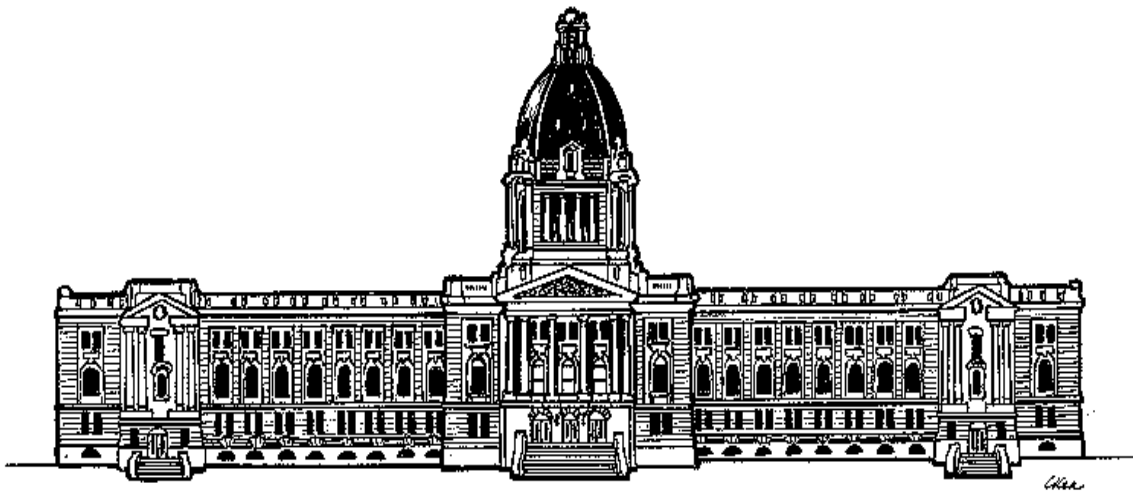




# **STANDING COMMITTEE ON THE ECONOMY**

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**Legislative Assembly of Saskatchewan**

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**STANDING COMMITTEE ON THE ECONOMY  
2006**

Mr. Warren McCall, Chair  
Regina Elphinstone-Centre

Mr. Randy Weekes, Deputy Chair  
Biggar

Ms. Doreen Hamilton  
Regina Wascana Plains

Hon. Deb Higgins  
Moose Jaw Wakamow

Mr. Delbert Kirsch  
Batoche

Mr. Eldon Lautermilch  
Prince Albert Northcote

Mr. Lyle Stewart  
Thunder Creek

[The committee met at 15:00.]

**The Chair:** — Well I guess we'll call the meeting to order. Welcome, committee members, and welcome, Minister Nilson.

We are here today for continued consideration of Bill No. 22, The Forestry Professions Act. Minister Nilson, if you could please introduce your officials and indicate their position so as to clear things up for our good folks with Hansard.

**Bill No. 22 — The Forestry Professions Act**

**Clause 1**

**Hon. Mr. Nilson:** — Okay. I'm very pleased to be here this afternoon. And on my far right I have Alan Parkinson, who is the associate deputy minister; and right beside me I have Bob Wynes, who's the executive director of forest service branch; then to my left, Earl Bourlon, who is the forest standards analyst.

**The Chair:** — Thank you very much, Minister. I'll turn the floor over to Mr. Kirsch.

**Mr. Kirsch:** — Thank you very much and thank you very much, gentlemen, for being here. I've got just some questions still on that Bill. And I spent the weekend talking to some forestry professionals, so we're going to try and fill in a few more blanks.

In order to get work, will you have to be a member of this association?

**Hon. Mr. Nilson:** — I suppose the simple question is, work as a forester — is that what you're asking?

**Mr. Kirsch:** — As a forestry professional.

**Hon. Mr. Nilson:** — Okay. As a forestry professional. I think that that would normally be the case that if somebody wanted to hire a forester and they wanted to be assured that they were somebody who was qualified, then they would hire somebody who has that designation. But I think the other answer to that is that this is a protection of a title and it's not an exclusive ability to do the work. But I'll maybe let one of the foresters explain it in more detail.

**Mr. Bourlon:** — Yes, it's considered right-to-title legislation as opposed to right-to-practise. Other provinces have right-to-practise which it's a requirement of obtaining employment. This is a right to title and protection of that.

**Mr. Kirsch:** — Do we have uncertified workers doing it now? Like are there foresters in Saskatchewan that aren't a member or . . . [inaudible] . . . the training from other provinces that are doing this work now?

**Hon. Mr. Nilson:** — Well that's not a simple question to answer because up until this point when you work in Saskatchewan there was no such designation here. But I think in some of the national companies, or provincially if we were looking for somebody with an expertise in forestry, we would

look for some kind of certification from a province where there was that professional certification. But maybe I'll let Alan add a little more on that.

**Mr. Parkinson:** — Within the province there are foresters employed in public and private sectors which have certification from other provinces which practise in this province. However we also have some foresters that have spent their career in Saskatchewan, and because they have not gone out to practise in another jurisdiction, have not sought certification up until this point. With the passage of the Bill and the creation of the agency, then they will be able to seek that title.

**Mr. Kirsch:** — Okay. Now so there are men in the field already that are not certified, they're just Saskatchewan people. They do have to have a level of training to get there, right? Even though they're not a member of this organization, they would still have gone through training courses.

**Mr. Parkinson:** — Yes. We would expect that they would be the product either of a forestry program or a technology or technologist program in forest technology.

**Mr. Kirsch:** — Now will they have to show like graduating certificates or something like that in order to get into this forestry professionals organization?

**Mr. Parkinson:** — There will be some requirements that they would have to sort of demonstrate. And I would imagine that depending on what level of membership that you're seeking, whether it's on a technologist's level or on a professional forester's level, that some minimum educational requirements or extended experience in lieu of those requirements would be necessary.

So I don't know. Earl, have we gone in terms of details on eligibility requirements?

**Mr. Bourlon:** — The similarities, the bylaws that the association, once it's established, will be looking at are in comparison to the other provinces. And in order to maintain some ability for foresters to work in other jurisdictions, they would be looking for the same requirements, educational and experience requirements. So the idea is that they would be compatible across the country.

**Mr. Kirsch:** — Will this training course in order to achieve certification, is that available in Saskatchewan now?

**Mr. Wynes:** — For the forest technologists it is, but not for the registered professional foresters it's not. There's no forestry degree program in the province at this point in time.

**Mr. Kirsch:** — Where do they go to get that now?

**Mr. Wynes:** — There's numerous universities across Canada, also across United States. For example probably the nearest one is University of Alberta in Edmonton.

**Mr. Kirsch:** — Okay. Now are we planning on bringing these courses here to look after our own?

**Hon. Mr. Nilson:** — Well that's a question that I think may develop out of this kind of legislation and also the requirements of the industry. But I think what we know now for example is that on a Prairie-wide basis we share training in different areas. And so probably we would continue to use the University of Alberta or UBC [University of British Columbia] or other places to provide that training at the professional forester level.

But as far as the forest technologists are concerned, that training is available in the province. And I think that one of the advantages of having a forestry profession organized in this way is that they will be able to assist in identifying the needs for the future workforce and then come back and work with SIAST [Saskatchewan Institute of Applied Science and Technology] or the regional colleges, and then with the provincial government as to what kinds of training will be available in the coming decades.

**Mr. Kirsch:** — Now these are questions that I've got from the guys that are out there. And they were wondering now, in order to submit a cut plan, will you have to be a registered forester to do this?

**Mr. Wynes:** — At this point in time, no. Because the legislation is right-to-title it does not affect that ability to practise at this point in time. Should in the future . . . Like some other jurisdictions have gone that next step. It's, you know, a possible progression that Saskatchewan might want to consider in the long run to move to that. That would be a next possible step that could be considered, but at this point in time it's just right-to-title. You can't call yourself a forester when you're signing off one of those plans if you're not certified, but it doesn't stop people from practising forestry.

**Mr. Kirsch:** — So you're saying now they can submit a cut plan, but the future we don't know . . .

**Mr. Wynes:** — Well based on the way this Bill is . . . With passage of this Bill it would just affect the right to title. There's no restrictions on ability to practise. So unless Saskatchewan decides to change that and modify it to right-to-practise, then that would continue indefinitely under this Bill.

**Mr. Kirsch:** — Okay. This was a concern of the small contractors. Like is it going to increase their costs if they're going to get a registered forester in to do their cut plan?

**Mr. Wynes:** — No, because this is right-to-title legislation, not right-to-practise. There would be no impact like that.

**Hon. Mr. Nilson:** — I think another way to explain it would be that right now a cut plan is signed by somebody who knows how to put that together for the people who are reviewing them. When this legislation comes into place, if in fact a person is certified as a forester they would sign their name and then put forester underneath which then gives one level of assurance to the people who are reviewing the plan. Somebody who has done these for a while and has practical experience could still send them in, but he couldn't put the name forester underneath it unless he was certified, or she.

**Mr. Kirsch:** — Okay, thank you. I'll hand the floor to Mr. Hart.

**Mr. Hart:** — Thank you, Mr. Chair. I'm just reviewing the Bill and one of the sections, section 9, that deals with a public appointee. The Bill indicates that the Lieutenant Governor in Council may appoint one person to the member of the council, the governing council of the association. First of all, is this standard, a part of legislation that deals with other associations or is this particular provision unique to this Bill and to this particular association?

**Hon. Mr. Nilson:** — This would be relatively standard legislation. And I think sometimes in some professions we actually appoint public representatives in a greater number, like maybe three or four. But this is not that big a group of people and the council itself isn't going to be very large and so I think in this case it'll just be an appointment of one person. And also in some ways the public interest as it relates to individuals is quite different than for example the College of Physicians and Surgeons or the nursing professional organization.

**Mr. Hart:** — Minister, is it your intention once the organization is constituted and up and running to appoint such a person to that council?

**Hon. Mr. Nilson:** — Yes.

**Mr. Hart:** — It also says in subsection (6) that the member of council appointed . . . The public appointee shall be a member of the discipline committee. Is there a particular reason why that subsection is part of this legislation? What's the rationale behind that?

**Hon. Mr. Nilson:** — This is standard professional legislation and effectively what it provides is that for discipline issues in all of the professions the consumer person or the lay person that's on the board, the person who's not a member of the profession, is always part of the discipline committee. And I think in this profession it's not quite as obvious but in many other professions you really want to have that consumer perspective when a discipline matter comes before the organization.

**Mr. Hart:** — Okay. Thank you for that. I was listening to some of the earlier answers to the questions where it was explained that this piece of legislation is a right to title, and it's not just specifying that people practising the profession are required to be a member of the association, at least not at this point in time. What is the intention, Minister, or your intentions with as far as professionals that you would have within your department in the future when you are hiring people? Will you specify that they be members of this association? Will that be a condition of employment in the future?

**Hon. Mr. Nilson:** — Well I think if in fact what we required was somebody who had this particular certification, then the normal course in public service jobs is that you would hire the professional people who fit that particular description. So ideally we would get the best people possible and we would hope that those people who were going to do this work would be members of the profession.

**Mr. Hart:** — But you would leave it up to the individual to voluntarily join the association. You wouldn't make that as a condition of employment. Is that your intention at this point in

time?

**Hon. Mr. Nilson:** — Well if we were going to hire a forester and we wanted to call them a forester, then we would have to hire somebody that was under this profession. But if we were going to hire somebody who was working in an area of planning, but it would be nice to have someone with forestry experience, in that case we may hire somebody who has a planning professional designation as opposed to a forestry designation.

**Mr. Hart:** — Okay. I'd like to ask about the public appointee and just for the public record. It says in section (8) that:

The minister shall remunerate and reimburse for expenses the member of council appointed pursuant to this section at the rate determined by the Lieutenant Governor in Council.

What is your policy in that area as far as remunerations for people who are appointed to councils and boards? Have you got sort of a standard way of remuneration? And if so, what is that?

**Hon. Mr. Nilson:** — There is a standard rate that's set across government for these kinds of board positions. It changes from time to time but it's I think effectively the expenses and then some nominal amount. And my recollection is it's around \$145 a meeting, but I think it might be less actually.

**Mr. Hart:** — But this is a policy that applies to the . . .

**Hon. Mr. Nilson:** — This goes through . . . like in Health there's something like 27 professions. Like in this department there aren't as many professions. There's other ones but it's a standard government policy.

Now what's a little bit different on this one is that some professions, when they're larger professions, they actually pay out of their dues for the public representative. In this particular case a decision has been made that this position will be paid for by the Department of the Environment because it's such a small profession at this stage and that this would be an added cost that would be difficult for them.

But what usually happens is that that could change later if the profession gets big enough that they can afford all of the costs of their profession.

**Mr. Hart:** — As I understand in our last meeting on this Bill, it was indicated, I believe you indicated that there was approximately 150 people in the province that will be, that could potentially be members of this association. Now with the current challenges in the forest sector of our province . . . I guess, what is the status of professional foresters in our province? Are they moving on to other jurisdictions where there is more opportunity for them to practise their profession? Do you have any sense of what's happening in that whole area?

**Hon. Mr. Nilson:** — Well my sense is that the North American forest industry is in a fair bit of turmoil as the markets are being pressed in a number of different angles so that that kind of question probably can relate to all of Canada. We have in fact in Eastern Canada there are many more mills and operations that

are being shut down than there are here.

I think that in Saskatchewan we have the number of foresters that you talk about and some are employed for the national government, some are employed in various institutions, some are employed at teaching positions, others are employed by, for example, Weyerhaeuser or some bigger companies. And the work of managing the forests and looking after the forests will continue, whoever is present in the province. And there may be some ups and downs in the numbers. But my suspicion is, given the growing nature of our forestry industry that the numbers of professional foresters and forest technologists will continue to increase.

**Mr. Hart:** — I guess I just find it somewhat ironic that we are dealing with a piece of legislation to enable a professional foresters association at a time where the forest industry is in crisis. And I guess my question is, how long . . . I guess what is the timeline dealing with this particular Bill? I understand from your previous answers that this piece of legislation was requested by those individuals in the practice of professional forestry. And when did they first come to you requesting this? Was it last year or has it been two or three years ago when the initial request for legislation was made?

**Hon. Mr. Nilson:** — Well I think it's over the last couple of years. I think to put it in context, in 2001 was when the seven provinces that do have professional forester designation came together on a national basis and signed an arrangement of mutual recognition. I would suspect that at that point it triggered the people who would be members of those other provincial organizations to consider whether we in Saskatchewan should have similar legislation. And through their processes and meetings that they would have, they came forward and the department has responded and worked together with the professionals and also with the Justice department who deals with professional legislation. And it was brought forward this year.

I think it's good news for those people who have been working at it. I think what it shows is that in our province we recognize that the forest and the management of the forest is a long-term prospect, and we want to get the best people to do that work. And one of the ways that we can assist in that is to have a forestry professions Act which allows for forestry professionals from other provinces to come here without any hitch in their professional careers.

**Mr. Hart:** — Mr. Chair, I have no more questions.

**The Chair:** — Thank you very much, Mr. Hart. Mr. Weekes.

**Mr. Weekes:** — Thank you, Mr. Speaker. I'd just like to thank the minister and your officials. As you noticed, the critic for Environment and forestry had a number of questions for you and there was a number of stakeholders out in the community that wanted a lot of those questions answered. So I'd like to thank you, and we in the official opposition are prepared to vote this Bill off now.

**The Chair:** — Very good. I guess I would also like to add to the thanks to the minister and the officials for your participation. And thank you very much.

I guess, Her Majesty by and with the . . . pardon me. Oh, rookie move. Pardon me. We'll proceed to the consideration of the clause-by-clause. Is it okay if we take them by group? So okay.

Clause 1, short title, agreed?

**Some Hon. Members:** — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 49 inclusive agreed to.]

**The Chair:** — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Forestry Professions Act, No. 22, 2005. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — I'd now invite a member to make a motion that we report the Bill without amendment. Mr. Lautermilch.

**Hon. Mr. Lautermilch:** — Mr. Chairman, I move that we report the Bill without amendment.

**The Chair:** — Thank you very much, Mr. Lautermilch.

**Hon. Mr. Lautermilch:** — You're very welcome.

**The Chair:** — Are we agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Very good. I guess with that I'll thank the minister and his officials again. I'll thank the committee members. And I'll now entertain a motion to adjourn. Thank you, Mr. Stewart. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Very good.

[The committee adjourned at 15:23.]