

STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES

Monday, April 28, 2014

MINUTE NO. 34

3:02 p.m. – Legislative Chamber

1. **Present:** Greg Brkich in the Chair and Members Bob Bjornerud, Jennifer Campeau*, Darryl Hickie, Gene Makowsky, Scott Moe, Roger Parent, Cathy Sproule and Doyle Vermette*.

Substituting Members

Jennifer Campeau for Darryl Hickie (6:58 p.m. until 10:03 p.m. only)

Doyle Vermette for Cathy Sproule (3:02 p.m. until 4:12 p.m. only)

Other Members

Danielle Chartier

2. The following documents were tabled:

CCA 111/27 - Saskatchewan Telecommunications Holding Corporation: SaskTel Annual Report 2013.

CCA 112/27 - Saskatchewan Telecommunications Holding Corporation: Saskatchewan Telecommunications Financial Statements for the year ended December 31, 2013.

CCA 113/27 - Saskatchewan Telecommunications Holding Corporation: DirectWest Corporation Financial Statements for the year ended December 31, 2013.

CCA 114/27 - Saskatchewan Telecommunications Holding Corporation: SecurTek Monitoring Solutions Inc. Financial Statements for the year ended December 31, 2013.

CCA 115/27 - Saskatchewan Telecommunications Holding Corporation: Saskatchewan Telecommunications International Inc. Consolidated Financial Statements for the year ended December 31, 2013.

CCA 116/27 - Saskatchewan Telecommunications Holding Corporation: Saskatchewan Telecommunications Pension Plan Annual Report and Financial Statements for the year ended December 31, 2013.

CCA 117/27 - Crown Investments Corporation of Saskatchewan: Annual Report 2013.

CCA 118/27 - Crown Investments Corporation of Saskatchewan: First Nations and Métis Fund Inc. Consolidated Financial Statements for the year ended December 31, 2013.

CCA 119/27 - Crown Investments Corporation of Saskatchewan: Saskatchewan Immigrant Investor Fund Inc. Consolidated Financial Statements for the year ended December 31, 2013.

CCA 120/27 - Crown Investments Corporation of Saskatchewan: Gradworks Inc. Financial Statements for the year ended December 31, 2013.

CCA 121/27 - Crown Investments Corporation of Saskatchewan Asset Management Inc.: Financial Statements for the year ended December 31, 2013.

CCA 122/27 - Crown Investments Corporation of Saskatchewan: Capital Pension Plan Annual Report 2013.

CCA 123/27 - Saskatchewan Opportunities Corporation: Saskatchewan Opportunities Corporation Annual Report 2013.

CCA 124/27 - Saskatchewan Government Insurance: SGI Canada Annual Report and Annual Report 2013.

CCA 125/27 - Saskatchewan Government Insurance: Saskatchewan Auto Fund Annual Report 2013.

CCA 126/27 - Saskatchewan Government Insurance: The Insurance Company of Prince Edward Island Annual Report 2013.

CCA 127/27 - Saskatchewan Government Insurance: Coachman Insurance Company Annual Report 2013.

CCA 128/27 - Saskatchewan Government Insurance: SGI Canada Insurance Services Ltd. Annual Report 2013.

CCA 129/27 - Saskatchewan Government Insurance: Saskatchewan Government Insurance Superannuation Plan Annual Report.

CCA 130/27 - Saskatchewan Gaming Corporation: Annual Report and Financial Statements for the year ended December 31, 2013.

CCA 131/27 - Saskatchewan Gaming Corporation: SGC Holdings Inc. Financial Statements for the year ended December 31, 2013.

CCA 132/27 - Saskatchewan Transportation Company: Annual Report 2013.

CCA 133/27 - Saskatchewan Power Corporation: Annual Report 2013.

CCA 134/27 - Saskatchewan Power Corporation: Power Corporation Superannuation Plan Annual Report 2013.

CCA 135/27 - NorthPoint Energy Solutions Inc.: Financial Statements for the year ended December 31, 2013.

CCA 136/27 - SaskEnergy: Annual Report 2013.

CCA 137/27 - SaskEnergy: SaskEnergy Incorporated and Subsidiaries Financial Statements for the year ended December 31, 2013.

CCA 138/27 - Saskatchewan Water Corporation: Annual Report 2013.

CCA 139/27 - Saskatchewan Water Corporation: Water Quality Report 2013.

3. The committee considered Bill No. 125 – The Traffic Safety Amendment Act, 2013 (No. 2).

The following Saskatchewan Government Insurance Minister and officials appeared before the committee and answered questions:

Witnesses

Hon. Donna Harpaure, Minister

Earl Cameron, Vice President, Auto Fund

Lyle Mosiondz, Assistant Vice President, Auto Fund, Vehicle and Support Services

Lindsay Ferguson, Lawyer

4. The questions being put on Clauses 1 to 17, they were agreed to.
5. The question being put on Clause 18, it was defeated.
6. During consideration of Clause 19, it was moved by Mr. Hickie:

Clause 19 of the printed Bill

Strike out subsections 150.4(1) and (2) as being enacted by Clause 19 of the printed Bill and substitute the following:

(1) A driver who is convicted of an offence pursuant to clause 253(1)(a) of the *Criminal Code* is only eligible to apply to have his or her driver's licence reinstated if:

(a) in the circumstance where the driver has not been previously convicted of an offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the conviction, he or she participates in any prescribed program required by the administrator;

(b) in the circumstance where the driver has been convicted of one previous offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the conviction, he or she participates in any prescribed program required by the administrator; or

(c) in the circumstance where the driver has been convicted of two or more previous offences pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the conviction, he or she:

(i) completes an education or recovery program recommended by an addictions counsellor; and

(ii) if he or she completes the education or recovery program mentioned in subclause (i), is considered by the addictions counsellor to be at low risk for continued impaired driving.

(2) Subject to subsection (3), if a driver is convicted of an offence pursuant to clause 253(1)(a) of the *Criminal Code* and the driver is permitted by law to apply to participate in an ignition interlock program, the driver is eligible to have his or her driver's licence reinstated before the expiry of the period of suspension on the condition that, in addition to complying with the other requirements set out in this Act and the regulations, the driver:

(a) subject to subsection (4), does not drive a motor vehicle unless the vehicle is equipped with a prescribed ignition interlock device for a period of:

(i) if the driver has not previously been convicted of an offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, one year following the enrolment in the ignition interlock program;

(ii) if the driver has previously been convicted of one offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, two years following the enrolment in the ignition interlock program; or

(iii) if the driver has previously been convicted of two or more offences pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, five years following the enrolment in the ignition interlock program;

(b) participates in the prescribed ignition interlock program; and

(c) complies with any terms and conditions imposed by the administrator.

The question being put on the amendment, it was agreed to.

The question being put on Clause 19 as amended, it was agreed to.

7. The questions being put on Clauses 20 to 32, they were agreed to.

8. During consideration of new Clause 18, it was moved by Mr. Hickie:

New Clause 18 of the printed Bill

Add the following Clause after Clause 17 of the printed Bill:

New section 148

18 Section 148 is repealed and the following substituted:

“Suspensions - 80 milligrams of alcohol or greater or for refusing to comply with demand

148(1) In this section:

- (a) **‘approved instrument’** means an approved instrument as defined in subsection 254(1) of the *Criminal Code*;
- (b) **‘approved screening device’** means a prescribed device for analysing a sample of breath or blood.

(2) A peace officer shall do the things set out in subsections (3) and (12) if:

- (a) the peace officer has reasonable grounds to believe, based on an analysis of a driver’s breath or blood by means of an approved instrument or an approved screening device, that a driver drove a motor vehicle while the venous blood of the driver exceeded 80 milligrams of alcohol per 100 millilitres of blood; or
- (b) the peace officer has reasonable grounds to believe that a driver failed or refused, without reasonable excuse, to comply with a demand made pursuant to section 254 of the *Criminal Code*.

(3) In the circumstances mentioned in subsection (2), the peace officer shall immediately:

- (a) suspend the driver from driving a motor vehicle;
- (b) if the driver holds a valid driver’s licence or any other permit authorizing the driver to drive a motor vehicle, require the driver to immediately surrender his or her driver’s licence or permit;
- (c) cause the motor vehicle that the driver is driving to be immobilized or impounded; and
- (d) issue and serve on that driver a notice of suspension and immobilization or impoundment.

(4) A notice of suspension and immobilization or impoundment served on a driver pursuant to this section:

- (a) is effective immediately;
- (b) is effective notwithstanding that the peace officer is unable for any reason to take possession of the driver’s licence or permit; and
- (c) prohibits the driver from applying for or holding a driver’s licence during the period of suspension set out in this section.

(5) If, in the circumstances mentioned in subsection (2), a driver is served with a

notice of suspension and immobilization or impoundment pursuant to this section and the driver is charged with an offence pursuant to clause 253(1)(b), subsection 254(5) or section 255 of the *Criminal Code*:

- (a) the driver is suspended from driving a motor vehicle until:
 - (i) the prosecution of the offence has been stayed or withdrawn; or
 - (ii) the driver has been acquitted or convicted of the offence; and
- (b) the motor vehicle the driver was driving at the time he or she was served with the notice of suspension and immobilization or impoundment is, on the service of the notice, immediately impounded or immobilized for:
 - (i) if the driver is charged pursuant to subsection 254(5) or subsection 255(2.2) or (3.2) of the *Criminal Code*, a period of 60 consecutive days;
 - (ii) if the driver is charged pursuant to clause 253(1)(b) or subsection 255(2.1), (2) or (3.1) of the *Criminal Code* and the venous blood of the driver exceeds 80 milligrams of alcohol per 100 millilitres of blood but less than 160 milligrams of alcohol per 100 millilitres of blood, a period of 30 consecutive days; or
 - (iii) if the driver is charged pursuant to clause 253(1)(b) or subsection 255(2.1), (2) or (3.1) of the *Criminal Code* and the venous blood of the driver is equal to or exceeds 160 milligrams of alcohol per 100 millilitres of blood, a period of 60 consecutive days.
- (6) Notwithstanding that the period of suspension in subsection (5) has expired, a driver who has been subject to a notice of suspension and immobilization or impoundment pursuant to this section is only eligible to apply to have his or her driver's licence reinstated if:
 - (a) in the circumstance where the driver has not been subject to a previous notice of suspension and immobilization or impoundment pursuant to this section in the 10 years preceding the date of the issuance of the notice of suspension and immobilization or impoundment, he or she participates in any prescribed program required by the administrator;
 - (b) in the circumstance where the driver has been subject to one previous notice of suspension and immobilization or impoundment pursuant to this section in the 10 years preceding the date of the issuance of the notice of suspension and immobilization or impoundment, he or she participates in any prescribed program required by the administrator; or
 - (c) in the circumstance where the driver has been subject to two or more previous notices of suspension and immobilization or impoundment pursuant to this section in the 10 years preceding the date of the issuance of

the notice of suspension and immobilization or impoundment, he or she:

(i) completes an education or recovery program recommended by an addictions counsellor; and

(ii) if he or she completes the education or recovery program mentioned in subclause (i), is considered by the addictions counsellor to be at low risk for continued impaired driving.

(7) Notwithstanding subsection (5), but subject to subsections (8) to (11), if a driver is convicted of an offence pursuant to clause 253(1)(b), subsection 254(5) or section 255 of the *Criminal Code* and the driver is permitted by law to apply to participate in an ignition interlock program, the driver is eligible to have his or her driver's licence reinstated on the condition that, in addition to complying with the other requirements set out in this Act and the regulations, the driver:

(a) subject to subsections (8) and (10), does not drive a motor vehicle unless the vehicle is equipped with a prescribed ignition interlock device for a period of:

(i) if the driver has not previously been convicted of an offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, one year following the enrolment in the ignition interlock program;

(ii) if the driver has previously been convicted of one offence pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, two years following the enrolment in the ignition interlock program; or

(iii) if the driver has previously been convicted of two or more offences pursuant to clause 253(1)(a) or (b), subsection 254(5) or section 255 of the *Criminal Code* in the 10 years preceding the date of the conviction, five years following the enrolment in the ignition interlock program;

(b) participates in the prescribed ignition interlock program; and

(c) complies with any terms and conditions imposed by the administrator.

(8) A driver mentioned in subsection (7) may apply to enrol in a prescribed ignition interlock program on the latest of:

(a) the date the driver is eligible to participate in an ignition interlock program pursuant to the *Criminal Code*;

(b) the date the convicting judge or court has ordered that the driver may

participate in an ignition interlock program; and

(c) the prescribed date.

(9) If the administrator is satisfied that a driver mentioned in subsection (7) has not fully complied with the prescribed ignition interlock program or any terms and conditions imposed by the administrator, the administrator may extend the period during which the driver must drive a motor vehicle with a prescribed ignition interlock device.

(10) If a driver satisfies the administrator that, for a prescribed reason, he or she is unable to comply with subsection (7), the administrator may, with respect to that driver:

(a) waive the requirements set out in subsection (7);

(b) in accordance with the regulations, terminate the suspension effective on a date that the administrator considers appropriate;

(c) require the driver to participate in a prescribed program; and

(d) impose any terms and conditions on the driver that the administrator considers appropriate.

(11) A driver described in subsection (10) is eligible to have his or her driver's licence reinstated, subject to any other terms and conditions imposed on the driver by the administrator pursuant to this Act.

(12) If a peace officer suspends the driver's licence of a driver pursuant to this section, the peace officer shall:

(a) keep a written record of the driver's licence suspended by the peace officer;

(b) provide the driver whose driver's licence is suspended with a written statement, in the prescribed form, of the time from which the suspension and immobilization or impoundment takes effect;

(c) if the driver surrenders his or her driver's licence, give the driver a receipt for the driver's licence; and

(d) promptly send the driver's licence, and any other prescribed documents or prescribed reports, to the administrator.

(13) A motor vehicle that is immobilized or impounded pursuant to this section is to be dealt with in the manner set out in section 150.2.

(14) This section applies, with any necessary modification, to a driver who is a non-resident".

The question being put on the new clause, it was agreed to.

9. It was moved by Mr. Moe:

That the committee report Bill No. 125 – The Traffic Safety Amendment Act, 2013 (No. 2) – with amendment.

The question being put, it was agreed to.

10. The committee recessed from 4:12 p.m. until 6:58 p.m.

11. The committee considered the Estimates for the Ministry of Central Services.

The following Central Services Minister and officials appeared before the committee and answered questions:

Witnesses

Ministry of Central Services

Hon. Nancy Heppner, Minister

Richard Murray, Acting Deputy Minister

Greg Lusk, Executive Director, Commercial Services

Rebecca Sengmany, Director, Financial Services

Evan Ulmer, Director, Financial Services

Ministry of Education

Dan Florizone, Deputy Minister and Deputy Minister Responsible for Lean

Don Wincherauk, Special Advisor to the Deputy Minister Responsible for Lean

Ministry of Health

Max Hendricks, Deputy Minister

Brenda Russell, Acting Assistant to the Deputy Minister

Pauline Rousseau, Executive Director, Strategy and Innovation

12. The committee adjourned consideration of the Estimates for the Ministry of Central Services.

13. It was moved by Mr. Bjornerud:

That this committee do now adjourn.

The question being put, it was agreed to.

14. The committee adjourned at 10:03 p.m. until April 29, 2014 at 3:00 p.m.

Rob Park
Committee Clerk

Greg Brkich
Committee Chair