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Bill No. 53 – The Miscellaneous Statutes Repeal Act, 2012

Mr. Forbes: Thank you very much, Mr. Deputy Speaker. It's a pleasure to rise and speak on this bill, you know, Bill No. 53, the miscellaneous statutes repeal Act, 2012.

You know it's always interesting when we put these up, and we think these bills are dead, and they're from a bygone era, and we've not any need for them. And it's like cleaning out a basement, and you don't even look in the box, you know. And maybe you should look in the box, you know. And I think that when I look at some of these, I all of a sudden start to have lots of questions. And I think this'll be a very interesting one when we get to committee because I think that we should be careful.

Now there's some new bills that I'd like to see repealed. Like Bill 85, that might be a good one we could start with. I'd like to see that one. Or there was another one, Bill 43 from a few years ago, trespass. I'd bet that's never been used. And I don't know why it's on the books, so it'll be soon ready for the trash heap.

But that's not the issue before us today, and we will have plenty of time to talk about that in the future. But I do have some questions about the things that are in front of us today. And I know that in many ways it seems, as I said, really straightforward and, you know, it's like when we clean out the basement, don't look in the box. And then you start to find things you kind of like and move it back in. But we really should be a little careful about this.

So one of the things as I go through the minister's speech, he starts to talk about The Crown Foundations Act. The bill will repeal The Crown Foundations Act:

That Act was introduced in 1994 to allow universities to take advantage of a difference in the income tax treatment of donations made to charitable organizations and to the Crown. At that time the income tax deduction for donations made to charitable organizations could not exceed 20 per cent of a taxpayer's income whereas donations to the Crown could be . . . 100 per cent of

the taxpayer's income.

And so this Act had:

permitted Crown foundations to be established for . . . [our] two universities to act as a conduit for donations to those universities. This allowed donors to take advantage of a larger tax benefit [particularly, I would imagine, when there was significant amounts of money involved].

And so that seems relatively straightforward.

In 1996 the tax credit distinction between the donations to charitable organizations and donations to the Crown was eliminated. The new limit of 75 per cent of a taxpayer's income is the same for either type of donation. As there is no longer any tax advantage gained from establishing a foundation, there is no need for this Act to continue. The Crown foundations at both universities have had no activity in the past several years, and both universities support the elimination of the foundations.

Now I just want to stop there for a minute because I know the U of S [University of Saskatchewan] has run into some interesting issues in the last year or so, and I'm wondering what the implications are for that. And one of them is particularly around the Kenderdine area, which was a gift from the Kenderdine family I think, if I'm correct, from a family to the university for biology research. And from what I can recall, and I'm not 100 per cent sure on this but this will be questioned in committee, is what happened . . . the idea was that at a time when you were to give land or give gifts to the university, they were to be used for the purpose the gift had stated.

So in this case, now the Kenderdine campus had two real purposes. One was for biology students to learn a lot about biology in a field setting. And so they would go up every summer, and it was a big deal because everybody knew the lay of the land in that area and it was a major part of their field experience. The other part was an artistic part where Kenderdine and others had painted. And so this was very specific about what the intent of that gift was.

Now we're hearing lots of talk about what may actually happen to that land because ironically it's right on the fringe of the new park, and it's pretty prime real estate. Now that was a gift. Now I don't know, Mr. Deputy Speaker, all I'm just saying is there is lots of questions here. When you get rid of a foundation, was this the foundation through which that land had been given? I don't know, but I'd sure like to know.

And gifts that were given through this foundation, now maybe it was straight financial gifts and that was the only kind of gift that was accepted. But I would bet and I would not be surprised, Mr. Deputy Speaker, if there were other kinds of gifts that were given and then valued for a certain amount of money, at a price, and said this was worth 50,000 or this was worth 100,000, and then they got a tax credit based on that.

So, Mr. Deputy Speaker, I would like to know more about that Act than just say it's all

about the tax donation deduction. Maybe it is; maybe that's the only thing it's about. But I know particularly at the University of Saskatchewan, this is becoming a big, big issue about what's going to happen to gifts that were given to the university but may actually be used for other purposes. But when they were given, the legislation was very clear that they were to be used for the purpose for which they were given or returned. Now if you get rid of this legislation, does that have an impact on that? I don't know, but we'll have to find out more when we go to committee to say, so what is the whole legislation? What is the whole thing?

Because right now both universities are under . . . And we'll hear more about this tomorrow. We'll hear a lot about this tomorrow, about the stress of what's happening to the universities. And if they can have fewer strings on some of the things that they would like to do, I'm sure they would not have a problem with that, and if they have to deal with maintaining some of their older properties when they have an option of doing something.

We saw that with the Kenderdine Campus, that here was, for actually a very small amount of money, but that was their first thing on the cutting block — very symbolic when they got rid of the Kenderdine Campus. And it was a real sad day for not only the biology students but for the art students. Many had really actually come to think of that as what they saw the University of Saskatchewan as a much bigger campus, much bigger than what is on the banks of the South Saskatchewan River, that in fact the University of Saskatchewan represented all of the province. And we start to see these changes. We have some questions.

And so this is not a simple thing. I don't know, maybe it is a simple thing, but of course the minister in his speech tends to make it a very simple thing, and so we will have questions about that. And as I said, I don't know when they just say that they've written the letters to the universities and both have supported it. We've seen what that really means in terms of consultation and what this government does in terms of consultation. They get a letter and they say, bingo. We've done it. We got the job done and we can do whatever we want. It's a licence to do whatever they want, and actually I'm not sure that people fully understand that.

So we'll have questions. And so this is a kind of thing when I say that we should move cautiously when we're repealing old pieces of legislation.

The next one — and it also is kind of interesting because I know it seemed to have got a few laughs when I was reading Hansard — over on the other side, the minister was talking about repealing The Vegetable, Fruit and Honey Sales Act, and there seems to be an inaudible interjection. Now I don't know if anybody was so mad they swore and left here — I don't know if that happened — or maybe they were laughing. But something happened, you know. I don't know what happened when that happened over there.

But it's been in place since 1947, and it permits inspectors appointed pursuant to the Act to certify that vegetables, fruits, and honey for sale in Saskatchewan meet the standards and regulations. And he goes on to say, however, since the Act was first introduced, changes have occurred in the industries . . . to federal regulations have rendered the Act

irrelevant and cumbersome.

And I just have to say, Mr. Speaker, am I wrong? Maybe I'm not . . . Maybe I'm wrong here . . . [inaudible interjection] . . . Now the member from Moose Jaw, he seems to know it all. He seems to know it all. Right away he's on it and this is great. But are we not debating another bill that's called The Animal Products Amendment Act because of what the federal people did two years ago, off-loading? Now maybe the member from Moose Jaw North knows more about this, and he's the expert. That's the inaudible interjection over there. I think he's the inaudible interjection.

An Hon. Member: What are you talking about?

Mr. Forbes: What are you talking about? What are you talking about? What are you talking about?

I've got to say I find it very interesting that we have a Minister of Agriculture bringing forward *The Animal Products Amendment Act, 2012* because the federal government is walking away from its responsibilities. They've given notice two years ago because they're not going to do the inspections that they had always committed to.

But yet we are now repealing *The Vegetable, Fruit and Honey Sales Act*. Maybe it's a little premature with the government in Ottawa that maybe you should just take a little time here because, you know, maybe next year we're going to be bringing this back because the Harper government on Thursday, Harper's government on Thursday is going to be cutting more inspectors, and all of a sudden we're going to have to be inspecting our own honey, fruits, and vegetables. I think maybe we're a little premature here. I don't know because on one hand we're . . . [inaudible interjection] . . . Hey, Mr. Deputy Speaker, if he's talking about immature fruit, that's when you need an inspector to tell you when your fruit is immature or not.

But, Mr. Deputy Speaker, again I think this is an issue. And I think on one hand we can laugh about it, but you know we see . . . And we see this more and more, particularly . . . I know in Saskatoon we have a very active farmers' market. Regina has a very active farmers' market. And we know across the province there are many, many very active farmers' markets.

And I think that, I'm not sure what the point of repealing this . . . And we'll have questions about that too because I'm not sure if, what, they go into farmers' markets, whether it's federal inspectors who watch the honey sales there . . . And it's in my riding, the farmers' market, so I go down there very often on a Saturday morning and I see the people, you know, selling honey and, you know, I think this is a very important issue and I think that this is a critical piece. And I think we may be premature or it may be immature of the government to ask for the repeal of this at this stage. I don't know. But I think we need to think this through.

And I also think, you know, it's interesting in 1947 . . . This bill was introduced in 1947. And sometimes we think of that as the good old days, you know. And I think, and I'm not

sure who was with me on that trip to Toronto . . . Midwest legislators conference . . .
[inaudible interjection] . . . What's that?

An Hon. Member: You were on a trip in 1947?

Mr. Forbes: No, it was just a few years ago, a few years ago. I'm glad the folks are listening over there. But, Mr. Deputy Speaker, there was a Midwest legislators conference in Toronto just a couple of years ago and we were on a tour of the Toronto food exchange. And I don't know if you've ever heard of this. It has got to be the neatest thing I've seen in a long time. It's the third largest fresh food exchange in North America. New York has the biggest one, I think Los Angeles, and then Toronto.

And what it is . . . And it was built in response to all the major highways that were being built, you know, where the interstate system that was being built in the States after World War II. And what was going to happen was there was going to affect the farmers in southern Ontario who were used to selling their fresh fruit and vegetables into Toronto, and they had to set up a system so that it would be protected. And the government of the day said yes, we're going to support it. It's like the co-op, large co-op. The farmers, the fresh fruit and vegetable farmers every day . . . We went for that tour. Our tour started like at five in the morning and it was late; he said the day's already over. What you did . . . All these trucks, they'd be loaded up about midnight, driven into Toronto with potatoes, all sorts of vegetables, and then you would see . . . then they'd be out in this parking lot, essentially, and people would come and buy them for the restaurants and the grocery stores of Toronto. You know, when you go to a fancy restaurant in Toronto and they say we bought our vegetables locally, they really did. They went down to the back market in the morning and bought their vegetables.

And it was very interesting as you go in there. And you would see these restaurateurs pull out their wallets and they would have hundred dollar . . . They would have a whack of cash. Very few people actually paid with cheques, but rolls of money. They'd buy their vegetables for the day that they needed that night in the restaurant, and they'd be back the next morning, you know, about 5 or 6 in the morning to buy the best vegetables. It was really interesting. It was not a farmers' market, like ordinary people couldn't go and buy the groceries there, but it was for restaurateurs and small grocery stores. And it was phenomenal.

So I think there was some interesting things that were happening in the late 1940s to protect, you know, the people who did this kind of thing. So I think when we talk about that, these kind of things, it brings back a hope that maybe we could do things better. I know in Saskatoon, we're trying to think of how can we have more local produce in our city. And that's a real challenge. It's not just, you know, a pipe dream. We talk about some real food issues and food security, food security, and I think that this is an important thing. So we should look back at these things and not dismiss them so out of hand, because there were some really interesting things happening.

In Toronto this food exchange has been attempted to be bought out by the big grocery stores, but they have fought hard to remain independent because it's all about being

independent, and it's a phenomenal thing. And if you ever get a chance, Mr. Deputy Speaker, to see it, you should. It's really pretty neat. And actually many of us actually see it every time we go to Toronto. If you're at the airport and you're going downtown, it's under the freeway. And Mr. Nilson, the member from Lakeview and I were there a while ago, and I pointed it out to him. I said look down there; it's underneath the freeway. And there it was, all the trucks and stuff, but very interesting. I think farmers could appreciate the fact that people make a living, but it's just, you know, a different way of doing things. And I think we need to think more about it.

So when I see this kind of bill and when I see the era it's from, I think . . . And that's the same era, the late '40s, early '50s, when we were talking about independence and, you know, the local markets and supporting the local producers and supporting our local restaurants and local grocery stores. We can do things to make it a little bit better. So, Mr. Deputy Speaker, I'm going to be very curious to ask about that too. I want to know about the farmers' markets. I want to know . . . Like maybe this is something we should've been doing. Maybe this is something we should've been doing. And what will happen with the federal producers?

And as I know and it's seen from yesterday, you know, the minister actually had some difficulty following the discussion around C-52. Not sure what that was about. And he said the government seemed to be on the right track, doing a better job. I'm not sure that many people would agree with that, but he seemed to think it was okay.

Are we setting ourselves up to seeing a bill in two or three years calling for a bill similar to what we're looking at in Bill No. 60 where we say, hey, the federal government business . . . Well they seem to be in the habit of doing it. So maybe we should keep what we've got and not throw this out as quickly as some in . . . I don't know what department would be asking for this kind of thing.

Anyways, so I have some real concerns about that. So those are the first two bills that we have. I do want to just say that, you know, it's also interesting that, you know, how this government, how the minister framed this, Mr. Deputy Speaker. He talks about, and I quote, Mr. Speaker, *The NewGrade Energy Inc. Act* will also be repealed. This Act was enacted to facilitate the financing, construction, development of the heavy oil upgrader in Regina. In 2007, the Crown Investments Corporation of Saskatchewan sold its interest in NewGrade Energy Inc. and as such the Act is no longer required. End of story.

Now, Mr. Deputy Speaker, I think he might have mentioned that, that of course the government realized a profit I think of \$300 million. And I think that the new government of the day that came into power in the fall of 2007, the Premier of the day said, the new Premier of the day said, the cupboard was bare; it was stark, I think, was the actual word. He couldn't believe it. Then all of a sudden he realized, no, actually there was about 200 million or 300 million there, and it was from the sale of NewGrade.

We had set . . . This government on this side had set it aside for some very exciting work when it came to environmental projects. And we were really hoping for some new . . . a new way of how we did things in Saskatchewan. And we were excited about our green

strategy. And I know, Mr. Deputy Speaker, you would actually come out to many of the meetings. You were the environmental critic at the time and you had followed that work, and this was going to be a big part of that, a big part of that. And a big part actually of even curbside recycling, all sorts of things that we were going to be able to do and this was going to finance it. But somehow that money went some other places and we're not sure where it went.

But in all now, we just have sort of a sad footnote that NewGrade, that Act is no longer with us. End of story. But for us it was a great story because it did help this province along. It really did achieve some great things. And I think that we need to see more of that kind of stuff happening where we see some bold initiatives of the government to really invest and support its people in the kind of things we can be doing. And what you can do with \$300 million is amazing, is truly amazing. We would hope that they would have used it on some green initiatives.

And of course as the government, the Premier of the day, now I don't know what he was thinking when he said the cupboard was stark; it was bare. And really it was not at all that. I mean that was quite a thing when he said that.

So, Mr. Deputy Speaker, there's so many other things here that I know that we'll have questions about, particularly around the municipal funding and different things like that. I know that we have many questions of that. Of course now that they're relying on the Municipal Board for much of the financing . . . And I know and I realize that sometimes these things are created in response to federal initiatives and then the initiative goes away and you might as well let the bill go, you know. But I think that there were some things in here that I'm not sure that are ready for the trash heap.

I'd be interested, for example, The Subdivisions Act. Now it says they haven't used it in the last 25 years or haven't received an application for it, but I mean I would say that about the trespass bill this government passed five years ago. I'd bet a dollar that there's not been one charge under that bill. I don't think . . . I bet there hasn't been one, but if . . . And it sounds like the material for a written question. That's what it'll have to be, a written question. Who knows? It might end up in QP [question period]. How many times under the trespass bill has it been enforced?

So with that, Mr. Deputy Speaker, as I said, we will have questions about the university part because I do think that we need to be careful in these times that universities are very stressed, that nothing untoward is happening, unintentional or intentional. I think that it's important that people understand that this is straightforward, as the minister says. And if it is, then that's very good, and if there are any questions then we need to ask them.

And I know particularly in my riding, in my constituency, they are asking a lot about the Kenderdine. What's going to happen to it? And because it was a gift and it was a donation to the University of Saskatchewan, they expect it to stay the same. But you know, the university's giving all sorts of signals because essentially it's closing it down.

And if we see the university . . . We don't know what's going to happen this summer

because that really becomes a problem because, you know, winter right now would slow down any mischief that might happen on the campus. But as soon as spring comes it's going to be tough to maintain the buildings and property. And so we have some real concerns about that, and we don't want to see that campus abandoned for a long time. And in fact we would hope that it would return to the original use that it was meant for in terms of a biology camp and an art camp because that's really, really critical. So we have that.

And as well you know, I know that, as I say, I still don't know what this inaudible interjection . . . It might have been the member from Moose Jaw North yelling, what are you talking about? That could have been it. I don't know, because I know he often has to chirp that in.

But anyways we will be asking questions about *The Vegetable, Fruit and Honey Sales Act* as well because I think, as I said, that's an important thing when we talk about food security and if we're relying totally on the federal government when they have seemed to be not very reliable, not reliable at all. And in fact we've had to put in new legislation, and it's just a wise thing to do. It might be time to repeal this repeal.

And with that, Mr. Deputy Speaker, I know many of my colleagues will have comments to make as well. I'd like to move adjournment of this bill. Thank you very much.