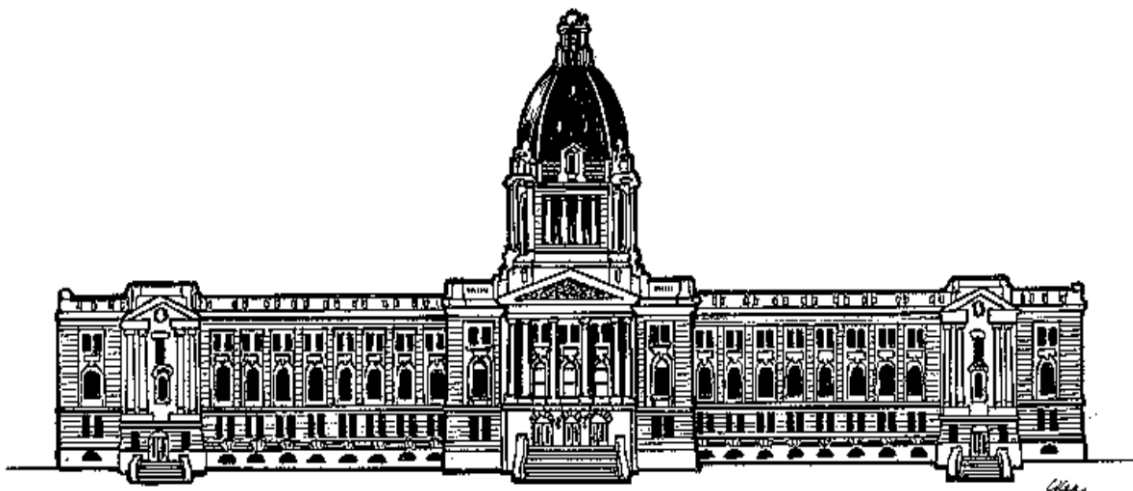




# **Standing Committee on Private Members' Bills**

## **Hansard Verbatim Report**

**No. 1 – April 27, 2000**



**Legislative Assembly of Saskatchewan**

**Twenty-fourth Legislature**

**STANDING COMMITTEE ON PRIVATE MEMBERS' BILLS  
2000**

Mark Wartman, Chair  
Regina Qu'Appelle Valley

Greg Brkich, Vice-Chair  
Arm River

Denis Allchurch  
Shellbrook-Spiritwood

Bill Boyd  
Kindersley

Debbie Higgins  
Moose Jaw Wakamow

Arlene Julé  
Humboldt

Lindy Kasperski  
Regina Sherwood

Myron Kowalsky  
Prince Albert Carlton

Kevin Yates  
Regina Dewdney

April 27, 2000

The committee met at 11:15 a.m.

**Ms. Ronyk:** — Good morning, members. The Standing Committee on Private Members' Bills will now get started and be organized. And as Clerk to the committee, it's my job initially to preside over the election of a Chair to the committee. Nominations are open for the position of Chair.

**Mr. Yates:** — I would move that Mark Wartman be nominated for Chair.

**Ms. Ronyk:** — Mr. Yates has moved that Mark Wartman take the position of Chair of the committee. Are there further nominations? Will someone move that nominations cease?

**Ms. Higgins:** — I move nominations cease.

**Ms. Ronyk:** — It has been moved then by Mr. Yates that Mr. Mark Wartman be elected to preside as Chair of the Standing Committee on Private Members' Bills. Is the committee ready for the question?

Is it the pleasure of the committee to adopt the motion? Carried.

Mr. Wartman, please take your place as Chair.

**The Chair:** — Thank you. And our second item of business is the election of Vice-Chair. So nominations are now open for Vice-Chair.

**Ms. Higgins:** — I nominate Greg Brkich.

**The Chair:** — Okay. Deb Higgins nominated Mr. Greg Brkich.

**Mr. Yates:** — I'll move nominations cease.

**The Chair:** — Mr. Kevin Yates moved nominations cease. You're okay to let your name stand?

**Mr. Brkich:** — Yes, I guess.

**The Chair:** — With enthusiasm? And does the committee agree to nominations cease? Okay.

I declare that Greg Brkich is Vice-Chair of this committee.

We have three petitions to be presented, and they will be presented by Clerk Gwenn Ronyk. Gwenn, if you'd like to present those.

**Ms. Ronyk:** — Thank you, Mr. Chairman. The process for the consideration by the House of private Bills is somewhat complex and there are many hoops to go through. And the stage today is just one part of that.

Private Bills have been initiated by private interests outside of the Chamber, and they have a process they must go through to ensure that the public are aware that they are coming to the House asking for legislation with respect to the interests of their group who are interested in the change. And what the rules require is that the private interests must advertise their intent publicly so that there may be other private interests out there

who, who may have an interest and may disagree with what they're doing or other individuals who are part of that group who need to know what, what the group is planning to do.

And the first stage of the process is that the private interests must advertise their intention to submit a request for a private Bill and explain in public advertisements what it is they are seeking. They have to advertise in a local newspaper that's in the area affected. It could be a daily or it could be a weekly, but it must be in four consecutive issues of either. So if they are going to choose a weekly, it takes them a month to do the advertising. They must also advertise in two issues of the *Saskatchewan Gazette*, which is the official instrument for making public declarations with respect to the government business and the business of the province.

So what . . . at this stage, you have not seen the Bills yet, the Bills have not yet been tabled or introduced in the House. What has been presented to the House are the petitions. These petitions are in the same form as petitions that members present from other groups day by day. But these, in these ones, they are actually petitioning the House to pass a private Act on their behalf.

The petitions that have been presented then are of the Mennonite Central Committee of Saskatchewan and they have indeed followed the rules. My report to you indicates that they have followed the rules with respect to advertising. And the other aspect of this rule is that what they put in their advertising must adequately describe what's in the petition. And then when the Bill is introduced, the Law Clerk's . . . one of the Law Clerk's jobs is to ensure that what they have in the Bill was properly described in the notice on the advertising.

**Mr. Yates:** — I just have a question . . . (inaudible) . . . *Saskatchewan Gazette*, November 12, 19 . . . 2000, when it hasn't . . .

**Ms. Ronyk:** — It should be 1999. And I will need to make a correction to the report on that basis.

**The Chair:** — I see why you're on legislative instruments.

**Ms. Ronyk:** — Well, I'm very glad that the members are as sharp, sharper than the Clerk today here.

What the report explains is that they all advertised and that they submitted all the required documentation within the time frames laid down in the rules. They are they must submit their petitions by the 20th sitting day to the Clerk and file all the documents that they're required to file according to the rules, including a cheque for a minimum of \$250. They have to pay for the actual printing of the Bill.

It is the practice of the committee, where the petitioners are from a charitable or religious organization to remit the fees less the cost of printing at the end of the process. Now cost of printing is getting up there so really there's not much left usually after that, after the printing of the Bill. And if it's a long Bill, then it will cost more than \$250 to print anyway. And the fees are based on the number of pages and it will go up somewhat with a longer Bill.

But what I'm reporting to you today is that these petitions have followed all of the rules and if the Chair then would ask for . . . what I need is a motion on each petition that it be accepted. And then at the end, a motion that they all be reported.

**The Chair:** — We're open then for a motion that the petitions individually be accepted. If someone would move petition 301 please?

**Mr. Yates:** — I would move:

That petition 301 — The Mennonite Central Committee Saskatchewan, Inc., in the Province of Saskatchewan be accepted.

**The Chair:** — Thank you. Moved by Kevin Yates. Is there a seconder for that motion? Deb Higgins . . . Oh, don't need a seconder? Okay, sorry. Would someone move then petition 302 please?

**A Member:** — We have to vote on it.

**The Chair:** — Oh, okay. Thank you. All in favour of accepting petition 301? Thank you. That's carried.

Petition 302.

**Mr. Yates:** — I would move acceptance of a position . . . petition 302 — pardon me — of the Regina Golf Club, in the province of Saskatchewan.

**The Chair:** — Thank you. All in favour with . . . of that motion?

**A Member:** — Agreed.

**The Chair:** — Thank you. And that is carried.

Petition 303.

**Mr. Yates:** — Okay. I would move that we accept petition 303 of the . . . (inaudible) . . . Archiepiscopal Corporation.

**A Member:** — You have to be able to say it to move it.

**Mr. Yates:** — I don't go to church often enough.

**The Chair:** — And that's in *Hansard* too, Kevin.

**Mr. Yates:** — Don't send it to my wife.

**The Chair:** — Thank you. You've moved petition 303. All in favour of that petition?

**A Member:** — Agreed.

**The Chair:** — Thank you. And that is carried.

Now would someone like to move that these petitions — 301, 302, and 303 — be reported to the Assembly?

**Mr. Kasperski:** — I'll so move.

**The Chair:** — Thank you. Moved by Mr. Kasperski. Okay. This will be the report as presented:

Your committee has duly examined the under mentioned petition for private Bills and finds that the provisions of rules 64, 65, and 68 have been fully complied with.

Of the Regina Golf Club, in the province of Saskatchewan praying for an Act to rename the Regina Golf Club.

Of the Mennonite Central Committee Saskatchewan Incorporated, in the province of Saskatchewan praying for an Act to provide for the continuance of the Mennonite Central Committee Saskatchewan.

Of the Archiepiscopal Corporation of Regina and the Episcopal Corporation of Saskatoon, in the province of Saskatchewan praying for an Act to provide for the reorganization of the Saskatchewan Roman Catholic Dioceses.

**A Member:** — Diocese.

**The Chair:** — It's plural — sorry.

And would someone move that report then? Or . . .

**Ms. Higgins:** — I so move.

**The Chair:** — Deb Higgins moved that. And all in favour? And that is carried. Thank you.

Okay. And our Clerk, Gwenn, will lead us . . . let us know what the rest of the procedures are as we move these Bills through.

**Ms. Ronyk:** — Members of the committee, this afternoon on presenting reports of standing special committees. That's the third thing under routine proceedings before question period. When the Speaker calls presenting reports I'll stand up and read the report, and then Mr. Wartman will be recognized to move the concurrence motion.

And normally there won't be debate, but there could be debate on the concurrence motion, and I have it here somewhere. And I'll give it to you Mr. Wartman now if you promise to bring it, otherwise I'll give it to you Monday.

**Mr. Wartman:** — Okay if you find it, I'll keep it and bring it.

**Ms Ronyk:** — Here it is.

**Mr. Wartman:** — Why don't you give it to me in the House?

**Ms Ronyk:** — Yes, why don't we do that. Then when the report is concurred in, the rules state that the Bills are automatically deemed to have been read a first time and are laid on the Table. So tomorrow you'll see in the votes and proceedings that these three Bills have been given first reading.

They then go on the order paper for second reading and they'll, because it's private members' business, these Bills all must be introduced by a private member, a member not in cabinet. Then they'll come up on our next private members' day which will be

next Tuesday, for second reading. And the sponsors of the Bill will need to be there in order to move second reading, and there is an opportunity for any other members of the House to get involved, although that rarely happens on second reading.

After second reading the motion is that the Bills be read a second time and referred the Standing Committee on Private Members' Bills. So they come back to this committee after second reading. And at that point when the committee meets, having given sufficient notice for the witnesses to come and other interests to be aware of the committee meeting, the committee will meet and will review the Bills clause by clause.

At that point the Law Clerk makes a report to the committee to alert you to whether there's any unusual provisions in those Bills. And the witnesses will appear. Normally they appear, and if they choose not to appear, they take the risk of you being unhappy with not being able to have a question answered, or perhaps the member who was sponsoring the Bill will be able to answer the question. But normally the witnesses do come.

And then we go through each Bill clause by clause. We hear from the witnesses who are supporting the Bill, and if there are witnesses against the Bill we would hear from them. The committee has a chance to ask questions and then we vote on the Bill clause by clause and report it back to the House.

It can be amended in that committee if the committee thought that was desirable. It's reported back to the House, and then it still goes through Committee of the Whole in the House, a very complicated process. So we go through Committee of the Whole in the House and again review it clause by clause, but usually that's a fairly . . . no debated questions because the House assumes the committee has dealt with any issues that there are.

It's a safeguard because there are times when a committee will not want to proceed with the Bill, and then the Committee of the Whole is where the Bill can be killed if that's the need. The Bill then, after Committee of the Whole in the House, receives third reading, and then it would go down to the down to list for Royal Assent whenever we have our next Royal Assent.

But the process can take a number of weeks because we can only do second reading and Committee of the Whole on Tuesdays, private members' day, unless we do it by leave some other time.

And that I think unless there are questions.

**Mr. Brkich:** — Can anybody bring a private members' Bill just or does it have to be on a petition for this committee? Can any member just bring a Bill here?

**Ms. Ronyk:** — The House would have to refer — if I may, Mr. Chairman. Other private member's Bills, like the one that you and your private members are introducing, those could be referred to any committee including this one for . . .

**Mr. Brkich:** — Would it just go through the House . . .

**Ms. Ronyk:** — For clause by clause, or it can just go through the House. These are . . .

**Mr. Brkich:** — These ones are the petitions?

**Ms. Ronyk:** — Yes. These are . . .

**Mr. Brkich:** — I mean how do you decide which ones that you're going . . . (inaudible) . . . Like, these three obviously you've got . . . the we prepared before. What was the process of getting them here?

**Ms. Ronyk:** — There is a distinction between these kinds of Bills and the private members' Bills that you have been introducing in the House. Those Bills are actually public Bills. They're just being introduced by a member who's not in cabinet. And government backbenchers can do that as well. But they're still public Bills. They deal with public business, they are amending public Acts, they're affecting the whole province. They govern everybody once they're in place.

These Bills that have come forward by petition from outside the House are private Bills, not private members' Bills. They're a little different. They're private as opposed to public Bills. And they affect only restricted interests. For example, the Mennonite Central Committee one affects only the members of the Mennonite Church. And so they're considered to affect private interest and not public. Not the whole province and all of the people.

Sometimes they affect, you know, a good number of people. But if you look at the Regina Golf Club, it only affects the members of that golf club, a very small group. And the process by which the private Bills come to this committee is laid down specifically in the rules.

They have to start initially . . . be initiated by petition. They have to be referred to this committee for public hearings and they then are completed in the House.

**Mr. Brkich:** — They're referred by a member then to this committee.

**Ms. Ronyk:** — Yes. At second reading, after the Bills have been given second reading, the motion that the members will move is actually that the Bill be now read a second time and referred to the Standing Committee on Private Members' Bills. So there's a specific referral from the House.

**The Chair:** — Any further questions or concerns? Okay. Would someone like to move that our committee adjourn.

The committee adjourned at 11:33 a.m.