



No. 62

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FOURTH SESSION – TWENTY-SEVENTH LEGISLATURE

Monday, May 11, 2015

1:30 p.m.

PRAYERS

STATEMENT BY THE SPEAKER

(Ruling on Bill No. 613 – Requirement for a Royal Recommendation)

Standing on the Order Paper for Second Reading under the name of the Member for Saskatoon Nutana (Ms. Sproule), is Bill No. 613, The Green Energy, Green Jobs and Diversified, Sustainable Economy Act. The bill was introduced on May 4, 2015.

As Speaker it is my obligation to ensure that all bills are reviewed to determine whether a royal recommendation is required. The authority is found in Rule 67(1) of *The Rules and Procedures of the Legislative Assembly of Saskatchewan* which states and I quote:

Any vote, resolution, address, or bill introduced in the Assembly for the appropriation of any part of the public revenue, or of any tax or impost to any purpose whatsoever, or to impose any new or additional charge upon the public revenue or upon the people, or to release or compound any sum of money due to the Crown, or to grant any property of the Crown, or to authorize any loan or any charge upon the credit of the province, shall be recommended to the Assembly by Message of the Lieutenant Governor before it is considered by the Assembly. (See section 54 and 90 of the *Constitution Act, 1867*.)

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. For this reason it is necessary for me to rule 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. That is, is there existing legislative authority for the expenditure of public funds?

Bill No. 613 – The Green Energy, Green Jobs and Diversified, Sustainable Economy Act focuses on the promotion of energy efficiency, energy conservation, and renewable energy. The bill sets out specific reductions in electrical usage and greenhouse gas emissions while detailing specific targets for electricity generated from renewable energy sources. Clause 6 of the bill requires the government to use existing resources.

The inclusion of this non-appropriation clause in effect requires that the new targets must be achieved within existing resources. In the absence of clause 6, this bill imposes substantial financial commitments for current and future governments. The new and significant duties and costs outlined in the bill contain legislated reductions in electrical usage, greenhouse gas emissions, and specific targets for non-hydro renewable energy sources.

It is a well-established principle and detailed in several former Speaker's rulings that a charge upon the public revenue for new or increased expenditures which are not already covered by legislative authorization require a royal recommendation from the Crown. There may be legislative authority to promote energy conservation, energy efficiency, fostering the growth of renewable energy projects, transitioning to clean, renewable energy sources, and reducing greenhouse gas emissions. Bill No. 613 goes further to provide specific targets to be met by 2050. These provisions require the government over the next 35 years to achieve the targets outlined in clauses 3, 4 and 5. Clause 6 of the bill requires that the costs to achieve the targets must be from "using the existing resources available to them". It is not reasonable to expect that the requirements to use existing resources could be sustained into perpetuity.

On April 7, 1997, Speaker Hagel ruled a similar non-appropriation provision out of order. The Private Member's bill sought to create a Health Ombudsman and Office of a Health Ombudsman. That bill established that the Health Ombudsman would not be remunerated or reimbursed from the general revenue fund, but may act on a fee for services basis. The bill provided no indication of how to fund the office's accommodation, equipment, and other administrative expenses. Speaker Hagel ruled that "it is reasonable to expect that such operating costs will be incurred which consequently will create a charge on public moneys".

I find that clause 6, the non-appropriation clause in Bill No. 613 is of a similar nature. In the absence of the non-appropriation clause the bill would require a royal recommendation. The non-appropriation clause is used as a procedural device to avoid the conditions set out in Rule 67. For that reason I must rule that Bill No. 613 requires a Crown recommendation and because the Member for Saskatoon Nutana 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. 613 was withdrawn.

SPEAKER TABLES REPORTS

The Speaker laid before the Assembly the following:

Report of the Provincial Auditor on the 2014 Financial Statements of Crown Agencies, dated May 2015, in accordance with section 14 of *The Provincial Auditor Act*.

(Sessional Paper No. 217)

Report of the Provincial Auditor on the 2014 Financial Statements of CIC Crown Corporations and Related Entities, dated May 2015, in accordance with the provisions of section 14 of *The Provincial Auditor Act*.

(Sessional Paper No. 218)

PRESENTING PETITIONS

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

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 enact legislation requiring parental consent for abortion.

(Addendum to Sessional Paper No. 10)

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 pass The Public-Private Partnership Transparency and Accountability Act.

(Addendum to Sessional Paper No. 107)

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)

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to invest in a new long-term care facility in the Creighton/Denare Beach area.

(Addendum to Sessional Paper No. 225)

INTRODUCTION OF BILLS / DÉPÔT DE PROJETS DE LOI

The following bills were received, read the first time, and by leave of the Assembly and pursuant to Rule 75(1), ordered to be read a second time immediately:

Les projets de loi suivants sont reçus, lus une première fois, et avec la permission de l'Assemblée et conformément à l'article 75(1) du Règlement, la deuxième lecture en est fixée immédiatement:

Bill No. 180 – The Legislative Assembly Amendment Act, 2015

Projet de loi n° 180 – Loi de 2015 modifiant la Loi de 2007 sur l'Assemblée législative

(Hon. Mr. / L'hon. Wyant)

Bill No. 181 – The Officers of the Legislative Assembly Standardization Amendment Act, 2015

(Hon. Mr. Wyant)

On motion of the Hon. Mr. Wyant, by leave of the Assembly:

Ordered, That Rule 139(9) and 142(3) of *The Rules and Procedures of the Legislative Assembly of Saskatchewan* shall not apply to the consideration of Bill No. 180 – The Legislative Assembly Amendment Act, 2015 and Bill No. 181 – The Officers of the Legislative Assembly Standardization Amendment Act, 2015.

SECOND READINGS / DEUXIÈME LECTURE**Bill No. 180 – The Legislative Assembly Amendment Act, 2015****Projet de loi no 180 – Loi de 2015 modifiant la Loi de 2007 sur l'Assemblée législative**

The Hon. Mr. Wyant, 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. 180 – The Legislative Assembly Amendment Act, 2015 – be now read a second time.

L'hon. M. Wyant, membre du Conseil exécutif, fait savoir à l'Assemblée que Son Honneur la Lieutenant-gouverneure, ayant été informé de l'objet du projet de loi, le recommande à la considération de l'Assemblée et propose: Que le projet de loi n° 180 – Loi de 2015 modifiant la Loi de 2007 sur l'Assemblée législative – soit maintenant lu une deuxième fois.

A debate arising and the question being put it, was agreed to, and the said bill was accordingly read a second time and, by leave of the Assembly and pursuant to Rule 75(1), referred to a Committee of the Whole on Bills immediately.

Il s'élève un débat et la motion, mise aux voix, est adoptée et, en conséquence, ledit projet de loi est lu une deuxième fois et, avec la permission de l'Assemblée et conformément à l'article 75(1) du Règlement, déferé à un Comité plénier des projets de loi immédiatement.

Bill No. 181 – The Officers of the Legislative Assembly Standardization Amendment Act, 2015

The Hon. Mr. Wyant, 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. 181 – The Officers of the Legislative Assembly Standardization Amendment Act, 2015 – be now read a second time.

A debate arising and the question being put, it was agreed to and the said bill was, accordingly, read a second time, and by leave of the Assembly and pursuant to Rule 75(1), referred to a Committee of the Whole on Bills immediately.

**COMMITTEE OF THE WHOLE ON BILLS
COMITÉ PLÉNIER SUR LES PROJETS DE LOI**

The Assembly, according to Order, resolved itself into a Committee of the Whole on Bills.

Conformément au Règlement, l'Assemblée se forme en Comité plénier sur les projets de loi.

The following bills were reported without amendment, read the third time and passed:

Les projets de loi suivants sont rapportés sans amendement, lus une troisième fois et adoptés:

Bill No. 180 – The Legislative Assembly Amendment Act, 2015

Projet de loi n° 180 – Loi de 2015 modifiant la Loi de 2007 sur l'Assemblée législative

(Hon. Mr. / L'hon. Wyant)

Bill No. 181 – The Officers of the Legislative Assembly Standardization Amendment Act, 2015

(Hon. Mr. Wyant)

The committee was given leave to sit again.

Le comité obtient la permission de siéger de nouveau à la prochaine séance.

SECOND READINGS**Bill No. 179 – The MRI Facilities Licensing Act**

The Hon. Mr. Duncan, 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. 179 – The MRI Facilities Licensing Act – be now read a second time.

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

On motion of the Hon. Mr. Cheveldayoff:

Ordered, That this Assembly do now adjourn.

The Assembly adjourned at 4:00 p.m. until Tuesday at 1:30 p.m.

Hon. Dan D'Autremont
Speaker

NOTICE OF WRITTEN QUESTIONS

The following questions were given notice on day no. 59 and are to be answered by day no. 64:

Ms. Chartier, to ask the government the following Question No. 946:

To the Minister of Health: (1) For each health region, how many occupational therapists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 947:

To the Minister of Health: (1) For each health region, how many musical therapists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 948:

To the Minister of Health: (1) For each health region, how many respiratory therapists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 949:

To the Minister of Health: (1) For each health region, how many physiotherapists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 950:

To the Minister of Health: (1) For each health region, how many psychologists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 951:

To the Minister of Health: (1) For each health region, how many psychiatrists were providing services in special care homes in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 952:

To the Minister of Health: (1) For each health region, what was the average wait time for a level 1 magnetic resonance imaging (MRI) in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 953:

To the Minister of Health: (1) For each health region, what was the average wait time for a level 2 MRI in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 954:

To the Minister of Health: (1) For each health region, what was the average wait time for a level 3 MRI in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

Ms. Chartier, to ask the government the following Question No. 955:

To the Minister of Health: (1) For each health region, what was the average wait time for a level 4 MRI in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (8) 2014? (9) 2015 (to date)?

The following questions were given notice on day no. 60 and are to be answered by day no. 65:

Ms. Sproule, to ask the government the following Question No. 956:

To the Minister Responsible for Saskatchewan Power Corporation: What is the definition of what is referred to by SaskPower officials as “hot sockets”?

Ms. Sproule, to ask the government the following Question No. 957:

To the Minister Responsible for Saskatchewan Power Corporation: What is the definition of what is referred to by SaskPower officials as “overheating”?

Ms. Sproule, to ask the government the following Question No. 958:

To the Minister Responsible for Saskatchewan Power Corporation: How many replacement meters experienced “hot socket” issues?

Ms. Sproule, to ask the government the following Question No. 959:

To the Minister Responsible for Saskatchewan Power Corporation: How many replacement meters experienced “overheating” issues?

Ms. Sproule, to ask the government the following Question No. 960:

To the Minister Responsible for Saskatchewan Power Corporation: Of the 10 smart meters that failed, how many had “hot sockets” as a contributing factor?

Ms. Sproule, to ask the government the following Question No. 961:

To the Minister Responsible for Saskatchewan Power Corporation: Of the 10 smart meters that failed, how many had “hot sockets” as a main cause?

Ms. Sproule, to ask the government the following Question No. 962:

To the Minister Responsible for Saskatchewan Power Corporation: Of the 10 smart meters failures, how many of these failures were a result of or were contributed to by issues extended to the meter specifically?

Ms. Sproule, to ask the government the following Question No. 963:

To the Minister Responsible for Saskatchewan Power Corporation: What were all the specific contributing factors, internal or external, to the 10 smart meter failures?

Ms. Sproule, to ask the government the following Question No. 964:

To the Minister Responsible for Saskatchewan Power Corporation: How many of the 10 smart meter failures were caused exclusively by internal issues within the meter (i.e. moisture and dirt)?

Mr. Belanger, to ask the government the following Question No. 965:

To the Minister of Government Relations: (1) Was a request for proposals or a request for services sent out for the contract to plan, coordinate, and assist in the delivery of financial management software, hardware, and training to northern hamlets? (2) Who won the contract? (3) What was the total cost to the Northern Municipal Trust Account (NMTA)? (4) What was the total cost to the Ministry of Government Relations?

Mr. Belanger, to ask the government the following Question No. 966:

To the Minister of Government Relations: How many certified administrators are there presently working in the northern municipalities according to the Urban Municipal Administrators Association of Saskatchewan (UMAAS) guidelines?

Mr. Belanger, to ask the government the following Question No. 967:

To the Minister of Government Relations: (1) Was a request for proposals or a request for services sent out for the contract to build administrative capacity in northern Saskatchewan? (2) Who won the contract? (3) What was the total cost to the NMTA? (4) What was the total cost to the Ministry of Government Relations? (5) How many certified northern municipal administrators were there prior to the program being initiated?

Mr. Belanger, to ask the government the following Question No. 968:

To the Minister of Government Relations: How many northern municipalities had adopted official community plans and zoning bylaws prior to the northern planning for growth program?

Mr. Belanger, to ask the government the following Question No. 969:

To the Minister of Government Relations: To date how many northern municipalities have adopted official community plans and zoning bylaws?