



No. 51

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FOURTH SESSION – TWENTY-SEVENTH LEGISLATURE

Tuesday, April 21, 2015

1:30 p.m.

PRAYERS

STATEMENT BY THE SPEAKER

(Ruling on Bill No. 611 – Requirement for a Royal Recommendation)

Standing on the Order Paper for Second Reading under the name of the Member for Saskatoon Centre (Mr. Forbes) is Bill No. 611, *The Student Bill of Rights Act, 2015*. The bill was introduced on April 16, 2015.

It is the Speaker's duty to review all bills with respect to Rule 67 of the *Rules and Procedures of the Legislative Assembly of Saskatchewan*. The rule states, in part, that any bill which proposes to impose any new or additional charge upon the public revenue must be first recommended by the Lieutenant Governor before it is considered by the Assembly. The practice in this Assembly is for bills to be introduced and read the first time with further progress being contingent upon the Speaker affirming that they are in order under Rule 67. In Saskatchewan practice, consideration is taken to mean the first opportunity for debate. Pursuant to Rule 24(3), this bill could be designated for priority consideration today and taken up for Second Reading on Thursday. For this reason it is necessary for me to rule today on the admissibility of this bill.

When a private Member proposes a public bill to the Assembly, the test is to determine if it imposes a new responsibility, task or commitment on the government that requires expenditure from the public treasury. Bill No. 611 proposes a Student Bill of Rights, which is set out in clause 3 and further defined by the interpretation clauses. Under *The Education Act, 1995* the government is responsible for setting the operating grants for the provincial education system and in doing so is responsible for requiring compliance with any terms and conditions that may be imposed on a grant. In this regard, the Minister has discretion to approve or reject any term or condition on funding.

The bill limits that discretion, and in my view would impose a contingent liability on the government to meet the standards imposed by Bill No. 611, if it were to pass into law. It follows that it would be the duty of the government, through its responsibility to provide operating grants, to fund the costs connected with the imposition of the Student Bill of Rights.

Erskine May, 24th edition, p. 747, states that a Crown recommendation is required for “any proposal whereby the Crown would incur a liability or a contingent liability payable out of money voted by Parliament.” May also states in the same section the following: “If there is any doubt on the matter and it appears that the new proposal may entail an extension of previously enacted purposes of expenditure or an increase in the expenditure *potentially* liable to be incurred in pursuit of such a purpose, a Money resolution will be required.”

I have expressed my concern over the contingent liability that would result from the passage of Bill No. 611. For that reason, I must rule that Bill No. 611 requires a Crown recommendation and because the Member for Saskatoon Centre is not a member of the Executive Council, I must rule that the bill is out of order and direct that it is removed from the Order Paper.

Thereupon, Bill No. 611 was withdrawn.

PRESENTING PETITIONS

Petitions of citizens of the province of Saskatchewan were presented and laid upon the Table by the following Members: Forbes, Wotherspoon, Vermette, Chartier, and Sproule.

READING AND RECEIVING PETITIONS

According to Order, the following petitions were favourably examined and pursuant to Rule 16(7) read and received:

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to take action to repair the damage caused by heavy haul traffic on Dewdney Avenue in the city of Regina.

(Addendum to Sessional Paper No. 7)

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to guarantee that a second bridge that serves central and northern Saskatchewan and Prince Albert will be built.

(Addendum to Sessional Paper No. 8)

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to increase staffing levels to match the level of needs of residents in long-term care facilities.

(Addendum to Sessional Paper No. 37)

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to keep Yarrow Youth Farm open.

(Addendum to Sessional Paper No. 105)

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to stop ignoring schools and start prioritizing students.

(Addendum to Sessional Paper No. 153)

REPORT OF THE STANDING COMMITTEE ON HOUSE SERVICES

Mr. McCall, Deputy Chair of the Standing Committee on House Services, presented the Eleventh Report of the said committee, which is as follows:

Your committee considered the Estimates of the Legislative Branch of Government and adopted the following resolutions:

Main Estimates, 2015-2016:

Resolved, That there be granted to Her Majesty for the twelve months ending March 31, 2016, the following sums:

Legislative Branch of Government

For Advocate for Children and Youth.....	\$2,328,000
For Conflict of Interest Commissioner	\$589,000
For Information and Privacy Commissioner.....	\$1,469,000
For Legislative Assembly	\$9,639,000
For Ombudsman.....	\$3,203,000
For Provincial Auditor	\$8,516,000

Your committee reviewed the following Estimates for which no funds were requested or required to be voted:

For Chief Electoral Officer (Statutory)

Supplementary Estimates, 2014-2015 (March):

Resolved, That there be granted to Her Majesty for the twelve months ending March 31, 2015, the following sums:

Legislative Branch of Government

For Advocate for Children and Youth.....	\$133,000
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Your committee recommends that upon concurrence of its report by the Assembly, the sums as reported and approved shall be included in the Appropriation bill for consideration by the Legislative Assembly.

(Sessional Paper No. 178)

On motion of Mr. McCall:

Ordered, That the Eleventh Report of the Standing Committee on House Services be now concurred in.

**REPORT OF THE STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE
RAPPORT DU COMITÉ PERMANENT DES AFFAIRES INTERGOUVERNEMENTALES ET DE LA JUSTICE**

The following bills were reported without amendment and consideration in Committee of the Whole on Bills having been waived, by leave of the Assembly, they were read the third time and passed:

Les projets de loi suivants sont rapportés sans amendement et avec la permission de l'Assemblée de passer outre au renvoi au Comité plénier sur les projets de loi, sont lus une troisième fois et adoptés:

Bill No. 147 – The Class Actions Amendment Act, 2014

Projet de loi n° 147 – Loi de 2014 modifiant la Loi sur les recours collectifs

Bill No. 150 – The Residential Tenancies Amendment Act, 2014

Bill No. 162 – The Enforcement of Money Judgments Amendment Act, 2014

WRITTEN QUESTIONS

The Order of the Day being called for Question Nos. 907 to 928, they were answered. (See Appendix)

SECOND READINGS

Bill No. 178 – The Income Tax Amendment Act, 2015

The Hon. Mr. Krawetz, a member of the Executive Council, having acquainted the Assembly that Her Honour the Lieutenant Governor, having been informed of the subject matter of the bill, recommends it to the consideration of the Assembly, moved: That Bill No. 178 – The Income Tax Amendment Act, 2015 – be now read a second time.

A debate arising, it was on motion of Mr. Belanger, adjourned.

On motion of the Hon. Mr. Cheveldayoff:

Ordered, That this Assembly do now adjourn.

The Assembly adjourned at 3:04 p.m. until Wednesday at 1:30 p.m.

*Hon. Dan D'Autremont
Speaker*

RETURNS, REPORTS, AND PAPERS TABLED

The following papers were laid upon the Table:

By the Hon. Mr. McMorris:

Annual Report and Consolidated Financial Statements for Crown Investments Corporation of Saskatchewan for the year ended December 31, 2014

(Sessional Paper No. 179)

Consolidated Financial Statements for CIC Asset Management Inc. for the year ended December 31, 2014

(Sessional Paper No. 180)

Financial Statements for Gradworks Inc. for the year ended December 31, 2014

(Sessional Paper No. 181)

Consolidated Financial Statements for First Nations and Métis Fund Inc. for the year ended December 31, 2014

(Sessional Paper No. 182)

Financial Statements for Saskatchewan Immigrant Investor Fund Inc. for the year ended December 31, 2014

(Sessional Paper No. 183)

Annual Report and Financial Statements for Capital Pension Plan for the year ended December 31, 2014

(Sessional Paper No. 184)

QUESTIONS AND ANSWERS

Ms. Sproule asked the government the following Question No. 907, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: What type of power meter was installed to replace the smart meters that cabinet ordered to be removed?

Answer:

Iron Centron residential meter.

Ms. Sproule asked the government the following Question No. 908, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: (1) How many of the removed smart meters had experienced a failure that was not overheating? (2) What was the nature of those other failures?

Answer:

(1) 271

(2) The nature of these failures was as follows: meter did not power up or display properly; failure to communicate with the network; physical damage to the meter during shipping or installation.

Ms. Sproule asked the government the following Question No. 909, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How many of the removed smart meters had experienced an overheating failure?

Answer:

10

Ms. Sproule asked the government the following Question No. 910, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: Specifically, how did technical issues combine to result in the failure and/or fires of smart meters removed by order of cabinet?

Answer:

Technical issues combined to cause electrical arcing inside the meter.

Ms. Sproule asked the government the following Question No. 911, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: What were the technical issues that contributed to the failures and/or fires of the smart meters removed by order of cabinet?

Answer:

Moisture and dust contamination combined to cause electrical arcing inside the meter.

Ms. Sproule asked the government the following Question No. 912, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: What was the nature of the failures that occurred in the meters that were installed to replace the smart meters?

Answer:

Meter did not power up or display properly; physical damage to the meter during shipping or installation/operation.

Ms. Sproule asked the government the following Question No. 913, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How many failures occurred in the meters that were installed to replace the smart meters?

Answer:

45 meters did not power up, display properly, or incurred shipping or physical damage.

Ms. Sproule asked the government the following Question No. 914, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On which date did the first failure in the meters used to replace smart meters occur?

Answer:

SaskPower's official record for a meter failure is the date it is retired in the corporate meter inventory system; in the case of this meter, that was December 10, 2014.

Ms. Sproule asked the government the following Question No. 915, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On which date did the most recent failure in the meters used to replace smart meters occur?

Answer:

SaskPower's official record for a meter failure is the date it is retired in the corporate meter inventory system; in the case of this meter, that was April 10, 2015.

Ms. Sproule asked the government the following Question No. 916, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: Were there overheating failures and/or fires in any of the meters that were installed to replace smart meters?

Answer:

No.

Ms. Sproule asked the government the following Question No. 917, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: In how many of the meters that were used to replace smart meters did overheating failures and/or fires occur?

Answer:

None.

Ms. Sproule asked the government the following Question No. 918, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: What technical issues contributed to the failures of the meters that replaced the smart meters?

Answer:

Meter did not power up or display properly; physical damage to the meter during shipping or installation/operation.

Ms. Sproule asked the government the following Question No. 919, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How are the failures in the meters used to replace smart meters being addressed?

Answer:

Meters that did not power up, display properly, or incurred shipping damage are being sent back to the meter manufacturer for warranty replacement.

Ms. Sproule asked the government the following Question No. 920, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: What have been the costs incurred to replace any failed meters used to replace smart meters?

Answer:

No monies have been spent, as meters that did not power up, display properly, or incurred shipping damage are being sent back to the meter manufacturer for warranty replacement.

Ms. Sproule asked the government the following Question No. 921, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: Has SaskPower, to this point, advised the public of the failure of the meters used to replace the smart meters?

Answer:

No public advisory is required, as the nature of these failures did not impact the public.

Ms. Sproule asked the government the following Question No. 922, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On what date was the Minister Responsible for SaskPower advised of overheating failures and/or fires of the meters used to replace smart meters?

Answer:

There were no overheating failures and/or fires, so the minister responsible was not advised.

Ms. Sproule asked the government the following Question No. 923, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On what date was the Minister Responsible for SaskPower advised of the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

There were no overheating failures and/or fires, so the minister responsible was not advised.

Ms. Sproule asked the government the following Question No. 924, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How did the Minister Responsible for SaskPower advise SaskPower to proceed after learning about the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

The minister responsible did not provide advice, as there were no overheating failures and/or fires.

Ms. Sproule asked the government the following Question No. 925, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On what date was the Premier's office advised of the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

The Premier was not advised, as there were no overheating failures and/or fires.

Ms. Sproule asked the government the following Question No. 926, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How did the Premier's office advise SaskPower to proceed after learning about the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

The Premier did not provide advice, as there were no overheating failures and/or fires.

Ms. Sproule asked the government the following Question No. 927, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: On what date was cabinet advised of the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

Cabinet was not advised, as there were no overheating failures and/or fires.

Ms. Sproule asked the government the following Question No. 928, which was answered by the Hon. Mr. Boyd:

To the Minister Responsible for the Saskatchewan Power Corporation: How did cabinet advise the Saskatchewan Power Corporation to proceed after learning about the overheating failures and/or fires of the meters used to replace smart meters?

Answer:

Cabinet did not provide advice, as there were no overheating failures and/or fires.

NOTICE OF MOTIONS FOR FIRST READING OF BILLS

On Thursday:

Mr. Forbes to move First Reading of Bill No. 612 – The Respect for Diversity – Student Bill of Rights Act, 2015

NOTICE OF MOTION FOR A SEVENTY-FIVE MINUTE DEBATE

On Thursday:

Ms. Sproule to move the following motion:

That this Assembly condemn the Sask. Party government for failing to stand up for Saskatchewan's agricultural producers and for failing to protect Canadian interests by supporting the federal government's giveaway of the former Canadian Wheat Board to a Saudi state-owned agricultural investment firm and an American agri-food giant.

NOTICE OF PRIVATE MEMBERS' MOTIONS

On Thursday:

Ms. Draude to move the following motion:

That this Assembly supports the use of Social Impact Bonds to leverage private funding in order to provide specific services for our province's most vulnerable. Furthermore, that this new type of social innovation will break down barriers between ministries and will provide tangible benefits for human services.

NOTICE OF PRIORITY ITEMS

No. 1 (Government)

PRIVATE MEMBERS' MOTIONS

Ms. Draude to move the following motion:

That this Assembly supports the use of Social Impact Bonds to leverage private funding in order to provide specific services for our province's most vulnerable. Furthermore, that this new type of social innovation will break down barriers between ministries and will provide tangible benefits for human services.

No. 2 (Opposition)

Not submitted – Item of business determined pursuant to Rule 24(4).

NOTICE OF WRITTEN QUESTIONS

The following question was given notice on day no. 48 and is to be answered by day no. 53:

Mr. Forbes, to ask the government the following Question No. 929:

To the Minister of Social Services: Please list the name, address, number of units, and rent formula for organizations in each Saskatchewan city that provides affordable rental units through an affordable rental housing agreement with Saskatchewan Housing Corporation?

The following questions were given notice on day no. 50 and are to be answered by day no. 55:

Ms. Sproule, to ask the government the following Question No. 930:

To the Minister of the Environment: (1) How many revenues were collected in 2014-2015 from resident hunting licenses? (2) How many licences were sold?

Ms. Sproule, to ask the government the following Question No. 931:

To the Minister of the Environment: (1) How many revenues were collected in 2014-2015 from resident fishing licenses? (2) How many licences were sold?

Ms. Sproule, to ask the government the following Question No. 932:

To the Minister of the Environment: (1) How many revenues were collected in 2014-2015 from trapping licenses? (2) How many licences were sold?