



STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

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Batoche

Mr. David Forbes, Deputy Chair
Saskatoon Centre

Mr. Mark Docherty
Regina Coronation Park

Mr. Greg Lawrence
Moose Jaw Wakamow

Mr. Paul Merriman
Saskatoon Sutherland

Ms. Laura Ross
Regina Qu'Appelle Valley

Ms. Nadine Wilson
Saskatchewan Rivers

[The committee met at 18:59.]

The Chair: — Good evening, ladies and gentlemen. And welcome to the Standing Committee on Human Services. My name is Delbert Kirsch, and I'm the Chair of this committee.

With us tonight are Mr. Mark Docherty, Mr. Paul Merriman, Ms. Laura Ross, and Ms. Nadine Wilson, and Mr. Fred Bradshaw, and also Mr. David Forbes as Deputy Chair. Participating members tonight are Minister Morgan and Minister Duncan, who will be joining us in a few minutes, who the committee has agreed may participate in the proceedings pursuant to rule 121(9).

Bill No. 604 — *The Public Health (Asbestos right-to-know) Amendment Act*

Clause 1

The Chair: — Tonight the committee will be considering Bill No. 604, *The Public Health (Asbestos right-to-know) Amendment Act*. This is a private member's public bill that was introduced by Mr. Broten. There are a number of procedural issues to be considered. I ask the committee's indulgence as I outline the agenda and the process for this evening.

Pursuant to rule 83(2) of the *Rules and Procedures of the Legislative Assembly of Saskatchewan*:

When a bill is referred to a policy field committee after second reading, the committee may conduct hearings on the content of the bill before initiating clause-by-clause consideration.

Tonight it is my understanding that the committee has agreed to conduct a public hearing on this bill, and further, that the committee has agreed to allow four invited witnesses to present to the committee. The invited witnesses will make a five-minute presentation, followed by the committee asking questions for five minutes of each witness. And our ladies here will be checking the time. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

I would like to take a minute to outline the process for tonight. First, Mr. Broten will make his opening statement and members may proceed to make comments and/or ask Mr. Broten questions. This then will be followed by five-minute presentations and five-minute question sessions of the following witnesses, in this order: Jesse Todd, Saskatchewan Asbestos Disease Awareness Organization; Marianne Hladun, regional executive vice-president, prairies, Public Service Alliance of Canada; Dan Demers, director, national public issues, Canadian Cancer Society; and Terry Parker, business agent, Saskatchewan building trades provincial council.

Once Mr. Parker has completed his presentation, Mr. Broten may wish to make further comments before the committee begins clause-by-clause consideration of the bill. Members, do you have any questions about the proceedings or comments?

We give Mr. Broten the floor.

Mr. Broten: — Well thank you very much, Mr. Chair, and thank you to members of the committee, as well as visiting MLAs [Member of the Legislative Assembly], as well as Minister Morgan. Nice to see you this evening. And welcome to the guests that we have with us from ministries or from organizations that care about this piece of legislation. And a special good evening and welcome to those who were friends with Howard, or family members of Howard, and are wanting to be here this evening.

It's with somewhat mixed emotions that I'm here at this committee this evening. I'm proud of the work that we've done with this bill. I think it's an example of tangible progress that an opposition, even a very small opposition, can achieve. I think it's also a great example of both sides of the Assembly, the Sask Party and the New Democratic Party, coming together to support a common sense idea and be constructive in terms of our discussion about the amendment. So in advance I'd like to thank members for their willingness to have open discussions and be constructive in the process. So I'm happy with how we've approached this as our own caucus, but also working with government members and the minister.

I also have a bit of a heavy heart this evening because I wish that Howard Willems was in the room this evening to see us discuss the bill. I remember well a coffee meeting that my colleague, David Forbes, and I had with Howard and his partner Brenda, along with Bob Sass. Howard had mesothelioma as a result of workplace exposure to asbestos. Howard and Brenda raised with Mr. Forbes and me the need for a bill such as this. So I was honoured to introduce the private member's bill back on November 1st. Sadly, on November 8th Howard passed away. Before he died he asked us to keep up his work, moving forward with this piece of legislation and greater advocacy and awareness within the province and beyond.

Today as we consider this bill, I know that for many of us, Howard is on our minds. We know that asbestos is harmful when not properly contained and we know that the provincial government already has a list of public buildings that contain asbestos. So creating a public registry with that list is a common sense approach, and I believe it's the right thing to do.

This bill, which we hope to have renamed as Howard's Law, will give workers, patients, and the public more facts to help them make informed decisions about their health and their safety. To all those who have advocated for this bill, I want to say a very big thank you. Thank you to my colleague, David Forbes, as well, who's played a very big role in having this bill come to this point. And thanks to the Sask Party MLAs for agreeing and supporting this bill as well. I think a good idea is a good idea no matter where it comes from, and I'm glad to see that — at least on this particular issue — we've been able to work together and create some positive change on the legislative front.

It was the dedication of Howard Willems and his family and his friends that got us this far, and I'm really looking forward to having this bill passed. Thank you very much, Mr. Chair.

The Chair: — Thank you. Are there any questions for Mr. Broten? We will now follow with Mr. Jesse Todd. Jesse, you have five minutes and then they will do five minutes of questioning. The floor is yours.

Mr. Todd: — Thank you. Thank you for having me here this evening. I'm really appreciative of the chance to speak to everyone. What we've prepared is a report based on some suggestions, I guess, going forward as we approach the writing of the regulations surrounding this piece of legislation. So what I've done, I have copies for every member of the committee if they'd like one. And what I'm going to do is just read a brief summary, and any questions afterward, I'm more than happy to answer them.

As an amendment to *The Public Health Act*, the intent of Bill 604 is to protect the health of citizens of Saskatchewan. An analysis of Bill 604, the asbestos right-to-know Act, has revealed that the bill would benefit greatly from five additions, first being the rollover of the asbestos regulations from *The Occupational Health and Safety Regulations, 1996*; establishment of a licensing system for inspection and abatement companies; the development of a strategic plan to improve asbestos awareness and management; comprehensive reporting and on associated health issues; and a standardized format in which information is submitted and presented to the public.

With introduction of the employment Act and *The Occupational Health and Safety Regulations* scheduled to be repealed, the Saskatchewan Asbestos Disease Awareness Organization is concerned that the asbestos section of these regulations will no longer exist. We understand that it is the intent of the Saskatchewan government to maintain this section. However, it cannot be stressed enough that this section of *The Occupational Health and Safety Regulations* of 1996 outlines the parameters that would allow Bill 604 to achieve its desired effect. For instance the current regulations outline inspection timelines and labelling of asbestos-containing material. Bill 604 cannot exist without the asbestos section of *The Occupational Health and Safety Regulations* as they exist right now.

The establishment of a licensing system for asbestos abatement companies would be beneficial in order to create a standard for asbestos companies to follow as well as to ensure that any citizen of Saskatchewan will be given an equal standard of safety and service when certain companies are handling asbestos. Licensing of companies will also ensure that there is consistent methods and procedures that companies will be required to follow when working with asbestos.

Creating a strategic plan for asbestos education and management will work hand in hand with the asbestos registry in enabling people to have proper knowledge of asbestos and what the information contained within this registry will mean. The value of a registry would greatly decrease if the people that are expected to access the information do not understand the hazards of handling asbestos and the potential long-term health effects.

Comprehensive recording of health issues related to exposure to asbestos will allow for accurate tracking of the number of people exposed, as well as the manner that they were exposed

to asbestos. A complete statistical analysis of asbestos-related incidents will aid the Ministry of Health and the Ministry of Workplace Safety in determining where the registry and the associated regulations will need to be modified to prevent exposure in the future.

A standardized format for recording information in the registry would ensure that the necessary information is included in each submission. We have noted that under the voluntary registry, information was submitted in various forms, and without a template it can be very easy to omit crucial information. It is essential that with the mandatory registry that there should be requirements regarding specific information that each building operator is required to submit.

The presence of asbestos in buildings in Saskatchewan is a fact that will have to be dealt with for quite some time. However, the number of victims that asbestos claims each year could greatly be reduced with the addition of elements outlined in this report.

There are three waves of asbestos victims. The first were the miners and manufacturers that pulled this mineral from the ground. The second was the construction workers and transporters that worked with asbestos to build the communities that exist today. The final wave represents the current situation. Parents, children, and trades workers and emergency responders represent the final wave of potential victims. The Government of Saskatchewan has the opportunity to be the first in Canada to take the steps in eliminating the final wave of potential victims. Creating a comprehensive registry will ensure the health and safety of Saskatchewan citizens. Thank you.

The Chair: — Thank you, Mr. Todd. Would you like to table your presentation or report? It will become a public record and part of the committee's permanent record.

Mr. Todd: — Yes, I would.

The Chair: — Thank you. Now if the members have any questions. Minister Morgan.

Hon. Mr. Morgan: — More a comment than a question. Jesse, to you and to your mother, Brenda, I want to thank you for coming here and for sharing your story. And prior to Howard's passing, I think many of us met with him and heard his story. And the reassurance that I would like to be able to give you, on behalf of all MLAs, is that this was a death that did not happen in vain, that it served to raise a lot of public awareness so far. With the passage of this bill it will raise additional awareness and will become part of the law of our province.

You raised in your comments the concern whether it would be included in the new Bill 85, and I want to give you our assurance that in fact it will be rolled into the bill and that the regulations will be brought forward.

I think what's important for you to know, as well as us thanking you for your commitment, is that we will continue to use this as a trigger point or a starting point so that as we look forward, we will continue to maintain best practices and look at other jurisdictions to see what they're doing and to ensure that we do the best that we possibly can to not only have awareness of

asbestos, but to have best practices and people that are aware of best practice on removal, on abatement, and to make sure that we try and make sure that nobody else goes through the same thing.

We know that every year we've had a number of people that have died from asbestos-related diseases, and that we will probably, as we go forward for the next several years, have a number more of those people. But what I do not want to see, and I'm sure you don't want to see, is have any new cases come on board. So I think the good work that you've done and probably will continue to do, we thank you for that, and I think on behalf of all MLAs we're pleased to see that taking place. And I want to give you every reassurance that all of the members in the legislature on both sides will do everything they can to ensure that we use best practices and that we go forward in a safe and prudent manner. So to you and Brenda and all of the people that have come here advocating on your behalf, thank you.

The Chair: — Thank you, Minister Morgan. Are there any other questions, comments? Mr. Forbes.

Mr. Forbes: — Thank you, and I would join in the minister for his comments to you, Jesse. Thank you for coming, and your family and your work in this area and how important it is and that you've continued to think about what the best practices are and challenging us to think about more things.

Can you tell us a little bit about SADAQ [Saskatchewan Asbestos Disease Awareness Organization] and how long has it been going and what the plans are now, if we pass this legislation tonight?

Mr. Todd: — Saskatchewan Asbestos Disease Awareness Organization was co-founded between Howard Willems, my stepdad, and Bob Sass who is an integral piece of the occupational health and safety world that we live in in Saskatchewan, I guess, right now. And it was together two years ago, just over two years ago now, that they had formed SADAQ together and it was to bring about awareness. But then the concept of creating a registry became the top points of their agenda, and definitely it's something that they fought hard for. Howard fought for it right till the very end.

And going forward in the future, I think that once this piece of legislation passes, I believe we still have other jurisdictions that we need to expand to. There are certain buildings within the cities that we need to address. We know the city of Saskatoon is moving towards creating a registry there. We'd like to approach Regina as well as Prince Albert — any of the larger centres. We'll start there, and then we'll move our way out from those centres. We have heard interest from neighbouring provinces as well.

So with the success here, I think that we have a very good opportunity to expand beyond the borders of Saskatchewan, but definitely a lot of work to do within Saskatchewan as well.

[19:15]

Mr. Forbes: — Just one last question. You talked about standardizing the registry. Can you give us some ideas because

we haven't really talked about that in terms of . . . This is a huge first step. But what would your thoughts be around standardizing something here.

Mr. Todd: — Well we definitely have seen different formats. Some have been just a single page letter, which doesn't offer very much information at all.

We do have the Regina Qu'Appelle Health Region who's gone above and beyond, and they have very detailed reports. They have summary sheets you can print off their website that states all the buildings within their jurisdiction that contain asbestos and the different areas that it's located. But then for each building they have a specific report that summarizes the different areas that asbestos was located, the type. Like it will be as specific as the actual type. They're doing chemical testing, I'm assuming, on it to determine that, the percentage of asbestos in each material whether it's a floor tile or pipe insulation. They've also listed the condition of the current encapsulation and whether or not to recommend removal or repair.

So there's a lot of detail in their reports. And I have brought an example with me, as well, if anyone would like to see, but of course it's on the Government of Saskatchewan website under workplace safety. So it is available through the Regina Qu'Appelle Health Region website as well. So I would suggest that be used as a standard that we attempt to follow in the future.

Mr. Forbes: — I have no further questions. Thank you very much.

The Chair: — Thank you. Our time has expired. Thank you very much, Mr. Todd, for your presentation.

Our next presenter is Marianne Hladun. And Marianne, you also have five minutes and then there will be five minutes of questions. Thank you.

Ms. Hladun: — Thank you very much. So my name is Marianne Hladun. I'm currently the regional executive vice-president for the Public Service Alliance of Canada which is the union that Howard belonged to. But I was also involved with him in the union. We came up through the union movement together, and I just recently moved into the position.

But I want to open by saying thank you very much to both sides of the Assembly for working together on this. And it's probably not very often that you actually have someone from the trade union movement coming and congratulating the government for working together. But I mean that sincerely. Because on an issue like this, it's heartening for us see that both sides of the government can put partisan politics aside and do the right thing for the residents and the citizens of Saskatchewan. And I thank you for that. And that's on official record.

So the labour movement's been talking about asbestos for many years, and Howard had been involved in it. There was a committee through the Federation of Labour on talking about the banning of asbestos, and he was involved at the time. And I don't think any of us realized at that time where this knowledge and this experience would come forward.

So when he was diagnosed, it of course came as a surprise to all of us because in addition to being a union member, he was . . . we were best friends. So the reality of the exposure of asbestos hit us in the face. He was an activist in the trade union movement, in the community, in politics, in his church, but he had a real interest in health and safety. And so it was almost immediate that when he was diagnosed, he realized that something had to be done because he didn't have the information, and he knew that it needed to be available.

So the one thing that was clear and the one thing that is clear with asbestos-related diseases is that no exposure means no cancer. That's the difference. There's no genetics involved. There's no other factors involved. If there's no exposure, there's no cancer. So that was the key for him. So he knew. He didn't care what party he talked to. He talked to unions. He talked to churches. He talked to city councillors. He talked to MLAs. He talked to MPs [Member of Parliament]. He did his research. His family did his research. He connected with people, and all of that brings us here today.

So I'm not going to get into the details. I think, you know, Jesse touched on some of the things, that this registry needs to be mandatory, and I think you know the reasons why. But it's one part of an asbestos management program, and again, it's phase 1.

We need to know, for example the idea of a patient registry, if this registry of buildings is effective. There's no way to know if it's effective if we don't have a patient registry to say the exposure rate or the incidents of cancer has hit this level today. Twenty years down the line when we're all gone — presuming retirement of course — how will we know that this worked? So the idea that we're not tracking patients is a concern.

I'm going to focus on one area and that's enforcement. Howard was an inspector with Canadian Food Inspection Agency. Jesse is an inspector with Canadian Food Inspection Agency, and I'm an inspector with CFIA [Canadian Food Inspection Agency]. We know about enforcing regulations. And you can have all the legislation in the world, but if there's not a will within the department and there's not the education and there's not the resources — you can have the best legislation in the world — if it's not enforced and there's not a will to enforce it, then it's all for naught. It's a piece of paper.

This bill, Bill 604, and the amendments to *The Public Health Act* can save lives. It's as simple as that. You need to be congratulated for taking a brave step to move forward on something that no other government has done because this will save lives. This will allow someone to know if they're going to be exposed, whether it's children in a school or it's your parents in a home. This is the right thing to do.

With the changes, we're concerned with the changes to Bill 85. And I accept the assurances that all aspects of anything related with asbestos will be rolled into the new legislation, but you can be sure that we will be reading the legislation to make sure, as that I'm sure comes as no surprise. But we're concerned about that. We're concerned about anything having to do with health and safety being weakened. And that could be . . . One little word can change completely how a regulation is enforced.

We're concerned that the government department responsible for enforcement have the appropriate education, they have the appropriate resources, and that they have the authority and the mandate to enforce when the information is not provided or when the information provided is not sufficient. We're concerned that this is only phase 1 of a plan. And I think the seriousness that it's been put forward, that this is just one piece of the puzzle. There's more to be done. And I think you can rest assured that SADA and PSAC [Public Service Alliance of Canada] and the Cancer Society will be around to advise you on what comes next and to provide advice, and you know, to give kudos when they're due and a little nudge when we think something needs to move forward.

So overall I would say, you know, I'm here representing PSAC. I'm representing Howard. I think, to a certain extent, I'm representing the labour movement. And, you know, we thank you for hopefully the passage of Bill 604, Howard's law, tomorrow, but also to say that we're committed to monitoring the implementation and not just in a way to, you know . . . We want to be there to provide advice and guidance and to work with you because this is the right thing to do for citizens of Saskatchewan. Thank you.

The Chair: — Are there any questions, comments? Mr. Forbes.

Mr. Forbes: — I always feel if I've got a witness, you've got to ask some questions. I mean that's too easy. But thank you very much for coming out and sharing your thoughts. And I think that's really important in terms of . . . from the people who work in this area who are exposed to this and, you know, the tragedy that happened around Howard's life.

My question would be, how many inspectors are out there? How many inspectors are out there who might be potentially in the same sort of scenario that Howard found himself in? Do you have any idea about that?

Ms. Hladun: — We don't have any numbers on it. But after Howard was diagnosed, we did look back at some inspectors who shortly upon retirement had passed away from various illnesses. And of course the thought was, were they exposed? And I think the problem is that number is going to be growing, but because it's not tracked, there's no way of knowing. And in a lot of situations it was just identified as lung cancer. So you know, there's no way of knowing.

But since this has been brought forward and because we bring it . . . I just came from a national health and safety conference for PSAC. It just breaks my heart when I hear the stories of workers telling us, well you know, the storage shed in a federal facility in Saskatchewan, it was falling down from the ceiling on top of them. They all knew it was asbestos, but nobody reported it, and nobody knew what to do. So I'm saying, you need to get that recorded for WCB [Workers' Compensation Board] so that 20 years from now, when you're diagnosed, you know what it is and you can get better treatment.

So we know it's everywhere. I spoke to a Parks Canada employee not too long ago. Their idea of asbestos training was if you need to drill a hole in the asbestos wallboard in the public bathrooms in a national park, pour water on the drill because then it won't aerosolize. So education is key. Education is

absolutely key.

Mr. Forbes: — And you just hit on another point. This bill, because our mandate is provincial buildings, this won't be going into federal buildings. But that's an important area obviously.

Ms. Hladun: — Yes.

Mr. Forbes: — And the other point I want to highlight is what you've talked about, the research or the next wave, the tracking of patients and stuff. So our work is not done. And so thank you for that. I don't know if you want to comment further on that, but that's a very important point.

Ms. Hladun: — The only thing I will say is yes, we recognize, and Howard did try to bring the issue forward on a federal level. Through the National Joint Council, on behalf of federal employees, it has been tabled for a federal registry of buildings under federal control. But because of the movement that we've had here, this is being watched by many provinces, and we've been approached. I've been approached through the labour movement. SADAO has been approached. And this will really become the model, and I can absolutely see that, you know, whatever documentation, whatever process you have here, you'll see at least in the neighbouring provinces shortly. We'll see.

Mr. Forbes: — No further questions. Thank you.

The Chair: — Thank you very much, Marianne, for your presentation. Thank you. Our next presenter is Mr. Dan Demers. Dan. And once again you have five minutes and then we will have five minutes of questions.

Mr. Demers: — My name is Dan Demers. I'm the director of national public issues for the Canadian Cancer Society. Basically I'm in Ottawa. I flew out this morning because of this bill. I want to take a few minutes to talk about the important and very positive impact this bill will have on the people of Saskatchewan but also on the rest of the country. Many other people here have said that people are watching you. They are. That's why I am here.

I want to start with a few facts. Cancer is the number one killer of Canadians, and in Saskatchewan alone more than 5,500 people will be diagnosed with cancer this year. And unfortunately approximately 1,300 of them will die from it. Sadly nearly half of all the people in Saskatchewan will have cancer in their lifetime. That's half of everybody in this room. That's half of our friends. That's half of our families. And while that's an alarming fact, there is another fact you should bear in mind: half of all cancers are preventable. That's why we're here today. That's why this bill is so important.

[19:30]

It's estimated that each year approximately 4,200 workers across Saskatchewan are exposed to asbestos, exposure that an individual may not know about until 10 or 20 years later when often it's too late to do anything about it. Asbestos is the leading cause of industrial death in Canada, and this bill marks a real step forward in addressing the dangers of asbestos by

empowering the people of Saskatchewan with the information they need to protect themselves, their co-workers, and their families. In short, this bill saves lives.

At this time I'd like to refer to a couple specific issues within the bill. In the preamble of the bill it mentions encapsulation, and while encapsulation can prevent exposure, it is only if the asbestos remains encapsulated. Asbestos can be disturbed. It deteriorates or it can be damaged. The people of Elliot Lake, Ontario found this out last year when a mall collapsed in their community. As citizens watched the cleanup, they were often exposed to a cloud of dust kicked up by bulldozers clearing away the rubble, dust that contained asbestos. They didn't know because the building was not identified as containing asbestos. If I was an MLA I would want to ensure that the term "properly encapsulated" in the bill is defined. If not, then the third bullet of the preamble should be removed and the words "properly encapsulated" should instead read, "where asbestos poses a public health risk." This would cover any condition that the asbestos is in.

I'd also like to take a second to mention first responders, who need and deserve the kind of information this registry will provide when determining what precautions they should take when entering a building in an emergency situation. Encapsulation does not help protect first responders when a building is on fire or has collapsed, but access to a building registry does. And this leads to my next point. The design of the registry website should reflect the needs of a wide range of users, from first responders and building inspectors, construction workers, to employees, and of course the general public.

At the Canadian Cancer Society, we would be pleased to work with government officials, unions, and the industry to provide input on the user interface aspects of the website. And while being user-friendly is important, we must also work together to ensure that the citizens of Saskatchewan are aware of the website and how to access it. Again at the Cancer Society, we'd be happy to work with officials of the government and anyone else to develop and implement a communications strategy to ensure the awareness of the registry. In other words, we would like to continue to be partners with you.

Now as you know, the bill covers many buildings in Saskatchewan but does not require that the federal government or the federally regulated buildings provide information into the registry. As somebody that works in and with the federal government, I can tell you they have policies requiring that they know where asbestos is. Why isn't this information being given to you to include in your registry?

So I would encourage the Government of Saskatchewan to ask — or I would say maybe demand — that the federal government include their buildings in the registry, in particular schools and health care facilities on reserves and on military bases. All the people of Saskatchewan deserve protection from the dangers of asbestos, including Aboriginal children and the members of our armed forces.

Now one important part of my job is to take significant advances in public policy that reduce cancer rates and encourage other jurisdictions to follow suit. With this

legislation, with the work that you've done here, Saskatchewan is once again leading the way in health care for all of Canada by providing the first legislative framework for an asbestos building registry. And we at the Cancer Society will use this legislation, once it's passed, to encourage all provinces, territories, and the federal government to follow your leadership. Congratulations. You really are leading the country.

Now as you know, the effectiveness of Howard's Law will depend on the compliance and monitoring. It is important that regulations clearly define these issues. It is also critical that Howard's Law be proclaimed as quickly as possible so that the public is protected as quickly as possible.

In closing I want to thank the family of Howard Willems for their support and determination in seeing this legislation brought forward and passed. Ensuring that the people of Saskatchewan have the information they need to protect themselves and their loved ones is a tremendous achievement and a proud legacy. I would also like to thank the Saskatchewan Asbestos Disease Awareness Organization and the more than 1,300 people across Saskatchewan who signed petitions and of course you, the elected leaders, who listened to them and acted.

This bill provides the necessary leadership to governments across Canada and will help save lives and reduce suffering for years to come. So on behalf of the volunteers and cancer patients and most importantly those people who will not get cancer because of this bill, I want to thank you for that and for the opportunity to come here today.

The Chair: — Thank you. Are there any questions? Minister Morgan.

Hon. Mr. Morgan: — I would like to thank the Cancer Society for their input and the hard work that they do, not just on this particular issue but on a variety of other issues. And we've appreciated the support that we've had on moving a variety of health initiatives forward.

With regard to this particular bill, I want you to know that we would welcome submissions at any time if there's a sense that there's a best practice that isn't being followed or that there's something being done better elsewhere. Our officials will of course continue to look at and monitor what's taking place in other jurisdictions.

But my question is, as an advocate for this we are certainly a leader in the country — or will be, all going well within the next 24 hours — and I guess my question is, do you have a sense that other jurisdictions might follow? And is there is any uptake so far from the federal government? It's something I intend to raise with my federal counterpart. We've initiated some dialogue.

Mr. Demers: — Yes, certainly we've seen that Alberta's interested. I think Quebec is providing a lot of leadership in that they've decided to go down this path, but they don't have a model. They don't have a framework. Already my colleagues in the province of Quebec are waiting for this to pass so they can actually take it and present it to their government and say, here's the model. Here's how you do it. When you have the registry up and running and you follow those best practices, I

hate to tell you, you are actually the best practice. So other jurisdictions will be waiting for organizations such as ourselves to bring it forward to them and say, here's how it's done.

With regards to the federal government, we've had a struggle. We don't have — I'll just be blunt — we don't have legislators like you that are listening right now. We've told them, you have this information. People's lives will be protected if they have the information. Why don't you provide it to them? They're not finding a way to do that. We will of course now be taking this and saying, this is something that's possible. It's in the Conservative government's heartland. I hope that they're going to follow suit.

But right now you are the leaders. I would say that Alberta and Quebec are probably the two next jurisdictions following. But we — it's part of what we do — we'll take this forward and use it as the draft legislation that hopefully other jurisdictions will follow.

The Chair: — Any other questions? Mr. Forbes.

Mr. Forbes: — I too want to thank the Cancer Society for being part of this. This is really critically important. I know, and we've talked a lot about this, that as with so many things, it starts out within one area — and the area was labour with occupational health and safety — but realized it was a public health issue. It was much broader than just a workplace issue, as important as that is.

And I really want to say that your point about encapsulation is well-made and your scenario of what happened in Elliot Lake, where something can be properly encapsulated and then with a bat of an eye that it is not, and people don't realize what's happening at that building and what that dust is that is flying around. And so your point is well-made, and I think we need to be aware of that and follow that up. It may not be in the bill tonight, but in regulations, whatever we can do to have that.

My question would be around the communications strategy. It is interesting because we're so obviously very much involved in this. But how do we get the word out? Because as you've said, it has to work for first responders, but it also has to work for parents, for people going to the work site, you know, 7 o'clock in the morning and just checking on the door what's inside the building. So what kind of communication plan might you foresee?

Mr. Demers: — I guess any communications plan has to be multi-faceted to be successful. One of them is certainly work with groups such as ourselves that are community-based or Relay for Life, through our websites, through information we provide. We could do that working with the unions, making sure that their members are educated, working with your own government employees about how to have them talk to people about the fact this is happening.

I think the last one is . . . This is unique what you're doing here today. As political leaders it's incumbent upon you to actually remind people, not just when the bill is being passed but trumpet it as a success story. Let the people of Saskatchewan know that this is something that they should be proud of and make use of.

So multi-faceted, have everybody in the room — I think everybody can contribute. Because this is, as one of the other presenters said, this is just common sense, and I think once people realize the information's there, they will make changes.

Recently in Quebec, it's been identified that over 180 different health facilities in that province have asbestos in them. It came about because of the beginnings of sharing the information publicly. So I think if we work together we can see the same effect here.

Mr. Forbes: — Thank you very much.

The Chair: — Thank you. If there are no other questions, thank you, Mr. Demers, for your presentation. Our final presenter is Terry Parker. And, Mr. Parker, you also have five minutes and then five minutes of questioning.

Mr. Parker: — Thank you, Mr. Chair, for your introduction. Before I begin, I'd like to introduce Chuck Rudder. He's the president of our council, but he's also the business manager for the Heat and Frost Insulators and Asbestos Abatement Workers. And so I thought there might some technical questions that you might be wanting to ask him after this is over.

First of all, let me offer thanks on behalf of my members to MLAs from both sides of the House for raising and acting on issues related to asbestos. I'll start with the quick explanation about the Saskatchewan Building Trades. We're composed of construction unions that are involved primarily but not exclusively in industrial constructions. Our unions are organized along trade lines. So we have the heat and frost insulators and asbestos workers, the plumbers and pipefitters, painters, iron workers, electricians, and so on.

The Saskatchewan Building Trades has 13 affiliated construction unions representing between 7 to 10,000 workers, depending on the season and how busy we are. Our members are the people that build refineries, upgraders, pipeline, and power stations. We build and expand potash and other mines. If it's industrial, we are there. We are very busy in Saskatchewan supplying labour and training highly skilled workers.

And we have a special interest by virtue of our work in the issue of asbestos. The Saskatchewan Building Trades gives our support to a public online registry of public buildings containing asbestos. Our members and our members' families have witnessed first-hand the health effects of asbestos when not handled properly, and they've paid a very dear price.

While Building Trades members are more commonly found on industrial sites, we also have members who work on commercial and institutional projects. But even if we didn't, I would say the same thing, and that would be that every effort should be made to facilitate the safe handling of asbestos to ensure that the work done in buildings containing asbestos is conducted in the safest way possible. So I support a registry for public buildings containing asbestos.

And I would add that while I know that this legislation has been focused on public buildings, that the dangers of asbestos are not limited to public buildings. As such, I would encourage the committee to give consideration now or in the future to

examining the possibility of expanding the registry to all buildings and installations containing asbestos. I realize this would be more work, and lists do not necessarily exist cataloguing all buildings that contain asbestos, but I believe that it would be worthwhile for public buildings. If it's worthwhile for public buildings, then it's worthwhile for all buildings. Thank you very much.

The Chair: — Thank you, Mr. Parker. Are there any questions?

Hon. Mr. Morgan: — Again, more of a comment than a question. I would like to thank both you and Mr. Rudder for the work that you do in protecting the safety, not just of your members, but the members of the public that are accessing the workplaces and buildings where you work. So I appreciate that, and I appreciate the input that both of you have made on the advisory committee with regard to building safety and a number of other issues that are perhaps somewhat more contentious. But those we can talk about another day. So I thank you for that.

My question probably is more for Mr. Rudder as to the nature of employees and training that now exists for abatement because I know it's something we'll want to look at in time. If he wants to make a comment now, this may be a good . . .

Mr. Rudder: — Well I guess for the heat and frost insulators, from our perspective, asbestos abatement is part of our apprenticeship training. So all of our apprentices that we train, they go through the abatement process and they're trained in that. We have multiple employers that are also involved in that field. As far as the rest of people in the abatement business and in the industry, I don't know if they're all ticketed with provincial tickets or where they're getting their tickets from. And that's something that I think that they should be pushing for, that both employers and the abatement worker themselves maybe be registered to do that other than the current legislation the way it is.

Hon. Mr. Morgan: — I look forward to further discussion with you on that. Thank you.

Mr. Parker: — We continue to educate our members on asbestos. And it's something that, even when this registry is out, we are going to share this information with our other unions that are affiliated to us. But the education is key to us. We have to continue educating so that . . . Prior to me taking over this role, the individual that was there before me actually was an electrician that got asbestosis and passed away from it. And we all know people in the trades that have gotten it in the past. And this is a step in the right direction, and I commend both sides again for moving in this direction.

[19:45]

The Chair: — Thank you, Mr. Forbes.

Mr. Forbes: — Yes. Thank you very much for making your presentation. It's really important that we hear from people who actually work with asbestos on a daily basis. How many people would you say actually are working with asbestos in our province every day, either in terms of abatement or coming in contact and having to work around it, whether it be electricians

. . . Or do you have any idea about that?

Mr. Parker: — We don't contain like an actual number. We know that we do come in contact with it on a daily basis from site to site. However, we don't keep the numbers of how many people are in contact every day so . . .

Mr. Rudder: — That would be a lot of people, obviously. Anybody who lifts a ceiling tile to look at heating and ventilation or anything, you don't know what you're getting into. So it could be huge.

Mr. Forbes: — One part of the bill tonight talks about the electronic or the website, but another part talks about that there will be information provided at each building. So that would be helpful then to workers going to work, I assume?

Mr. Rudder: — Yes. They need to know what's in the building, where it is, and the friability or whatever and the condition that it's currently in, so that they know what they're going into and what they're getting into. If you don't have that information, then you're at high risk of being exposed. So that information on that sheet, or wherever it's going to be posted, electronically or in the maintenance room or whatever, for the maintenance people, that's very important, that . . . There's a lot of information that can be listed on that and to a very high degree.

Mr. Forbes: — The other point I thought was very appropriate, Terry, that you made, talking about workers and their families, one of the tragic parts of this, especially when you read about older . . . It may be current now, but when workers come home from being in contact with asbestos, if it hasn't been encapsulated, it then can be going . . . You know, their family can be in contact with it at home.

Mr. Parker: — That's right. It can get on to their clothing. If there's not proper encapsulation being done, it gets on their clothing and their hair, and the next thing you know it's being spread around their house and it's a danger to everyone. And it's a tragedy, you know, when one of our members has it and passes it on to their family and, you know, I also . . . I feel for Howard and Howard's family. I feel for Howard's family and my condolences there.

Mr. Forbes: — Well again, thank you very much for your presentation. That was very appropriate for us to hear from workers who are in contact every day. Thank you.

The Chair: — Thank you very much for your presentation, gentlemen. Thank you.

Mr. Parker: — Thank you, Mr. Chair.

The Chair: — Mr. Broten, have you got some closing comments you wish to make?

Mr. Broten: — Thank you, Mr. Chair. I would simply like to thank Jesse, Marianne, Dan and Terry and Chuck for the words that they shared tonight. It provided some good information of the impetus for this legislation, but most importantly, I think the ideas and the input that they provided to us as MLAs about what the next steps need to be and what the follow-through is, is

a very good place to start.

It's very good to have it on the public record and to I guess foreshadow more conversations we'll be having in the weeks and months ahead, I'm sure. So I would simply like to thank them for coming to the legislature. This place is always at its best when we open the doors and have people participate meaningfully. So I thank all committee members for facilitating this process tonight.

The Chair: — Thank you, Mr. Broten. Are there any more questions or comments from any committee members? Seeing none, we will now proceed to vote on the clauses. I just want to remind all members the order for clause-by-clause consideration. Consideration shall begin with clause 1 followed by every clause in its proper order, and ending with consideration of the preamble and the title.

Clause 1, short title. Mr. Forbes.

Mr. Forbes: — Since this bill was introduced in November 1st, and recognizing that Howard Willems had passed away shortly, one week later, it's my intention to introduce an amendment after we're done all the amendments, to come back and introduce an amendment to this. And that's when I'll do that. I just need to signal that to you right now, I understand.

The Chair: — Thank you. According to the Beauchesne's 690, amendment to title will be considered at the end. The members may move the amendment once all the amendments have been dealt with.

Clause 2

The Chair: — We will proceed with clause 2. Clause 2, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 2 agreed to.]

Clause 3

The Chair: — Before I recognize Mr. Merriman, I would just like to remind the committee that all amendments should be moved in the order in which they appear in the bill, as per Beauchesne's paragraph 697. I recognize Mr. Merriman.

Mr. Merriman: — Thank you, Mr. Chair. Clause 3:

The heading before the new section 19.1 as being enacted by the printed bill is struck out and the following substituted:

“ASBESTOS IN PUBLIC BUILDINGS”

I so move.

The Chair: — Mr. Merriman has moved an amendment to clause 3. Are there any discussions or comments? Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. I recognize Mr. Merriman.

Mr. Merriman: — Thank you, Mr. Chair. Clause 3:

Clause 19.1(a) as being enacted by the printed Bill is amended by adding “made pursuant to *The Occupational Health and Safety Act, 1993*” after “*The Occupational Health and Safety Regulations, 1996*”.

I so move.

The Chair: — Any discussions, questions, comments? If not, do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. I once again recognize Mr. Merriman.

Mr. Merriman: — Thank you, Mr. Chair. Clause 3:

Clauses 19.1(b) and (c) as being enacted by the printed Bill are struck out and the following substituted:

“(b) ‘**public building**’ means an enclosed structure that:

(i) is owned by:

(A) the Government of Saskatchewan;

(B) a prescribed Crown corporation; or

(C) a regional health authority or an affiliate, as defined by *The Regional Health Services Act*;

(ii) is a building used by and in connection with a school as defined in *The Education Act, 1995*; or

(iii) is prescribed or is a member of a prescribed class of enclosed structures”.

I so move.

The Chair: — Any discussion or comments by members concerning this amendment? Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. I recognize Mr. Merriman.

Mr. Merriman: — Thank you, Mr. Chair. Clause 3:

Section 19.2 as being enacted by the printed Bill is struck out and the following is substituted after section 19.1:

“(2) Within six months of the day on which section 19.1 of this Act comes into force, the owner of a public building who is required to record information about asbestos in that building pursuant to *The Occupational Health and Safety Act, 1993* and the regulations made pursuant to that Act shall post on the website or other

suitable electronic format mentioned in subsection (4) the following information about that building;

(a) the written records required to be kept pursuant to *The Occupational Health and Safety Act, 1993* and the regulations made pursuant to that Act;

(b) any additional prescribed information.

(3) In addition to complying with subsection (2), the owner of a public building mentioned in that subsection shall make the information required pursuant to that subsection available at that building to any person during normal business hours on request.

(4) The minister shall cause a website or other suitable electronic format to be made available where the information required pursuant to subsection (2) must be posted and made available to the public.

(5) The Lieutenant Governor in Council may make regulations:

(a) for the purposes of paragraph (1)(b)(i)(B), prescribing Crown corporations;

(b) for the purposes of subclause (1)(b)(iii), prescribing enclosed structures or classes of enclosed structures as public buildings;

(c) for the purposes of clause (2)(b), prescribing information that owners of public buildings shall post on the website or other suitable electronic format mentioned in subsection (4)”.

I so move, Mr. Chair.

The Chair: — Thank you. Mr. Merriman has moved an amendment to clause 3. Is there any comments or discussion? Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 3 as amended agreed?

Some Hon. Members: — Agreed.

[Clause 3 as amended agreed to.]

[Clause 4 agreed to.]

[Preamble agreed to.]

Clause 1

The Chair: — Clause 1, short title. I recognize Mr. Forbes.

Mr. Forbes: — I’d like to move that:

Clause 1 of the printed Bill is amended by striking out “(Asbestos right-to-know)” and substituting “(Howard’s Law)”.

I do so move.

The Chair: — Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 1, short title as amended agreed?

Some Hon. Members: — Agreed.

[Clause 1 as amended agreed to.]

The Chair: — Carried. Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Public Health (Asbestos right-to-know) Amendment Act*. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I would ask a member to move that we report Bill No. 604 with amendments.

Ms. Ross: — I so move.

The Chair: — Ms. Laura Ross has moved. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Now I would ask if there are any closing comments? Mr. Broten.

[20:00]

Mr. Broten: — Thank you, Mr. Chair. I'd once again like to thank all members for their co-operation in allowing this piece of legislation to come to this point. And I want to say a special thank you as well to the staff of the Clerk's office and the committee staff as well for assisting in a rather uncommon and rather complicated process and ensuring that everything went smoothly. So a special thank you very much. And a special thank you to the Law Clerk who assists private members in drafting legislation. Mr. Ring, thank you for your assistance. With that I'll conclude my remarks and thank everyone for their participation this evening.

The Chair: — Thank you, Mr. Broten. And Mr. Morgan has some comments.

Hon. Mr. Morgan: — I want to thank the people that came and presented tonight and the other people that came and supported this bill. This is a unique process. This is the first time that an opposition private member's public bill has been passed. The officials of the legislature went back to look for scripts and a process of how it had been done before and were unable to locate. Usually when this would happen in the past, it was done by having the bill being converted to a government bill. But we think that it was worthwhile and important that this be seen as not a government bill, but a bill sponsored by all members of the legislature. And I look forward to a unanimous passing in the House tomorrow. So I want to thank the members opposite and all members that had a hand in the process and all

members that sat on the committee to put this together. So thank you.

The Chair: — Thank you very much. I would also like to thank the members of this committee, and especially our able staff that was here to guide us through this. And for you people for the first time that's been here, this is how things are done under the dome.

I would ask a member to move a motion of adjournment.

Mr. Docherty: — I so move.

The Chair: — Mr. Docherty has moved. All agreed?

Some Hon. Members: — Agreed.

The Chair: — This meeting is now adjourned.

[The committee adjourned at 20:02.]