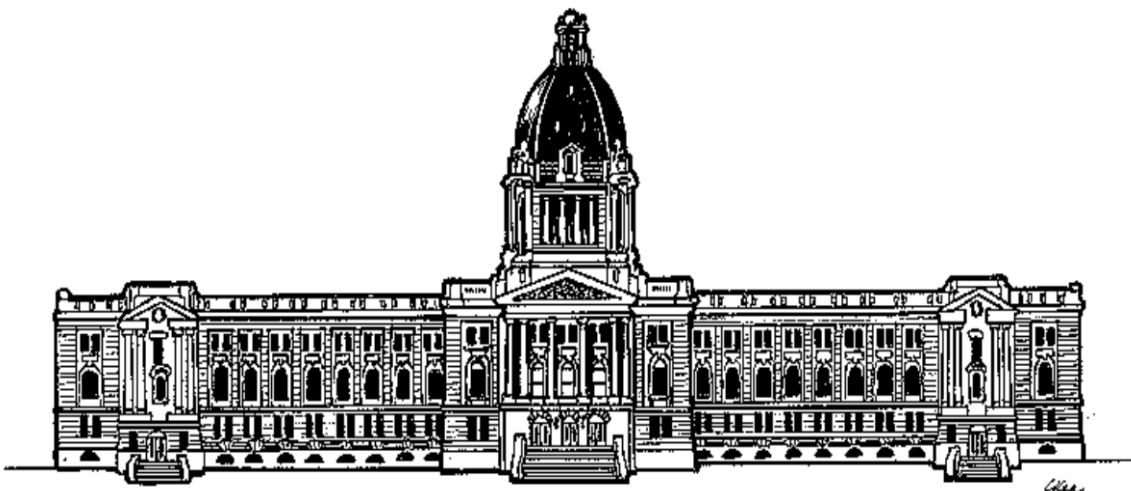




Standing Committee on Private Members' Bills

Hansard Verbatim Report

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Legislative Assembly of Saskatchewan

Twenty-fourth Legislature

**STANDING COMMITTEE ON PRIVATE MEMBERS' BILLS
2001**

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

Judy Junor
Saskatoon Eastview

Lindy Kasperski
Regina Sherwood

Kevin Yates
Regina Dewdney

The committee met at 10:39.

The Chair: — Okay, we'll call the meeting to order then. I'd like to welcome all of you here.

First of all I'd like to ask for a motion to revise the agenda, to move Bill No. 306, The St. Thomas More College Act to the first. Thank you, Ms. Junor. Agreed? Thank you.

Bill No. 306 — The St. Thomas More College Act, 2001

Clause 1

The Chair: — We'll then ask for Bill No. 306, The St. Thomas More College Act, 2001. And I would like to introduce the member from Saskatoon Sutherland, Graham Addley. And, Graham, if you could introduce those who are appearing for and, if there are any, appearing against the Bill.

Mr. Addley: — Yes, thank you, Mr. Chair. I am very pleased to be sponsoring an Act representing St. Thomas More College. And I'd like to introduce today the Chair of St. Thomas More College Board of Governors, Mr. Brent Gough, and the president of St. Thomas More College, Rev. George Smith.

And these individuals will be speaking in favour of the Bill and if there's any questions that the committee had. And I'm unaware of anybody that is speaking against the Bill. So with that I'll turn it over to you, Mr. Chair.

The Chair: — Okay. And your third representative there?

Mr. Addley: — He's not a member of our group.

The Chair: — Oh, I see. Okay, thank you very much. Okay, Law Clerk's report, Mr. Ring.

Mr. Ring: — I have examined this private Bill and am pleased to report that it's drawn in accordance with the rules of the Legislative Assembly respecting private Bills. I'm further pleased to report that, in my opinion, it contains no provisions which are at variance with the usual provisions of private Acts on similar subjects or which are deserving of special attention. Thank you.

The Chair: — Do you have any representations that you would like to make?

Mr. Gough: — We really have no particular representations other than to say that the intention of the Bill is really to bring into fruition sort of a practice that's gone on, and bring together some amendments that have occurred in legislation since 1943. So unless you have some specific questions, we don't have any other representations than that.

The Chair: — Thank you. I'll open the floor for questions from members of the committee then. No questions? Thank you.

Preamble agreed to.

Clause 1 agreed to.

Clauses 2 to 15 inclusive agreed to.

The Chair: — I'd like a motion to report the Bill:

Now therefore Her Majesty, by and with the advice and the consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act to respecting Thomas More College.

I think there was just a typo in there with the "to" and I would ask somebody to make an amendment to change that.

Mr. Yates: — I will move that we amend the title to remove the word "to". It now reads "An Act respecting St. Thomas More College."

The Chair: — Thank you, Mr. Yates. Then the motion to report the Bill as read. Ms. Junor. Thank you.

And a motion for covering costs, if any, which is basically a tradition here that for charitable organizations, religious organizations, non-profits, that we cover the costs, less the cost of printing.

Would someone care to make that motion?

Mr. Yates: — I would move that the Assembly cover the costs, less the costs of printing, Mr. Chair.

The Chair: — Thank you, Mr. Yates. Agreed? Thank you.

And I think, just to be clear, I don't think I asked for agreement on the motion to report the Bill, so I will ask for agreement on that.

Members: — Agreed.

The Chair: — Thank you. The motion to report the Bill was moved by Ms. Junor. Thank you very much then.

And we'll just move now to the rest of the order. So we'll ask those from the International Bible College sponsoring the amendment Act to come forward.

**Bill No. 301 — The International Bible College
Amendment Act, 2001**

Clause 1

The Chair: — Okay, Bill No. 301, An Act to amend an Act to incorporate International Bible College. And I would ask Ms. Higgins — you're sponsoring this — could you introduce the folks?

Ms. Higgins: — I would like to introduce Ms. Cheryl Busse, president of the International Bible College; and I apologize, could I ask you please to introduce the gentleman accompanying you.

Ms. Busse: — Yes, the gentleman accompanying me is Mr. Norman Holmes, and he is our enrolment director for

International Bible College.

Ms. Higgins: — Thank you very much.

The Chair: — Thank you. Welcome to both of you. And Law Clerk's report please.

Mr. Ring: — I've examined this private Bill and am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills.

With respect to the petition and the draft Bill, I note that the actual wording of the Bill is different from the petition. The additional wording clarifies and narrows the scope of the provision. The additional wording was added at the request of the University of Saskatchewan.

The additional words also include the University of Regina. The phrase, quote, "subject to section 6(3) of *The University of Saskatchewan Act, 1995*" underscores and recognizes the two universities' exclusive power to confer degrees. The only exception is the power to grant theological degrees. Private religious colleges incorporated through legislation by way of a private Act are usually given the power to grant theological degrees.

Although the provision is at variance with the usual provision of a private Act on similar subjects, this type of provision or clarification may become more prevalent as the issue relating to the granting of degrees by private colleges evolves. Thank you.

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

Mr. Yates: — A simple question to corroborate. I just want to make absolutely sure that in fact it then protects the University of Regina the same way it protects the University of Saskatchewan.

Mr. Ring: — Yes, that's correct. The University of Saskatchewan Act references the University of Saskatchewan and the University of Regina.

The Chair: — Thanks very much. Any further questions? No. Thank you. I'd like a motion to adopt the preamble. Thank you, Mr. Yates. And we'll go through the Bill . . . thank you. Agreed? And we'll go through it clause by clause. Short title.

Clause 1 agreed to.

Clauses 2 to 4 inclusive agreed to.

The Chair: — Now:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act to amend an Act to incorporate International Bible College.

Members: — Agreed.

The Chair: — Agreed? Thank you. And would someone move

a motion to report this Bill.

Mr. Yates: — I'd move to report this Bill, Mr. Chair.

The Chair: — Thank you, Mr. Yates. I'd like a motion then on paying the costs, less the cost of printing. Thank you, Mr. Allchurch. Agreed?

Members: — Agreed.

The Chair: — Thank you. Thank you very much, folks. Just before you go and as the other folks are coming up, I just might say we usually have name tags here and I'm sorry I neglected to have our committee members introduce themselves, nor did I introduce myself. So I would like to just expand the introductions a little bit while you folks are still here.

I think those of you from the International Bible College know Ms. Higgins, who's sponsoring your Bill. And I'll just ask each member to introduce themselves as we move around the table.

Ms. Junor: — Judy Junor from Saskatoon Eastview.

Mr. Yates: — Kevin Yates from Regina Dewdney.

Mr. Wartman: — Mark Wartman, Regina Qu'Appelle Valley.

Mr. Allchurch: — Dennis Allchurch, MLA (Member of the Legislative Assembly) for Shellbrook-Spiritwood.

Mr. Brkich: — Greg Brkich, MLA for Arm River.

The Chair: — Thank you very much, members. And thank you, folks.

Bill No. 302 — The Our Lady of the Prairies Foundation Act, 2001

Clause 1

The Chair: — Okay. I think we'll move ahead with Bill No. 302, Our Lady of the Prairies Foundation Act, 2001.

And again, Mr. Addley is sponsoring this. Would you introduce the people?

Mr. Addley: — Yes. I'm very pleased to be the sponsor of Bill No. 302, an Act respecting Our Lady of the Prairies Foundation.

And to my right is Travis Beauchemin from Robertson Stromberg and as well, as was previously arranged, Chris Donald from the Saskatoon office of Robertson Stromberg is available, as well as Pat Sikler who is with the foundation.

So with that, I'll introduce Travis. and if any members have any questions for Travis or for Chris or Pat.

The Chair: — Okay. Thank you. We'll ask for the Law Clerk's report then.

Mr. Ring: — I've examined this private Bill and am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills. I'm further

pleased to report that, in my opinion, it contains no provisions that are at variance with the usual provisions of private Acts on similar subjects or which are deserving of special attention. Thank you.

The Chair: — Okay. Thank you very much. Any comments on behalf of the Bill? Okay. Any questions for members of the committee?

Mr. Beauchemin: — No comments.

The Chair: — Okay. I'd ask for a motion then to adopt the preamble.

Members: — Agreed.

The Chair: — Have to have a motion first. Thank you, Ms. Higgins. And now we'll ask for the agreement. Thank you. What an eager bunch. Now we'll go through clause by clause.

Clause 1 agreed to.

Clauses 2 to 25 inclusive agreed to.

The Chair: —

Therefore her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act respecting Our Lady of the Prairies Foundation.

Motion to report the Bill? Mr. Allchurch. Agreed? Thank you.

And motion on costs for this one?

Mr. Brkich: — Mr. Chair, I'll make that motion.

The Chair: — Thank you, Mr. Brkich. And the motion is to remit fees less cost of printing. All agreed? Thank you.

And thank you very much for appearing.

Bill No. 303 — The Providence Hospital, Moose Jaw Repeal Act

Clause 1

The Chair: — And, Ms. Higgins, you're sponsoring that one. Would you introduce those who are appearing.

Ms. Higgins: — I would like to introduce Mr. George Patterson from Moose Jaw.

The Chair: — Welcome, George. And Law Clerk's report please.

Mr. Ring: — I've examined this private Bill and am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills. I'm further pleased to report that, in my opinion, it contains no provisions which are at variance with the usual provisions of private Acts on similar subjects or which are deserving of special attention.

The Chair: — Thank you, Mr. Ring. Do you have any comments that you would like to make?

Mr. Patterson: — Maybe I should just direct some comments to the committee relating to this Bill and Bill 305 for some background.

The Sisters of Providence of St. Vincent de Paul are a religious organization based in Kingston, Ontario. They built Providence Place in Moose Jaw in 1913 and St. Anthony's Home about the same time. Both of those structures became unviable. They've since been replaced by the Sisters with the co-operation of the city of Moose Jaw and the province with a new place called Providence Place that combines the senior citizens aspects of St. Anthony's Home and the medical aspects of geriatric care that took place at Providence Hospital.

And so rather than have two pieces of legislation that were not required sitting on the books, they incorporated a Providence Place for Holistic Health, Inc. which carries on the duties of both Providence Hospital and St. Anthony's Home. And there is the possibility that there may be some bequests in some very old wills that were made to either Providence Hospital or St. Anthony's Home that we didn't . . . that had to be dealt with, and as a result of these two Bills, those bequests would be directed to Providence Place.

So if you have any other questions, I'd be pleased to . . .

The Chair: — Okay. Thanks for that explanation, Mr. Patterson. Any questions from members?

Okay. We have a motion for amendment of this Bill. It reads currently:

An Act to repeal An Act to incorporate The Sisters of Charity Providence Hospital, Moose Jaw to dissolve and to transfer the Assets and Liabilities to Providence Place for Holistic Health, Inc.

And the amendment would read . . . would amend the long title of the printed Bill by striking out the words "to dissolve".

So, Mr. Yates, you have indicated that you would move that amendment.

Mr. Yates: — I so move.

The Chair: — Thank you. All in favour? Agreed. Thank you.

I'd like a motion to adopt the preamble. Thank you, Ms. Junor.

Preamble agreed to.

The Chair: — And we'll go clause by clause.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

The Chair: — We'll take a motion then to pay the costs. Thank you. That will be then the costs less the cost of printing. All agreed? Agreed. Thank you.

Thank you very much, Mr. Patterson. And I think we'll change the agenda again since you're here and we'll do Bill 305. Thank you.

Bill No. 305 — The St. Anthony's Home Repeal Act

Clause 1

Mr. Ring: — I have examined this private Bill and I am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills. I'm further pleased to report that, in my opinion, it contains no provisions which are at variance with the usual provisions of private Acts on similar subjects or which are deserving of special attention.

The Chair: — Thank you, Mr. Ring. Any questions for the Law Clerk? You've heard the presentation by Mr. Patterson for the Bill. Any questions on this one? Okay.

I'd like a motion to adopt the preamble, please.

Ms. Higgins: — I so move.

The Chair: — Thank you, Ms. Higgins.

Preamble agreed to.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

The Chair: —

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act to repeal An Act to incorporate St. Anthony's Home and to transfer the Assets and Liabilities to Providence Place for Holistic Health, Inc.

And would someone move a motion to report the Bill?

Ms. Higgins: — I so move.

The Chair: — Thank you, Ms. Higgins. And a motion on costs?

Mr. Allchurch: — I so move.

The Chair: — Thank you, Mr. Allchurch. And thank you very much then, Mr. Patterson. Costs was Mr. Allchurch.

Bill No. 304 — The Saskatchewan Association of Rural Municipalities Amendment Act, 2001

Clause 1

The Chair: — I would like to introduce to the members, Mr. Ken Engel, who is the executive director from SARM (Saskatchewan Association of Rural Municipalities); and Michael Morris, who is manager of legal services. And welcome to you.

I would ask for the Law Clerk's report on this Bill.

Mr. Ring: — I have examined this private Bill and I am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills. I am further pleased to report that, in my opinion, it contains no provisions which are at variance with the usual provisions of private Acts on similar subjects or which are deserving of special attention. Thank you.

The Chair: — Thank you. Any questions of the Law Clerk? Okay. Do you have any representation on behalf of the Bill?

Mr. Engel: — I just have a few words here. Under the existing Act, the corporation is limited to investments in government, school, or telephone bonds and debentures. So it's slightly out of date; for example, there's no telephone bonds or debentures in existence any more.

And the proposed change would allow us to invest in a broader variety of items, and it would be controlled by the SARM board's policies with regard to investments, which is a common approach to these kind of things.

The Chair: — Any questions from members?

Mr. Brkich: — Thank you, Mr. Chair. Just one question. I talked to a few RM (rural municipalities) secretaries and they were wondering if . . . they weren't sure if this is just for the provincial board of SARM; this doesn't affect the way they can invest. Or will it change the rules for the RMs (rural municipality)?

Mr. Engel: — No, the RMs are limited in their investment by The Rural Municipality Act. It would be separate legislation.

The Chair: — Any further?

Mr. Brkich: — No.

Ms. Junor: — I'd like to . . . Does the corporation invest on behalf of municipalities, like municipalities give money to the corporation to invest?

Mr. Engel: — No, it doesn't. We have funds in our association which certainly we collect some from our members in the way of membership fees and that kind of thing. But we also provide services to our municipalities for which we charge fees.

For example, we have a liability insurance company. SARM has it. We have self-insurance plan for rural municipalities. And so the bulk of the money that we would have available for investments comes from the money that we're required to set aside to protect that insurance plan. Plus we would have other funds available in our general accounts, but in all situations this would allow us to expand those areas in which we can invest.

Presently, oftentimes, you'll see corporate bonds at a lower . . . or having a higher level of recognition. You might be able to buy AA or AAA paper from a private corporation where government could be quite a bit less than that. So it's not a matter of risking any money unduly in anyway, but it allows us to invest in a broader area and therefore return more money to

our association and therefore to our members.

Ms. Junor: — But you are not, you are not a vehicle where RMs could invest through?

Mr. Engel: — No, we're not.

Ms. Junor: — Okay, thank you.

The Chair: — Anything further?

I also have a question and I was wondering, just in terms of the investment potential that you have, what dollar figure do you look at in terms of investing?

Mr. Engel: — In our liability insurance plan and the other plans, we have approximately \$10 million there. And in our general fund, we have approximately a million dollars; that's on average most times.

The Chair: — Would that . . . and I mean, reading the Bill it says where any prudent investor would invest, so it gives you fairly wide range. Just in terms of your own thinking and discussions around it, have you interest in investing in some of the local economic development operations that are springing up, say for example, Parkland Strawboard, something like that.

Mr. Engel: — Our present investment policy doesn't allow for that right now. Our policy, which would be covered as soon as this Bill is passed, limits us to corporate bonds within certain ratings and that kind of . . . and the amount that we can invest in there would be limited as well.

So I guess there is a potential that we could invest depending on the ratings of those companies, but our policy would limit the amount that we could invest in those kind of things at the same time.

The Chair: — And again, this is more of my education or curiosity around this, but in terms of those investments, you say if they're rated at a certain level. Do those have to be basically publicly traded or bonds that . . .

Mr. Engel: — That's right, yes.

The Chair: — Okay, thank you very much. Any further questions. Yes, Ms. Higgins.

Ms. Higgins: — Just curiosity, what exactly is SARM's mandate? I guess the dollar amount is a bit of a surprise for me, that you're looking at for investment purposes or that's available for investment purposes. What kind of investments are you looking at? In Saskatchewan? Outside Saskatchewan? International? Canadian? Do you have a . . . or is that mandated or looked at in policy? And what exactly is SARM?

I always viewed SARM as more of an umbrella organization. Was I wrong?

Mr. Engel: — No, that's correct. The reason that we would have, for example, the \$10 million is we are required to have a certain amount of money because we are . . . we have a liability insurance company; we are self-insuring our municipalities. We

have to have a certain amount of money available to cover any possible liabilities.

So that money is held . . . I guess actually that money is held in trust for the municipalities in effect.

Ms. Higgins: — So when you're looking at investing, do you go international?

Mr. Engel: — No, we don't.

Ms. Higgins: — Do you go Canadian? Do you focus on Saskatchewan?

Mr. Engel: — Our guidelines right now would be limiting our investments to federal, that would be Canadian investments, a maximum of 60 per cent; provincial, a maximum of 60 per cent; municipal, a maximum of 15 per cent; corporate securities, 30 per cent.

The Chair: — Okay, anything further?

Ms. Higgins: — Thank you very much.

Mr. Allchurch: — A clarification. Under liability insurance is one million, and under general account is one billion. Other way around? Ten million?

Mr. Engel: — That's right, 10 million in liability, but one million on average in our general account.

Mr. Allchurch: — Okay. My hearing must be bad today.

The Chair: — Thank you. I know Mr. Brkich wanted to ask another question, whether or not you would invest in potatoes. But we'll let that one go.

I would like a motion to adopt the preamble, please. Thanks, Mr. Brkich. Agreed? Thank you.

And clause by clause, the short title, clause 1.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

The Chair: — All right, and:

Now therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act to amend The Saskatchewan Association of Rural Municipalities Act.

And I would like a motion to report the Bill. Mr. Yates. And given all those millions, we'll allow SARM to pay for this itself. It's noted that Mr. Yates did want to pay your costs.

Okay, if there's no further business, we will adjourn then. Thank you.

Committee will report this afternoon and then next week will be

the . . . the Bill will go to the Committee of the Whole for a final read.

Ms. Higgins: — That will be on private members' day. The Bible College actually . . . (inaudible) . . . when it would be done?

Ms. Ronyk: — It will be Tuesday. It will go through Committee of the Whole and third readings on Tuesday and then it will sit on the order paper waiting for Royal Assent

Ms. Higgins: — Royal Assent?

Ms. Ronyk: — The next time we have that, which will be in the next couple of weeks likely.

Ms. Higgins: — Okay. Okay.

Ms. Ronyk: — Is it urgent or . . .

Ms. Higgins: — No, I guess it ties to something else they're dealing with, that they need this straightened out.

Ms. Ronyk: — Well if there is more urgency for Royal Assent than in a couple of weeks, let us know.

Ms. Higgins: — Well I told Ms. Busse I would get a hold of her and let her know. When I hear back from her, I'll pass it along.

The committee adjourned at 11:19.