and I asked very simply, how many surgeries last year? How many surgeries this year?

Now, Mr. Speaker, the Health minister claimed that there were just 200 people waiting longer than three months for surgeries here in Regina. The Premier claimed that that number was "somewhere between 3 and 400." Well the true number, Mr. Speaker, is well over 800, four times worse than what the Health minister reported and more than double, more than double than what the Premier reported.

Now if the minister is right — again big question marks about his accuracy with the numbers — but if he is right that the Sask Party is cutting 3,400 surgeries this year, that's a 4 per cent cut. But that number doesn't seem right, Mr. Speaker, because we know there will be 6 per cent fewer surgeries in Regina this year alone.

To the Premier: what is the real number? How many surgeries are being cut throughout Saskatchewan this year?

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

**Hon. Mr. Duncan:** — Thank you very much, Mr. Speaker. Again, as I think the Leader of the Opposition knows, that this budget did include \$48.8 million as part of our surgical initiative. That is going to see us perform well more than the 70,000 surgeries that were performed on an annual basis under the NDP. And, Mr. Speaker, what did that result in? Let's keep this in perspective. We had the longest surgical waits in all of Canada. We had a backlog of nearly 28,000 people, 27,500 people waiting for surgeries.

Mr. Speaker, I would remind the members that in 2013 in committee, when the former Health minister tried to take credit for the beginning of the surgical network in this province, an official had to point out that at the rate the NDP were going in their surgical network, in their surgical initiative, it would take 30 years to clear the backlog, Mr. Speaker. We've been able to do that with great success in five years, in part because we're using third party private surgical suites which has seen, including this year, 47,000 people being served in these suites.

The Leader of the Opposition can answer the question. It's pretty clear: would he get rid of those? Would he get rid of those resources in the system, yes or no?

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

**Mr. Broten:** — Mr. Speaker, simple question to the Premier:

how many surgeries last year? How many surgeries this year? Nothing, Mr. Speaker. Simple question that the Health minister could have fielded, Mr. Speaker: where are the cuts all over the province? But no information.

My question, Mr. Speaker, we see these cuts going on in the province because of the Sask Party's decision to slash funding. Mr. Speaker, if the cuts that we see here in Regina are similar to the cuts across the province, then we'd actually be seeing a reduction of about 5,600 surgeries this year, despite the fact that the need for surgeries is going up. And that's a point, Mr. Speaker, that the Premier keeps ignoring. So to the Premier: why won't he just lay out exactly where the surgical cuts are happening?

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

**Hon. Mr. Duncan:** — Thank you, Mr. Speaker. Again in the absence of the Premier, I'll take the question. Mr. Speaker, I think what is important to note in this discussion is that over the last eight years the record investment in our health regions by this provincial government, including Regina Qu'Appelle Health Region, that their budget went from \$593 million to this year \$904 million, an increase of 52 per cent, including a \$33 million increase in their budget. The same is true for Saskatoon. It went from a \$640 million budget to a \$1.32 billion, an increase of nearly 62 per cent in that health region in just eight years.

And what we're seeing in terms of the record on this side of the House, as I said before, the number of people waiting 18 months and longer went from 2,600 under the NDP to 18. The number of people waiting longer than a year for surgery, 97 under this government, when it was 5,136.

Mr. Speaker, we have a record on this side of the House that we are proud to defend when it comes to surgeries and our surgical wait-list, as opposed to the members opposite who really have no credibility when it comes to surgical lists in this province.

[14:00]

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

**Mr. Broten:** — Mr. Speaker, these answers from the minister, from this government will be no comfort to the thousands of Saskatchewan patients who will not be getting their surgeries in a timely way because of this government's cuts to surgeries all across Saskatchewan.

Mr. Speaker, we know, we know that almost half of the surgeries in our province are done in Saskatoon. And here's the situation in Saskatoon, Mr. Speaker: 45 per cent of the people waiting for spine and back surgery are already waiting more than three months; 60 per cent of people waiting for brain and spinal cord surgeries are waiting longer than three months; 64 per cent of people needing ear, nose, throat surgery are waiting longer than three months.

Mr. Speaker, these are lives. These are people that are living in pain, that are missing work, Mr. Speaker. And it has been a simple question to the minister, to the Premier, the former Health minister if he wants to take it, Mr. Speaker: why can't

they say how many fewer surgeries this cut will mean for Saskatchewan patients, Mr. Speaker?

These waits are getting worse because of this government's cuts. Just since March, just since March when they cut, Mr. Speaker, we have seen a 50 per cent increase to the individuals waiting longer than three months. My question to the Premier: will he tell us exactly how many fewer surgeries he is funding in Saskatoon alone?

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

**Hon. Mr. Duncan:** — Mr. Speaker, again on behalf of the Premier, in the absence of the Premier, I'll take that question. Mr. Speaker, timely access to surgery coming from the Leader of the Opposition, when in 2007 the number of people waiting longer than three months for surgery was 15,365; the number of people waiting longer than six months, 10,644.

Mr. Speaker, today in the province of Saskatchewan, 91 per cent of people — and I'll break that down for the Leader of the Opposition — 9 out of 10 people waiting for surgery are getting their surgery within three months. Ninety-nine per cent of people are getting surgery within six months, Mr. Speaker. It's not 12 months. It's not 18 months. It's not three years like it was under the NDP. And that's the record on this side of the House.

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

### Carbon Capture and Storage Project

**Ms. Sproule:** — Mr. Speaker, last October SaskPower's head of carbon capture stood in front of the new carbon capture plant and said, "This wonderful beast behind us is capturing 1 million tonnes of CO<sub>2</sub> a year." He didn't say, it will hopefully capture. He said, it is capturing.

And the government's own news releases from April and August say that the facility, ". . . captures 90 per cent of CO<sub>2</sub> emissions, which is equivalent to taking about 250,000 vehicles off the road." Again the government said captures, present tense. They didn't say it will hopefully capture. Will the minister admit that the carbon capture plant has only operated at 40 per cent of its much-touted capacity?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, the carbon capture facility down at Boundary dam 3 is a leader in technology. All you have to do is look at the quotes that people are saying about the facility from around the world.

Duncan Kenyon from the Pembina Institute said, ". . . there are so many assets and such a vast infrastructure invested in fossil fuels, the short- and medium-term reality is that we need carbon capture. So . . . this is a big achievement, a [big] important step forward." The Green Alliance highlights CCS [carbon capture and storage] as the only technology available to decarbonize heavy industry to the extent to meet carbon targets.

As a result of the fact that the federal government has come in



with much tougher emission standards, SaskPower took the step of building the facility. There has indeed been some start-up difficulties with it, to say the least, and that is not unusual, Mr. Speaker.

In 2004, under the NDP government, there was a problem with the Cory cogeneration plant on start-up. There was a delay of about three months, Mr. Speaker, and cost overruns of about 20 per cent. So this isn't unusual in the start-up phase of it. Clearly we believe and SaskPower . . .

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

**Ms. Sproule:** — Mr. Speaker, in committee on April 21st of this year, I asked, "What capacity is it running at right now?" And here's the answer the minister's official gave: "We are achieving over 80 per cent carbon capture at the present time." The SaskPower minister was sitting right next to the official, and the minister did not correct that statement. But now we've learned the carbon capture facility functioned at only 40 per cent capacity last year, less than half of what I was told in committee. Why didn't the minister give the accurate number when I asked about it in committee?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, in the quote that the hon. member suggests right there, they say "at the present time" it is operating at that efficiency. It has operated at many different efficiencies, Mr. Speaker. That is the normal process for running up the process, the start-up process of a facility of this type, Mr. Speaker. It's the exact same process that is done in the natural gas generating facilities, hydro facilities, any type of facility there is. There's a run-in period, Mr. Speaker, where you . . .

[Interjections]

**The Speaker:** — Would the members who asked the question like to hear the answer? I would, and I'm sure the other members would, and the people watching on TV would like to hear the answer. So please let the minister answer. I recognize the minister.

**Hon. Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, as I was saying, there's a normal run-up period for these types of facilities. This is a very, very complex facility. They start out at a certain level. They run up from there. They back off from there in terms of it, to test and to further evaluate the efficiencies of the facility. Yes indeed, there has been some problems in the start-up of this facility, Mr. Speaker. At the time that the member was referring to, the plant was operating at that efficiency. It has operated at much lower efficiencies at times.

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

**Ms. Sproule:** — Mr. Speaker, it's extremely disappointing that the Sask Party has not been upfront with Saskatchewan people about the true state of affairs with its carbon capture experiment. We learned yesterday that this government

captured just 400 000 tonnes of CO<sub>2</sub> last year. That's roughly 40 per cent of its capacity. Something clearly is not right with this project.

The minister was too scared to go out into the rotunda to answer media's questions yesterday, so he sent an official. And what that official had to say was very concerning. He gave different answers about when the carbon capture facility might be at full capacity. He said, maybe by the end of this year. Then he said, within the next six months. And then he said, by the end of 2016.

Mr. Speaker, we want to ask this minister what is going on with this project? When will it finally work at full capacity, and when can we stop hemorrhaging money to Cenovus?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, what the officials yesterday indicated is that the efficiency of the project is simply not where they would like to have it. They are working through it. They are working with all of the contractors associated with it to try and increase and improve the efficiencies. They are confident and they are of the belief that by the start of 2016, we'll see much higher efficiencies than we have seen so far, Mr. Speaker.

If you look at the project, Mr. Speaker, indeed there was a shortfall in 2014 of about \$12 million, slightly less than \$12 million. SaskPower in 2015 indicates that the net revenue to the corporation will be about \$6 million, Mr. Speaker — \$5 million of a shortfall and about \$11 million of revenue. In addition to that, Mr. Speaker, there has been a sale. The sale of the power from BD3 [Boundary dam 3] has resulted in about \$7 million. So \$12 million in total, Mr. Speaker.

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

**Ms. Sproule:** — Mr. Speaker, you have to wonder about a contract that seems to give away more than it gets. There's a lot of serious issues about what they signed in the deal that they arranged. This government was planning, they were planning on getting about \$20 million in revenue from CO<sub>2</sub> sales last year, but instead Saskatchewan families were forced to pay Cenovus 12 million. They were going to get 20 million, but they gave away 12 million.

Yesterday SaskPower confirmed that this government is on track to pay Cenovus millions and millions more again this year because this government's carbon capture experiment is still not working even close to capacity. Will the minister tell us the exact amount of public money he intends to give to Cenovus this year?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, under the provisions of a take-or-pay contract, which is very common in the oil and gas industry . . . This is the type of project that we are involved in here, Mr. Speaker, a take-or-pay project with Cenovus. In . . .

[Interjections]

**The Speaker:** — If the government wants, I can give the members of the opposition more questions if you don't want to listen to the answers as well. I recognize the minister.

**Hon. Mr. Boyd:** — Mr. Speaker, in 2014 there was a loss of approximately \$12 million. A payment was made to Cenovus because of the fact that the CO<sub>2</sub> could not be delivered to them. In 2015 the revenue is about \$11 million and the loss is about \$5 million, so a net revenue to SaskPower of \$6 million, Mr. Speaker.

In addition to that, the sale of the power from BD3 has resulted in a gain of about \$7 million. So the total net revenue to the province of Saskatchewan is about \$12 million on this project. To date, a loss of 12 million in 2014, Mr. Speaker.

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

**Ms. Sproule:** — Yesterday, Mr. Speaker, SaskPower said this year's cheque for Cenovus will be "probably in the 5 to \$6 million range." But we know we can't trust those numbers because of what we see in the internal documents.

A briefing note dated September 30th, 2014 said last year's penalty to Cenovus would be 7 million. Then another briefing note dated October 6th, just seven days later, said the penalties to Cenovus would be in the range of 8.7 to 10 million. So at the end of it all, we know the actual penalty paid to Cenovus was nearly 12 million, \$5 million higher than the initial estimate. So to the minister: how can we have any confidence in that the penalty this year won't be 10 million or 12 million or even \$15 million?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, we are in the later stages of 2015. It is known how much the facility, the Boundary dam facility has generated in terms of CO<sub>2</sub> and has sold to Cenovus. They do a reconciliation at the end of every year to determine whether there is a pay or an increase to SaskPower. It is indicated at this point in time, Mr. Speaker, that the net revenue, the net revenue to SaskPower will be about \$6 million based on the expected provisions within the contract, Mr. Speaker, based on the fact that there was \$5 million of penalties but \$11 million of sales, Mr. Speaker.

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

**Ms. Sproule:** — I cannot understand why this minister is so happy to be paying penalties and being proud of it, Mr. Speaker. Yesterday SaskPower said they fully expected to be operating the wonderful beast at a significantly reduced capacity this year. The official said, "We fully expected these things to happen." So if this was fully expected, then the question the SaskPower minister needs to answer is this: why on earth did the Sask Party lock us into a secretive deal with Cenovus with huge penalties built in if the government knew that the carbon capture facility would not function even close to full capacity?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, while the NDP doesn't like the fact that SaskPower's involved in carbon capture and storage, around the world people certainly believe that this is a very, very important development, Mr. Speaker. The Green Alliance highlights CCS . . .

[Interjections]

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

**Hon. Mr. Boyd:** — Mr. Speaker, the Green Alliance highlights that CCS is the only technology available to decarbonize the industry to the extent needed to meet carbon targets. The Clean Air Task Force believes CCS is one of the most important technologies for averting the worst aspects of climate change because fossil fuel use is increasing worldwide, not decreasing worldwide. The International Energy Agency has stated that without CCS, overall cost emissions would rise in 2050 by 70 per cent, Mr. Speaker.

Mr. Speaker, this is an important project for the people of Saskatchewan. Indeed there has been some start-up problems. SaskPower officials believe that those problems are being sorted out at this point in time. And so far, Mr. Speaker, SaskPower, through the sale of CO<sub>2</sub> and through the sale of power, has netted out about zero with respect to this project.

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

[14:15]

**Ms. Sproule:** — Mr. Speaker, I find it incredibly disturbing that this minister is proud of the fact that they're paying millions of dollars in penalty and proud of the fact that they're not operating at full capacity.

People's power bills have gone up significantly under this government. So when we hear about the Sask Party government locking us into a ridiculous contract that has us, the people of Saskatchewan, cutting cheques for millions and millions of dollars to an Alberta oil company, that is incredibly disturbing. And it's especially disturbing because SaskPower says they fully expected this to happen. So again, to the minister: why on earth did the Sask Party lock us into a deal that they knew they couldn't fulfill?

**The Speaker:** — I recognize the Minister for the Economy.

**Hon. Mr. Boyd:** — Mr. Speaker, while SaskPower may be paying Cenovus approximately \$5 million this year, they are also receiving from Cenovus about \$11 million, so a net amount of \$6 million to the treasury of Saskatchewan. And I would ask the member opposite if she would certainly acknowledge that fact that that is exactly what is happening with respect to this contract, Mr. Speaker?

This is an important contract within the province of Saskatchewan. It's very, very important in terms of climate change, Mr. Speaker. This is an initiative that is getting worldwide acclaim around the globe, Mr. Speaker, because people, academics, and governments all realize that this is an important step towards correcting the problems around CO<sub>2</sub>

capture, Mr. Speaker. So, Mr. Speaker, at the conclusion of this SaskPower has paid, yes, they have paid Cenovus some money, but they have also received in 2015 \$6 million more than they paid out.

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

**Ms. Sproule:** — Mr. Speaker, what we know is that even the deal with Cenovus is suspect because they're paying only around \$25 a tonne when the actual market value for this carbon is much, much higher. So again we see a huge profit going to an Alberta oil company, and secondly we see that these huge penalties are built into the contract. This minister is happy to be paying millions of dollars in penalties to an Alberta oil company, and it seems like it was built right in.

Now it's true, if it's true that this project has undergone or is still undergoing a massive overhaul — it's a brand new project, this wonderful beast — that means that this government has not been forthright about the full cost of this project. And so to the minister: what's the update? What are the true costs for this carbon capture experiment that is still not even close to working at full capacity?

**The Speaker:** — I recognize the minister.

**Hon. Mr. Boyd:** — Mr. Speaker, the cost of the CCS project is about \$1.47 billion. We received about \$240 million from the federal government with respect to this, so a little over \$1.2 billion is the total project cost with respect to this project, Mr. Speaker.

Any time that SaskPower is writing a cheque, we are not happy about it, we can assure the taxpayers of this province. But we will also want to make sure the people of Saskatchewan understand that they are getting . . .

[Interjections]

**The Speaker:** — I could always deduct time from tomorrow if needed. I recognize the minister.

**Hon. Mr. Boyd:** — Mr. Speaker, SaskPower has sold CO<sub>2</sub> to Cenovus to the tune of about a \$6 million profit this year, Mr. Speaker, which is in sharp contrast to how the members opposite used to operate, Mr. Speaker. And you just look down the list. There's some over \$300 million of losses: \$26 million in Big Sky . . .

[Interjections]

**The Speaker:** — Does the Deputy Leader, the member for Rosemont, desire to have time removed from the opposition's questions tomorrow?

**An Hon. Member:** — I'd prefer not.

**The Speaker:** — Well then be quiet. I recognize the minister.

**Hon. Mr. Boyd:** — When the members opposite occupied the benches on this side, they lost \$15 million in Channel Lake, \$2 million in Guyana on a power company down there, \$16 million

in Chicago, Mr. Speaker, with NST.

The fact remains is this project has been a good project for Saskatchewan and there has been net revenue . . .

## ORDERS OF THE DAY

### WRITTEN QUESTIONS

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

**Mr. Merriman:** — Thank you, Mr. Speaker. I wish to order the answers to question 981 and 982.

**The Speaker:** — The Government Whip has ordered responses to questions 981 and 982.

## GOVERNMENT ORDERS

### ADJOURNED DEBATES

#### SECOND READINGS

##### Bill No. 183

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Morgan that **Bill No. 183 — *The Saskatchewan Employment (Essential Services) Amendment Act, 2015*** be now read a second time.]

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

**Mr. McCall:** — Thank you very much, Mr. Speaker. It's good to join debate on Bill No. 183, *The Saskatchewan Employment (Essential Services) Amendment Act, 2015*. It's interesting to join debate on this particular piece of legislation, Mr. Speaker, because it's not often that you see a piece of legislation come to this Chamber that is in fact court ordered, Mr. Speaker. And it's not often that you see a piece of legislation come to this Chamber that's not just been court ordered, but Supreme Court ordered, Mr. Speaker. And certainly that is the case with this particular piece of legislation where, dating back to the early days of the Sask Party and before that, coming to power in 2007, you know, eight, roughly eight years ago, Mr. Speaker, it was an interesting lead-up to that convention, and certainly in terms of the question of essential services, you had a then opposition that had a lot of different things to say about essential services.

But when it came down to the eve of the election, they said, you know, there's no need for essential services legislation. This is something that we have no call for at this time, and said one thing to the working men and women of this province, to the people of this province, before they were elected, Mr. Speaker, and then of course, after they were elected, came forward with Bill 5. And of course it wasn't Bill 1. It wasn't 2, 3, or 4. It was Bill 5, Mr. Speaker, in terms of where it was on that, that government's agenda.

So the fact that they'd been saying one thing before the election as regards essential services legislation, and then doing something very different after they'd taken power, Mr. Speaker, again I think speaks volumes as to the way that this government

has gotten this file so badly wrong, Mr. Speaker.

In terms of legislation that's been again not just suggested by the law reform society or, you know, comes forward out of different platforms, but in fact has been ordered by the Supreme Court of Canada, Mr. Speaker, and that, you know, that needed to come forward by the end of this year, Mr. Speaker. Otherwise that government would be in contempt or would be falling short of what the Supreme Court had ordered of this government.

It's pretty telling what's happened over the past eight years as regards to this government and as regards labour legislation. And even after that Supreme Court ruling came forward, Mr. Speaker, we had the Premier of the province at SUMA, the Saskatchewan Urban Municipalities Association, in response to a friendly question off the floor say that, well they were going to consider using the notwithstanding clause of the constitution to respond to the essential services mess that they had created, Mr. Speaker.

So it's interesting that even after the Supreme Court had ruled and had said, you've got a year to fix the mess that you've created; you've got a year to pay the costs to those that have had to take you to the highest court of the land to get their rights protected and recognized, Mr. Speaker . . . You know, and again as a side note, it's interesting that you've got this particular regime, this particular Premier coming forward with a series of actions as regards working men and women in this province and as regards labour rights, that they've succeeded in enshrining the right to strike in the jurisprudence of this country.

It's always kind of interesting when you think back to the introduction of Bill 5 and its cousin Bill 6, but certainly with Bill 5 the battle cry back then, Mr. Speaker, was fair and balanced labour legislation. And I think the only people that believed that were of course the Saskatchewan Party caucus. But in terms of how that played out, Mr. Speaker, again using the battle cry of Fox News as your slogan, to go into a fight on labour rights, you know, interesting choice of words, Mr. Speaker. But they came forward with legislation that was so ham-fisted, so over the top, so egregious to effectively remove labour rights from working men and women in this province, that, you know, maybe it's one thing to write up legislation that gets a big round of applause in the American legislative conferences of the big right wingers that, you know, that these guys like to hang out with. Or maybe it's one thing to go out and say that, you know, for management side labour lawyers, you know, finally we're going to stick it to the labour unions, Mr. Speaker, and take away the rights of working men and women.

It's one thing to do that, Mr. Speaker, but then of course they actually brought it into law. And alongside that, Mr. Speaker, again I'd remind you that this was brought forward after a period where we had members from those benches that are still part of that government, that occupied positions of great prominence in that government, saying that there was no need for essential services legislation. Again, just trust us. So you'll forgive us, Mr. Speaker, if we don't, if the trust has worn rather thin in terms of the way that this government says one thing before the election and then does something after the election.

And in terms of the piece of legislation that we have in front of us today, there's a, you know, there's a job of examination that needs to take place. There's the weighing of the work, and there is certainly some good work done by the folks that came forward to meet up with the court ordered requirement from the Supreme Court of Canada, again following on the way that this legislation was fought and that government lost in the Saskatchewan courts. But in the past there have been some men and women that have come forward from different walks of life that have done some good work on this, and we think that that should be recognized and appreciated.

But in terms of how we got here in the first place, Mr. Speaker, it bears remembering and remembering very well how we got into this mess in the first place. And again that was when we had a government say one thing before the election, get elected, then do something very different after, and then be so ham-fisted about it and so, you know, tilted and unbalanced and unfair in how they went after the whole question of essential services that we see that mess continuing.

In terms of the way that those eight long, expensive years . . . And you know, the meter's still running on this piece of legislation, Mr. Speaker. And you know, different members over there can get huffy about the way that this file was foisted upon the hard-working legal expertise in the Ministry of Justice. And if you hearken back to Bills 5 and 6, Mr. Speaker, the outside work that was done by contractors . . . And we know how much that government likes consultants. We know how much they like outside contractors because of course that work couldn't be trusted to actual Ministry of Justice officials at the time, Mr. Speaker.

So the way that this bill has come forward, the very costly and expensive way that this bill has come forward is a real story to be observed. I know that there are going to be other of my colleagues that want to participate in this debate, and as such, Mr. Speaker, I would move to adjourn debate on Bill No. 183.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 183, *The Saskatchewan Employment (Essential Services) Amendment Act, 2015*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

#### Bill No. 184

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McMorris that **Bill No. 184 — *The Automobile Accident Insurance (Motorcycles) Amendment Act, 2015*** be now read a second time.]

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

[14:30]

**Ms. Chartier:** — Thank you, Mr. Speaker. I am pleased to enter the debate on Bill No. 184, *An Act to amend The Automobile Accident Insurance Act*. So I'll talk a little bit about

what this bill will do, Mr. Speaker. And it has a bit of a history here, over the last few years here in Saskatchewan, I think starting in about 2013 when SGI [Saskatchewan Government Insurance] had proposed motorcycle rate increases that were not satisfying to most riders here in Saskatchewan.

I can remember at that time, Mr. Speaker, there was a group called R-A-G-E, or R.A.G.E. [Riders Against Government Exploitation], Mr. Deputy Speaker, who if I recall correctly, I think motorcycle rates were going up to about \$5,000 to register. I could be off on that number but it was quite exorbitant. I remember hearing from many riders who said they would have to park their motorcycles and they would not be able to register them. It got quite cost prohibitive, Mr. Deputy Speaker, for many riders. That started the process which triggered a motorcycle review committee.

I can remember at that time too learning a little bit about . . . I'm not a rider, Mr. Deputy Speaker. I have friends who ride motorcycles, for many reasons. Some like that it leaves a smaller carbon footprint, less expensive to operate. Some people just really appreciate the opportunity to sit on a bike and be a little bit closer to nature, Mr. Deputy Speaker. There are many reasons why people ride, but people here, riders here in Saskatchewan were feeling like they were put behind . . . They wouldn't have an opportunity to pursue their passion and, quite frankly, sometimes their more green mode of transportation.

So all of this eventually triggered the motorcycle review committee, this raising of rates. And I can remember learning things about motorcycles that I had no idea. And I'm appreciative and glad that we've, in this Chamber, made some changes here this last year. You could get your learner's licence on a motorcycle without ever having to demonstrate any capacity at riding a motorcycle. You could pass a written test and get on a bike, which was quite alarming to me and I think to many people who weren't aware of that either, Mr. Deputy Speaker.

So the bill that we have before us, Bill 184, *An Act to amend The Automobile Accident Insurance Act*, so starting in 2016, SGI will be providing additional choice in injury coverage for motorcycle owners. So motorcycle owners will have three options now. An additional option will let owners chose a reduced package for no-fault injury benefits for a lower cost. So there will be no-fault regular full benefit, no-fault injury benefits tort coverage, or no-fault injury benefits at a lower cost, which some would argue will make it more affordable for people to license their bikes. But also on the flip side, there's some challenges around coverage. And I know the minister and SGI have cautioned riders to really think long and hard about that particular choice.

So this third option, the no-fault insurance with the lower benefits, will be for owners who feel they require fewer benefits in the event of a collision. It does ensure that all motorcyclists continue to receive some level of insurance if they're injured, which is good, Mr. Speaker. The reduced package of no-fault benefits will provide the same level of benefit as the tort product but with a limited ability to sue. So again I want to emphasize that the minister, in his second reading speech, has cautioned riders to really think long and hard about this option.

And SGI itself has pointed out that, quote, in . . . Sorry. SGI in their 2015 news release from May 27th, "Motorcyclists to have further choice of injury coverage." SGI says themselves:

"Motorcyclists have asked for more choices in injury coverage, and government and SGI have listened," Minister responsible for SGI Don McMorris said. "The new option is for motorcycle owners who feel they require fewer benefits in the event of a collision, and because there are fewer benefits, it's a lower cost. It also ensures that all motorcyclists continue to receive some level of insurance coverage if they're injured."

And the news release goes on to say:

"The decision to opt for a reduced package of benefits is one motorcyclists should not take lightly," said McMorris. "Motorcycles are smaller and more vulnerable than other vehicles on the road, and a collision or fall can result in serious injuries. If you own a motorcycle, I urge you to give this very serious consideration to ensure you have the right coverage to meet your individual needs, as well as those of your family, in the event of an injury."

So the government has introduced this option, recognizing that there may be challenges for those who choose this particular type of insurance and perhaps have their ability to earn income or support their family, may be limited in the event of a very serious accident or death if they choose this option.

I just would like to point to the motorcycle review committee that talked about rates, point no. 5 under the motorcycle review committee, which I have to just again emphasize. This review committee which reported in January of 2014 grew out of . . . I believe it was in 2013. It might have been 2012. It all sort of blends together here in this place sometimes, Mr. Deputy Speaker.

But just in the previous year or so, SGI was planning on raising rates quite substantially, so that triggered a conversation about whether or not those increases in rates were fair. We have a system here in Saskatchewan where your insurance risk and your rate for licensing is determined by the kind of vehicle you drive or the kind of motorcycle you ride. And there were many people who don't think that that's fair. They think that your driving record should play a larger role in your insurance rate.

So I'll just point you to no. 5:

#### Motorcycle rates and rate groupings

##### Changes to rating by body style

1. Motorcycle body style assignments change to the Insurance Bureau of Canada VINLink program

63.8 per cent of participants' feedback agreed and the motorcycle review committee gave that major support. There was one member who opposed it because he believes rates should be assigned solely based on rider actions and driving record, regardless of the type of vehicle being ridden or driven, because it is driver behaviour that directly impacts safety.

So this is why we find ourselves where we are with this third

option for motorcycle riders, Mr. Deputy Speaker.

Tied in with this motorcycle review committee, there were also changes that happened actually just this . . . Well in 2014, I believe, the legislation was before us, which saw some very large changes actually. And as a mom, I don't know if my kids will ever ride motorcycles but I will not, mostly because I'm a bit of a chicken. And I know many people who, I know many people who ride motorcycles. I have good friends who spend many, many hours on motorcycles. I know some members on the opposite side of the House really enjoy riding their bikes but it's not a choice for me, and as a worrying mom I'm not sure if either of my daughters will be big fans of motorcycles or not. But I'm glad that some of these changes around safety have been made, which involve wearing more protective gear; again as I mentioned earlier, making sure that riders actually have to sit on a bike and demonstrate some capacity before they're given a learner's licence. That is very important.

Some of the findings, I believe that most of the findings of the review committee were implemented, Mr. Speaker, so those are good things. This Bill 184 is again about adding a third option for riders to choose less coverage in insurance, and that came out of exorbitant rates that SGI had proposed a few years ago, Mr. Speaker. So again this bill will allow riders to choose no-fault insurance to a lesser degree or they will pay less for the insurance but they will get less.

So I know that there will be an opportunity in committee to ask further questions about this and how the government came to this position, and we'll look forward to that opportunity to ask those questions then. So with that I would like to move to adjourn debate on Bill 184, *An Act to amend The Automobile Accident Insurance Act*. Thank you.

**The Deputy Speaker:** — The member from Saskatoon Riversdale has moved to adjourn debate on Bill No. 184, *The Automobile Accident Insurance (Motorcycles) Amendment Act, 2015*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

### Bill No. 185

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McMorris that **Bill No. 185** — *The Traffic Safety (Miscellaneous Measures) Amendment Act, 2015* be now read a second time.]

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

**Ms. Sproule:** — Thanks very much, Mr. Deputy Speaker. And as always I'm honoured to be able to arise in this Legislative Chamber to enter into the debate on the proposed bills the government is bringing forward.

And this particular bill I guess the main feature . . . It's not a long bill. There's not a lot going on in terms of length but it's making a consequential amendment to *The Freedom of Information and Protection of Privacy Act*, and it's also

amending *The Traffic Safety Act*. When the minister introduced the bill back in, earlier this month, he had a few things he wanted to share with us about what the intent of the bill is. And as he indicated, the most significant amendment is protecting data use through facial recognition technology.

I think this is something we need to take a very careful look at. And certainly I've put in a call to the Canadian Civil Liberties Association to see what sort of civil liberties issues arise when it comes to facial recognition software. Obviously this is something that is a very powerful technology, and when you think about it, can be a very powerful invasion into your privacy if this software is pervasive and becomes used in a number of instances. You know, and I guess the question is, how far do you go with this type of software before it becomes intrusive and actually starts inhibiting people's rights to privacy? So constitutionally, and I think through our civil liberties, there are a number of legal questions that will need to be addressed as we go forward with this type of technology.

And so those are the kinds of questions I think we need to be able to get answers to here in the next little while. There certainly is a limited amount of time, I think, to even be able to ask those questions because of the speed with which the government is pushing these bills forward. Sadly, we don't have a Throne Speech and we don't have any idea where the government's going on a go-forward basis, so we're here debating bills and we won't have enough time to really examine the full potential of the harm that this type of technology may cause to people's privacy rights.

And I think that's something that's very concerning. I know that the intent behind this is quite clear and I think is understandable from the government's perspective. The minister has indicated that it's an interesting technology. He says very interesting technology, in fact. And the way the data works is, you know . . . and I think I can even do it with my iPhoto. I can tell my iPhoto to recognize certain people in my photo library and they'll pull out those faces and pull all the photos of that one person through some sort of facial recognition technology. So apparently it's very sophisticated and it's intended to provide better security. And better security is a laudable goal, but we always know there's a tension between increasing security measures and decreasing people's rights to freedom and privacy.

So those are important values socially on both sides, and I think it's the balance that the government needs to achieve that is the tricky part. And it's also with advances in technology, is how much do we use technology to advance those goals of security when indeed they may be infringing on people's rights to privacy.

The minister has indicated that the goal of this is to help prevent fraud. It's to help prevent identity theft and it will prevent people from getting multiple driver's licences or IDs [identification], and somehow that it would improve road safety by preventing suspended drivers from being able to use a false identity to get a licence.

Yes, those are possible outcomes of this type of technology. I don't know what kind of issues we have right now with identity theft and multiple driver's licences, if that's a pervasive

problem and if this is happening at a rampant scale, or is it one or two times a year. Those are the kinds of questions that we need time to ask and find out what the answers to that will be. We're also wondering, well how many suspended drivers are using a false identity to get a licence? Is this a problem that's presenting itself on a daily basis? Is it happening 10 times a day? Is it happening twice a year?

So when we use this kind of technology, Mr. Speaker, I think we have to really balance it against the clear sort of invasion of people's personal space. You'd be walking through a grocery store and you'll have video cameras capturing your identity and perhaps disclosing it because it's so easily done with this type of technology.

[14:45]

I know the minister has indicated that the government takes privacy very seriously, and I believe that to be true. But he's saying, people trust us with their information. We have to trust the government with our information. If you want to fly anywhere these days, you need photo ID and it has to be government issued. So we have to be able to trust the government with the information we give the government. That's clear, and I think the government does take that very seriously. And perhaps this technology will improve the security of driver's licences and ID cards. Again, laudable goal, but I think it's the balance of civil rights and our freedoms that has to be always measured.

And it will be very interesting to see the evolution of this technology, not just through driver's licences, but I think through other sources where government is asking for photo ID. Flying is a good example of that.

And the minister did indicate that he did consult with the information and privacy officer, so that's one step that's very important and I'm sure any government would do that. But again, not all the angles are always immediately apparent and I think people are very interested in exploring the scope of our rights. And our privacy rights are very important.

And certainly we'd like to be able to have the time to see how this is being used in other jurisdictions, where there are problems and possibilities of problems when it comes to civil liberties and freedom of privacy, which people also take very, very seriously in Canada and in North America, for sure.

I know I probably watch too much TV, Mr. Speaker, and just the other day I saw, you know, a lawyer program about facial recognition software and people being falsely accused or, you know, malicious prosecutors going after the wrong person just to win the case. And I mean, that's all stuff of TV for sure, but it makes you think. And you know, the possibility is certainly there.

And I just want to share a quick story the other day about whether or not photo ID [identification] is even working. Because I was on a plane a few weeks ago and sat down, and there was a mix-up in the row in front of me. And there was one woman who was sitting in her proper seat, but the woman that was sitting beside her had the woman beside her's name on her boarding pass. And she was actually on the wrong plane.

And you have to wonder how on earth she was actually . . . didn't even speak English. She had a Chinese name. But somehow her boarding pass had the woman next to her and she was on the wrong plane. But she would have had to show her picture ID. So I don't know what on earth that agent at the airport could have possibly seen when she showed her picture ID, and her boarding pass had the wrong name on it essentially.

So very curious, and you just wonder. Sometimes the system is only as good as the people that are operating it. And so these kinds of things always make you realize there's room for human error and there's also room for manipulation and also room for, I guess, bad intentions and bad intent and for criminal activity and things like that.

So we really would need more time than I think that we have, Mr. Speaker, to fully explore the types of issues this bill presents. And I think we can just look to what happened with the essential services Act when it was rushed through and passed, and all of a sudden it ended up in the Supreme Court of Canada and it was reversed. So we certainly don't want to see that happen here.

But if it's not examined properly before the bill is passed . . . We know it went to the office of privacy and the commissioner has looked at it, and from his perspective it appears to be in order. But I think, as I said, there's always clever and unusual ways to look at things. And people with civil liberties concerns and freedom-of-privacy concerns are going to take a long look at this and may come up with some very interesting challenges to this particular bill.

So I think again, the amount of time that we have to debate this may not give us time to properly survey it with affected third parties and certainly people who look carefully at civil liberties and freedom of your privacy rights. So that's the one, I think the main aspect of this bill, and certainly one that will be very informative as we go forward.

The minister is also introducing some other housekeeping amendments, he said. And he highlighted them as well in his second reading speech on October 20th just a few days ago. So one of the things he's talking about there is stronger consequences for drivers under the influence of drugs and alcohol. So the changes here we're talking about, it's for ". . . immediate roadside licence suspension and vehicle impoundments for drinking, drugs, and driving."

And I think that anytime we're talking about drinking and driving, Mr. Speaker, you can't be tough enough on people who choose to violate those laws. People get killed as a result of drinking and driving. We know those numbers are going up in Saskatchewan. So it's no secret to anyone who drives a vehicle, if they're drinking, that it's against the law. But it is also very dangerous, so I think the tough measures are required. And you know, I'm not sure how far we have to go to get people to completely stop, but it still seems to be an issue here in Saskatchewan.

And I remember when I grew up in a small town, we always had grad parties every year, and that was kind of a highlight, a social highlight for everybody in town. And we would go to grad party to grad party. So we'd go the Lafleche grad party and

then we'd go to the Limerick grad party and the Gravelbourg grad party and down to Glentworth grad party. And that's what we did. And drinking was such a part of that culture when I grew up. And that was before they had MADD, Mothers Against Drunk Driving, before we had school buses arranged for kids to go to these parties. Every year there was two or three fatal accidents as a result of people drinking and driving, going home from these grad parties.

So that was the culture we were in. I think it's changed. Now I've raised city kids, so I don't quite know what city kids . . . You know, I don't know what farm kids are doing anymore. But from the sense I get from my nieces and nephews is that they take drinking and driving much more seriously than I did as a teenager. And part of it is because of stiffer penalties and losing loved ones and seeing these terrible, horrific accidents happen as a result of drinking and driving.

So we see a course now. The length of the course is going to be . . . There's a course that they have to take after certain infractions, and the time to complete the course is being extended a little bit just to bring it in line with other SGI problems. I think, you know, we know that maybe taking a course may not be enough, but at least we're trying to make some changes.

Another amendment he's talking about here is for allowing the cancellation of an impounded vehicle's licence plate. And I know my colleague yesterday raised some concerns about whether that's a cost-effective method of dealing with this type of issue. So I know customers are unhappy when people . . . We take money for their licence even though their vehicle's impounded, but they should have thought of that before the vehicle got impounded. I mean, it's just the price you pay. So I'm not too sympathetic with the customers. I know I'm unhappy when I get a speeding ticket and I pay the ticket and then I get an additional fee on my insurance. It doesn't make me very happy, but the fact of the matter was, I chose to speed. So kind of, too bad, so sad for me, right? And I think, you know, if the customers are unhappy about their vehicle being impounded and they still have to pay their fees, so be it, Mr. Speaker.

But I guess the minister's responding to unhappy customers in this context, and I guess they've convinced him that this is the right way to go. I'm not sure I agree with the minister on that one, but again if we had more time to consider this over the next few months it would be helpful, but we're to respond to this in a very short order.

The other, it looks like another change that they're bringing in is allowing additional criminal code offences to be reported to SGI including causing death by criminal negligence, causing bodily harm by criminal negligence, and dangerous operation of a motor vehicle while street racing. And this would align in with the proposed changes to *The Automobile Accident Insurance Act*, which I believe is also, yes it's also being presented in terms of motorcycles in this session, Mr. Deputy Speaker.

So what he's saying here is that convictions for those offences would trigger the ability to sue the responsible driver for pain or suffering or bereavement damages. And I think that absolutely does bring more fairness. He's saying it's bringing more

fairness to the scenario. But you know, the fault, if an innocent party is killed by somebody committing a criminal offense, SGI needs to know that. And I think that's even more egregious, and absolutely our automobile insurance company should know what kind of crimes are being committed by people driving vehicles in order to ensure that we're able to respond appropriately to the situation and the crimes that are being committed there.

Another amendment he's talking about in this bill is around vehicle ownership. And here the change is going to say that a person, an owner is a person registered with the vehicle in any jurisdiction. So this helps with clarity for issuing tickets to out-of-province vehicle owners for automatic enforcement, things like red light or speeding offences, right? Red light or speed offences. So these are the automatic enforcement and would be retroactive to 2006.

I think it's interesting, Mr. Speaker. I actually had to attend in small claims court this morning because somebody from Manitoba backed into my car. I raised it with SGI. I wasn't able to actually get anything but their licence plate number as they drove away, and SGI wasn't able to help me. I had to pay out of my own deductible if I wanted the repairs. So I had to go through the process of small claims to get that payment, the 700 deductible from the person. I had their licence plate number. They refused to accept responsibility. So thankfully I won my judgment, and now I guess I'm hoping that SGI will help me at least enforce the judgment. So we'll see what happens. I'll keep you posted.

But this is an area where I feel very let down by SGI, because I had to go through the whole court process myself in order to get the judgment so that SGI would now enforce it. And I'm thinking, what am I paying insurance for if I'm the one that has to chase down the offender, despite the fact I had their licence number and I was an eyewitness to them backing into me?

So I just kind of wonder sometimes where the priorities are. But thankfully, you know, I was able and had the wherewithal to follow it up in small claims, and the defendant never bothered showing up. So it made it an easy case for me because I just got my order, but it certainly took me over 14 months to get to this point. So it's a bit frustrating. So I don't see that changing here.

But anyways the minister has said there's "an additional change . . . [requiring] some motorists to wear helmets and eye protection." And then there's, as he said, there's quite a variety of small housekeeping amendments in addition to the facial recognition implementation of that technology. So again I think this is an important change to identifying people and people's privacy rights are at risk. And I think certainly the Minister of Justice would be looking at his staff to provide opinions in terms of the constitutional issues that present itself. I think that, you know, watchdog agencies are going to take a close look at these types of things as well.

I know my colleague yesterday, from Saskatoon Centre, raised a number of concerns that are being raised in the States about these types of technologies. I think, you know, part of it is a reaction to security, and we see such an emphasis on security these days. And maybe that's just the times we live in, Mr. Deputy Speaker, but I think we can never lose sight of people's



liberties and freedoms. And the balancing act is never easy, but it's one that needs careful consideration. And so I hope we don't see this bill in court at some point as a constitutional case regarding people's freedoms. I'm hoping that the homework has already been done.

But we certainly will continue to ask those questions, as we should, and consult with people when we can. Hopefully by the time we get to committee, we'll have more questions for the minister on this bill and its impact on civil liberties. So at this point I think, Mr. Speaker, I would . . . you know, this is the extent of my comments and I would like to move to adjourn the debate on Bill No. 185, *The Traffic Safety (Miscellaneous Measures) Amendment Act, 2015*.

**The Deputy Speaker:** — The member from Saskatoon Nutana has moved to adjourn debate on Bill No. 185. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Deputy Speaker:** — Carried.

#### Bill No. 186

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Reiter that **Bill No. 186** — *The Municipal Conflict of Interest Amendment Act, 2015* be now read a second time.]

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

**Mr. Forbes:** — Thank you very much, Mr. Speaker. And I hear from the other side already. They're waiting for some comments. You know, I appreciate that they do listen and they check *Hansard* the next day to make sure they're accurate in what I say. And I will actually revisit the good old days of the '70s, but I do want to talk right off the bat, Mr. Deputy Speaker, that I am talking about and I'm entering into the debate on the Act.

The short title is *The Municipal Conflict of Interest Amendment Act, 2015*, but it's got quite a long title, actually. I should read it into the record if nobody else has done that: *An Act to amend The Cities Act, The Municipalities Act and The Northern Municipalities Act, 2010 and to make related and consequential amendments to The Ombudsman Act, 2012 and The Planning and Development Act, 2007 to Strengthen the Integrity and Accountability of Municipal Entities and to Bring Municipal Entities Within the Jurisdiction of the Ombudsman*. End of title.

[15:00]

That's quite a handle. That's quite a handle. It's more than three names. But especially the last part: to strengthen the integrity and accountability of municipal entities and bring municipal entities within the jurisdiction of the Ombudsman.

So I think we are all aware, and we were all following this in the media, of what was happening and how it came to be that Justice Ron Barclay was seconded to do some work out in the rural part here and to make sense of what was happening, and

we were glad to have him do that. And so now we have something that has been brought forward for us to take a look at, and we're looking at legislative amendments that are based on Justice Ron Barclay's inquiry into the RM [rural municipality] of Sherwood's proposed Wascana Village development.

It was quite a thing, and we have been following it in the media and it was one that had . . . The whole development showed how things can go really off the rails when there is no accountability, no transparency. And it was one that many people were wondering, how could this possibly be? How could this possibly continue? But yet they were all within the rules as they were at the time.

So we're glad to see that Justice Barclay did his work. And if some of us . . . And I have actually read the report and I was shocked at what actually was going on. I mean, it's quite a thing. And sometimes people say, you know, reality . . . You can't write a story like that. People would say it's too, too, too far out there. But he did a great job of detailing the actual events and then making some recommendations, and I just want to give a hats off, a shout-out, and a very good thank you to Justice Ron Barclay for his good work.

Sometimes we're asked to tackle things that are difficult, that I know was stressful for many of the people involved. And it's tough when you're asked to recall events that you wish hadn't happened or you weren't sure what was actually happening. But in the light of day, these conflicts of interests and inappropriate actions came forward, and we finally got to the bottom of what was going on in the RM of Sherwood No. 159.

And so I just want to take a minute and reflect on some of the comments the minister made, because that often gives us a good basis to go forward and think about what we want to be asking questions about in committee and, for the folks who are at home watching this, because the purpose of the second round of debates is to give time for people to . . . Maybe they haven't heard that the bill is out and they want to get more information so they can go to the legislative website and look for Bill 186 and take a look at it.

It's quite a thorough bill, but of course it needs to be. It needs to be thorough. It needs to cover all the bases, dot all the i's, cross all the t's. It's got to be thorough. And of course, really, it does set out three . . . When the title talks about municipal entities, it really talks about the northern municipalities, the cities, and the municipalities Act. So they're really tightening up three parallel municipal organizations or levels.

And I think that's an important note that, as a province, we have our conflict of interest guidelines and, you know, we file our annual reports and we have our annual meetings with the commissioner and we enjoy the conversations. We review the yearly activities. But also we know, and we've seen in the House where we've had the commissioner, and it's been on both sides of the House where questions have been raised about behaviour on both sides of the House. And the commissioner has taken some time in the past, since I've been here, to reflect on that, and written reports. And so it's an office that is well used and it is connected to the daily activities of what we do.

And we know that it's a wise thing that if we feel that there's a conflict of interest, to consult with the commissioner, to say: this is what's happening, and is it a good thing that I should be involved or not be involved? Should I disclose information that may show a conflict? Or I'm a little nervous about something. It's always important to resolve that. It's always important to resolve that. And then when the commissioner says no, that there doesn't seem to be a perceived advantage that you will receive in participating in this, that's an assurance that we all feel much better about. In the case of the RM of Sherwood, the reeve seemed to be going ahead and not paying attention to what might be perceived from the public to be a real conflict, and we really need to make sure that we guard against that.

So I do appreciate that the minister has brought this forward. I do have some questions about what has been left out of this. But first I'll go through some of his thoughts. So he talks about how he has, through a single bill, introduced amendments to *The Cities Act*, *The Municipalities Act*, *The Northern Municipalities Act*, and to strengthen municipal conflict of interest provisions, and as well, that the amendments will be made to *The Planning and Development Act* and *The Ombudsman Act*. So it's very thorough, very thorough, and as I said, that's the way, that's the way it has to be.

So he talks about, "The proposed amendments balance local municipal autonomy with the need to reassure the public that government has been proactive and responsible in strengthening . . . [the] conflict of interest legislation in a way that's effective and practical." So we need to think about what does he mean by effective and practical because, you know . . . And Mr. Deputy Speaker, you would have some experience with this, and I have, when I've lived in rural Saskatchewan, up north. It's not easy to get people to be on boards. And they do. And I just want to take a minute and give a real shout-out to the people throughout this province who volunteer on any level of board. And they have a strong sense of community, and they do it out of the sense that they want to make their community better than it was before.

And so this is something that you have to balance because you don't want to go too far and make it too onerous so that you discourage people from volunteering because they might say, well I don't mind filling out a one-page, you know, summary but there may be some private information that they don't want to share or they feel in some way this information is not necessary. And again this is a thing that . . .

And I don't know. As I'm just talking about here, I'm wondering if the Privacy Commissioner's been consulted on this because I always think there's a balance between what you want to know and what you need to know. Often, Mr. Deputy Speaker, as humans, we're very curious people and we often want to know an awful lot of stuff about a lot of things. But the question is, do we really need to know that? And this is where it has to be that issue about being effective.

And I think this is important that we think about what is the true test in terms of your, you know, what you have to give out. And we've talked about that in terms of private information, even when it comes to disclosing personal addresses, that kind of thing, you know. And actually I raised with the Privacy Commissioner the other day about an issue on some of the forms of the Rentalsman where it says we've got to know the

home address of the landlord or the tenant after the fact. And we go, well why do you need to know that? You just need to know a mailing address. Why do you need to know a home address? There's always this issue of balancing, you know, and it's important what we need to know and what we want to know.

And so I'm curious to know and it doesn't sound . . . And so we would have a question off the bat: has the Privacy Commissioner been involved in this at all in terms of is this fair enough? Is this a balance between the citizen who is stepping forward to offer his or her service in a leadership role in their municipality, and does it meet the reasonable test of what you need to know? And of course this is the question. This is the age-old question between want to know and need to know. And we wrestle with that all the time. We wrestle with that all the time.

And he goes on to talk about, you know, "Since potential conflicts of interest are faced by council members in all municipalities regardless of type, amendments are proposed to all three . . . [municipalities] to ensure consistent rules and requirements for elected municipal officials [right] across the province." And I think that makes a lot of sense. You have the three municipal entities, and if their rules are based on the provincial rules, then there's a sense of the Saskatchewan style of doing this. And that makes a lot of sense. And so we're glad to see that, and this is important.

Now you can be consistent but again there are three, you know . . . And it's interesting. People would say, well they're all the same. And I'm sure that people would say no, they're not the same. *The Cities Act* is very different. The people who live in the cities have a different kind of twist than those who live in rural Saskatchewan and those who live in northern Saskatchewan.

And so I think though that that doesn't mean that you have to create inconsistencies, but you have to allow for some differences. And so we'll be asking, so what are the differences? Particularly, you know, I can see between a northern and a city official, there might be some necessary allowances for some differences between them so they can be consistent but yet allow for some unique differences because of the type of geography that they live in and that type of thing.

I think the challenge will be for all of us though is, how does this, what does this do for getting people to step forward? I know, for example, you know, it's becoming more and more . . . And it's interesting. During the past election we've had a record number of people who've stepped down in the federal election. I think the number was 22 about three weeks before the midway point. And people were talking about, they've never seen so many people step aside even though they had filed all their papers and the parties had vetted everyone. But even so, 22 people had stepped down, and they have never had this happen in a federal election before. And it was because of public embarrassment about a statement they had made or something they had found or something. They hadn't done all their homework. And of course, in this day and age it's pretty hard to do all your homework when you're dealing with social media and perceived conflict of interest and that type of thing.

And so here again we have an issue. And it was funny. I was listening to CBC [Canadian Broadcasting Corporation], or watching CBC. They were talking about this when they were saying about, how do we get the best people to step forward to serve in leadership roles? And yet we have so many people at the last minute, even after all the signs have been printed. And in one case in British Columbia, the candidate has already, her name was going to be on the ballot regardless.

Was that a Conservative candidate in British Columbia? And her name was already on the ballot. There was no way. She had withdrawn. But it was too late to do anything about it. But for some reason, she had withdrawn. But it really shows how important it is that we talk about how do we develop that leadership, and how do we help people vet themselves.

But what happened on this CBC news item, they were talking about how people need to be sort of self vetting. There has to be sort of this self-analysis about, are you willing to have what you say show up the next day in the news, or for my example, to show up in the member's statement the next day if people were listening? How many were listening? I was just wondering if anyone was listening, Mr. Deputy Speaker. A little silence over there. I thought they were hanging on every word I said. But I'll try to speak more controversially, Mr. Speaker.

[15:15]

But at any rate my point is, my point is that it's getting harder and harder to get people to step forward. But at the same time, we have to make sure we have really, really good people step forward who can stand to have what they say showing up in the light of day the next day.

So he talks about the three main purposes these amendments achieve. And first he talks about the specific recommendations and observations from the Barclay report with the legislative changes that effectively raise the bar for municipal officials. And that's a good thing. And we're glad to see that this is actually moving fairly quickly, you know.

I think of now the proof will be in the pudding here, Mr. Deputy Speaker, because I don't know when this bill comes into force. We had, for example, in this session, that when we came back in November of 2011, boy everybody was in a rush to get the lobbying bill passed, eh? We had to get that lobbying bill passed. We had to move on that lobbying bill. You know, it was on fire. It was crazy how the government side was saying, we have to get that done. And we worked extra hard. And I know my colleague from Saskatoon Nutana worked very hard on that bill in the early months of 2012 because for some reason that had to happen.

And of course we know that in fact it started out with a great fanfare but took two or three years to actually put into effect. So we're hoping that this is much better and much stronger right off the bat. So we look at this and we think about this.

And he talks about raising the bar for municipal officials. And that gets back to my point about how do we develop leadership in our cities and our rural areas, in our North, right across the province so we can have people at all levels of government. And I mean provincial and federal too. We want to have the

best people representing us in all parties, in all parties. So that actually, you know, I mean this is a challenge that we have.

And if I can speak frankly, I think that when we look at our candidates, we want to make sure we have people that we feel really good representing us no matter what the outcome of the election is, right? Now some of us may say, I will only accept a certain candidate representing me, whether they're New Democrats or Conservatives or Liberals. But at the end of the day when the vote is taken, we've got to get behind that person and say we really appreciate that person, and we're going to accept that person as our MLA, our MP [Member of Parliament], our city councillor, our reeve, you know, all of that. But because it's what makes our community tick. But we've got to have people who have the capacity to do the best job they can.

So I'm hoping that this can do that. And you know, it's interesting, and whether you've had people come forward in your riding from some of the rural communities, you know, concerned about the level of capacity some of their fellow councillors may have. We've had it. We've had it, and we've not had any way of dealing with this. And this is really, really important.

So I think this could be really a bit of a game changer here, Mr. Deputy Speaker. So we're really hoping that it improves the . . . like they say, raise the bar right across the province. But I hope that it doesn't do it by disqualifying others who might not be willing to step forward.

Second, he says he wants to ". . . improve the ability for government, through the minister and cabinet, to address situations of municipal conflict of interest that may arise in the future." And I think that's fair enough. I think conflict of interest, and of course that's what Judge Barclay was aiming to get at, and we hope that does happen. And he has, the minister has identified a really important area, talking about conflict of interest issues that may arise in the future.

I wonder though, some of the times that we've had concerns is during the election period of these RMs. And I won't speak of the North because I've never had anybody contact me about a situation in the North. But I mean even yesterday, you know, with the FSIN [Federation of Saskatchewan Indian Nations], there was some issues you read in the paper about rules around elections and some perceived things not going well.

But I have had people contact me about some of the elections and some of the concerns in rural Saskatchewan. I have contacted the minister at the time about those. And of course there's very limited action that you really could do unless it was extremely, extremely obvious, where you might get into a ministerial review. And those situations are very, very rare.

But in the case of some of the RMs where, you know, that the people . . . You're not dealing with the number of voters like you might in a provincial or federal. You're dealing with tens or hundreds of people voting. And so you have a situation that if there is a perceived wrongdoing in an election, you know, it happens pretty quick and it's pretty hard to undo.

And so I would have liked to have seen maybe some

consultation with Elections Saskatchewan in terms of how they could be used in municipal elections, especially in a way to be a bit of a fairness or almost a bit of an ombudsman role in terms of elections. I think that would have been a bit of a proactive piece of work here because I know one area we often have a lot of complaints about are the elections: the elections aren't perceived to be fair, that they're not run as well as they might. And so I think that there's some real work here that he could have done.

And then finally he says that he "... will expand the Provincial Ombudsman's mandate to review and investigate municipal matters, including conflict of interest and code of ethics matters." And so this will be a very interesting one. I know we've often had concerns about issues that have been raised. You know, in my particular circumstance, it's a city issue, and there's been no way to get some feedback or some address, some way to resolve the issue. And so this could be very helpful.

Now it will be interesting to see how this is applied and whether or not there will be limitations. I know for example, the Privacy Commissioner in my city has kind of felt a little stymied. The city has not responded in a really positive way to a provincial organization coming in and being there. I mean they've been fairly good, but sometimes they do argue, I think, a bit about jurisdiction. And whether or not this might be the case with the Ombudsman or if there is a specific ombudsman set up or a specific person within the Ombudsman's office who is set up just to look at municipality issues, that would be an interesting circumstance, and I think that would be a good idea.

And so we'll see how that plays out and whether or not they can play out with all the issues that may come forward. Or will they be only limited to conflict of interest issues? And so I think it's really important ... [inaudible interjection] ... I was going for it, just fit right in there.

And so it's important that we look at this. And I'm really excited about that, but I think that some of the other officers could have played a helping hand a bit in this in terms of privacy, again taking a look at it in terms of meeting the bar in terms of need to know, want to know. I think that that would have been reassuring. And again the elections folks, because I think they need to be somewhere that if there is a perceived problem, perceived unfair advantage that there is nowhere to turn really in a municipal issue. And so I think that might be one area too.

So I think this is good. I think this is reasonable to go for. We will be taking a look at it though. We'll have questions in committee. And we think that these kind of requirements are reasonable; again though, we have to make sure that they're not too onerous. And I do see, it's interesting as municipalities become ... You know they used to have three-year terms, now they have four-year terms, sort of like us. And now they're going to have the same forms like us, and for some that might be just a reasonable thing. Others, I think it will be interesting to see the impact on this.

And as I said, with the federal election where we saw so many people just deciding to bow out, even at the last minute, if 22 bowed out during the campaign, how many bowed during the

pre-election period? How many didn't get past the vetting? I know each party does a pretty thorough vetting. The parties were saying that on TV, and I would assume that's the case with all parties. It's only a reasonable thing to do. It's a pretty common practice.

And so I think that this is the kind of bill that has a lot of potential. It's the unintended consequences that we'll be looking at. And of course the worst unintended consequence will be of course that we start to have less and less people stepping forward because they just can't be bothered to file the forms. And somehow we have to make it so that it's not onerous, that it's reasonable but it's done.

And again, Mr. Speaker, you know, as is often said, you can file all the forms in the world you want, but at the end of the day people have to act with a basis, a self-policing way to make sure that they act in a way that's fair and balanced when they're dealing with their different issues that's on the agendas of our municipalities, that they do that as a daily basis and that they have the wherewithal of self-monitoring to know that this is a time for me to identify to my colleagues that I've got a conflict of interest. And I step back, and then people move on very quickly. This happens all the time.

And so this is what we talk about and I think the minister hopefully talked about when he was talking about the development of capacity. And somehow there has to be a way of helping the folks who are stepping up in leadership roles develop the capacity to understand how they can be really effective leaders. And part of it is to know how to be fair and balanced and when to step aside when there is a potential conflict.

So I think that there's a lot of potential in this bill, and we really hope that the unintended consequences will be minimal. And we sure think that this is something that needs to, once it's passed, needs to be in place right away so that people can be starting to take a look. I know the municipal elections are coming up next fall, and we have questions about what will this mean for that. Hopefully it'll be in place for that so people know that it will be in place for folks who will be elected, so that if it isn't then it's another four years lost and wasted. We don't want to see that happening. We want to make sure that this is happening right, right away.

So with that, Mr. Speaker, I know that other members want to get up on the floor and speak about other issues. Mr. Speaker, I found it hard to tie this back to the '70s because ... I will tie it back to the '70s.

You know, what I will say, you know this all started with a very good premier, Premier Blakeney, who was one of the best. He really had a way, he had a special talent in terms of administration. And I think that we can all sort of take a look and we can take a look to the '70s. And I've got to tell you, we hit a low spot in the '80s when it came to how we had ... what was happening in terms of conflict of interest and behaviour of members. That was a low spot and I think we can all admit that. We can all admit that. And of course the '90s ... But here we are in the '10s, and I think that we can move forward and use this legislation to make the best of us. But let us not go back to the '80s. The '70s was pretty good; a lot of good things were

happening in the '70s.

[15:30]

So with that, Mr. Speaker, I will move adjournment of Bill 186, amendment to *The Municipalities Act, The Cities Act, and The Northern Municipalities Act*. Thank you very much.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 186, *The Municipal Conflict of Interest Amendment Act, 2015*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

### Bill No. 187

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Stewart that **Bill No. 187 — *The Saskatchewan Farm Security Amendment Act, 2015*** be now read a second time.]

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

**Mr. Wotherspoon:** — Thank you, Mr. Speaker. Certainly it's my pleasure to enter into discussion this afternoon around the matter of farm land ownership in Saskatchewan. And certainly, you know, this is in some ways speaks to the heritage and history and well, certainly as well the future of Saskatchewan when you look at legislation that impacts farm ownership in Saskatchewan and impacts on farm families and on ranching families across this province.

The changes are certainly welcomed that we see in Bill No. 187, *The Saskatchewan Farm Security Amendment Act*. You know, certainly we've been bringing this matter to the attention of government for a long, long period of time. The concern that foreign capital, foreign purchase of farm land in Saskatchewan was a valid concern, as well identifying the loopholes in place, the inconsistencies that allowed a transaction for one pension fund to acquire land while others couldn't, all while undermining the ownership rules and the economic futures of farms in Saskatchewan.

I think it's important for us when we look at farms in Saskatchewan, we look at land ownership in Saskatchewan, to identify that certainly farmers and ranchers, land owners across Saskatchewan, take a great pride in those tracts of land. They take great pride in that operation. They take great pride in the stewardship of that land. And you know, I think it's still true that many of us have a strong family connection to the farm, and if not currently, not more than one step or two steps removed from that farming history in this province.

We are looking at the risk of your farm land and undermining this important asset and aspect of our economy with foreign acquisition. The illegal foreign acquisition of farm land, it's a big concern. And so we've been bringing this matter to government, pressing government to make it a priority, make it something that they care about, Mr. Speaker. Certainly we are pleased to see some changes here at this point in time. But

certainly during this period of time, where I think we've had lots of concerns identified to many of us as it relates to foreign acquisition, illegal foreign acquisition of farm land, there hasn't been a whole lot of action by the government.

And in fact in one purchase, just one transaction — setting aside what other potential transactions have occurred across Saskatchewan — in just one transaction, over 100,000 acres were purchased by a pension plan. And as I say, this was, you know, the pension plan utilizing really a loophole in the legislation. And it was an inequity and it was an inconsistency because of the way that that pension plan acquired that land. Other pension plans certainly weren't able to do that as well.

And you know, it was a concern to us and to Saskatchewan people that land was being acquired by pension plans, and certainly a concern that there's land that's alleged to have been acquired illegally by foreign interests and foreign capital with some pretty complex schemes, Mr. Speaker, around how the capital arrangements and what the benefit was, you know, through an agreement to the land.

And you know, certainly the Farm Land Security Board in this province is an incredibly important tool, a very important board to ensure the integrity of the laws of Saskatchewan and to ensure the integrity of farms and ranches across Saskatchewan, to ensure that they're not undermined by illegal foreign acquisition, Mr. Speaker. And you know, this matter has been a big concern across Saskatchewan for the past number of years. And government hasn't given it the attention that it deserves while potentially a large portion of land across Saskatchewan has been acquired either by skirting around rules, not adhering to the intent of the legislation, or potentially illegally, Mr. Speaker.

So what we see in this legislation is an improvement around providing some of the tools to the Farm Land Security Board. Certainly they needed more robust support to ensure that they could fulfill their role and to ensure the laws of Saskatchewan were adhered to. And this legislation provides more authority to the Farm Land Security Board. That's good.

It increases fines for individuals and corporations found to be breaking the laws, Mr. Speaker. Certainly that's important as well. And it also puts in place measures that will cause statements of, you know, declarations of capital or of where the dollars are coming from, Mr. Speaker. And that's important.

And I believe there's some sort of provision — and this is, you know, an aspect that'll be important for committee to have fully understood — I believe there's some measure around suggesting that this will empower the Farm Land Security Board to cause, in a circumstance where there's question or not enough information or cause for concern with a transaction, this will allow the Farm Land Security Board to cause and compel the entity that's potentially purchasing or trying to acquire the land to prove to the board that they are in compliance with the laws. And I think that that's where we hope that this legislation is strong enough. We're not sure yet that it is. Certainly a statutory declaration is one aspect. But you know, a full disclosure of the legal arrangements or any attached benefits or interests on the transaction are critically important.

What we're talking about, if you chat with folks that are concerned about this issue and have knowledge in finance and agriculture, are pretty complex schemes or in some ways rather simple schemes at times too, Mr. Speaker. But it's been a concern for us and Saskatchewan people that this government has sat idly by while these schemes have been potentially utilized to at least, by way of the spirit and intent of the law, to break the law and to acquire land by way of foreign interests, Mr. Speaker. So we believe that the disclosure of all arrangements and the capital behind it are something really, really important.

You hear of . . . You know, we want to make sure that this legislation is as robust as it can be to prevent what's commonly known as swaps, Mr. Speaker, something that, you know, certainly those in the agricultural community have been concerned about — a tool that, a legal agreement that those that are trying to skirt the rules, if you will, Mr. Speaker, to acquire land as a foreign entity are utilizing, Mr. Speaker. So we do look forward to committee time with this piece of legislation, because it's critical that we get it right.

Finally, after a long period of time, this government has seemed to identify that there's a problem on this front, Mr. Speaker. It's too bad, Mr. Speaker, that as Saskatchewan people were speaking up in coffee shops and town halls across Saskatchewan, that this government sat idly by while, in one case, over 100,000 acres of Saskatchewan farm land was purchased.

And while we still don't know the full extent of what may have occurred with illegal foreign acquisition of farm land in this province, it was frustrating as well, Mr. Speaker, to have a review conducted by government. It was, at one point we thought, maybe an admission that government was going to finally take this issue seriously. And they put forward some sort of personnel towards an investigation apparently. But there was no real public reporting out on that, no real transparency and, I understand, a very narrow scope of review within that investigation itself.

Currently as legislation stands of course, Saskatchewan, Canadian residents, or Canadian entities can own, you know, can own farm land in Saskatchewan. Those below, you know, that don't comply on that front and under, can own under, I guess, 10 acres, Mr. Speaker. But when you're looking at the important role of agriculture in this province, the proud history of farmers and ranchers in Saskatchewan, and certainly their importance as well to the future of this province, it's important that we get this right.

Now I know some of the amendments that are being brought forward by government include pension plans. Administrators of pension fund assets and trusts will be ineligible to buy farm land. And I guess on that front, Mr. Speaker, the question would be, where was government as, you know, with due respect, those that were pretty close to senior leaders of this government, when they were actively involved in that large transaction, Mr. Speaker, that concluded with the sell-off of over 100,000 acres to the Canada Pension Plan, Mr. Speaker? And I don't think, this legislation certainly doesn't go back and answer questions about who knew what when, and why individuals that are so close to the Premier and cabinet, why

they were conducting, you know, this sort of a process, how that was simply, I guess, allowed to go on, Mr. Speaker. And no changes to cause them to divest that or anything identified in this legislation, Mr. Speaker.

I think the question is why, when it was apparent that there was a problem with certainly those that are very close to this government, Mr. Speaker, why weren't there actions then? Why did they wait? Why did they sit on their hands? And why, when Saskatchewan people have been identifying this issue, farmers and ranchers across Saskatchewan, for a very long period of time . . . I hope members opposite have heard this, because certainly I've heard it all across this province, Mr. Speaker, for a long period of time. But significant concerns about the potential of foreign capital coming in and acquiring land in Saskatchewan, skirting the laws in place, and the Farm Land Security Board quite simply not having the tools to enforce the law, Mr. Speaker.

So we've been saying for a long period of time, we've been trying to put this directly on the agenda of government to take seriously. We've been identifying the issue to government and we've been saying simply, let's enforce the laws that are in place here, make sure that there's mechanisms in place to do so. And you know, as we move forward through committee and we'll, you know, as we study the legislation, we'll make sure that this legislation is as robust as it can be. If there's opportunities to strengthen it, certainly we'll do that. Because this is important to the people of the province.

And just in closing, Mr. Speaker, you know, certainly we can think of farm land from an agricultural community, certainly from an economic perspective, and there's no small players in this province on that front, Mr. Speaker. An impressive force economically. But we also need to look at who that is, Mr. Speaker, and the pride that exists within farms and within ranches all across the province, the proud part of our history and heritage that farms and ranches play within this province, and certainly identifying that if not managed well and if a neglectful government allowed, you know, foreign capital and foreign interests to take over the land of this province, it would certainly compromise and undermine the future of this province.

So it's been frustrating, Mr. Speaker, for those of us that have been raising this issue for many years, Mr. Speaker, to see the inaction and idleness of government. But certainly we welcome some of the changes that we see here today. And we'll certainly follow this through to committee and continued consultation with Saskatchewan people to make sure that this piece of legislation is as strong and as effective as it can be to allow the laws of Saskatchewan to be upheld. Thank you, Mr. Speaker. And at this point I'll adjourn debate.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 187, *The Saskatchewan Farm Security Act*, 2015. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried.

[15:45]

**Bill No. 188**

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wyant that **Bill No. 188 — *The Best Value in Procurement Act, 2015*** 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. 188, *An Act to amend certain Acts respecting Awarding of Contracts*, or as the title in this very brief bill says, an Act that may be cited as *The Best Value in Procurement Act, 2015*.

Mr. Speaker, this bill is really a short bill; it's one page. It includes amendments to two pieces of legislation, *The Highways and Transportation Act, 1997*, and *The Public Works and Services Act*. And effectively what it does . . . And I think it's worth taking a look at what has actually changed. The present legislation which is in existence right now . . . And I'll first go to *The Highways and Transportation Act, 1997*. It states that, in section 55 which has the heading, "Authority for awarding contract to other than the lowest bidder," so section 55 says:

Where, in the minister's opinion, it is not expedient or in the public interest to award the contract for construction of a public improvement to the lowest bidder, the minister shall report the matter to and obtain the authority of the Lieutenant Governor in Council before awarding the contract to any person other than the lowest bidder.

So, end of the quote of the legislation. So, Mr. Speaker, the section 2 of our Bill 188 takes that particular clause, which is now there in *The Highways and Transportation Act*, and changes it.

And I think I need to state what the bill or what section 55 of the existing Act means. Basically it says if there's a contract and the minister or the people in the department providing advice to the minister think it's not appropriate to give the contract to the lowest bidder, rather than just not give it to the lowest bidder, they have to report the matter — in other words, create a written record — and send it to the Lieutenant Governor in Council which is the cabinet. And the cabinet then has to authorize that change in the contract.

And so it's quite a complicated process, but I think the most important part about the process is that it's public. Because when it's done, there will be an order in council which everybody can see which says, these are the contracts or these were the bids that we've got. We've chosen this contract. It's not the lowest bid, but for these reasons we want to accept it. And then you end up having a written record in an order in council.

Now what does the legislation do that we're looking at today? What has the minister proposed? Well what he's proposed is this wording which is a little different, a little different process. And it says, "Awarding of contracts." And basically section 55(1) says, "Subject to subsection (2)." So subsection (2) says, "The minister is not required to accept any tender." Which, I guess, that's reasonable. So subject to him not or her not being

able to require to accept any tender, the minister shall:

(a) obtain competitive prices for the construction of all public improvements through the public tender process mentioned in section 53; and

(b) award the contract to the bidder whose bid, in the opinion of the minister, offers the best value taking into consideration all or any of the factors described in the tender documents.

So, Mr. Speaker, effectively we now have a process which is controlled by the minister, the opinion of the minister, and we'd like to think that the opinion of the minister will be well informed by civil servants, but there is no public nature to this and it doesn't have to go to cabinet and it doesn't require an order in council. So effectively we've got a process which allows for the term "best value" in the opinion of the minister.

Now we've been talking about a few contracts in the legislature the last few days where we hope that best value was obtained in the contract but the one that we heard about, SaskPower, they've obviously got some clauses in there that are causing a great deal of difficulty and a great deal of expense for the public. And so the question comes whether this freeing up the process, if I can put it that way, here is of benefit or the best for the public. And part of that question becomes, okay, where and how will this information become public?

And I think that it deals with some of that issue of how to capture local interest or local expertise, some of the other things, but it does it in a way that maybe isn't as transparent as it could be. And we know from the number of questions that we've had over the last couple of years on the contracting practices of the government that to give a more secretive process to contracting is maybe not the best thing for all of us.

So then the second part of this bill, which is section 3, deals with *The Public Works and Services Act*. And once again it repeals subsection 9(3) of *The Public Works and Services Act*. And just for the record I'll read what the existing legislation, what the law is today, and it says:

If, in the minister's opinion, it is not expedient or in the public interest to award the contract for construction or alteration of a public work to the lowest bidder, the minister shall report the matter to and obtain the authority of the Lieutenant Governor in Council before awarding the contract to any person other than the lowest bidder.

Now for somebody who is listening very carefully, what they will note is that the only difference in the wording in legislation in *The Public Works and Services Act* from *The Highways and Transportation Act* is that in *The Highways and Transportation Act* it uses the word improvement, so it calls it a public improvement. In the public works Act, it calls it a public work. So the difference in words is work and improvement. And so practically they're both about a task that needs to be done and a contract to be obtained.

And so then the legislation itself that we're looking at today goes and takes the same wording as is in the old legislation. And once again the only difference in section 3 from section 2

is that it references public works, so the word “works” is different, whereas in section 2 it uses the word “improvement.” So it’s not a dramatic change in the actual wording of the document.

But I found it quite curious when I listened to the minister describe this legislation, and he basically says that we’re going to deal with a number of concerns that are there. But the part that surprised me was when he said . . . This quote is on page 7467:

Credit for beginning this process, Mr. Speaker, begins with the Premier. It was him who listened to the concerns of local businesses and responded by creating Priority Saskatchewan as a branch of SaskBuilds in June of 2014.

Now, Mr. Speaker, what we know here in Saskatchewan is that in the summer of 2013, just over two years ago, it was pretty obvious that the number of manufacturing jobs in Saskatchewan were shrinking and there were concerns by various manufacturers. In fact it was the steel manufacturers, the people working in putting together steel products for buildings and bridges, that I think first raised the question. And so what was happening was that these rules in the legislation were forcing some of the choices made by governments.

And so one of the owners or managers of Supreme Steel put it this way. He said, “Procurement policies that force municipal and provincial governments to accept the lowest-priced bids have become problematic.” And then, “There’s no new competition in Saskatchewan, but there’s certainly a lot of interest coming from out of province and out of country.” And then he goes on to explain that Supreme Steel had to lay off 40 steel fabricating workers and he’s having to get that steel from a Chinese company. So in other words, jobs are disappearing.

And what we were seeing was that there were things happening with some of the bidding processes that were not good for Saskatchewan. And so I know that on this side of the House we worked with these people and raised questions, raised issues, and it was then almost, well a year later where the Premier came forward and said to SaskBuilds, well you better add this into your mix, and then some things happened.

But this legislation was now just introduced, but my colleague, the member from Regina Rosemont, introduced legislation almost a year ago — November 17th, 2014 — and this was legislation for a better procurement policy. And basically it was called *The Fairness for Saskatchewan Businesses in Government Procurement Act*, and it’s aimed at ensuring businesses don’t keep losing government contracts when they’re being, it seemed like, continually being handed out to other provinces and other countries. And effectively the argument was that the lowest bid was just taken. There wasn’t any review of the Saskatchewan content. There wasn’t a review of what kind of effect the bids would have on the jobs of Saskatchewan people. And we were basically saying as opposition that if the government could adopt our legislation, we would have a more robust system that recognized that there are important factors that are in favour of a Saskatchewan company getting some of these bids when the government is procuring various products.

And so, Mr. Speaker, we know that there was pressure from the steel fabrication industry on the government, but government was not doing anything, so this proposed legislation was put forward in November of last year. And basically this legislation was set up to replace the very simplistic and lowest initial bid policy of the government, which is in the existing legislation that I just described, and replacing it with a more sophisticated system that would have the factors used in procuring products for Saskatchewan people outlined in the legislation.

[16:00]

And basically there are nine factors that were included in this bill, and I think it’s important to put them on the record because they do show a comparison to the very simple trust-us kind of legislation that the minister’s brought forward with something that would be more substantial, more open, and more transparent.

So the factors in the procurement bill which was introduced by the opposition — the Act was called *The Fairness for Saskatchewan Businesses in Government Procurement Act* — are: (1) the initial price, (2) the quality of the goods or service, (3) the product history, (4) the supplier experience, (5) the warranty, (6) the delivery schedule, (7) the final total price, (8) the local knowledge and local net benefit, and (9) previous performance on government contracts as specified in any applicable performance review. And so, Mr. Speaker, this proposed legislation had all of those factors outlined.

Now what we know from the comments of the minister, some of these factors are to be included in some of what’s happening here. But it’s not in the legislation; it will be somewhere else. I assume it will be in informing the opinion of the minister. It’s not always clear what that is. It will no longer have any method of going to cabinet around the approval of that contract.

What we also knew when we introduced the legislation just about a year ago, we knew that our Premier had been quite critical of provisions in other provinces that required local knowledge in the contracts. And this was a bit of a surprise to us, but I think it’s more of a surprise to the Saskatchewan businesses who were trying to put in their information to get contracts in Saskatchewan.

But what we also knew was that at that point the CETA [Canada-European Union Comprehensive Economic and Trade Agreement] agreement, the comprehensive economic and trade agreement with Europe, with the European Union, included a clause around local knowledge. And we also knew that the province of Ontario had a clause like that in their procurement policy. And so our recommendation as an opposition was that we should make sure that we have something like that in what we’re doing here in Saskatchewan.

Now sometimes when the opposition has a good idea, the government picks it up and runs with it. We thought this one was well thought out. We developed it with the community, and that the government may want to move it forward and solve this problem a year ago. Nothing happened. There was no interest, as far as we could tell, in doing that.

And now a year later, we have legislation that has the title, best



value. It doesn't say, best value in the opinion of the minister, which is what the legislation says. It just says, you know, best value procurement policy. And we still don't have all of these provisions set out in a legislative form or in a transparent way as to how this is going to work.

So it strikes me that once again we have a piece of legislation where the government knows they've got a problem and they want to put something on the record that sort of leans towards a solution, but it doesn't really deal with all of the issues that are there. In other words, Mr. Speaker, it's a political response, rather than a practical response, rather than a transparent response.

And, Mr. Speaker, we are always concerned when that is the kind of short-term answer that we get from the government. We think that our Saskatchewan businesses are very capable. As long as they know the rules, as long as they know what kind of things that the government needs, they are good at meeting those particular needs.

And, Mr. Speaker, the difficulty with the type of legislation that the minister has brought forward here is that it's kind of late. I mean in the last while that this discussion has taken place, there have been a number of very important large contracts that have been let and the decisions have been made on them, and many of them have gone to people or businesses outside of the province of Saskatchewan. And the public needs to be reminded of how some of these decisions have played out.

We know . . . and we can go through a few of them. We know that in Prince Albert the laundry services have been shut down — the province-wide laundry business has gone to the K-Bro company out of Edmonton — and that the processes that are here are not there.

We know that the 1.8 billion or \$2 billion bypass is being run out of a Paris-based Vinci company. We have many questions about that. The public have many questions about that. And what we know is that there are many unanswered questions and in fact, the contracts themselves don't even appear to be clear enough to even answer simple questions like how to plow the snow or cut the grass or do some of those things which have been provided by Saskatchewan people up to this point. So, Mr. Speaker, that's another one.

A third one is the whole SaskPower contract that they outsource to Grid One operation in Texas which is then based out of I think someplace in Pennsylvania. And we know all of the difficulty that that's cost and the cost that's there. We're still waiting to hear about the amounts of money that were paid and supposedly going into research of various kinds about getting proper power meters for Saskatchewan. But once again, it's a contract that's got quite a few difficulties.

Then we go on to the prison food services have been contracted out to a company called Compass which is based out of the United Kingdom, and we're still waiting to see how that one works. What is of specific concern there is similar to the issues that were raised the last couple of days about the SaskPower contract which is, there are certain standards around how many meals to deliver and things like that. If there's not sufficient delivery of meals, the government pays a penalty. We're not

sure what those contracts are like and we're looking forward to getting more detail about that.

We also know in the environment area that the fishing and hunting licences business has all been outsourced to a US [United States] -based company.

And the one that's I think caused a lot of consternation to our engineers and architects and building contractors in Saskatchewan is the whole P3 school project, where you have so many schools lumped together that projects that were manageable with Saskatchewan businesses are now being dealt with by larger international companies. And in fact a company from Milwaukee is the coordinator of all of those projects, and once again it's work that's outside of Saskatchewan.

And another relatively recent announcement relates to the North Battleford hospital where the maintenance for that hospital over 30 years, or whatever number of years it is, has been outsourced to a United Kingdom-based company called Carillion.

So, Mr. Speaker, we have a whole number of these kinds of contracts that really needed to have the light of day shone on them so that the public can understand what kind of commitments are being made and we can understand what the penalty clauses are. Our concern is that there are the kind of SaskPower CO<sub>2</sub> plant kind of penalty clauses in many of these which we don't know about, and we won't find out about it until we're able to get some more information from individuals who are concerned about this.

And so, Mr. Speaker, we have legislation which, the title here is *The Best Value in Procurement Act*, but I think it needs to say the best value in the opinion of the minister procurement Act, and that opinion of the minister issue needs to be much more public. It needs to be much more transparent and it needs to tell us what kinds of commitments we're ending up with that are causing us difficulty.

And so, Mr. Speaker, it's I think a sad commentary on the kind of skills we do have in drafting legislation in Saskatchewan. It is possible that there could have been a much better value in the better value Act. In other words, we could have had a better value in procurement Act if the instructions had come from the government to do that. Instead, we have this better value in the opinion of the minister Act, which leaves us in the dark, which leaves us as taxpayers paying a lot of money that we won't know about probably for decades.

And so, Mr. Speaker, I have quite a few concerns about this legislation. I know that each day we learn a little bit more about some of the contracts that have been entered into by this government, and I'm not sure that this Act is going to be of any advantage in getting better information as we proceed forward.

But I know some of my colleagues want to add some more discussion to this particular legislation, so at this time I would move to adjourn debate.

**The Speaker:** — The member has moved adjournment of debate on Bill No. 188, *The Best Value in Procurement Act, 2015*. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

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

**Hon. Mr. Cheveldayoff:** — Thank you, Mr. Speaker. I move that this House do now adjourn.

**The Speaker:** — The Government House Leader has moved that the House do now adjourn. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Carried. This House stands adjourned to 1:30 p.m. tomorrow.

[The Assembly adjourned at 16:13.]

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