



THIRD SESSION - TWENTY-SIXTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

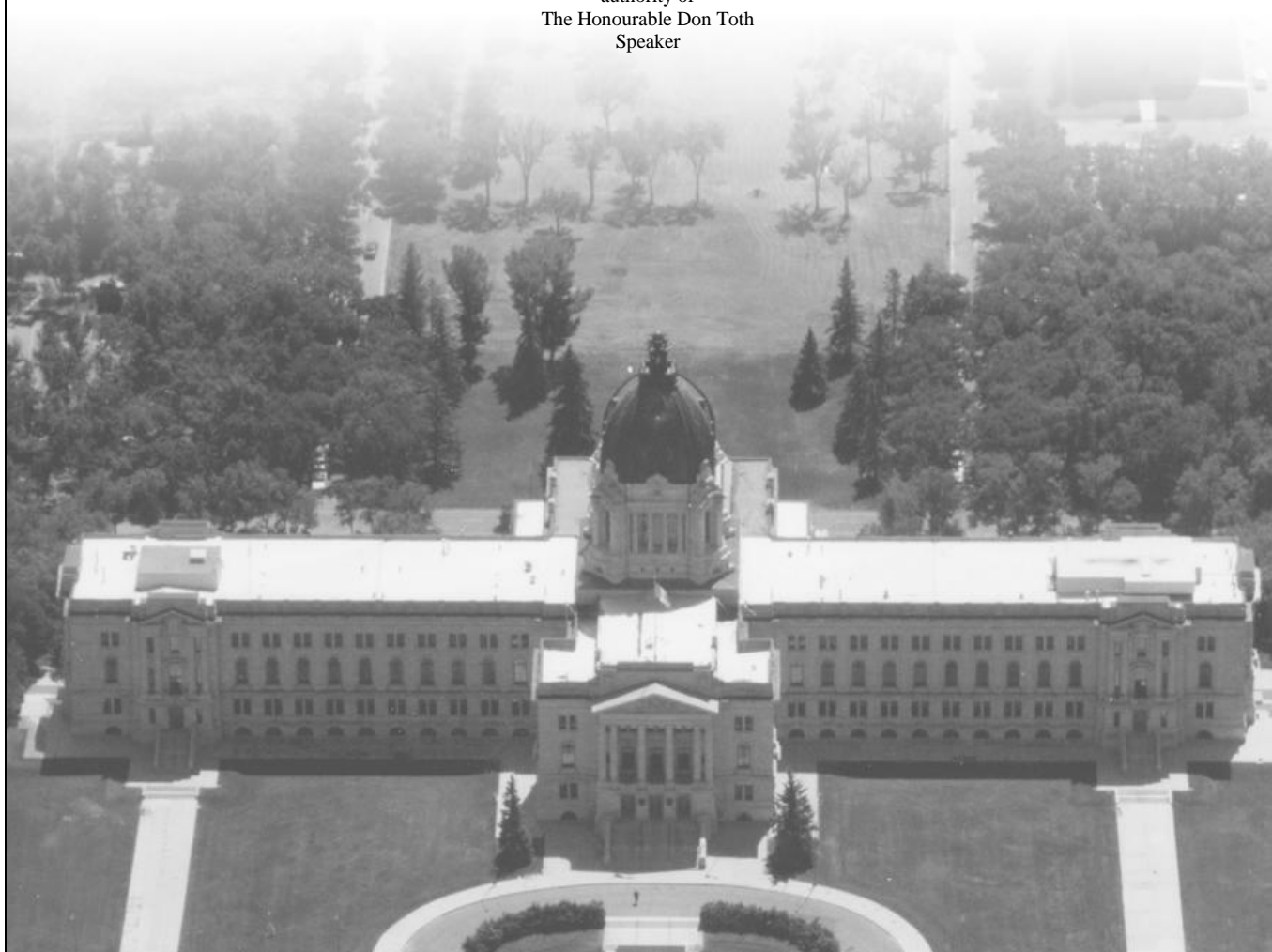
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
authority of  
The Honourable Don Toth  
Speaker



# MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. Don Toth  
 Premier — Hon. Brad Wall  
 Leader of the Opposition — Dwain Lingenfelter

Name of Member	Political Affiliation	Constituency
Allchurch, Denis	SP	Rosthern-Shellbrook
Atkinson, Pat	NDP	Saskatoon Nutana
Belanger, Buckley	NDP	Athabasca
Bjornerud, Hon. Bob	SP	Melville-Saltcoats
Boyd, Hon. Bill	SP	Kindersley
Bradshaw, Fred	SP	Carrot River Valley
Brkich, Greg	SP	Arm River-Watrous
Broten, Cam	NDP	Saskatoon Massey Place
Chartier, Danielle	NDP	Saskatoon Riversdale
Cheveldayoff, Hon. Ken	SP	Saskatoon Silver Springs
Chisholm, Michael	SP	Cut Knife-Turtleford
D'Autremont, Dan	SP	Cannington
Draude, Hon. June	SP	Kelvington-Wadena
Duncan, Hon. Dustin	SP	Weyburn-Big Muddy
Eagles, Doreen	SP	Estevan
Elhard, Wayne	SP	Cypress Hills
Forbes, David	NDP	Saskatoon Centre
Furber, Darcy	NDP	Prince Albert Northcote
Gantefer, Hon. Rod	SP	Melfort
Harpauer, Hon. Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
Harrison, Hon. Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Hon. Nancy	SP	Martensville
Hickie, Darryl	SP	Prince Albert Carlton
Higgins, Deb	NDP	Moose Jaw Wakamow
Hutchinson, Hon. Bill	SP	Regina South
Huyghebaert, Hon. D.F. (Yogi)	SP	Wood River
Iwanchuk, Andy	NDP	Saskatoon Fairview
Junor, Judy	NDP	Saskatoon Eastview
Kirsch, Delbert	SP	Batoche
Krawetz, Hon. Ken	SP	Canora-Pelly
LeClerc, Serge	SP	Saskatoon Northwest
Lingenfelter, Dwain	NDP	Regina Douglas Park
McCall, Warren	NDP	Regina Elphinstone-Centre
McMillan, Tim	SP	Lloydminster
McMorris, Hon. Don	SP	Indian Head-Milestone
Michelson, Warren	SP	Moose Jaw North
Morgan, Hon. Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, John	NDP	Regina Lakeview
Norris, Hon. Rob	SP	Saskatoon Greystone
Ottenbreit, Greg	SP	Yorkton
Quennell, Frank	NDP	Saskatoon Meewasin
Reiter, Hon. Jim	SP	Rosetown-Elrose
Ross, Laura	SP	Regina Qu'Appelle Valley
Schriemer, Joceline	SP	Saskatoon Sutherland
Stewart, Lyle	SP	Thunder Creek
Taylor, Len	NDP	The Battlefords
Tell, Hon. Christine	SP	Regina Wascana Plains
Toth, Hon. Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation Park
Vermette, Doyle	NDP	Cumberland
Wall, Hon. Brad	SP	Swift Current
Weekes, Randy	SP	Biggar
Wilson, Nadine	SP	Saskatchewan Rivers
Wotherspoon, Trent	NDP	Regina Rosemont
Yates, Kevin	NDP	Regina Dewdney

[The Assembly met at 13:30.]

[Prayers]

**The Speaker:** — Members, before we move forward with introduction of guests, just a comment I'd like to make. We're currently experiencing audio system technical difficulties. And one of the processors that's responsible for the mikes is currently not functioning, which means even though the mikes are configured to alternate between the two processors, when you stand to be recognized, your mike may not be functioning.

So just keep an eye on the light and see which mike closest to you . . . Hansard will be turning on the mike that's closest to you to pick up so that your comments can be heard. Just for your information.

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you very much, Mr. Speaker. It's a great honour to introduce to you and through you some very, very special guests who have joined us in your gallery today. Mr. Speaker, we had a chance to honour them earlier on today at a brief press conference. They are the recipients, the first recipients, of the Scholarship of Honour, Mr. Speaker.

And as I said in my remarks earlier today, there are just some . . . a sentiment I wouldn't mind sharing with this Assembly, though it does come I admit from an American source, from the second inaugural of Lincoln's, when he said this. And I quote:

. . . let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan . . .

Mr. Speaker, that is the spirit behind the government's Scholarship of Honour which is made available to those veterans who have returned from active service since 2001, so principally veterans of the Afghanistan mission. And, Mr. Speaker, there are 11 individuals who have already received the scholarship, and I'd like to introduce them to members of the Assembly today.

The scholarship is for \$5000, and again it's for those returning from active duty since January of 2001. And it's for all post-secondary educational pursuits: tech schools and our universities. And you don't have to go to university or tech school here in the province of Saskatchewan, it's just available to those Saskatchewan heroes who have served.

And so I'm going to read the names of those who are here to receive the honour on behalf of those who are not. I'll start with those who are here, and then read the list of names of recipients who just couldn't make it today. And I'm going to ask them each to stand while I read their names.

I'll begin with MacKenzie Driscoll from Swift Current; Tyler Matthies, Regina; Joseph or Dan Mackenzie from Saskatoon;

Danielle Grace, Winnipeg; Todd Duhaime, Saskatoon; and Neil Bird from Regina.

There are some who could not be here today, and those include: Brendan Clancy, of Martensville; Shane Iverson of Winnipeg; Kurt Popescue of Regina; Michael Bellegarde of Vancouver; and Scott MacBean of Saskatoon.

And then joining these heroes here today, these recipients of the scholarship, are members of their family and also friends who have joined them in support. We'd just like to welcome them all to their Legislative Assembly and thank them again for their great service to our province and to our nation.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

**Mr. Quennell:** — Thank you very much, Mr. Speaker. On behalf of the official opposition, I would like to join . . . [inaudible interjection] . . . I won't take it personally, Mr. Speaker.

On behalf of the official opposition, I would like to join with the Premier in welcoming the scholarship recipients here today. It'll become readily apparent in a few minutes that there are many things that we do not agree upon in this Assembly, even if I have to go to a different microphone to make that clear, Mr. Speaker.

But I think there's one thing — well, there are many things — but there's certainly one thing today that we have a consensus on in this room, and that is the pride we feel in the young, mostly young, Saskatchewan people who have taken up the call of service to their country and served and are continuing to serve in the mission in Afghanistan. And so on behalf of the official opposition, I want to join the Premier in welcoming the recipients to their Assembly today.

**The Speaker:** — I recognize the member from Wood River, the Minister Responsible for Corrections and Public Safety.

**Hon. Mr. Huyghebaert:** — Thank you, Mr. Speaker. To you and through you to the Assembly, I'd like to introduce some very special guests seated in your gallery today. And, Mr. Speaker, I'd ask that these special guests stand and be recognized when I introduce them.

Representing the northern drug and gang unit is RCMP [Royal Canadian Mounted Police] inspector Mercer Armstrong. Inspector Armstrong has been with the RCMP since 1988 and is currently stationed at "F" Division working as a support services officer. As part of his current position, he played a major role in the development of the northern drug and gang unit.

Representing the combined forces special enforcement unit is Inspector Gary Hoedel with the Regina Police Service. Inspector Hoedel joined the Regina Police Service in 1974 and has been an integral part of the CFSEU [combined forces special enforcement unit] since 2008.

Representing the integrated child exploitation unit is Detective

Sergeant Patrick Nogier with the Saskatoon Police Service. Sergeant Nogier is in his 17th year of service with the Saskatoon Police Service and is currently serving as a provincial coordinator for the ICE [Internet child exploitation] unit.

I would invite all members to help me in welcoming these special guests to their Legislative Assembly.

**The Speaker:** — I recognize the Minister Responsible for Social Services.

**Hon. Ms. Harpauer:** — Thank you, Mr. Speaker. With leave to make an extended introduction.

**The Speaker:** — The minister has asked for leave for an extended introduction. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. I recognize the minister.

**Hon. Ms. Harpauer:** — Thank you, Mr. Speaker. Mr. Speaker, seated in your gallery today is a number of very special people who have spent years volunteering for their local housing authorities. Earlier today I had the honour of presenting these individuals with an award recognizing the many years of service they've given to their communities and to Saskatchewan as a whole. Among them were eight people who received recognition for 25 years of service and those that are with us today, if they could give a wave when they hear their name. We have Barbara Torwalt of Leroy; Joyce Haas of Kelvington; Deanna Schafer of Mankota; Victor Delhommeau of Luseland; Marilyn Welcher of Welwyn; Sheila Marsh of Welwyn, Patrick Farrell of Creelman; and Beatrice Struthers of Ogema.

Three more people with us today received recognition for 30 years of service. They are James Dushire of Wilkie; Larry Shaw of Morse; and Donna Selinger of Lampman.

And the very special service today went to Julie Gerwing of Lake Lenore receiving recognition for an amazing 35 years of service.

Mr. Speaker, as you can see, there are also others here today from Wilkie, Lake Lenore, Creelman, Welwyn, Kelvington, Lampman housing authorities. They too deserve our praise for the time and energy that they have volunteered to build a better province. The provincial government and the Saskatchewan Housing Corporation truly value the dedication and hard work of all of our housing volunteers throughout the province.

Overall, Mr. Speaker, we have 1,500 volunteer board members within the Sask Housing Corporation network. So, Mr. Speaker, I ask all members to please join me in welcoming these individuals to their legislature and thanking them for their years of service to our province.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you very much, Mr. Speaker. I too would like to join with the minister in welcoming the special

guests who have spent numerous years, that's quite an accomplishment — some 35, 30 years on volunteer boards. Really that's what makes our Saskatchewan communities so strong and vibrant, and housing is such an important part of our communities. And so I too, on behalf of the opposition, join in with the minister in welcoming them to their legislature. Thank you very much.

**The Speaker:** — I recognize the member from Athabasca.

**Mr. Belanger:** — Thank you, Mr. Speaker. I'd like to join with the Minister for Public Safety and Corrections in welcoming the guests from the RCMP here today. I think they are from the police services.

I think it's very, very important as a northern member that the work that you're undertaking on behalf of many northern people is very much appreciated. So I'm sure I speak with the member from Cumberland, as well as the two northern MLAs [Member of the Legislative Assembly], and that we wish you best of luck.

And many northern people do feel alone, Mr. Speaker, in this battle. So I wish the RCMP very much success and to remain vigilant in your duties as a northern drug and gang unit, and the enforcement strategy comes into effect. Thank you very much, Mr. Speaker.

## PRESENTING PETITIONS

**The Speaker:** — I recognize the member from Regina Northeast.

**Mr. Harper:** — Thank you, Mr. Speaker. Mr. Speaker, it gives me a great deal of pleasure to rise today to present a petition on behalf of concerned citizens in Saskatchewan who are concerned over the condition of Highway 123. This highway is in northern Saskatchewan, Mr. Speaker, and northern Saskatchewan is a little bit unique as far as their highway structure is concerned. Most communities there only have one highway — one to come in on, the same one to go out on. So Mr. Speaker, I would like to read the prayer here now:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to commit to maintaining and repairing this highway.

As in duty bound, your petitioners will ever pray.

And this petition is signed by the good folks of Cumberland House. I so submit.

**The Speaker:** — I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. I rise to present a petition that speaks to the issue that Saskatchewan renters are facing. And it's really an awful combination of rising rents and very low vacancy rates in many communities across the province and that many of these renters have had to suffer or are in the process of going through rent increases that are doubling their rents in some very extreme cases. And, Mr.

Speaker, the prayer reads:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to consider enacting some form of rent control with a view to protecting Saskatchewan renters from unreasonable increases in rent.

And as in duty bound, your petitioners will ever pray.

And, Mr. Speaker, I so present on behalf of Saskatchewan citizens.

**The Speaker:** — I recognize the member from Saskatoon Centre.

**Mr. Forbes:** — Thank you, Mr. Speaker. I rise today to present a petition in support of wage equity for CBO [community-based organization] workers. And we know that workers in community-based organizations in Saskatchewan have traditionally been underpaid, and many continue to earn poverty-level wages.

We know that these workers care for and provide valuable services to some of the most vulnerable members of our society such as persons living with mental and intellectual disabilities; women and children in crisis; low-income, at-risk individuals; young children; youth; Aboriginal; immigrants; and visible minority people. And I'd like to read the prayer:

Wherefore your petitioners humbly pray that your honourable Assembly may be pleased to cause the development and implementation of a multi-year funding plan to ensure that CBO workers achieve wage equity with employees who perform work of equal value in government departments.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, these folks come from Saskatoon and Regina. Thank you very much.

**The Speaker:** — I recognize the member from Cumberland.

**Mr. Vermette:** — Mr. Speaker, I rise today to present a petition in support of a new long-term care facility in La Ronge. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to immediately invest in the planning and construction of new long-term care beds in La Ronge.

And as in duty bound, your petitioners will ever pray.

It is signed by the good people of La Ronge and area. I so present.

**The Speaker:** — I recognize the member from Saskatoon Massey Place.

**Mr. Broten:** — Thank you, Mr. Speaker. I stand today to present a petition in support of fairness for Saskatchewan

students through the necessary expansion of the graduate retention program. And the prayer reads:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to immediately expand the graduate retention program to include master's and Ph.D. graduates.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, the individuals who signed this petition are from the city of Saskatoon. I so present.

**The Speaker:** — I recognize the member from Regina Walsh Acres.

**Ms. Morin:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to present yet another petition on behalf of rural residents of Saskatchewan who question why the Sask Party government is leaving them behind with respect to providing safe and affordable water, and who have yet not have had any commitment of assistance. And the prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to financially assist the town of Duck Lake residents for the good of their health and safety due to the exorbitant water rates being forced on them by a government agency, and that this government fulfills its commitment to rural Saskatchewan.

As in duty bound, your petitioners will ever pray.

And, Mr. Speaker, these petitions are signed by the good residents of Duck Lake, Prince Albert, and Regina. I so present.

[13:45]

**The Speaker:** — I recognize the member from Saskatoon Fairview.

**Mr. Iwanchuk:** — Mr. Speaker, I stand and present a petition in support of maintaining quality health care services. Mr. Speaker, the Government of Saskatchewan ought to recognize the essential role of all health care providers as valued members of the health care team. And, Mr. Speaker, in order that that recognition mean something, that the government has to have a commitment to adequate funding and the installation of good faith bargaining to the collective bargaining process. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to commit to maintaining quality health care services and job security for all public health care providers.

And as in duty bound, your petitioners will ever pray.

And the petitions are signed by residents of Duck Lake and Rosthern. I so present.

**The Speaker:** — I recognize the member from The Battlefords.

**Mr. Taylor:** — Thank you, Mr. Speaker. I'm pleased today to rise and present a petition in support of affordable housing and rents for The Battlefords. Mr. Speaker, the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to call upon the Government of Saskatchewan to develop an affordable housing program that will result in a greater number of quality and affordable rental units to be made available to a greater number of people throughout The Battlefords, and that will implement a process of rent review or rent control to better protect tenants in a non-competitive housing environment.

Mr. Speaker, the petition is signed by residents of The Battlefords. I so present.

#### STATEMENTS BY MEMBERS

**The Speaker:** — I recognize the Premier.

#### Green Week Celebrates Roughriders Win

**Hon. Mr. Wall:** — Thank you, Mr. Speaker. Well for the second time in three years, the Saskatchewan Roughriders are heading back to the Grey Cup, Mr. Speaker. That's the first time that's happened since the 1960s.

Now a couple of weeks ago I remember listening to Jim Hopson, and he was doing an interview and talking on the radio about how they worked to instill a culture of winning throughout the entire Roughrider organization from the management down to the coaches, and of course through all the players and the staff.

A culture of winning means that this team has a quiet confidence that probably wasn't there just a few years ago. It means you don't see them dancing around in the end zone after a touchdown. There's not a lot of excessive celebration. There is a quaint, quiet competence to them. It means they don't get down when they're down by 10 points. They don't panic if they're down by just a touchdown and a field goal. They just get to work and get the job done.

Mr. Speaker, while the team has quiet confidence, the fans are anything but quiet as we saw last night, as I was able to see last night at Mosaic. It was truly amazing, the fans playing a part as the 13th man with the thunder sticks and the cheering that occurred. This week that sea of green became a tidal wave that washes over the entire province of Saskatchewan, and it's going to spill all the way over to Calgary for the Grey Cup.

And so we're declaring, Mr. Speaker, in Saskatchewan, Green Week. I am encouraging everyone to wear their Rider green to work or to school and, most importantly, to Calgary on the weekend. Let's see if we can make McMahon Stadium, Mr. Speaker, a home field game for the Grey Cup champions.

**The Speaker:** — I recognize the member from Regina Dewdney.

#### Roughriders Vie for Grey Cup

**Mr. Yates:** — Thank you, Mr. Speaker. I am proud to rise today to congratulate the Saskatchewan Roughriders, the 2009 Western Division Champions.

Mr. Speaker, the entire province was watching yesterday as the Riders stomped the Calgary Stampeders, winning 27 to 17 over our rivals to the West.

The atmosphere at Taylor Field was electric. Over 30,000 Rider fans flocked from across the province, donning every kind of green attire they could find — wigs, green KISS costumes, superhero underwear in some cases, and the infamous melon heads. The 13th man was definitely a factor in the win. The roar of 30,000 noisemakers, horns, thunder sticks, and crazed fans yelling at the top of their lungs was deafening.

After the game, an army of green took over the Green Mile on Albert Street. With horns blaring, fans whooped and hollered and waved flags, jerseys, and anything green they could find. They braved the cold for a few more hours just to show their support for our team.

And now we're off to the Grey Cup, Mr. Speaker, for the second time in three years. Rider fans are optimistic, enthusiastic, and ready for a win next week. I'm sure the hunt for Grey Cup tickets is already on across the province and difficult to find. Next weekend fans will be out in full force at the game in Calgary. And when we bring home the Grey Cup, the province will be ready to celebrate again.

Mr. Speaker, congratulations to the Saskatchewan Roughriders, the 2009 CFL [Canadian Football League] West Division Champions, and soon-to-be Grey Cup champions.

**The Speaker:** — I recognize the member from Cannington.

#### Saskatchewan Scholarship of Honour

**Mr. D'Autremont:** — Thank you, Mr. Speaker. The men and women of the Canadian Armed Forces make the greatest sacrifice by putting themselves in harm's way in distant lands. We should always honour those who fight for our values and freedoms.

One way we are honouring our soldiers is with the Saskatchewan Scholarship of Honour. This \$5,000 scholarship is given to current or past residents of Saskatchewan who actively served in military operations, either as a regular force member or as a reservist in the Canadian Forces after September 2001. It's also available for the spouse and/or children of severely injured or deceased soldiers and can be used at any recognized Canadian post-secondary institution.

Mr. Speaker, today we honour the 11 men and women who received the scholarship this year. This includes Scott McBain of Carnduff in the Cannington constituency. Scott's father passed away a couple of years ago, and I know both Scott Sr. and Sylvia were and are very proud of their son. This scholarship of honour is our way to give back to those selfless individuals and their families by providing valuable financial support for post-secondary education.

Mr. Speaker, Saskatchewan's brave men and women have a long history of serving our country so that we have the opportunity to pursue our dreams as Canadians. And through this scholarship, we will be helping our soldiers to continue and fulfill their dreams. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Regina Lakeview.

#### **Preeceville and District Health Centre Expansion**

**Mr. Nilson:** — Mr. Speaker, I was proud to attend the grand opening of the Preeceville and District Health Centre last Friday. This project provides 40 long-term care beds, improved facilities, and state-of-the-art technology.

Last Thursday the Minister of Health triumphantly announced how the Sask Party government was so proud of this facility, suggesting that they deserve the credit for its construction. But this initiative was not spearheaded by the Sask Party government. I remind the members opposite that it was under an NDP [New Democratic Party] government that the Preeceville hospital was planned, funded, and supported. Construction began in 2007 before the Sask Party came to power.

In his press release last week the Health Minister says, and I quote, "The Government of Saskatchewan is committed to creating safer, more comfortable environments for patients, long-term care residents and health providers . . ." Unfortunately, Mr. Speaker, their actions don't match their words.

In their mid-year financial update, the government cut \$122 million from the Health budget, removing funds for 13 long-term care facilities across the province. We can see the facts, Mr. Speaker. These were cuts in funding, plain and simple, and you can bet the people waiting for long-term care facilities in 13 communities can see the facts too.

People in Saskatchewan do not want their health care provided on a hope and a prayer, like Sask Party budgeting. People want health care provided on hope they can trust under a prudent NDP government.

**The Speaker:** — I recognize the member from Prince Albert Carlton.

#### **Saskatchewan Police Forces Protect the Public**

**Mr. Hickie:** — Mr. Speaker, Saskatchewan police forces and the RCMP are doing a stand-up job protecting the people of Saskatchewan from criminals. The Saskatchewan contingent of the combined forces special enforcement unit, which brings together members from the Regina, Saskatoon, and Prince Albert police services as well as the RCMP, investigated 12 criminal organizations between April of 2008 and March 2009. These investigations led to the removal of over a quarter million dollars worth of illicit drugs from our streets through seizures and undercover investigations. More recently, Mr. Speaker, this same unit arrested 55 individuals and laid 290 charges over the past seven months. They also removed 20 firearms from the streets.

Mr. Speaker, our northern drug strategy is producing results as well. In the past two months, various amounts of marijuana, cocaine, and related materials have been seized. As well, those responsible for trafficking are now facing charges.

And, Mr. Speaker, the internet child exploitation or ICE unit, which began work in October of 2008, is protecting the children of this province. The ICE unit is currently involved in 100 investigations relating to child pornography, child exploitation, and the luring of young children. Again, Mr. Speaker, this unit is comprised of the Regina, Saskatoon, and Prince Albert police services and the RCMP.

Our men and women in blue are making Saskatchewan safer. Thank you, Mr. Speaker.

**The Speaker:** — I recognize the member from Regina Walsh Acres.

#### **Management of Provincial Expenditures**

**Ms. Morin:** — Thank you, Mr. Speaker. I rise today to welcome the Premier back to next year country. Because he wasn't here to join in the standing ovation his members gave to the billion dollar deficit, the Premier may not realize that his cabinet ministers have been busy rebranding the province once again as next year country.

After admitting he had irresponsibly overestimated growth in the province's economy back in March, do you know, Mr. Speaker, when the Minister of Finance predicted boom times would return? Next year. After confessing he had recklessly overestimated revenues from potash, Mr. Speaker, do you know when the Finance minister predicted recovery for that sector? Next year.

And it's not just the Finance minister, Mr. Speaker. Thanks to the government's mismanagement, the Health minister has had to admit that funds for long-term health care facilities, long-term care facilities have been deferred. And do you know until when, Mr. Speaker? Next year. That's right, Mr. Speaker, along with the children's hospital, the surgical care centre, and the health sciences complex, these long-term care facilities have all been relocated to next year country.

Mr. Speaker, I hope the Premier enjoys his stay in next year country until the people of Saskatchewan replace the pretend premier of next year country with a real Premier of Saskatchewan in 2011.

**The Speaker:** — I recognize the member from Saskatoon Northwest.

#### **Saskatchewan Multicultural Week**

**Mr. LeClerc:** — Thank you, Mr. Speaker. *Multis e gentibus vires*, "from many peoples, strength." That's the motto of this great province and reflects our government's commitment to multiculturalism. "From many peoples, strength" not only speaks to Saskatchewan's past, but also speaks to our future as we collectively go forward.

Mr. Speaker, with our impressive population growth over the

past 12 months, we're welcoming more people to Saskatchewan. These people are from all over the world, and they bring with them their unique cultures and traditions. These new residents of Saskatchewan are adding to our province multicultural mosaic.

The Multicultural Council of Saskatchewan believes that education and interaction are keys to better understanding and fostering positive cross-cultural relations. In support of this goal, the Multicultural Council of Saskatchewan has created an information sheet and quiz titled, "Ways to welcome Saskatchewan's multicultural week." These quizzes are a powerful tool which will enable a new wave of understanding in the next generation that will usher in an age of multiculturalism unlike anything we've ever seen.

Mr. Speaker, I would like to encourage everyone to take some time out this week and enjoy a different cultural experience and whether to spend time with a new family, they're new to Canada, or volunteering with the Open Door Society. Thank you, Mr. Speaker.

### QUESTION PERIOD

**The Speaker:** — I recognize the Leader of the Opposition.

#### Management of Provincial Economy

**Mr. Lingenfelter:** — Mr. Speaker, my question to the Premier: in light of the mid-year financial report which confirmed last week that the March budget was in fact the most irresponsible provincial budget in the history of the province, has the Premier, has the Premier asked for and received the resignation of the Minister of Finance? And if not, why not?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, Mr. Speaker, the answer is no, and here's why. Under this Minister of Finance, Mr. Speaker, the Government of Saskatchewan has delivered historic income tax cuts — 80,000 fewer people paying income tax in the province. Mr. Speaker, under this Minister of Finance, historic reduction in education property tax. Mr. Speaker, under this minister, long-awaited municipal revenue sharing. Mr. Speaker, under this Finance minister, 40 per cent less debt and the strongest economy in the country.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, question to the Premier. We know that the tax cuts are now a deferred tax, with interest. That's what's happening here in the province of Saskatchewan.

[14:00]

In 2007, this government was left \$2.3 billion in cash and a booming economy. Now the Premier says that the reason he hasn't asked for the resignation is because he's responsible for the mismanagement of the economy of this province. And I want to ask him, as a result of that, is he taking full responsibility for the unprecedented fiscal incompetence of this government?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, when we took office, Mr. Speaker, when we took office two years ago, the debt of the province of Saskatchewan was \$6.8 billion. There was \$1.2 billion in the savings account. Today there is \$4.2 billion in debt and \$600 million in the savings account. That's a net improvement in the position, the financial position of this province of \$2 billion in two years.

And no, we don't take credit for that on this side of the House. The credit belongs to the people of the province of Saskatchewan.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, my question to the Premier. With that kind of math, it's no wonder we're in trouble financially in this province. Mr. Speaker, we know the Premier decided last week to get out of Dodge and leave the province and not stand by his minister to defend the fiscal incompetence of his government.

But what's more worrisome is, in a telephone interview from Washington, he said, and I quote, "... I'm satisfied with the current budget ..." My question to the Premier: which part of this budget are you satisfied with? The 95 per cent miss on potash, the 67 per cent miss on natural gas, the 5 full percentage point miss on GDP [gross domestic product], or is it the \$1 billion deficit that you're so proud of? Which of that part of the mess are you proud of?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — There are two stories in this budget, Mr. Speaker. There is potash and there is everything else. Mr. Speaker, oil revenues are coming in above what was projected by the government, Mr. Speaker. A number of sources have tax revenue coming in above what was projected by the government, Mr. Speaker. There's a challenge in potash — there's no question about it — the likes of which we haven't seen in, I think, about 35, 37 years. Mr. Speaker, since 1972, when I was in grade 2, has there been so little potash sold in the province.

We will meet the revenue challenge that that presents and we'll do so on the strength of this fact. When we took office, there was 6.8 billion in debt, 1.2 billion in the savings account. Today there's 4.2 billion in debt, 600 million in the savings account. That's an improvement in the financial position of Saskatchewan through an historic recession, mind you, of \$2 billion, Mr. Speaker.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — The arrogance of this Premier and this government is getting a little irritating for many Saskatchewan families, and I might add in the November 21st *Leader-Post*, maybe starting to irritate some of the press. I want to give a quote:

What was truly most disturbing [about] ... the complete and total lack of humility we saw from this Saskatchewan



Party government, which should damn well be embarrassed by its own incompetence right now, rather than celebrating.

. . . the Sask Party government still doesn't seem to know how stupid it's been — and that's truly . . .

**The Speaker:** — Order, order, order. We have, even in quotes, we have been reminded over and over again by Speakers that we were not to use language that would be confrontational and have respect to the Chamber of the Assembly and the decorum in the Assembly.

I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, my question to the Premier is this: in light of the irritation that many Saskatchewan families have for the arrogance of this government when they've made this much of a mistake on the finances of the province, will the Premier simply rise in his place and apologize to the people of the province for taking the province from boom to bust and from surplus to deficit? Will he do that?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, it's almost as if the hon. member opposite wants there to be bad news in the province of Saskatchewan. I've heard this comment about boom to bust too many times. Is this the position of the member . . .

[Interjections]

**The Speaker:** — Order. Order. I recognize the Premier.

**Hon. Mr. Wall:** — Mr. Speaker, the hon. member has just said that the province of Saskatchewan is in bust. That's what he said, even though last week we know that manufacturing output in this province is number one in Canada. Even though we know today, Mr. Speaker, that our employment record is number one in Canada, the lowest unemployment rate in the midst of a global recession. The lowest rate per city is in Saskatoon. The second lowest is in Regina.

We have historic and sustainable tax cuts, reduced debt in the province of Saskatchewan. I was away for a few days last week; that member's been gone for 10 years and things have changed in the province of Saskatchewan, Mr. Speaker.

Mr. Speaker, this province continues to grow. The forecasters are saying we will lead the nation in growth next year. There are the challenges of potash to deal with, Mr. Speaker. We will meet that challenge and we will do so on the strength of the strongest provincial balance sheet in the federation.

**The Speaker:** — I recognize the Leader of the Opposition.

### Consideration of Supplementary Estimates

**Mr. Lingenfelter:** — The Premier is right about one thing. When I left in 2000, we had a premier who had the books balanced and we were making money and we had a surplus in the budget. That's not true today. I agree with him on that.

Mr. Speaker, earlier today I wrote to the Premier demanding that the government extend the sitting of the legislature for eight sitting days so that we could review in detail the supplementary estimates so we avoid this kind of a financial fiasco in this set of budget documents. To the Premier: has he had time to review that request, and will we be sitting for those extra eight days?

**The Speaker:** — I recognize the Premier.

**Hon. Mr. Wall:** — Thank you, Mr. Speaker. Just to add a little bit to the public record, when that member left 10 years ago with the NDP in charge, this province had amongst the worst job creation records in the country, and we were losing people. Witness where that member went, Mr. Speaker. We were losing people to the province of Alberta. Today we have the lowest unemployment rate in Canada, Mr. Speaker. Today, Mr. Speaker, we are experiencing the fastest population growth in 50 years in Saskatchewan, Mr. Speaker.

Mr. Speaker, I've heard about the member's proposal for further debate on supplementary estimates. I think that's a reasonable proposal. I think the wrong way to go about it would be to add taxpayers' costs in terms of sitting days. What we're prepared to do today, Mr. Speaker, if the opposition wants, is extend the hours of this sitting. We can sit till midnight on supplementary estimates if the opposition wants to. We can begin today.

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Lingenfelter:** — Mr. Speaker, a question to the Premier. He will know that he's presented supplementary estimates that amount to a new budget. That includes \$293 million in spending cuts in 19 departments and agencies, and \$65 million in additional spending in eight departments and agencies. And what we want to indicate today, Mr. Speaker, is the opposition will not be rubber-stamping these numbers without asking and getting answers to the questions around these spending increases and spending cuts.

The last time the government was unable to bring a budget to vote in the Assembly was in 1991 under his former boss and predecessor, Grant Devine. Is he going to be following that example yet one more time of his former boss and mentor, Grant Devine, in not having a vote on these budget numbers?

**The Speaker:** — I recognize the Leader of the Opposition.

**Hon. Mr. Wall:** — Mr. Speaker, as you will know, supplementary estimates is about additional spending not in the original budget. It's about \$65 million is the amount we're talking about here on a \$10 billion budget. Hardly a new budget.

However we've seen the proposal from the member opposite. We're willing to extend the amount of debate for supplementary estimates. We'll sit till midnight. We could sit in the morning as well, Mr. Speaker. If we get two committees going, we could sit for 54 hours. The members opposite can ask questions on . . .

[Interjections]

**The Speaker:** — Order. I recognize the Premier.

**Hon. Mr. Wall:** — We could sit for an additional 54 hours over the next two weeks so members opposite can ask questions on supplementary estimates, Mr. Speaker, and then I would expect a vote on supplementary estimates.

**The Speaker:** — I recognize the member from Saskatoon Meewasin.

### Children's Hospital in Saskatoon

**Mr. Quennell:** — Thank you, Mr. Speaker. The government's financial mismanagement has forced them to cut \$95 million from the children's hospital in Saskatoon. In her 2009 budget speech, the member from Regina Wascana Plains said her government would deliver on their promise for a children's hospital, while the member from Saskatoon Northwest said he was embarrassed because Saskatchewan is the only province without one. I wonder how embarrassed the government is now because they had to cut funding to the hospital.

Mr. Speaker, the government has \$1.5 million to spend on insiders Doug Emsley and Garnet Garven, but they have no money to invest in the children of Saskatchewan.

Will the minister tell us when the children's hospital will open its doors? Or is it one of the many projects that will be a casualty of the government's financial mismanagement?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, we committed to a children's hospital when we were in opposition. We've committed to a children's hospital since we've been in government. We have started the plans working on the children's hospital, Mr. Speaker.

The Saskatoon Health Region, where the hospital will be built, is not in the position to expend all that capital this budget year, Mr. Speaker. Five million dollars has been left in that budget so that they can continue on the scoping process and the development process of a children's hospital, Mr. Speaker — which I will tell you is a lot further ahead than after 16 years when they talked about it but never would put a cent behind it, Mr. Speaker.

**The Speaker:** — I recognize the member from Moose Jaw Wakamow.

### Moose Jaw Hospital Project

**Ms. Higgins:** — Thank you very much, Mr. Speaker. This government's fiscal mismanagement has plunged Saskatchewan into a \$1 billion deficit and now they're cutting projects left and right. Everywhere you look you can see projects like the children's hospital or the surgical care centres that have been cancelled.

Mr. Speaker, the people of Moose Jaw are wondering where our expansion to the Moose Jaw Hospital project is. Even though during the 2007 election the now Premier showed up in Moose Jaw and he said, the Moose Jaw expansion was a top priority,

we have not seen any action on the file for the last two years. And now we see, with this billion dollar deficit, that programs are being cut across the province.

My question: how much longer are the people of Moose Jaw going to have to wait for this project to begin?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, this line of questioning is very interesting and I hope they continue on this line of questioning because what it really does do is it accents the absolute deterioration of our health care facilities across the province under the NDP government, Mr. Speaker.

Mr. Speaker, we are left picking up the pieces, whether it's a children's hospital that they've talked about in Saskatoon, whether it's a facility in Moose Jaw, Mr. Speaker . . .

[Interjections]

**The Speaker:** — Order. Order. I'd like to ask the members to allow the minister the same opportunity to respond as the member was given the opportunity to ask the question. I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, with respect to the Moose Jaw facility, \$450,000 has been given to Five Hills Health Region to develop the scoping and look at what facility is needed in Moose Jaw, whether it's a revamping of the facility that's there. So that work is being done. To say that there has been nothing done couldn't be further from the truth, Mr. Speaker — \$450,000 has been delivered.

But it's interesting that they would talk about next year country. Whether it was in Humboldt, whether it was in Preeceville, many other facilities were announced on the eve of an election, like in Preeceville in 1999. And then the minister, former minister, had the nerve to go for a photo op, a spade in the ground as a grand opening, Mr. Speaker, as an opening just before the '03 election. It was all about politics on that side, Mr. Speaker.

**The Speaker:** — I recognize the member from The Battlefords.

### Saskatchewan Hospital in North Battleford

**Mr. Taylor:** — Thank you, Mr. Speaker. The Saskatchewan Party government has made promises and commitments to the people of Saskatchewan, and one of those promises was to build a new mental hospital in North Battleford. Two years after the Saskatchewan Party came to government, the people of North Battleford, the Saskatchewan and Canadian mental health associations, the members of the hospital family council, and the people of Saskatchewan who care about vulnerable people in our care, are still waiting for a new mental hospital.

Through the government's own mismanagement and incompetence they are running a \$1 billion deficit and we are seeing 95 million cut from the children's hospital in Saskatoon, 32 million cut from the health sciences centre, and no action on the Moose Jaw Union Hospital. To the minister: when will construction begin on the Saskatchewan Hospital at North

Battleford?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, the North Battleford provincial hospital is like many other facilities in the province. That facility is 100 years old. It's been through many administrations and really should have been replaced many years ago — many, many years ago.

Our government has asked the Prairie North Health Region, along with the Ministry of Health — along with Corrections and Public Safety because it's a multi-use facility — to look at what needs to be done there. There's some scoping going on there, Mr. Speaker. Some plans are being developed as to what that facility should look like as we move forward, Mr. Speaker.

[14:15]

But you can see by the line of questioning — and I'm sure there may be more to come — about the deterioration of our infrastructure in Saskatchewan, it has been left in a terrible shape, Mr. Speaker. As money becomes available, we will get the projects done.

**The Speaker:** — I recognize the member from Prince Albert Northcote.

#### **Funding for Long-Term Care Facilities**

**Mr. Furber:** — Nothing is deteriorating more quickly than people's confidence in this government to keep their word, Mr. Speaker. Last February when the minister announced \$152 million in long-term care facility funding, he said:

In many cases the condition of the existing facilities is . . . not up to the standards that seniors deserve . . . meeting today's building standards is incredibly important to ensure the safety and comfort of residents . . .

On Thursday he cut \$122 million for long-term care facilities — almost the entire budget. And it was axed because of fiscal incompetence, Mr. Speaker. One of the facilities was Pineview Terrace in Prince Albert.

My question to the minister is this: why is his government now compromising the safety and comfort of Saskatchewan's senior citizens? Why do they target seniors for their own mismanagement and incompetence, Mr. Speaker?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. McMorris:** — Mr. Speaker, I had the opportunity over the first couple of years as being the Minister of Health of touring many of the facilities across Saskatchewan, whether it was in Rosetown or Biggar or Watrous, Mr. Speaker.

I've been in many of the long-term care facilities, and I would say these are people's homes. They are not adequate for people to live in. Mr. Speaker, this didn't happen last year or the year before. These facilities have been deteriorating for many, many years, Mr. Speaker. If the members opposite, and especially the member from Prince Albert, feels that it was such a priority for

our government to replace, where were they over the last 16 years?

**The Speaker:** — I recognize the member from Saskatoon Riversdale.

#### **School Construction**

**Ms. Chartier:** — Mr. Speaker, the government has cut 31 million for education capital projects. While we have a number of questions concerning a variety of education projects, today I want to focus on St. Mary's Community School. St. Mary School was this government's answer to pulling the already committed funding to Station 20 West. The Greater Saskatoon Catholic School Board wants to break ground and begin construction on St. Mary's in the spring.

We know the government has almost 900,000 to spend on spam king, Doug Emsley, but what we don't know is if they have money for St. Mary's School. To the minister: can the school board tender the project in time to start in the spring, or has the money for St. Mary's School been axed like the money for the children's hospital and the health science centre, to name just two?

**The Speaker:** — I recognize the Minister of Education.

**Hon. Mr. Krawetz:** — Thank you very much, Mr. Speaker. I am very pleased to answer on behalf of government about some great things that have been happening in education, which includes the St. Mary School.

Mr. Speaker, since this government became the government of the day, we have allocated \$303 million to capital construction. That's an incredible amount of money, Mr. Speaker, and, Mr. Speaker, there are many projects, there are many . . . Mr. Speaker, there are 22 major projects that are under way.

I can tell the member opposite that currently we're constructing in Porcupine Plain, Oxbow, St. Anne School in Prince Albert, Maple Creek, Turnor Lake. Mr. Speaker, other projects are in design stage like Humboldt Collegiate, like Duck Lake, like St. Mary's, like Nutana, like E.D. Feehan, like Scott Collegiate, like Churchill High School, like Balcarres, Mr. Speaker. The Humboldt elementary, Douglas Park, Hafford, Arcola elementary, Campbell Collegiate, Elrose community school, Weyburn Comprehensive, Wascana Community School, and Monseigneur de Laval school, Mr. Speaker.

**The Speaker:** — I recognize the member from Saskatoon Nutana.

#### **Funding for School Councils**

**Ms. Atkinson:** — Thank you very much, Mr. Speaker. The Saskatchewan Association of School Councils receives \$34,000 per year. Now this organization has been serving the parents of Saskatchewan since 1938. That's 71 years.

The Saskatchewan Association of School Councils is the voice of parents in public education. It presents the parents' views and perspectives to government. Parents are able to influence legislation, policy, and programs through the SASC

[Saskatchewan Association of School Councils]. On Friday they learned from the government that their \$34,000 per year grant was going to be cut next year.

To the minister: has your government mismanaged our province's finances so badly and become so miserly that you have to cut \$34,000 from this organization that has existed in the province of Saskatchewan for 71 years?

**The Speaker:** — I recognize the Minister of Education.

**Hon. Mr. Krawetz:** — Mr. Speaker, the member is right. For many, many years there has been changes in the education system. There have been amalgamations. There have been restructurings of school divisions. And under the former government, the . . .

[Interjections]

**The Speaker:** — Order. I recognize the Minister of Education.

**Hon. Mr. Krawetz:** — Under the NDP when they were in government, they decided to restructure. We now have 29 school division. And in each school, Mr. Speaker, we have a system called a school community council. That is different than what the member opposite talks about.

Mr. Speaker, we're trying to ensure that schools and parents and people have an opportunity through their school community council, Mr. Speaker, to be heard. That is the system that that group over there put in place.

Mr. Speaker, we're working with that system, because we believe, we believe that the school community council is very, very important. And through the Saskatchewan School Boards Association, which I met with, Mr. Speaker, last week to ensure they would understand why we believe that it is the school community councils that are important to the structure of providing top quality education in the province of Saskatchewan.

**The Speaker:** — I recognize the member from Saskatoon Centre.

#### Social Services Caseloads and Initiatives

**Mr. Forbes:** — Thank you very much, Mr. Speaker. For months the government has shrugged off the loss of thousands of good paying, full-time jobs, and denied Saskatchewan was in a recession. But the mid-year financial report indicates, and I quote, that "Social Services is up \$13.4 million from budget primarily due to higher-than-expected Saskatchewan Assistance Plan caseloads."

When this government came to office, social assistance caseloads were the lowest they had been since 1990, and were down 37 per cent since 1994. Now at a time when the government said that we were experiencing record prosperity, caseloads are beginning to rise again. To the minister: why are the most vulnerable people in our society suffering because of this government's mismanagement of our economy?

**The Speaker:** — I recognize the Minister Responsible for

Social Services.

**Hon. Ms. Harpauer:** — Mismanagement, Mr. Speaker, of our economy is far, far, far from the truth of what's actually happening in Saskatchewan. And if the member opposite would remember, last year there was an incredible decrease in the number of cases that came through, clientele within my ministry. And we're now seeing a slight increase of that year over year. But in the two years that we've been government, the decrease is still quite astounding at a time that we have a higher population than we've seen in how many years — 50 years. So therefore, Mr. Speaker, as a percentage of population we still are quite low with the welfare numbers within our province.

But I would like the member opposite to just answer for me, since he thinks we're misspending so badly, what should we have done? Should we have not increased and indexed shelter allowances? Should we have not increased and indexed rental supplements? Should we not adjust them every six months? Should we not lower income tax for the low-income people? Should we not have introduced the low-income tax credit? Should we not have increased the Saskatchewan employment supplement? Should we not have increased the seniors plan? What would he not have done? If he thinks this is misspending, Mr. Speaker, what would he cut?

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

**The Speaker:** — I recognize the Government Whip.

**Mr. Weekes:** — Thank you, Mr. Speaker. I wish to table the answers to questions 500 through 531.

**The Speaker:** — Questions 500 to 531 tabled.

#### GOVERNMENT ORDERS

#### SECOND READINGS

#### Bill No. 112 — *The Justices of the Peace Amendment Act, 2009/Loi de 2009 modifiant la Loi de 1988 sur les juges de paix*

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Mr. Speaker, I rise today to move second reading of *The Justice of the Peace Amendment Act, 2009*. Mr. Speaker, the purpose of this legislation is to extend the age of retirement for justices of the peace from age 65 to age 70. Justices of the peace serve an important role in Saskatchewan's criminal justice system. To ensure that we have a sufficient number of these individuals has become a priority for this government. Consequential amendments will also be made to *The Traffic Safety Court of Saskatchewan Act* to extend the age of retirement of traffic justices of the peace.

Justices of the peace are most often retired people, generally in their 50s and early 60s. They are well educated, have an abundance of life experience, and in most cases have held responsible jobs where they are required to make serious and complex decisions. Once hired, these people undergo formal

training and apprentice with another Justice of the Peace to gain some practical experience. If these individuals are appointed within only a few years of the current retirement age of 65, by the time they are fully trained, they are forced to leave the position. By extending the age of retirement further, we will take advantage of the services these individuals provide for a longer period of time.

Mr. Speaker, in addition these amendments will remove the prohibition barring practising lawyers from acting as justices of the peace. Members of the province's legal profession are prime candidates for this position, Mr. Speaker. The amendments continue to prohibit lawyers from acting as justices of the peace where they are in a conflict of interest such as practising criminal law or acting for or against either the provincial or federal government.

Lastly, Mr. Speaker, we have made several housekeeping amendments to modernize the language used in the Act. Mr. Speaker, I am pleased to move second reading of *The Justices of the Peace Amendment Act, 2009*.

**The Speaker:** — The Minister of Justice has moved second reading of Bill 112, *The Justices of the Peace Amendment Act, 2009*. Is the Assembly ready for the question? I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, I have gone through the legislation and read the explanatory notes. And while I appreciated the minister's comments about the rationale for why changing retirement age and the kind of a quick overview of the process that we use for recruiting justices of the peace, I would have to agree that a majority of this piece of legislation seems to be housekeeping — making some minor adjustments as far as I can see to naming and definitions that are within the Act.

Mr. Speaker, there are a number of people that I have to speak to in regards to this and I know that some of my colleagues are interested in making comments also in *The Justices of the Peace Act*. And at this time, Mr. Speaker, I would adjourn debate.

**The Speaker:** — The member from Moose Jaw Wakamow has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

**Bill No. 113 — *The Justices of the Peace Consequential Amendments Act, 2009***

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Mr. Speaker, I rise today to move second reading of *The Justices of the Peace Consequential Amendments Act, 2009*. Mr. Speaker, the purpose of this legislation is to make amendments to seven other Acts made necessary by the amendments in *The Justices of the Peace Amendment Act, 2009*. Consequential amendments were required where these seven other Acts refer to either

“non-presiding” or “presiding” justices of the peace, as those terms are removed in the proposed amendments in *The Justices of the Peace Amendment Act, 2009*.

All individuals occupying this position will now simply be referred to as justices of the peace. These consequential amendments update the affected Acts accordingly. Mr. Speaker, I am pleased to move second reading of *The Justices of the Peace Consequential Amendments Act, 2009*.

[14:30]

**The Speaker:** — The Minister of Justice has moved second reading of Bill 113, *The Justices of the Peace Consequential Amendments Act, 2009*. Is the Assembly ready for the question? I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, I think we can all tell by even the short comments that the minister made, this piece of legislation is fairly straightforward. Consequential amendments with the previous Bill will make the necessary changes, I believe the minister said, in the seven Acts that are associated and where there needs to be some amendments made to.

Mr. Speaker, I don't see any major problems with this, but again it is something that we need to go through in a little more detail, or I need to go through in a little more detail. So at this time I would adjourn debate on *The Justices of the Peace Consequential Amendment Act*. Thank you.

**The Speaker:** — The member from Moose Jaw Wakamow has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

**Bill No. 114 — *The Small Claims Amendment Act, 2009/Loi de 2009 modifiant la Loi de 1997 sur les petites créances***

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Mr. Speaker, I rise today to move second reading of *The Small Claims Amendment Act, 2009*. Mr. Speaker, Saskatchewan's small claims court is a division of the Provincial Court of Saskatchewan. Its mandate is to decide civil disputes concerning lesser amounts without all the formalities of the superior courts. In other words, it is a people's court.

The limit of a claim that can be heard in small claims is \$20,000. The parties can and often do appear without lawyers. In 2005, case management conferences were added to the small claims process. These sessions greatly assist parties in preparing for the trial, and some have resolved the issue without the need for a trial.

The time has come to make some additional improvements to enhance the effectiveness and efficiency of our small claims system. In this Bill we are proposing four changes. The first clarifies the power of a judge at a case management conference.

The current Act provides that a judge can make any appropriate order against a party who does not attend the case management conference. The amendment will explicitly add the power to order a judgment against a party who fails to appear.

Secondly a change is being made in the way that parties are notified that there is a claim made against them. It is very important for the person to have actual knowledge of the claim. Accordingly the amendments will require that the document that begins a claim, called a summons, must be served personally or by registered mail.

Next a new section is being added to permit a judge to consider evidence that may not strictly speaking be considered legal evidence under the law, but that the judge considers to be credible and trustworthy. This is designed so the parties who are not represented by lawyers and do not know the laws of evidence can still present their case. The judges of the small claims court will be able to determine whether the evidence should be considered. For example written repair evidence and evaluations of property may be considered without the person who prepared them being required to give evidence.

Finally, the amendments address an issue that exists in the legislation respecting the setting aside of default judgments. A party now can get a judgment in the absence of the other party and can begin enforcement procedures. However the other party can at any time apply to the court to set aside the judgment and have the issue determined at a trial, provided that the judge is satisfied that the reasons for not appearing in the first place are reasonable.

This is a necessary protection for the party who for good reasons was unable to be present. However it creates uncertainty for the party who did attend if the application to set aside the judgment is made at a much later date. For that reason, the amendment places a 90-day time limit on the ability to set aside a judgment.

In addition there are several housekeeping amendments to correct terminology or clarify references.

Mr. Speaker, I move second reading of *The Small Claims Amendment Act, 2009*.

**The Speaker:** — The Minister of Justice has moved second reading of Bill 114, *The Small Claims Amendment Act, 2009*. Is the Assembly ready for the question? I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. It's a pleasure to rise and add a few comments to Bill 114, *The Small Claims Act, 1997*. Mr. Speaker, going through many of the Bills that we'll deal with today, really the majority of changes have to do with housekeeping and maybe updating some of the outdated terminology.

But, Mr. Speaker, there was a particular piece in *The Small Claims Act* that did kind of jump out at me. And it had to do with, the minister made comment to it, I guess, when he referred to the small claims court as people's court, and the issue of: "A judge may make any appropriate order . . ." not only making the appropriate order, but making the decision as

to what is considered allowable evidence in these cases.

Because, Mr. Speaker, when it is the people's court, and where there may be people that aren't represented, and I think often, Mr. Speaker, people are not represented by a lawyer when they go to small claims court. And for many it may be last resort for an issue that may seem small in some instances, but I'm sure to those individuals it is very important, and it may be of great consequence to them personally.

So it's very seriously that some people will go to small claims court to seek a judgment in some issue that has arisen. It may be financial of varying extent. And I guess the minister had said quite clearly that there are maximums that are allowed within small claims court, but it is people's court.

So, Mr. Speaker, it's important when we see these initiatives come forward, when a judge has a flexibility to make a decision on what's allowable as evidence in those claims, and that he or she takes into consideration that it may not be evidence in the purely legal sense, but that it is important to the case that is being put forward, and that it does make allowances that small claims court is the people's court, Mr. Speaker. And that it has fair consequence to many people that will take cases or claims before small claims.

So, Mr. Speaker, while there is a few other changes that are addressed here: powers of the judge in case management conference, and the decisions that are put forward or handed down or brought down; the notification that will happen in the case of a claim and how that should and should not be done, and what kind of limits there are on the notification; and the new section again for allowable evidence; and also the issue of setting aside judgments with timelines and other issues that need to be dealt in that area.

And, Mr. Speaker, with the clarification and updating of the Act, I want to at this point in time adjourn debate on the issue. And I know that there are a number of my colleagues that also want to make comments, but at this time, Mr. Speaker, I move that debate be adjourned.

**The Speaker:** — The member from Moose Jaw Wakamow has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

**Bill No. 115 — *The Queen's Bench Amendment Act, 2009*  
(No. 2)/Loi n° 2 de 2009 modifiant la Loi de 1998 sur la Cour  
du Banc de la Reine**

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Morgan:** — Mr. Speaker, I rise today to move second reading of *The Queen's Bench Amendment Act, 2009* (No. 2). This Act makes five amendments to *The Queen's Bench Act, 1998* to address a number of matters.

One amendment allows for enforcement of monetary penalties and cost awards made by agreement on international trade

panels in the same way as judgments of the Court of Queen's Bench. Manitoba, Quebec, Alberta, and the federal government have all passed legislation respecting enforcement of panel awards of costs. All provinces have made a commitment to pass legislation to provide for enforcement of the agreement on internal trade panel awards as is proposed in this legislation.

The current trustee Act includes provisions for vesting orders where the court gives the judgment or order for sale of land, or where a judgment is given for a specific performance of a contract concerning land. In its 2002 report on *The Trustee Act*, the Law Reform Commission of Saskatchewan stated that these would be useful provisions, but recommended moving them from *The Trustee Act* to *The Queen's Bench Act, 1998* since it contains similar miscellaneous provisions relating to the powers of the court.

The new trustee Act, 2009, based on the recommendations of the commission, does not include these provisions. It is proposed to include them in *The Queen's Bench Act, 1998* as recommended.

Mr. Speaker, another amendment will repeal *The Laws Declaratory Act* and include an equivalent provision in *The Queen's Bench Act, 1998*. The new section provides that if a judge, for example a small claims judge, has jurisdiction over a particular matter that relates to one of the rules of law in *The Queen's Bench Act, 1998*, he or she can use the rules in dealing with that issue. This ensures that all courts in the province apply the same rules of law and promotes consistency in that regard.

The date, Mr. Speaker, for the reception of English statute law is currently set for Saskatchewan in the *Northwest Territories Act* as July 15th, 1870. This is the date of the transfer of Rupert's Land from the Hudson Bay Company of Canada. An amendment will repeal that provision for the purposes of its application in provincial law and re-enacted in *The Queen's Bench Act, 1998* as parts of the various rules of law set out in this Act.

Its inclusion in a provincial statute will make the provision more accessible to lawyers who must cite it in preparing materials for court. Currently they have to rely upon a statute volume that is over a century old and not found in most law libraries. The amendment will not change the legal effect of the provision, but simply make it easier to find in the statutes.

Mr. Speaker, this Act will also abolish the common law action for breach of promise to marry. The action is likely unconstitutional and does not reflect current societal views and expectations of persons intending to marry. Mr. Speaker, I am pleased to move second reading of *The Queen's Bench Amendment Act, 2009 (No. 2)*.

**The Speaker:** — The Minister of Justice has moved second reading of Bill 115, *The Queen's Bench Amendment Act, 2009 (No. 2)*. Is the Assembly ready for the question? I recognize the member from Moose Jaw Wakamow.

**Ms. Higgins:** — Thank you very much, Mr. Speaker. Mr. Speaker, listening to the minister's comments on *The Queen's Bench Act, 1998*, I guess I actually have more questions now after listening to him than what I did previously going through

the legislation itself and the explanatory notes.

So, Mr. Speaker, what I need to do . . . The minister just made a comment about proposed section 79.1 that provides for the abolition of the common law action for breach of promise to marry. But in the explanatory notes, and I believe in the minister's comments, he made the comment that the action is probably unconstitutional and no longer reflects current views. So I'm not sure whether they're changing it because it's probably unconstitutional or that it no longer reflects current views. And I'm not sure if probably that something may be unconstitutional, if that is a legitimate reason to actually make the changes to the legislation.

Other than that, there are a number of small changes in the legislation. And I noticed that the minister made comments too, that moving the statute would make it easier for the legal profession, and I guess clearer in some of the judgments where it may be in use or may be quoted in some of their cases.

Mr. Speaker, I need to do more work on this. And I know there are a number of my colleagues that I need to speak to, to get a better understanding of the changes that are proposed. So at this time, Mr. Speaker, I would adjourn debate on Bill 115.

**The Speaker:** — The member from Moose Jaw Wakamow has moved adjournment of debate on Bill No. 115. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 116

[The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Draude that **Bill No. 116 — *The Traffic Safety (Drivers' Licences and Hand-held Electronic Communications Equipment) Amendment Act, 2009*** be now read a second time.]

**The Speaker:** — I recognize the member from Saskatoon Fairview.

**Mr. Iwanchuk:** — Mr. Speaker, this Bill that comes before us . . . [inaudible interjection] . . . Oh I'm sorry.

[14:45]

Mr. Speaker, Bill No. 116, an Act to amend *The Traffic Safety Act* and to make consequential amendment to the statutory offences procedure Act, 1990, Mr. Speaker, the short title is the traffic safety (drivers' licences and hand-held electronic communications equipment) Act, 2009.

Mr. Speaker, this Act will ban cellphones and hand-held devices while operating a motor vehicle. And as we all know, cellphone use has expanded rapidly over the last 10 years. And we've had numerous studies that have been done, Mr. Speaker,

on the use of cellphones and what they have caused. Various provinces, Mr. Speaker, have taken some action on this issue. And, Mr. Speaker, for us it is also good to see that we are moving, moving on this.

Now, Mr. Speaker, as I mentioned, the cellphone use has grown rapidly over the last 10 years. And, Mr. Speaker, one of the things that the researchers I talked about has . . . that we find is happening is that cellphone use has . . . that you are 23 times as likely to have an accident when you are using the cellphone, Mr. Speaker.

And, Mr. Speaker, some of the things, other things in the Bill, we've had different places where the minister brought forward studies that they have done on this Bill, Mr. Speaker. In a recent study from Virginia Tech Transportation Institute, Mr. Speaker, on cellphone use, as I mentioned, this study was the one that found the risk for drivers while talking on cellphones is three to six times that of a non-distracted driver, Mr. Speaker. Three to six times, Mr. Speaker. Mr. Speaker, as I mentioned the 23 times, it was in this study that they found, Mr. Speaker, that texting also elevated the risk in the involvement of traffic collisions, Mr. Speaker.

Now, Mr. Speaker, we all know as we drive on our highways, as we drive on our roads across Saskatchewan, the use of the cellphone and how important it is to us, Mr. Speaker. Cellphone use has grown because we have found the need for cellphone use. Now, Mr. Speaker, in doing this and in looking over the Bill, we have to be careful to make sure that all questions have been asked, Mr. Speaker.

Mr. Speaker, as I mention, in principle we are in favour of this Bill, but we do have some concerns. And, Mr. Speaker, obviously consultation, consultation which we have found to be lacking in this government on a number of other Bills . . . We're not certain as to who exactly has been consulted on this.

Now I guess one of the questions, Mr. Speaker, is, are the police services around the province prepared to start enforcing as early as January 1st? What work has been done? Mr. Speaker, what were some of the studies done or what were the questions that were asked in implementation? What were the concerns and what were the challenges, Mr. Speaker, of other jurisdictions in Canada who had this put in? We have basically, Mr. Speaker, seen nothing. We have an idea and we have some studies which say there are concerns here that distractions cause accidents. We have some statistics around that. We're not disputing those, Mr. Speaker. What we are asking here is asking about consultations. Who did the government speak to? What did they say? Mr. Speaker, that would allow us to be able to deal with this and further, Mr. Speaker, know full well whether or not there would have to be any amendments, Mr. Speaker, amendments, perhaps friendly or otherwise, to this Bill which I think most residents in Saskatchewan would feel the time has come, Mr. Speaker.

Mr. Speaker, one of the questions that we have around this Bill is again we are left with, Mr. Speaker, only 12 days to look at the legislation, Mr. Speaker — 12 days to look at this legislation. And while the government announced this back in September, yet there was no legislation present that we could have in our hands so that we could look at it, Mr. Speaker. And

as I mentioned, the concerns around the consultations, Mr. Speaker, the concerns of doing the research, of being shown all of the research that is available for us, that is what we would appreciate. That's what we are after, Mr. Speaker.

Again we know that there are polls done, Mr. Speaker, and perhaps some people can govern by polls. But, Mr. Speaker, we'd rather go with factual research and factual presentation and, Mr. Speaker, and consultation. And so simply that the polls and people want the cellphone use in here . . . We as legislators have a responsibility, Mr. Speaker, to the residents of Saskatchewan to provide good legislation.

And good legislation involves consultation, Mr. Speaker. Good legislation not only involves consultation but good research, Mr. Speaker. And that is — at least to what we've been shown — sorely lacking. And as I said, Mr. Speaker, not only that, but we now at this stage of the legislative calendar have been given a Bill to pass which, again I say, Mr. Speaker, that we in principle are in agreement with this Bill, but we need to understand very clearly what is being done, Mr. Speaker.

Mr. Speaker, we know, we know for a fact that the cellphone use has grown enormously in leaps and bounds, all sorts of hand-held devices, Mr. Speaker, that we are now able to use in vehicles. What other hand-held devices would this include, Mr. Speaker? What else would it include? What would be deemed to be a hand-held device? Have we looked at all the possibilities — GPS [Global Positioning System], Mr. Speaker? What other things would this legislation refer to? And perhaps, Mr. Speaker, it should refer to all sorts of devices that are now appearing in vehicles.

Mr. Speaker, one of the other things that perhaps we should be looking at, and again some discussion was the vehicles that now come with phones within the vehicles, Mr. Speaker. And have we looked at that? Have there been any studies done as to these phones that are not hand-held but are devices in our vehicles? How do they work, Mr. Speaker? Has there been any studies done on those sorts of situations in these vehicles in terms of safety? Perhaps that is more safe, Mr. Speaker, than the hand-held devices which could cause some distraction. And, Mr. Speaker, as I've heard, there are some concerns that a hand-held device . . . or a device that is not hand-held perhaps is as distracting as a hand-held device.

And, Mr. Speaker, what message are we sending then? Are we going to be back at this in six months making these changes?

So, Mr. Speaker, I not only am concerned about the list of who was consulted, Mr. Speaker, but have we done all the research? Have all the questions been answered that need to be around this, what we all agree is a very important Bill?

And, Mr. Speaker, I believe the residents also of Saskatchewan agree that we need a Bill of this sort. It's not that we are talking about whether we need a Bill of this sort, Mr. Speaker. We're talking about what the details that are needed in this Bill. So, Mr. Speaker, in a poll provided, about six in ten or 59.3 per cent of Saskatchewan residents strongly support legislation of this sort, and three in ten somewhat support. So overall support, Mr. Speaker, is 87.9. And so there are 3.6 per cent that strongly oppose this, Mr. Speaker. So I'm not certain who those folks



are but for the most part, Mr. Speaker, Saskatchewan residents have spoken loud and clear.

Now what they have spoken loud and clear on is they want to ban the use of cellphones when driving. It's up to us as legislators to take that and put that in, draft that into legislation as to what it would mean, Mr. Speaker. And what does it mean? And that is at the heart of the concerns that we are having with this, Mr. Speaker.

So again consultations . . . And this reminds me, Mr. Speaker, that this Bill, in terms of something that is so important, it is somewhat disappointing that this research would not be readily shared or shown to the opposition or whether in fact . . . what research was done so that we could deal with these questions, Mr. Speaker.

Because this is a good debate to have. This is a great debate to have, Mr. Speaker, the debate here as to that we need that. But what should the Act look like? What should it look like? What should it include? What are some of the definitions of hand-held devices? Those are all things I think, Mr. Speaker, that . . . And should it be broadened out? And, Mr. Speaker, with that kind of agreement from the residents of Saskatchewan, I'm sure if there was some amendments that would have to be made or some friendly amendments, if I may say that, that I'm sure that all parties could agree on this.

Our goal here is safety, Mr. Speaker. Our goal here is safety, safety for everyone on the highways. We have heard from the police force of the dangers here. Now again, Mr. Speaker, Chief Clive Weighill from Saskatoon called on banning texting in vehicles. And collisions are up 24 per cent in six months in 2009 in Saskatoon, Mr. Speaker. And I think we've all had . . . We don't need polls, Mr. Speaker, to do that, or stats. We all know ourselves in terms of driving and seeing some erratic driving on the roads. Or perhaps in the city, Mr. Speaker, in my city of Saskatoon, coming up to traffic lights and having someone in front of us not moving because they're talking on the phone.

But, Mr. Speaker, even if we are talking on cellphones in vehicles I think there's a . . . What have we done about that? Because, Mr. Speaker, at times if we can get ourselves involved in the discussions on a cellphone, it's not the whole idea that we are discussing some issue or perhaps some emergency issue, for that matter — which plays both ways when we were discussing those sorts of things — if that is not distracting as well. And, Mr. Speaker, what research has been done on that? So are we moving just to ban hand-held devices? Still at the same point in time, perhaps there isn't any change.

I think the residents of the province expect something from us on this, and I think this side is, we're prepared to work towards that end. But I think there are some questions here that have to be answered, and to date we do not see anything.

And as I mentioned, Mr. Speaker, it is somewhat disheartening to see that when this was announced in September, that at this time we now have to deal with the Bill and are told in a news conference that it will be in on January 1, that it'll be in on January 1, Mr. Speaker. I mean, I think that's fine to win some points, but I think the real work and the serious work that needs

to be done is simply, Mr. Speaker, not being done with that kind of an approach. We have to do this; we should work towards an early resolve for this Bill. But, Mr. Speaker, there are important issues here that have to be . . . and important questions that have to be asked.

Mr. Speaker, I haven't talked about the penalty for this yet. The penalty is a \$280 fine and four points removed from the SGI [Saskatchewan Government Insurance] Safe Driver program, Mr. Speaker, the program that the NDP created. And we are seeing the value here again, Mr. Speaker. So again the penalty, whatever chosen, that's fine, Mr. Speaker. But again what have we done about that?

Now, Mr. Speaker, as I mentioned, I think the Bill is supported and has backing by the residents of the province. But it is in principle, Mr. Speaker, of what is being supported here because I think it is up to the residents to say, we think that this should be law. We want to ban cellphones, and we all agree. We all agree with that, Mr. Speaker, that we should ban the use of cellphones.

But, Mr. Speaker, does that mean, for some people, does that mean ban the entire use of cellphones? Does it mean ban hand-held devices? What are the new devices out there and have they been proven? Have they been proven? Have we had experience? Or have there been studies done on these to show which hand-held, what sort of systems are best for vehicles?

[15:00]

And as I spoke, Mr. Speaker, are the systems that the new vehicles, perhaps some of the new vehicles are coming out with, where the telephones are built right onto the vehicles, are those perhaps safer, Mr. Speaker, than even some of the other things that we see, Mr. Speaker? Some of the other people that are advertising for devices that allow drivers not to have to use hand-held devices, Mr. Speaker.

Mr. Speaker, for my part I've heard arguments that the use of a cellphone or just talking in the vehicle is not all that different, Mr. Speaker. There's still the distraction of dialing the numbers, Mr. Speaker. There's still the distraction of actually talking on the issue, Mr. Speaker. So there are concerns here, Mr. Speaker, and I think we have to deal with those issues.

Mr. Speaker, with this Bill, I think one of the most parts, if I just may review that again, the idea of banning all cellphone use, Mr. Speaker, is in here. And I think that for new drivers, Mr. Speaker, is a point again that we would like to look at. There are some very good positive points with that, Mr. Speaker, to allow new drivers who are learning how to drive to have no distractions.

And that's exactly the point here, Mr. Speaker, is that we need to, we need to look at what are we doing and is the real argument, Mr. Speaker, the ban of cellphones in vehicles? Is it the distraction with the number of things that we have now going on when people drive, Mr. Speaker?

People are doing all sorts of things in the vehicles, and as well now we've had sort of the onslaught of the cellphone. And use is rising and right up to and including texting, which, Mr.

Speaker, does take your eyes off the road. And as we all know, it does not take a lot of time in taking your eyes off and not concentrating on traffic ahead of you or people, perhaps on any road, to perhaps that we would drive off or somebody stepping off a curb in front of us, Mr. Speaker. There are enough things going on in our vehicles that we do not need to be taking our attention away in times of texting.

Mr. Speaker, again, as I mentioned, in principle we are not opposed to this Bill. I think the opposition agrees, along with the people of Saskatchewan, Mr. Speaker, that we have to move on this.

The issue, Mr. Speaker, is not the issue of moving, but the issue of getting it right. And I just would reiterate one more time the time left to deal with this Bill — the 12, Mr. Speaker, only 12 days to look at this legislation — when we look at the times where we're not dealing with Bills with our legislative agenda, Mr. Speaker. We have the issue now with the mismanagement and the new budget, Mr. Speaker, that has been brought in. And now we have this issue which we would hope would not become a casualty of that. We would hope that it would not become a casualty of that, Mr. Speaker, because of the fiscal mismanagement and the time that we are going to need to deal with those issues, Mr. Speaker.

As we heard earlier today, the number of program cuts, the number of cuts to projects — people in Saskatchewan are asking questions. And sometimes, Mr. Speaker, we have to listen to what is most important to people. And at this time they are saying that the finances of this province are important to them. The finances of the province are very important to people of Saskatchewan and particularly, Mr. Speaker, in health care, Mr. Speaker, where we have seen cuts being made. It almost reminds me of a slash-and-burn kind of approach to things, Mr. Speaker.

What do we do with that? We have a number of articles here where we have a number of polls where the people of Saskatchewan say this is important. The government says we will do it. They say that in September, and away we go.

They wait till there's 12 days left. They propose a Bill and then, Mr. Speaker, now the people of Saskatchewan are saying the finances are important. The finances of the province are very important to us, and we have 12 days left. Twelve days before the legislature is to be gone. That reminds me of "The 12 Days of Christmas", Mr. Speaker, but I don't think this is very much of a Christmas present to anyone — this budget that we're hearing about.

So now, Mr. Speaker, just a practicality of dealing with this in the time that we have left to deal it. And, Mr. Speaker, I wish it wasn't so. This is the season for wishes, but I wish this wasn't so, Mr. Speaker, that we would be in this position with the Christmas season coming, our session supposedly coming to an end, and we have a budget. And the people of Saskatchewan are saying, what is going on? We need to know what is going on, Mr. Speaker.

At the same time the people are also saying we have a safety issue here because people are using cellphones. And we see that it's come to a point where cellphone use, we have to move on

this. And so we have a safety issue. In some ways, Mr. Speaker, it's a sad, sad day that a safety issue should be trumped by the finances of this. But now we've got problems, Mr. Speaker. We've got questions to answer.

Because not only are people asking about safety issues about cellphones, but they're asking about safety issues in nursing homes. They're asking are there safety issues where the members have raised, members have raised and said that there were safety issues in nursing homes. Now we have a safety issue on the cellphones, and we have a budget that people want questions answered on. And it's quite a position, Mr. Speaker, that we find ourselves in. And at the same time there are only, where we're only given 12 days to look at the legislation.

In fact, Mr. Speaker, I've been saying 12, but I believe it's only eight days that we have now before the legislation is done. So I stand corrected there, Mr. Speaker. I was giving more time than we have here. So, Mr. Speaker, it's only eight more days that we deal with. And if you look at the actual schedule that we have on those days, that is in fact not that. And yet we have nothing before us in terms of studies, nothing before us on that.

And, Mr. Speaker, over and above all that, the budget. The budget with questions about this and questions about whether it be . . . In health care it's safety, Mr. Speaker, and questions of safety and cellphone use, which are very important. And the people want us to deal with these things, and they want us to deal with it properly. And I don't think they want it, Mr. Speaker, this gone over lightly and to rubber-stamp this. I think we're put here, Mr. Speaker, to do the due diligence on the Bills. And the due diligence needs to be done, Mr. Speaker.

Mr. Speaker, I could go on further on this because this is this topic. And at the point we find ourselves in the legislative calendar, Mr. Speaker, and the issues that have arisen in Saskatchewan just over the recent days, over the recent days we need to be . . . Mr. Speaker, these are serious issues, and they deserve our attention. And they deserve the necessary reviews and the necessary consultations, Mr. Speaker.

Mr. Speaker, the question, the main question here, if we could get perhaps maybe some movement on this Bill, is the consultations. Mr. Speaker, I see nothing before us. I see nothing in the minister's speech, Mr. Speaker. And I've reviewed that and I see nothing that in terms of that would speak to the consultations that have occurred, Mr. Speaker. Mr. Speaker, there has been no, no consultation.

And, Mr. Speaker, Mr. Speaker, how do these compare to the other distractions that we have in our vehicles, all the things that are going on?

Mr. Speaker, I've not yet talked about the changing, which is also in the . . . changing the driver's licence to a one-part licence, Mr. Speaker. I think that there's some merit in that as well, Mr. Speaker, and I'm glad to see that included in here.

But, Mr. Speaker, you know, the members opposite are the government. And I know they're fond of sometimes — and we've heard on various Bills; I've heard on, Mr. Speaker, on Bill 80 for example, the Bill 80 — that they in some ways that they are attempting to blame the opposition for not being able to

pass it, Mr. Speaker. And I remind the members that they are the government, and they are responsible for the calendar, for the legislative calendar, Mr. Speaker, to do, to put in legislation, important legislation like this legislation in a way that it has been done, Mr. Speaker.

To print legislation and just say, accept us, trust us — we've heard that line here before, Mr. Speaker. There's a legislative process, and the government members or the government should understand that at the base of it is a respect for that process, and to put Bills forward in a timely manner. So understanding that they will require the necessary discussion, consultations, and everything that I've mentioned, Mr. Speaker. So fundamental to our legislative process is the process of consultation, putting Bills out in a timely manner where you feel that they are important. And I think that in this case has not been done, Mr. Speaker.

So we have to, on this side, we have to take the time necessary now to go over this Bill — to go over it; to go over it and understand the Bill. And, Mr. Speaker, one of the main things is, I think, the question is that we do not want to be here again next year because we find that in fact it is the idea of cellphone use in vehicles that is causing the accidents, Mr. Speaker.

And if we find that, if we find that in fact it is simply the act of talking on a phone in a vehicle, whether it's hand-held or otherwise, that is causing the distractions, Mr. Speaker, and the studies bear that out . . . And, Mr. Speaker, perhaps there are studies that have been done. Now we don't know or have not seen or had those questions answered in terms of cellphone use.

So, Mr. Speaker, I want to say again, we are with the people of this province in agreeing that there should be cellphone ban use. But, Mr. Speaker, I wonder when you ask people what that means to them, I wonder what it truly does mean to them. And have we asked them or have we simply said we are for the banning of cellphone use?

But what does that mean? What does that mean to people in the province of Saskatchewan? Does it mean no talking on phones in vehicles, Mr. Speaker, as they have introduced for new drivers? Or is it, Mr. Speaker, is it texting, or is it the total ban of any device such as a phone in a vehicle? Is that where we're heading, Mr. Speaker?

And if we find, Mr. Speaker, and if we find that the accident rates have not gone down, perhaps, Mr. Speaker, we would look back to today and say, we should have taken a little more time, Mr. Speaker. We should have taken a little more time on this issue and said, let's take the time and do the proper consultation. Let's go and find the proper research on this issue, Mr. Speaker. And let's get this Bill right.

Mr. Speaker, I think probably at the end of the day, at the end of the day, Mr. Speaker, the most disconcerting thing is the time that we have left on this Bill, Mr. Speaker, the time that we have left on this Bill to deal with this in a manner that deserves the serious attention that we can give it. Mr. Speaker, we don't want this to be a knee-jerk reaction. Mr. Speaker, we don't want this to be something that we have to come . . . as many times legislation from that side has come.

And we've had oops Bills. We've had everything here, Mr. Speaker, where we have to take the Bill back. And, Mr. Speaker, we've had to bring it back and do a redo, do a redo on some of these Bills. So, Mr. Speaker, we don't want this Bill . . . This is too important. This is too important for the people of Saskatchewan to do that. So we need some thoughtful debate on this Bill. We need some thoughtful reading of the other legislation. We need some thoughtful looks at the research. And, Mr. Speaker, that's what this side requires on this Bill.

And with that, Mr. Speaker, I know there are other members on our side who wish to enter into this debate. And, Mr. Speaker, with that I thank you and look forward to more debate.

**The Speaker:** — I recognize the member from Regina Rosemont.

**Mr. Wotherspoon:** — Thank you very much, Mr. Speaker. It's indeed a pleasure as always to weigh in on debate and deliberations and discussions within this Assembly and to do so on behalf of the good folks within Regina Rosemont. It's my honour to bring their voices to the debate.

And this is actually a Bill, in fact, that I've done much survey within my constituency. And we've had many discussions and I continue to do that as we move forward here, Mr. Speaker. And it's something that I'd actually urge all members to do: to make sure that their constituents are aware of this legislation and to make sure we fully understand what that means to our constituents.

[15:15]

I have to say on the surface, Mr. Speaker, that as has been stated by my colleagues, that we support this legislation in principle. We support moving in this direction, Mr. Speaker, and making sure that community safety is brought to Saskatchewan people. In many ways, it's a matter of keeping pace with the evolution and the changes within our society, the evolving technologies — and in this case cellphone and electronics use, Mr. Speaker, which have really been of huge growth and huge uptake within society over the last 10 years, Mr. Speaker.

And it's important, as we talk about community safety in this context, Mr. Speaker, that we talk that New Democrats are on the side of community safety on so many fronts, Mr. Speaker. We're on the side of community safety as it relates to dangerous offenders who may be released into the public, in the case of a sex offender that was recently released. And this government failed to follow their policy to inform, adequately inform or to inform at all the public, Mr. Speaker.

So when I talk about community safety, I certainly speak about it in broad stroke as well, Mr. Speaker. And certainly we urge the government and support the principle of this legislation. We urge the government to look at community safety in a much broader context, Mr. Speaker, recognizing the multitude of challenges that our society faces. And certainly one example of that would be in calling this government to account and to behave in a more responsible fashion the next time the public's put at risk by the release of, whether that be an inmate incorrectly again, in the last event a sex offender.

And I know that my constituents are hugely concerned that this government won't follow policy such as this that are there to protect community safety. And they say to me regularly how pleased they are that we're raising those kinds of issues because those are the kinds of issues that are so important to families within my constituency there. They look at their children and the different challenges that certainly exist within our society.

We always stand on the side of community safety, just as we do on this Bill here in supporting the banning of cellphones and texting. But we've got to make sure we get it right, Mr. Speaker. And we do have some questions on that front.

One of the other things that you could talk about, when we're talking about community safety, Mr. Speaker, on a broad stroke, would be the capacity, the fiscal capacity of government and the fiscal circumstance of government, Mr. Speaker. And I know so many of my constituents, Mr. Speaker, are feeling hugely jeopardized, compromised, and feeling that they're being placed at risk by the financial mismanagement of this government.

And it relates directly back to community safety, Mr. Speaker, back to our institutions of health care and education and the different abilities of those programs to provide community safety to our constituents, to the people of this province. And that's our job, Mr. Speaker.

And so when we're talking about community safety and we look at this cellphone ban, which is something that we certainly urge the government to move forward with in principle, and something we support in principle, we ask the government to look on the broad stroke of the many, many, many other key areas that it's really missing providing adequate community safety to Saskatchewan residents, whether that's their release of recently a sex offender into the community — not following their protocol to then alert the community so that families and schools and different facilities and churches were aware that this individual was within the community. And that's shameful that this government wouldn't have followed that policy, Mr. Speaker.

But getting back more directly to Bill No. 116, *An Act to amend The Traffic Safety Act and to make a consequential amendment to The Summary Offences Procedure Act, 1990*, it's fair to say, Mr. Speaker, that we certainly support many aspects of this Bill in principle.

We are very concerned, Mr. Speaker, that cellphones are a huge distraction to drivers, Mr. Speaker, and a huge risk on the roads. And it's not just the anecdotal evidence that you or I or many other individuals within this Assembly might have on that. And I know many of us put many, many hours on the road, Mr. Speaker, in this job, Mr. Speaker, and we probably recognize more than others in many cases. Or as many other individuals, many of my constituents spend a lot of time on the road. They recognize the number of people that are using these hand-held devices and being distracted from what their primary job should be, and that's offering the due care and attention that they should to the road ahead of them, and making sure that our fellow neighbours are safe and the other individuals who are sharing the road with them are safe, Mr. Speaker.

So we would urge that kind of responsibility right back to all Saskatchewan drivers and anybody who enters our jurisdiction, Mr. Speaker, because it puts at risk our families and our communities and our loved ones when individuals don't operate safely.

And it's worthy to note that this Bill is in many ways a response to the evolution of technologies, the evolution of society, I suppose, Mr. Speaker, and the huge uptake of use in the last 10 years of cellphones and certainly texting, Mr. Speaker. I know when I referenced the Canadian Wireless Telecommunications Association, they've shown the dramatic increases in the uptake into the market of these kinds of devices, Mr. Speaker.

Ten years ago, these were really just simply in their infancy. Now, Mr. Speaker, they're really a mature industry that has strong penetration across our province and across the world, Mr. Speaker. And in saying that, it's important that we recognize that other jurisdictions have moved the line on this front and have put legislation in place to respond to this concern and to the needs of their drivers in response to safety.

And I think I can reference here in Canada that Newfoundland and Labrador have banned hand-held cellphone use back into 2003. So they've sort of been some leaders on this front, Mr. Speaker. Quebec and Nova Scotia have introduced similar bans. And I understand that as well Alberta, Manitoba, and Prince Edward Island are all considering such sorts of legislation.

In fact, I've spoken specifically with the MLA, the member from Alberta who's put forward this legislation, Mr. Speaker. And he's taken this on and it was quite a long consultation process that that individual took on and in fact put it forward as a private member's Bill, Mr. Speaker, and has a lot of pride in that legislation and has done . . . Certainly I haven't scrutinized the Alberta legislation or the consultation that occurred, but from what's been stated back to myself, a very, very thoughtful review of its implications and making sure that it fits the Alberta circumstance.

And one of the concerns that I think we've been raising here, and I know the member from Saskatoon Fairview highlighted this so well, is that we're concerned that we maybe haven't had that same sort of thoughtful development of this legislation here in Saskatchewan. And the reasons that we would be concerned is that this government has proven itself incapable in many ways of putting forward legislation that has followed the proper vetting processes and the proper legislative instruments that should evaluate such legislation. And as a result, in many cases we've seen flawed legislation that has had to be corrected or changed and in many ways has had unintended consequences for Saskatchewan people that haven't been the productive purpose of the legislation.

When we look at some of the statistics, Mr. Speaker, and this is why the opposition has urged the government in this way and certainly supports the principle of this, is that the statistics are just incredibly compelling, Mr. Speaker, as it relates to distracted drivers.

And we understand that cellphones and texting are no short part of distracting drivers, Mr. Speaker. I understand that using a cellphone while driving makes you 23 more times as likely to

be in an accident, Mr. Speaker — 23 times more likely. And you think about what that does back to, even from an individual's fiscal circumstance, what that does to rates, Mr. Speaker, and what that does to our insurer. And of course then we all pay for those accidents.

But we need to look beyond that, Mr. Speaker. We need to think more specifically how this affects our constituents and children and families and our loved ones. And certainly distracted drivers on the road are, I believe, something that all legislators should be standing up to urge this government to make sure that, when they put forward legislation, that they get it right. And, Mr. Speaker, that's something that we're concerned with.

But I know I've referenced specifically some work that the Virginia Tech Transportation Institute has done, and I thank this institute for the work that they've done because here they are being referenced in our debates and proceedings here today, and in effect going to be changing some of the laws and practice within this province of ours.

But they quote about the 23 times more likely to be in an accident while using a cellphone, and that's a very, very compelling statistic, Mr. Speaker. And it's something that we should all take heed of. And it's certainly in no short order one of the main reasons that this opposition and myself and my constituents urge this government and support this banning of cellphones and texting while driving — in principle.

That doesn't mean we necessarily think this legislation has it completely right though, Mr. Speaker, and we need to make sure that that is the case. We've been concerned that on a Bill that comes with huge support from the Saskatchewan people, that we're wondering why this was tabled so late, Mr. Speaker, into this legislative session. Because there was no reason for delay on this front, Mr. Speaker, had the Bill been constructed and crafted and consultation occurred to have had this on the order sheet and to make sure that this priority was provided back to Saskatchewan people.

And so we are concerned in many ways now because we know when this government crafts legislation they fail to consult with the people it affects and in many ways they've made significant flaws in many pieces of their legislation. So we now need to go undertake as an Assembly — and certainly as the opposition — to undertake to make sure that that's not the case with this legislation, Mr. Speaker. So we have many conversations to be had and many groups and individuals to discuss this legislation with further.

And that brings us to some of the concern and why this government brought this in so late to session when it was probably something, Mr. Speaker, that the people of Saskatchewan expect us to get to work on, Mr. Speaker. And I'm greatly disappointed, Mr. Speaker, in the Saskatchewan Party on this front. Because this Bill, as I've said, certainly I and we support in principle, Mr. Speaker, and we really look forward to moving a priority for the Saskatchewan people.

But we're very concerned with a government who's, in many ways, delayed this process and now has rammed this piece of this legislation that affects community safety right up against

something else that's hugely significant, Mr. Speaker, that affects community safety in a major way, Mr. Speaker. And that's the announcement of the gross fiscal mismanagement that we're witnessing within this province, Mr. Speaker, the announcement that we're \$1 billion short, a \$1 billion deficit, Mr. Speaker, here at this point in time.

It's something that my constituents and individuals across this province are also pressing us on to make sure is a priority. So here we have a bit of a collision, Mr. Speaker, of I guess legislation with another huge priority of Saskatchewan people, and certainly the opposition will endeavour to make sure that both of these are addressed with every ability that we have, Mr. Speaker.

But we're disappointed in the government, Mr. Speaker, in not lengthening the number of sitting days this session as we've requested to make sure we do the diligent work that the people of this province and the communities of this province expect us to, Mr. Speaker. It's not a matter of getting done early or something like getting ready for Christmastime, Mr. Speaker. It's a matter of doing the good work for the people of the province who send us here, Mr. Speaker. That's why we've called for an extension of the session — something that the Premier has denied. I assume his denial has to do with a huge concern as to having the issues raised, the critical issues raised, as it relates to the \$1 billion deficit that he, he — the Premier — has created in two short years in this province, Mr. Speaker.

So when we talk about community safety, that's where we want to be looking in the broad context. Certainly we urge the government to move in this way. Certainly we support the principles of this legislation, but we want to make sure that the government's focused on community safety on the whole, broad context as it relates to best practice in health care, Mr. Speaker, as it relates to best practice and prudent and responsible financial management, Mr. Speaker. And when you don't have that in place, such as right now, it certainly places families and individuals and communities and the people of this province and the prosperity that we should expect and enjoy, Mr. Speaker, at risk.

And it relates to when a government doesn't follow procedures in place as it relates to inmates that they've released incorrectly that are a danger to the public, and then they decline to follow their policy in letting the public realize and be aware and to notify the public of this risk to families and to our communities.

It's worthy to note that within this legislation there's a \$280 fine, and four points are removed from the SGI safe driver program. And the reason I say it's worthy is that this is a program that was brought forward, in fact I'm quite proud actually to say that it was New Democrat government that brought forward this instrument, Mr. Speaker — if we can call it that — to control the habits of driving. And really that's what we're looking at here is, we're looking at an instrument to best affect the driving habits of Saskatchewan people. And we brought forward a driving program that has a demerit system to it and of course a fine, Mr. Speaker, consequences that can then be applied to unsafe driving practices and failure to follow the laws of our road.

[15:30]

And we believe that this is — and certainly it doesn't work in all cases, Mr. Speaker — but we do believe it's a good instrument, not perfect, but a good instrument in effecting the kind of positive change in drivers' behaviours and habits that we expect, Mr. Speaker. So we're pleased to see the utilization of that structure within the legislation, Mr. Speaker.

I was just looking down to the floor, and of course I was looking to our Clerk here, and I know there's no bigger Rider fan in this Assembly, I think, than our Clerk. And the reason that comes to mind is, yesterday leaving that great game, Mr. Speaker, that great game with a big victory over the Stampeders, I noticed so many vehicles fleeing the area and so many individuals on their cellphones. Bumper to bumper traffic, Mr. Speaker, as I walked back out of the area in around Mosaic Stadium at Taylor Field, and it brought to my attention again, Mr. Speaker, the importance of legislation like this. Again it reinforces why we're urging this government to move forward in a thoughtful way towards effective legislation to effect positive driving changes around cellphone use.

But I say in some ways it seemed to be rather chaotic, Mr. Speaker. And I thought, boy, if we could remove those cellphones from the hands of those many drivers at this point in time, as they were leaving the Rider game . . . and I'm very pleased. I hope they were phoning to tell their friends and family in other provinces about our great success here at Taylor Field, but I wish they would have waited till they got home, Mr. Speaker, to do that because at the same time we put at risk the many families and children that were walking hand in hand with their mom or dad at that point in time from after that game.

So we hope we get this right, Mr. Speaker. We are in favour of this Bill in principle. We have concerns, as I've said, as it relates to a government who makes policy on the fly from knee-jerk responses.

Certainly we know the Saskatchewan people support moving in this direction, and that's why we've urged this. We urge it as well because we think it's best practice, but to do these two properly, we need to make sure the legislation gets this right. And this is something that this government has erred on in so many cases, Mr. Speaker. At the end they're trying to do cleanup in many cases on legislation, or they've passed legislation that has hugely negative, unintended consequences for Saskatchewan people. We need to get this right, Mr. Speaker, because it's an important, important, important principle and not just because you have a popular poll, Mr. Speaker, should that drive policy making. It should be made out of making sure that it meets the concerns within your jurisdiction, and in our case, our province, to make sure we completely understand the effects on groups and individuals and on some of the broader pieces, Mr. Speaker, that might not be contemplated.

We have questions about even the date that this will be installed and that will be within our communities, I believe as a set date of January 1st. We are wanting to make sure that the capacity within our police forces and that our police services around this province are going to be able to be enabled and are going to be ready to be able to enforce, be prepared to be able to enforce this legislation, Mr. Speaker.

So we have to make sure that that consultation occurs as well. And I wish I could count on the members opposite to conduct this kind of legislation and to make sure those kind of ducks are in a row, but we've learned in too many cases, Mr. Speaker, that we can't make that presumption, that we can't expect that, Mr. Speaker. So we currently are certainly doing that kind of consultation. We need to make sure that on January 1st that when this becomes a law, that it's something that actually is able to be fulfilled, that it's going to be able to be implemented by police services.

And again this gets back to the fact of why we had a government that really delayed this legislation at the start of this session, Mr. Speaker, bringing it in so late and ramming it right up against the time where they end up showing one of the worst cases or one of the greatest cases of financial mismanagement in this province, Mr. Speaker, because now you have these competing priorities, Mr. Speaker, and very, very important on both fronts that we get this right and raise the people's questions.

And I tell you, Mr. Speaker, I don't think I've had a busier time just responding to phone calls and getting the backlog of messages as right now, when Saskatchewan people across this province . . . my constituents and others, I've met so many across rural Saskatchewan who are so concerned with the behaviour of this government as it relates to the gross fiscal mismanagement, Mr. Speaker. And they said, we've seen this story before. It's the same old, same old Tory story, Mr. Speaker. And they're disappointed on that front.

And, Mr. Speaker, so again, we support the principle of removing cellphones and texting from cars, but we've got to make sure that we — from driving — we've got to make sure that we understand the unintended consequences and the ability to enforce that legislation when it comes into force, Mr. Speaker.

And broader questions even as it relates specifically to driving, Mr. Speaker . . . because we know distraction, Mr. Speaker, is I believe 25 per cent of the cause of accidents. But we don't know exactly what percentage of the 25 per cent is specifically cellphones and texting.

I'm sure it's . . . I don't minimize that in any way because I think it's a big part of it. I think it's a significant part and we need to move on it. But I'm wondering what other sorts of actions are occurring in vehicles, Mr. Speaker, that are distracting individuals and what kind of audit and thoughtful analysis has this government conducted to make sure that this legislation is actually effective in its goal of reducing distraction in vehicles to make sure that my family and yours, Mr. Speaker, my constituents and yours, Mr. Speaker, are safe, and safe as it relates to the road.

And I even think of some of the evolutions within technology, and I'm wondering, does this legislation have any impact on GPSs? Do GPSs have any concerns? Is there research out there, Mr. Speaker, as it relates to GPSs and should we be taking a look at this? Certainly I think we should all be looking at all of the distractions and making sure we provide thoughtful analysis of whether or not there's a role for that within legislation.

I think of many of these musical instruments, the electronic ones, Mr. Speaker, such as iPods, Mr. Speaker, and other brands of hand-held electronic devices that provide us music, Mr. Speaker. And of course these can be distracting too if you're looking down at your iPod Shuffle and trying to shuffle through to the next song. And I don't believe that's included in this legislation, Mr. Speaker. And I don't know if the Minister of Agriculture uses an iPod or not when he drives, or others or whomever, but it's important that we consider those other kinds of devices as well, Mr. Speaker, in safety as it relates to the road.

We have many questions as well as far as how this is practically applied, and what its actual application is as it relates to mounted devices. So I guess if we're looking specifically at the hand-held devices, what if your hand-held device, Mr. Speaker, is mounted? What if your hand-held device, Mr. Speaker, is mounted in the vehicle? Does that pose a risk to Saskatchewan people, or is that included within this legislation?

And these are the kind of questions that we think the government should be including when they're doing legislative changes and making sure that the legislation is including the scope of the many distractions that occur for driving — making sure they put forward legislation that makes sense to meet these needs, and simply goes through the proper consultations on these fronts.

Right now, Mr. Speaker, we are concerned that this government got a poll that said that banned cellphones is popular, and so knee-jerk they do that. But we don't realize the unintended consequences. And we're not sure if they're, if they're committed to looking at the many, many other issues that cause distraction while driving and bring danger to our roads, Mr. Speaker, something that we all as legislators should be focused sincerely to make sure that we're applying best practice and research and evidence to reduce, Mr. Speaker, because I know that's something, as I talk with my constituents about this piece of legislation, they want to make sure that safety is brought to the roads. And certainly they, in spades — meaning most of them certainly, probably not all of them but the ones I've chatted with and I've chatted with many on this front — support reducing or eliminating the dangers as it relates to cellphones. But there's other risks out there, and we should be evaluating those, Mr. Speaker.

Within this legislation I would like to commend and take the time to commend a Saskatchewan leader on this front who's brought this forward to us as legislators and said, can you work on this? Can you look at this? And that would be Saskatoon Police Chief Clive Weighill. I commend him for his leadership and from his role as it relates to policing, Mr. Speaker, recognizing something that's important to him and his members in his service and with his vantage point on the perspective to say, we want your legislature to look and make sure you get this right, Mr. Speaker. And certainly, Mr. Weighill's leadership on this front is no small reason of why we're now acting on it here, Mr. Speaker.

But I want to make sure that we're looking at all distractions, Mr. Speaker, as it relates to driving and not just cellphones and texting, and to make sure that we've thoughtfully analyzed all of those and to look at what sort of legislative changes might

effect the kind of positive safe driving changes that we're looking for, Mr. Speaker. We're disappointed on that front that this government has dragged its heels so significantly in introducing this legislation into session, Mr. Speaker, because the consultation that needs to happen on any piece of legislation . . . even though we fully support the principle and urge the government to move this direction to reduce the harm of cellphones and texting while driving. We need to make sure that we've had the thoughtful consultation to make sure that, with all the stakeholders across this province and individuals, that we understand the actual consequences and how it's going to be applied and what impact it has on them.

Because in many ways if you move forward in a hasty fashion and without proper consultation, you end up with flawed legislation, as we've seen time and time again with this government, who then chases its tail trying to fix it or leaves those negative ramifications for Saskatchewan people. And we need to make sure we vet this properly and make sure that it includes the purpose and intent that Mr. Weighill and that members of this side — and I hope members of this entire legislature — are committed to, Mr. Speaker, the broad sense of community safety.

When I look at other jurisdictions that have moved in this direction, we should be doing a bit of a comparative and certainly a dialogue and discussion with those jurisdictions to see what that experience has been like for them, Mr. Deputy Speaker. And we will endeavour to be doing that in the coming weeks and days.

We see within this legislation as well a modernization of a driver's licence. I use the word modernization because that's the word that was put forward by the minister. And we'll certainly have some other questions on that front, what this new driver's licence means and the extended period of time that that driver's licence is valid for, Mr. Speaker. On the surface, no great concerns there, but we do have thoughtful questions to continue to ask.

But at the same time it's worthy to note, Mr. Speaker, and it fits into the case of gross fiscal mismanagement of this government, financial mismanagement, to remember the enhanced driver's licence that was put forward, the ill-fated enhanced driver's licence that was put forward by this government just last year, Mr. Speaker. It's important to remember this, because we realize that they put forward a driver's licence that was then called into question by external and third party validators to say that we have concern about the security of personal information in the Sask Party's new enhanced driver's licence, Mr. Speaker. And they were challenged, Mr. Speaker, that this was going to put at risk the personal and secure information of individuals and families in our province, something that we opposed, Mr. Speaker.

That government in the end had to retract on the ill-fated enhanced driver's licence, but not before they wasted, Mr. Deputy Speaker, \$1 million. One million dollars, Mr. Speaker. One million dollars, Mr. Speaker. And those are dollars that are causing rates to increase, Mr. Speaker. Those are dollars that, when you look at the surgical care centre that's in Regina that was \$3 million, Mr. Speaker, that my constituents and I were so proud to see coming to our city, that was going to serve rural

Saskatchewan as well as Regina residents, that was now cut. And that program was \$3 million, that surgical care centre which was going to take off time off wait-lists, Mr. Speaker. And we see ill-fated policy put forward in the enhanced driver's licence that comes at a huge cost, a waste of \$1 million, Mr. Speaker. And that's a huge concern for Saskatchewan people.

So we need to make sure that that kind of action and activity doesn't occur. We've seen that kind of waste, Mr. Speaker, on so many fronts. We've seen that kind of waste from this government. When we have people's priorities that need to be advanced, we see this government advancing other priorities, and the enhanced driver's licence is but one example.

We can look at the millions and millions, tens of millions of dollars put into this Enterprise Saskatchewan, Mr. Speaker. And we look in many cases what's gone on is Enterprise has put forward recommendations that have then been rejected by this cabinet, Mr. Speaker, and at a very huge cost of tens of million dollars a year. And at the same time we've seen the . . . In fact, tens of millions of dollars a year. And we've seen an economy slip into decline under the watch of this government.

[15:45]

We also notice that when we talk about waste like the enhanced driver's licence. We've seen that with the unneeded severance costs to fire long-time civil servants in this province, Mr. Speaker, and something that has come at a huge cost and is no small part of the fiscal mismanagement challenges that this government's run into.

We see it with the dollars as it relates to the Olympic pavilion that is there in many ways, I guess, to stroke the ego of this Premier, Mr. Speaker, to go and spend more money on a pavilion at the Olympics than pretty much any other jurisdiction, Mr. Speaker. This vanity pavilion, when we have priorities here back at home such as wait times and surgical care centres and children's hospitals that are being cut time and time again by this government who can't manage their finances, Mr. Speaker.

And of course, if you're a friend of the Sask Party, certainly there's money for you, Mr. Speaker, but only the high-level friends, only a few of you. And those would be individuals like Doug Emsley and Garnet Garven, Mr. Speaker. We look at that kind of waste, Mr. Speaker, and it's problematic and it's concerning.

So, Mr. Speaker, as I say, we certainly support the principle of this legislation. We support moving forward as it relates to addressing safe driving or providing safe driving practice to the roads and for the people of Saskatchewan. But we're concerned, Mr. Speaker, that this piece of legislation, as so many of the pieces that come from the Sask Party, will have been prepared in a vacuum and will have been more of a knee-jerk response to a poll, Mr. Speaker, instead of looking more broadly at the issue of what distracts drivers and what really brings safety and security to our roads. Because this is what my constituents are concerned about, Mr. Speaker.

We're very concerned that this Sask Party has dragged their heels on this piece of legislation, Mr. Speaker. Before

introducing it . . . They should have introduced it right at the start of session, allowed the thoughtful dialogue and consultation that needs to occur on such pieces of legislation.

But that being said, Mr. Speaker, we're going to work hard on this front to make sure we advance an important priority. We're going to make sure that this legislation is put forward in a productive way, and certainly we're going to raise concerns where we see some holes within the legislation, Mr. Speaker.

At this time I know I have many other colleagues that would like to speak to this legislation as well. And I believe, at this point, I'm going to adjourn discussion of Bill . . . No, improper framing. At this time I'm done speaking to Bill 116, the Act to amend *The Traffic Safety Act*, and I know another colleague of mine is ready to speak, Mr. Speaker.

**The Acting Speaker (Mr. Elhard):** — I recognize the member from Cumberland.

**Mr. Vermette:** — Mr. Deputy Speaker, I am pleased to join in on the debate on Bill No. 116, a Bill to ban cellphone use. It's interesting to hear this Bill come up. We've heard a number of different comments and people have talked with great length, some; some very short. But I've got some comments I'd like to make and just some of the things that are concerning to me.

I mean everybody, Mr. Deputy Speaker, wants to make sure that people out there, motorists are safe, pedestrians are safe. And sometimes we know for a fact that safety is a big issue and we want to make sure that residents of our province and anyone visiting our province is safe. And looking at, I guess, some of the accidents, and we hear people saying some of the seriousness that goes on and it's really concerning. And I think it's time that this Bill get looked at and seriousness by the government and by the members here on the opposite. It's time to look at this Bill and debate it.

There is a process, you know, and I'm learning that process and I'm very pleased that I'm learning the process. But there's a lot of things you have to look at. You have to make sure the people are consulted. You have to make sure that the services that a Bill like this will affect are being addressed, and let's make sure . . .

And, I mean, there's different areas. One that comes to mind that's interesting, you talk about, you know, some of the rates, and they look at some of the numbers saying those that operate cellphones, texting, it is really serious. You're hearing some of the numbers that's coming out. I don't know where those numbers are coming from but I've been given some of them and it's really alarming. And if those numbers are accurate and are truly what's going on out there, it's time that we have a serious discussion. And I guess that's why it's here on this floor to debate.

I look at some of the . . . the call for one of the police chiefs from Saskatoon. He wants this ban on cellphone use and texting and he probably has his reasons why, in data. It would be nice to find out what that is and maybe we'll get a chance to hear somebody sharing some of that.

You know, you look at insurance, and I imagine the cost of



insurance is quite high when an accident happens under someone using a cellphone or, you know, texting. There's cost to the province in insurance. So they talk about using this and will there be . . . We know there's a rate increase in insurance and if you have a lot of use and if it's people using cellphones, texting. I don't know how many have caused accidents, but if it is even a small number and it's costing taxpayers out of the SGI insurance claims to go up, then we obviously have a problem. But if we get that under control, I guess, is there going to be, you know, a rebate? Is the price of insurance going to drop because of some of the insurance premiums? It's not a bunch of cost.

So we've got to look at all this stuff. And I mean, it's a good time to wonder and, I mean, and the costs that are going out of control . . . And people in our province right now are struggling with cost. And insurance costs are one of those areas. If we can, you know, give them some relief, wouldn't that be nice? So if this does that, I'm hoping that this kind of a Bill will accommodate that. So that's just one area I want to talk about.

Have we talked with CAA [Canadian Automobile Association] and asking them? You know, they're a motor vehicle agency that helps out a lot of stranded people. They cover a lot of different areas. Have we talked to them about this, and have you got input from CAA? So that's just one other area I was thinking about, you know. Have they given, Mr. Deputy Speaker . . . Have we checked with them? Did anybody get any information? I know I haven't. And you know, within a timeline I guess, you know, a person may have a chance to look at that and ask them what do they think about this and get their recommendation. And they might have brought it forward. I just don't know at this time that I'm aware of.

Now you talk about texting and, you know, you see people out there texting. And it happens. They're occupied. I've watched it. And again I'll go on saying, last night it was a wonderful game, everything exciting. I was driving around. People were going crazy. They're driving, talking on their . . . And really exciting times. Mr. Speaker. It is pretty scary when you seen all the people, the pedestrians walking and people all over talking, travelling. So there is those issues. And I think sometimes, Mr. Deputy Speaker, we have to be very sure.

Now I know a deadline of January the 1st, 2010, we're looking at this Bill passing. It would become law. We've talked about this. Are the law enforcement agencies prepared to move on this date? And will they support this? And do they support this? I mean, we're going to need that. Do they feel that, you know . . . What's their view on this? We've heard from one, I know, chief of police from Saskatoon. But I guess, Mr. Deputy Speaker, we need to find out if they're ready to go with this. And if this Bill passes and the deadline on January the 1st is the date they're pushing, will that happen?

So looking at some of the stuff, Mr. Deputy Speaker, safety is a big issue. We know that. And some people operate, it's almost like in their vehicle they operate an office. There's a lot of different pieces of equipment that people are using. And I sometimes think, Mr. Deputy Speaker, it is a distraction, some of the equipment that they're using. I've seen some of the, I guess, television programs they've shown where some people, they operate right out of their vehicle. It's almost like an office.

It's amazing to see the technology that's out there. But you know having said that, it's fine if they're pulled over, if they're on the job site and they're using those pieces of equipment. But when you're driving, operating a motor vehicle, I'd have to wonder about the safety that's there and how much attention are they focusing on the vehicle they're operating and how much is focused on some of the equipment they're using.

And you know today's world, we know we're busy. It's busy times. Everybody's trying to save. So I have to look at this Bill and wonder, is it the right Bill? Does it go far enough? You know, we have to look at that and make sure. How far does this Bill go? And I mean you could sit here and say, well trust me, trust me. And I think there's a process has to happen, definitely a process that has to happen. And I'm very pleased to take part in this debate on this Bill and see where we're going, you know.

And I want to go back to this you know, Mr. Speaker, because I think it's very important. We all talk about safety. We want to make sure people in our province are safe. We as the official opposition have a duty, all of us as MLAs and members of this legislature, have an obligation to make sure Saskatchewan people and visitors are safe. And we see provinces . . . And we're not the first province to bring this ban in. There's about four other provinces I believe right now currently have a ban on cellphone use. So I think we're moving along and we need to move along.

But I think they all went through a process. They didn't just wake up one day and say, well let's have a ban. Let's do this. I think there was a, you know, duty to consult if you want to say that. You want to make sure that they've talked to the right people. Maybe there's a lot of people that disagree. Even we talk. Some people say it's busy times.

But you know, Mr. Deputy Speaker, I think overall that insurance thing really sits there on my mind, thinking, what is the cost to this province? Is there any way to know truly what the cost, you know, the cost, what would the cost be, you know, would there be on cellphone use? I'm curious, you know. And it's a heck of a debate. But, you know, I'm curious to find out. And maybe I'll get some time, Mr. Deputy Speaker, to find out exactly what are the costs.

And maybe the minister of, you know, SGI [Saskatchewan Government Insurance] will be able to give us some of that information. You know, I never thought about it to ask. Maybe it's time I asked that question.

And will there be cost savings again? I want to go back to that because to me it's crucial. If we're going to ban this and it saves people's lives and injuries and it saves on accidents and it saves on costs of repairing vehicles, well maybe, you know, if those rates are so high and they come down, that maybe there's a rebate to come back or something for the people to say, yes we've banned this but here's the reason why: the costs are getting out of hand. But you know what? We're going to pass that on to the taxpayers because, at the end of the day, it's the taxpayers, Mr. Deputy Speaker, that pay for the bill.

So you know, when you look at that . . . And then again, I want to go back to the deadline. They're talking January the 1st and, you know, I don't know if that gives us enough time. I think

there has to be more time given here. And I think overall, Mr. Deputy Speaker . . .

**An Hon. Member:** — Who made that deadline?

**Mr. Vermette:** — I don't know who made that deadline. It wasn't us and it wasn't through consulting with us and talking, Mr. Deputy Speaker. So that deadline is a little concerning. There's a process that should happen, Mr. Deputy Speaker, and I'm hoping that . . . You know, they could have come over and apparently talked to my colleagues and we could have, you know, worked on this together in a more positive way. It's safety, and everybody knows that we want to make sure our residents are safe.

And you know, when you think about a time saver, so many people today are looking at time saving. And some of these issues, you know, for the North — and I have to think about this — we do a lot of travelling. We have communities that are very isolated and they do use a lot of cellphones when they can get a signal. It's handy. They use other equipment.

And I haven't had a chance to talk to a lot of people back home on this Bill personally, I know, about whether they'd support this Bill banning cellphone use, texting. But I guess if you come back and you have a talk with people and I think we can solve them. Well we have to make sure that people in the province are getting an opportunity to talk about this and to bring . . . I represent them. We all do.

And, Mr. Deputy Speaker, we have to make sure that people want something that we're bringing through that's going to work for them. And sometimes people will support it if you get the public to support certain Bills and give a good rationale to why. But you have to make sure you communicate with the residents out there. People want to have laws. They understand that. But they want to make sure that the government goes out and consults them, shares with them, says, here's what we're proposing; what do you think? You think this would work? Do you have any better ideas?

Sometimes you have to go out to the people and you have to ask the people. We don't want to shove this down your throat. We don't want to be dictators. We want to take the time and we want to communicate. We want to talk with you, let you have an opportunity to give input. So many times under this current government, there is not the opportunity to talk about things so they can say what they want. They can give back and forth. But you know, people just want to feel like they have a right to feel heard.

And I think we have an obligation to make sure that the people in our province and my constituency get a chance to be heard. And, Mr. Deputy Speaker, I want to make sure that the people know, back home, that we're doing all we can in this House. This official opposition is making sure that we're doing what we were asked to do when they asked us to represent them, and that's very important, Mr. Deputy Speaker.

[16:00]

You know when you talk about the hands-free system, they're thinking of putting in a hands-free system, and some people are

putting them in. Some of them coming on the new models. We know that. Some people will have to have those installed. But there are still a process you have to go through. It just isn't speaking. There's buttons that will have to be pressed, some of them. I'm hearing different things and I'm not sure. So I think the public's going to have to look at it. And some people are not happy that we're asking them to pay the cost to have this equipment in their vehicle.

But sometimes, Mr. Speaker, I guess in the end, if it saves somebody and it saves a life, then I guess having hands-free is a way to go. I don't know for sure. I don't have all the facts. I don't have the data. But there obviously must be a reason why we're talking about this, debating this because there must be some serious accidents. And if we can prevent that, I guess we want to. But I have to be very clear. There is a process to doing that, Mr. Speaker.

And you can't just bring in Bills and have discussions just to have them. And I know that, you know, the members opposite and the government would like to introduce Bills and have them passed as they see, this is what's good for you. But I have to go back to the process. There are so many processes that have to happen.

You know, I don't know how much distraction cellphones and texting — like I said I want to go back to that, Mr. Deputy Speaker — has. But obviously, you know, some of the things I've seen happen, and probably everyone else can say they've seen things happening, you know, near miss accidents, accidents that have been the cause of that, somebody has operated a cellphone or texting.

But there are many other areas that we can look at, and I don't know if this Bill goes far enough with hand-held or . . . I mean you can look at a whole bunch of different areas that people are busy operating a motor vehicle. I mean you know, I guess there are some laws you can, you know, undue care and attention.

There are some people . . . That comes up and some people get charged with that. I know that. So depending what you're doing, you know. It depends what's happening. What you're doing out there, you know . . . [inaudible interjection] . . . Well no, you could get charged with that. I know people have been charged with that.

But going on, Mr. Deputy Speaker, the hands-free system, like I said, I think there's an opportunity but I think there are some high costs with that. It's not going to be a cheap . . . You know, and some people who have paid for their phones, they use . . .

**The Acting Speaker (Mr. Elhard):** — Why is the member on his feet?

**Mr. Hart:** — With leave to introduce guests.

**The Acting Speaker (Mr. Elhard):** — Is leave granted?

**Some Hon. Members:** — Agreed.

**The Acting Speaker (Mr. Elhard):** — The member from Last Mountain-Touchwood.

## INTRODUCTION OF GUESTS

**Mr. Hart:** — Thank you, Mr. Deputy Speaker. I'd like to thank the member from Cumberland to yield the floor to allow me to introduce a group of 16 grade 4 students seated in the west gallery, Mr. Deputy Speaker. They are accompanied by their teachers, Mrs. Lesser and Ms. Babiuk. And I see a number of chaperones; unfortunately I haven't been provided with the names.

The group just arrived and this is their first stop in their tour, I believe. I will be meeting with them after they've conducted their tour. I certainly hope that the young students from Punnichy Elementary School enjoy their tour here, and we will have a visit later on. And I would ask all members of the Assembly to welcome them to their Assembly.

**The Acting Speaker (Mr. Elhard):** — I recognize the member from Cumberland.

## ADJOURNED DEBATES

### SECOND READINGS

**Bill No. 116 — *The Traffic Safety (Drivers' Licences and Hand-held Electronic Communications Equipment) Amendment Act, 2009***  
(continued)

**Mr. Vermette:** — Yes, I would like to go on and, you know, continue talking about the debate but I would as well like to, with the member opposite, acknowledge the students and staff and chaperones from Punnichy. Welcome to your legislature and I hope you have an enjoyable time. I hope you learn things and you can see that we truly have to do a job, and I welcome you to hear what we're doing here today. Anyway, welcome.

Mr. Speaker, I would just like to continue the debate on the cellphone and . . . Thank you, Mr. Speaker, and I would like to just go on and have a little more discussion talking about, you know, the debate overall and where are we going with the cellphone and texting and the danger.

And I talked a little bit about that, Mr. Deputy Speaker, about insurance rates. Are the police onside? Is it enough time to January the 1st to get it going? We've had a lot of different discussions. You know, time saver . . . Other provinces, other jurisdictions, are they going ahead and passing this? And what kind of input and what kind of talking did they do?

And you know, Mr. Deputy Speaker, it's important that we make sure we do the right thing here. The people of our province are asking us to do the right thing. It's not just jumping at Bills and going in. Like I said earlier, and I just want to go back to that, Mr. Deputy Speaker, it's not just as simple as passing it. We know we can do that. We have to make sure that people feel that there's ownership to the Bills, there's ownership to law, that the people support that.

And a government needs to make sure that its people are supporting what they're doing. It can't always be, you know, push, push, push. They have to make sure that people feel consulted, that people have input into the decision making.

And people want that and expect that, and I'm really happy that I can sit here representing my constituents and get into this debate. Not just push it and say, yes, let's just go ahead and do it. There are other things to, you know, to deal with.

I've had this time, Mr. Deputy Speaker. I've had an opportunity to talk a number of different areas and, you know, there's been a few things that I probably didn't touch on because — I have to be honest — sometimes it's hard to discuss some of the items unless you get the information from the people that are going to be affected.

And I think over the next while we're going to have an opportunity, Mr. Deputy Speaker, to hear from other members, my colleagues, talking about some of the items and we're going to get more items and more, probably, interest from people and more emails, and people making comments saying, yes maybe it's a good thing. And probably the majority of people would say, if you're going to try to do this because you're saving lives or you're saving injury or saving dollars to insurance companies and different things, there's good reasons why to do this and people probably aren't going to fight with that.

But you have to make sure that they understand that — the reasons why we're doing this and the reason why this Bill's coming forward. I don't think it's just as simple as, oh we passed it and it's the law. I think we have to make sure that we feel and the people feel like they're getting their fair share of the information and input into this and feel like they've been consulted. Because that government and the current government hasn't done such a great job of accommodating and communicating stuff.

I'm sorry to say, they just haven't. There's people not feeling so involved in the process and the decisions that that government has made, Mr. Deputy Speaker. So the government of the day makes a lot of different things, doesn't always involve . . . And I think this is an opportunity for people to feel like they get input.

And like I said earlier, you know, there's different . . . People are charged with different things when they're operating vehicles, Mr. Deputy Speaker. There's been a lot of, you know, different things. And I said, we have to be sure. Does this Bill go far enough? You know, it sure, you know, cellphones. Are there other pieces of equipment that could, you know, be dealt with? Because other people are focused. They're doing different things.

And like I said earlier, some people do get other charges. They get undue care and attention — and I want to talk about that — because they are operating other pieces of equipment that could cause harm. They're not paying attention to the vehicle they're operating. So this gives the police another thing. Seeing somebody operate, you know, a cellphone or texting, they could pull them over. This gives them an opportunity. So not only when people are not paying attention for other reasons, this will help the police to say, well we've seen you were operating a motor vehicle and you were talking on a, you know, a cellphone. We were seeing you texting.

I think this is going to give people an opportunity, but the process — I want to be very clear, Mr. Deputy Speaker — the

process is important, the opportunity to debate it, the opportunity to bring views from residents, from people, from some of the professionals that are out there, some of the insurance companies, CAA. There's other people to talk with, share the ideas, and share that input. So the government should be doing more of that — not less of it, more of it. It's what's needed.

So you know at this time, Mr. Deputy Speaker, I know my colleagues — Ron, are you just about, are you just about ready? — my colleagues are just about ready to take over. They wanted to debate this and they want to talk about it and they have a lot of good things that they would like to share with us. So at this time I think I'm ready to pass it on to one of my colleagues. Thank you, Mr. Deputy Speaker.

**The Acting Speaker (Mr. Elhard):** — I recognize the member from Regina Northeast.

**Mr. Harper:** — That's what you call just getting in under the wire, Mr. Speaker. Mr. Speaker, it gives me a great deal of pleasure to have the opportunity on behalf of the fine folks of Regina Northeast to enter into this debate, the debate on Bill 116, *An Act to amend The Traffic Safety Act and to make a consequential amendment to The Summary Offences Procedures Act, 1990*.

And, Mr. Speaker, I think it's rather a comprehensive Act because it covers more than one front. And I think . . . [inaudible] . . . unfortunately because this particular issue that we're debating here today and has captured much of our attention is the ban on texting and cellphones which . . . Mr. Speaker, I want to just make it absolutely clear right off the start of my presentation here is that we are certainly, certainly in favour of this Bill in principle. And we need to, though, on behalf of the good, fine people of Saskatchewan, to take a close look at it to make sure that the government has done its due diligence and has done its research and has done its consultations.

And those are the things that we want to sort of flesh out here this afternoon as to the level of involvement the government has had in this Bill and its preparation for this Bill, to ensure that they have, you know, been able to closely look at all the ramifications of it. I mean any time — and I think we all agree with this, those of us who've been around this legislature a little while — any time you enact a new Act or make amendments to the old Act, you disturb things. And you want to know, you know, what effect will that have on the economy? What effect will that have on people? It's sort of like a domino effect sometimes.

When you change something, you change . . . inadvertently other things will change or a vacuum will be created or it would be filled, and the dominos start to fall. And things change that perhaps you had never anticipated and certainly wasn't the intent of the legislation.

So we wanted to make sure that the government has taken its time and has done the due diligence that's required of government to ensure that such changes don't have an unintended negative effect on people. And I'm hoping that the government has done that due diligence. And I suppose with a

little bit of time here and some discussion, we'll be able to flush that out and identify that particular issue.

But I think anything, Mr. Speaker, anything that will improve the chances or improve the safety standards for Saskatchewan people is something that we all support, and it's something that we all want. And I would hope that we as legislators, on both sides of the House here, would work to that end. I think we want to see programs, policies, Acts, rules, regulations that are in the best interest of Saskatchewan people and that will ensure the safety of Saskatchewan people as they go forward, whether it be in this particular piece of legislation or any other.

That's sort of, I think, our responsibilities here. We, as elected people, every four years go out and ask the good folks of our constituency to entrust us with the privilege — really it's a privilege — to represent them in the various debates that take place in this House. And it's our job to, as often as we can and in any manner, shape as we can, we need to communicate with our constituents. We need to find out what their concerns are. We need to find out what issues that are first and foremost in their minds.

And when we as opposition members, when government brings forward legislation, we have a responsibility to communicate those pieces of legislation back to our constituents so that we can get feedback from them, get an idea of what it is that they're looking for, whether they think it's good or bad. And I would think, Mr. Speaker, that when you present this particular piece of legislation in its broadest of forms, just saying, well the government has introduced a Bill here to ban cellphone usage while driving a vehicle, I think it's not hard to say that the vast majority of people would say yes, they're in favour of that.

And that's the simple approach, Mr. Speaker, the one-line approach saying, well the government wants to enact a Bill that will ban cellphone and hand-held devices while operating a motor vehicle. And most people, when that line is presented to them, when that statement is presented to them, most people will think, well they're talking about a cellphone. And I have seen many people — in fact I've done it myself, Mr. Speaker — while you're driving, take your cellphone out, dial somebody up, and talk to him because you have a question to ask or information you need. And that has become a fairly common occurrence. You see it quite often.

Is it distracting? I would say it probably is distracting. To a degree, certainly it's distracting. I think the next step, the next phase that's come along is the text messaging, is probably even more distracting. Because when you're using a cellphone, a lot of times a lot of us have the numbers in speed dial so we can just really hit one number and it brings up the individual you're looking for. When that happens, you think you're still distracted, but the period of distraction is a lot less than that would be if somebody who has to dial the number, for example. If you have to dial the 10-digit number to get a hold of somebody, you're spending a little time looking at your cellphone and the face of your cellphone to be able to dial those numbers and hopefully hit the right number and get the person you're looking for.

[16:15]

It probably compounds the matter when you look at texting now. The more modern way of communicating is through texting. And if you're driving and texting, well you're spending a lot more time looking at your device and following what's on the face of your device. And that certainly takes your mind off of, and your attention away from, driving which therefore makes, quite frankly, that situation a dangerous situation within the motoring public in Saskatchewan.

And that, Mr. Speaker, is something that, like I said right from the word go, we're very, very much in favour of legislation that will ensure the improved safety of Saskatchewan motoring public. That's why in principle we are certainly in favour of this Bill.

There's just a few concerns that we have that we would like to be able to raise these concerns. We would like to have an answer to these concerns, and we would like to know if the government perhaps has done this consultation to address many of these concerns. Perhaps this has been done. Perhaps the government has taken the opportunity to talk to people in regards to many of the concerns that we in the opposition share right now.

Yes, Mr. Speaker, cellphone use has certainly grown rapidly in the last 10 years with the changing technology and the changing cellphones. I can remember when the first cellphone came out many years ago. It was a very cumbersome device. It was large and it was awkward to operate at any time, let alone trying to drive. But as technology has improved and improved quite rapidly over the last 10 years, we're seeing cellphones, the size of cellphones, change.

We're also seeing the programming, I guess, within the cellphones. It's a lot more than just a cellphone anymore. It used to be one time that was what you did. You could phone out or receive a phone call, but that was it. But today the programming on these cellphones includes texting, but it also includes gaming. It also includes being able to keep your schedule, includes all types of advantages, I guess you'd say, to a modern cellphone for communicating purposes. And with that, of course, Mr. Speaker, is the need to be informed and the ability to be informed. And I think many of us, certainly elected members see that as a great advantage.

But at the same time, if we're using that cellphone to retrieve information or perhaps do some research or perhaps even playing a game or texting our friends or texting our family members that we're on the way, that sort of stuff is very distracting when you're driving a vehicle. And that is why, I think, it is essential that we look at providing some type of legislation that will increase the safety factor, as far as that goes with the Government of Saskatchewan.

I think it's safe to say, and I just want to look at a quote from a press story, news story, a CBC [Canadian Broadcasting Corporation] news story, September the 1st, 2009. And the headline is, "Sask. to ban texting, cellphone use while driving." And in the heart of the news story, the Saskatoon police chief called for a ban on cellphone use by people operating a motor vehicle. The chief goes on to say that there are just too many accidents where cellphones are used and it is a contributing factor to the accident. And I believe that to be the case, Mr.

Speaker, because when you're on a cellphone, you certainly are distracted.

Often, even just on making a phone call, you would say, well you've done the dialing and you're holding the phone in one hand. You're driving down the street. You're able to, you know, keep your eye on the traffic, keep your eye on the traffic lights and so on and so forth. But often you get into subject matter where your mind is occupied by the subject matter you're addressing on the telephone. And you lose track of attention on what should be the most important part of your responsibility, and that is the traffic in front of you, your handling of your vehicle. And those are the things that often you may get sidetracked from and may become secondary. And when that happens, there comes a situation where an accident can happen. And we certainly wouldn't want that to continue on, Mr. Speaker.

I believe that if you look at recent statistics, that they will suggest that many of the accidents that do occur have been, not necessarily a result of being on a cellphone or perhaps even texting, but certainly it was a contributing factor. And we certainly want to eliminate that because you want to create an atmosphere here and a condition within this province where Saskatchewan's motoring public will enjoy the most safe highways of anywhere in Canada.

And I'm hoping that's a goal for all of us, not only the elected government members, but also the elected opposition members. We should be working towards that as a goal. We want to improve the quality of life for Saskatchewan people. And that's one aspect of it, is to be able to provide them a safe as an experience in motoring throughout Saskatchewan as possible.

Whether it be in our cities or whether it be in a rural area, we want to be able to provide them the opportunity to enjoy safety, to enjoy the ability to relax while they're driving, as far as worries some driver on the road may be involved in text messaging or may be involved in a cellphone conversation that has taken his or her mind off of the immediate responsibilities — and that is to be in good control of your vehicle — and perhaps creating a situation where an accident can occur where somebody that's innocent as possible, as innocent as possible, may be involved in that accident. So we certainly would hope that that is the direction we're seeing this particular Bill move us to.

Mr. Speaker, most recently a poll suggested the majority of Saskatchewan residents support the proposed provincial ban on cellphone use while driving. And this is a news story that I don't have a date for, but I believe it came out of an article that was carried in the *Leader-Post* here not too awful long ago.

It's interesting that the poll determined that the older respondents got, the more likely they were to support the ban and the less likely they were to use the cellphone themselves and certainly for text messaging. But it's interesting.

And I suppose that sort of reflects the changing in technology, and perhaps the rapid changing in technology that we've seen over the last 10 years. It's certainly the younger generation that has grasped it much quicker than the older generation, and I'll put myself in that category of older generation. And it's often

been a standing joke that if you need help with your computer, you get the seven year old to help you because they got a better grasp of the technology and the ability to operate those computers perhaps than us older people have. And I suppose it's fair enough because that's what they've grown up with, and for us it's a little bit foreign.

But the article also goes on to say, "About six in 10, or 59.3 per cent, of Saskatchewan residents 'strongly support' the proposed legislation and [about] three in 10 'somewhat support' it, an overall total of [about] 87.9 per cent support" for the legislation in principle. And, Mr. Speaker, we have no argument with this legislation in principle. We agree with this legislation in principle.

What we want to know is what has the government done to ensure that this legislation is reflecting the wants and the needs of Saskatchewan people. That's the big question that I have, Mr. Speaker. And I would like to have that assurance, and I'd like to have the opportunity for that discussion to take place. Because there are various, various groups that need to be talked about and considered when you're introducing such legislation. And I would hope, I would hope that the government had done their homework on this.

As I had related, that first article, Mr. Speaker, it was dated September the 1st. And I remember when this particular issue came forward. And the government had indicated to the province of Saskatchewan, through the news media, that they would be introducing such a type of cellphone banning legislation in this session. And I say that because I was on media duty for our party at that time, and I remember having to field a number of calls from the media wanting to know what the opposition response was to the government's Bill or proposed Bill.

And that was back in September, Mr. Speaker. And yet, it wasn't until now that we see anything on paper or we see the Bill itself. And I'm a little disappointed in that, Mr. Speaker, because I would have thought that if the government would have made its announcement to Saskatchewan through the news media back in September, that they would have had the Bill ready. That they would have had that Bill in a form that they could have presented it to the opposition so we would have had the opportunity to discuss with the various stakeholders this particular piece of legislation.

Unfortunately they didn't. They bring it forward, though, later in this session. I mean, it wasn't even in the first few days of this session that Bill was introduced. It was much later into the session. And now they're saying, you know, please, we want it passed in this session so it can take effect on January the 1st. Well that's fine. But it makes me feel like I'm being jammed, and when I'm being jammed, I immediately wonder why.

Why is the government not bringing forward this legislation in a timely fashion to give the opposition members who, like we've already said and I said that in my interviews back in September, that we would certainly support this Bill in principle. But we want to see the Bill. We want to see what's in this Bill and what does it apply to.

And who has the government talked to? Who has the

government consulted with as far as the content of the Bill? Who have they talked to? What was the reaction of those people who they talked to? What was the suggestions? What was the positives? What were the negatives?

I know that they say that they're simply following other provinces. Other provinces such as Nova Scotia and Quebec, Newfoundland and Labrador already have brought in a form of this legislation and this is correct. They have.

But how does our legislation, how does this government's Bill, how has this legislation this government's bringing, how does it compare with that of Nova Scotia? How does it compare? What has happened in Nova Scotia? What has Nova Scotia's experience been? Have they talked to the people in Nova Scotia? Have they only talked to the government? But have they talked to organizations such as the CAA and other automotive organizations out there as to their input and their experience with this Bill? Has it been a good one? Has it been a bad one? Or, or have they recognized things that should have been changed in the Nova Scotia legislation? Is there something there that should have been different that would have made the Bill even better? And if there was, was that then taken into consideration by Saskatchewan and Saskatchewan's officials when they were putting this Bill together?

I don't know that it was. I don't know that it wasn't. But I do know, Mr. Speaker, that those are the questions that I would like to have asked. I would like to know, have they talked to the Quebec government? What has their experience been with this piece of legislation? And if they did talk to the Quebec government, who did they talk to and what was the reaction? What was the response from the Quebec government as far as this legislation is concerned? Was it positive? Was it negative? Did they recognize that perhaps if they had to do it over again there was things that they would have changed? If there was, what was it?

Those are some of the questions that I would like to know because it's certainly . . . Like I said, Mr. Speaker, we support it in principle, but we want to make sure that if we're going to do this, we're going to do it right. We want to make sure that it has the best possible effect for Saskatchewan people. After all, as far as I'm concerned — and I may be a bit biased here — but I think there's no finer people in the world than that of Saskatchewan people, and I believe that they deserve the best. And they deserve the best of legislation that will ensure their safety, particularly their motoring public safety, as they travel across this great province of ours. So I would like to see that, Mr. Speaker.

This Bill, Mr. Speaker, is, as it outlines here, hand-held electronic communication equipment. Well what does that mean? Does that mean just cellphones, or does that mean a cellphone combination BlackBerry? Does that apply? How about those people who have computer devices in their vehicle? And I know of two or three people who have a laptop computer right in their vehicle, and they communicate from their vehicle with their home office on a regular basis. Does this constitute a hand-held device? It's just as distractive if you have a laptop computer sitting on the passenger seat and you're reading your emails while you're driving. It's just as distractive as being on a cellphone. Is that covered in this legislation? I don't know that

it is. I don't know that it's not, but I don't know that it is.

[16:30]

So I would like to know those kind of questions, Mr. Speaker, because I think it's important to know what does this cover and what does this not cover? And to that end, how far has the government gone in its research, how far has the government gone in its consultation on this particular Bill? And how far have they gone and who have they communicated with and who have they consulted with and what has been the results of those consultations? Has there been those who have stood up and said, yes, we like this Bill as it is? Or have there been those who say, well we like the Bill in principle, but there are things that we would change?

And if there were those groups out there or individuals who would have had the opportunity to look at this Bill, then I question the government. Why didn't the opposition have that same opportunity? If you're making this available to the public and making your announcement to the public back in September, then why didn't you provide the opposition with a draft Bill so we would have had the opportunity to ensure that the consultation with Saskatchewan people was done in a fair and adequate and balanced way?

Mr. Speaker, this legislation is rather broadly worded. It says, "No driver shall use electronic communications equipment while driving a motor vehicle on a highway." Okay, on a highway. Does this then apply, Mr. Speaker, to a grid road? Does somebody who is operating their vehicle around one of our many grid roads in this great province of ours, is it legal for them to use a hand-held electronic device? Can they use their cellphone if they're on a grid road? It says here they can't use their cellphone while operating a motor vehicle on a highway, but how about if they're on a grid road? How about if they're on a farm access road or how about if they're on a farm road? Is it possible for them to use that phone and not be covered by this legislation? That's another question, Mr. Speaker.

Well that's what we're wondering. Who have you talked to? Who have you talked to? Have you talked to anybody about this, or is this just simply a knee-jerk reaction to what is seen as a short-term political gain? And that's kind of what I'm sensing here, Mr. Speaker, and I hope I'm wrong. I hope I'm wrong, but I don't sense there's been a great deal of consultation done on this particular piece. I think it's sort of a reaction to what the numbers that I was reading out earlier, Mr. Speaker. I read out these numbers earlier when it said a new poll suggested that the majority of Saskatchewan residents support the proposed provincial ban on cellphones while driving.

Very broad when you ask that, Mr. Speaker. Common sense tells you the vast majority of people are going to say yes, we want them banned. We think that they're a distraction, and we would like to see them regulated in some manner, shape, or form to ensure that we'd have greater safety on our roads, on our highways, and a greater safety for the motoring public. It's also interesting, Mr. Speaker, that at the same time that same poll shows that the older the respondent, the older that respondent got, the more likely they were to support the ban and less likely they were to use a cellphone while driving.

So here's a political, I think a bit of a political tidbit that the government has seen and said, hey well we can maybe attract some support in this particular category. We can attract support generally across Saskatchewan by saying, hey we introduced this ban to make things much safer for everybody. And particularly amongst the older population who are less, as I am . . . less ability to pick up on the new technocrats and the new changes in technology. But it clearly states here that the poll shows that nearly 87 per cent — pushing 90 per cent — of people would provide somewhat support for a piece of legislation that would ban the use of cellphones by the motoring public.

Well like I said, Mr. Speaker, in the beginning, we would certainly support that in principle. But the question here is what has the government done to ensure that they're putting together an Act that properly responds to the wishes of Saskatchewan people? Oh I see very low evidence of the government putting much effort into comprising this Bill to ensure that the motoring public of Saskatchewan would enjoy safety as a result of the implementation of this Bill.

Mr. Speaker, and here I mean just a second line, just a second line in this Act as it pertains to hand-held electronic communications equipment, just the second line, very simple, very straightforward. It says, "No driver shall use electronic communications equipment while driving a motor vehicle on a highway." "On a highway," fair enough but . . . means if we pull off of that highway and I'm taking a shortcut using a primary grid road to go to the community I want to go to, while I'm on that grid road, can I use that hand-held electronic device legally, despite this Act, if this Act was ever implemented? Can I use it? Does it apply only to highways, not to grid roads?

Well if it doesn't apply to grid roads, then why are Saskatchewan people, particularly people who live in rural Saskatchewan, second class citizens here? That they can be jeopardized by having people on their roads using hand-held devices that are distractive creates a greater opportunity for accidents, and they would be exposed to that while people on highways are not. That, to me, Mr. Speaker, creates a huge void here, a huge void. So I can't help but wonder why it is only on highways. Now you don't so often see that . . .

It goes on to say in the Act here, Mr. Speaker, that drivers who are not new drivers and who, while driving a motor vehicle on a highway . . . again, Mr. Speaker, it repeats itself — on a highway. It doesn't say on a motorway. It doesn't say on a roadway. It doesn't say on some type of line of traffic. It says on a highway. My question then immediately is, does it apply to grid roads? Does it apply to farm access roads? Does it apply to farm roads period?

And it says, Mr. Speaker, electronic communicating equipment. Okay what is this? It says a hand-held device, is the terminology used here, a hand-held device. Hand-held electronic communications equipment is the exact words used here. Well what if that particular piece of communicating equipment is not hand-held? What if it's mounted on a mount on the dashboard? What if the telephone is in a mount on the dashboard, and you don't hold it in your hands? You don't hold it in your hands. You still have to dial. You still have to punch send. You still have to punch end when the conversation is over

with, so does that then not be covered by this Act?

So does that mean the difference is whether it's on a mount on your dash or in your hand? Is that the only difference in this Act? It could be the same phone, with the same ability to distract drivers, but simply because it's on a mount on the dash and not in your hand, that makes it okay. I don't know that, Mr. Speaker. I wish it would be.

Again I ask about the individual who has the ability to use and communicate with their computer from their vehicle, and I know business people who do. They have their computer set right on their passenger seat. They have it plugged in to their power unit which is the electrical, the cigarette lighter on their vehicle, and they communicate, use that computer. They can communicate with their home office. They can communicate with clients. Now, Mr. Speaker, is that considered a hand-held device? Because it's not held in their hand. It's on the seat. It's on the seat, on the passenger's seat, and it's not in their hand. Therefore is that a hand-held device according to this Act? I don't know. It doesn't say.

And the government hasn't provided us with any information as to the support of this Act, as to what they may have done as far as consulting with various groups. There's business groups across this great province of ours, as to those, some of those type of questions like, what actually constitutes a hand-held device? Is it simply a cellphone, or is it BlackBerry, or is it a GPS?

Today's world, you see in travelling the world, you see a lot of vehicles equipped with GPS. There are those who use it because it's ... if they don't necessarily know the countryside or perhaps they don't know the community, but they have a name and they have an address. And they're able to punch that in to their GPS, and it lays out a road map for them or lays out a map for them to follow, and they can get to their desired destination.

But again, Mr. Speaker, this is not necessarily hand-held. It has its own mount. It has a bracket for its own mount. You can take it out of that mount with a flick of your wrist, and you can hold it in your hand. You can program it while in your hand. Put it back in its mount, and it will do its thing. It will contact the satellites, and it will unfold the map to the destination that you desire. Same time, Mr. Speaker, you don't have to take it out of its mount to program it. You can program it while it's on your dash. While it's stuck onto your windshield, you can program it there. But does that not distract you from your sole responsibility or your major responsibility, that is, to be in control of your vehicle? Yes it does. It certainly does.

And I have a GPS so I know what I'm talking about. Okay. I have a GPS and I use it on a regular basis. So, Mr. Speaker, does that apply to this legislation or does this legislation apply to a GPS that is not necessarily hand-held because it has its own mount? But you can take it out of its mount, make it a hand-held device for the purpose of programming it. Or you can leave it in its mount but if it's set closely enough to you, on the dash, you can program it there.

Mr. Speaker, that is something that's not even mentioned, not even mentioned in the government's press release. It's not certainly mentioned in this government's Bill here. And I

haven't seen any supporting documentation from the government to suggest that they have even considered, have even considered the aspects of a GPS or a electronic device other than a cellphone.

I would have hoped the government would have, Mr. Speaker, because this is a very important issue. It's a very, very important issue. Fundamentally what's at stake here is the safety of Saskatchewan's motoring public, safety of Saskatchewan's motoring public. And that, Mr. Speaker, we should be all working towards, ensuring that in Saskatchewan the people driving on Saskatchewan roads — not just Saskatchewan highways, but Saskatchewan roads, whether they be grid roads, primary grid roads, whether they be secondary grid roads, whether they be farm access roads or plain municipal roads — they should be able to drive on those roads with the greatest of safety and the knowledge, and the knowledge that they are enjoying that level of safety in Saskatchewan here.

And that, Mr. Speaker, should be the goal of all of us here, is to ensure that when we bring legislation forward that is going to change and have effects on the safety level of Saskatchewan people, that those effects are improved safety levels rather than perhaps creating situations where you have perhaps a law that applies to — as I would understand it, at least — that would apply to hand-held electronic communication equipment as far as the highway is concerned but has no jurisdiction on municipal grid roads, no jurisdiction on a municipal primary road, no jurisdiction on a municipal secondary road, no jurisdiction on a municipal non-grid road, a farm road.

So those are the questions, Mr. Speaker, that immediately come to mind. What does this really cover? Where does this legislation really cover motoring publics? Is it just on the highway or is it everywhere in Saskatchewan? From what I see, it says just on the highway.

Mr. Speaker, my question will be to the government, will be, what is a hand-held device? What is a hand-held device? That's what basically what they're saying here, okay? They're saying a hand-held device. This legislation is hand-held electronic communications equipment. Hand-held. What is hand-held? What is meant by hand-held? Does that mean that if I have a cellphone, but I have a cellphone that before I start off I open up my cellphone, I stick it into its bracket on the dash, I have the new modern ability to have an electronic piece in my ear, and I can communicate with that cellphone or I could talk directly into it — it doesn't matter — while I travel down the highway?

[16:45]

Will that be covered by this legislation and will not be permitted? Or will it be something that would be permitted? Or if I have an earphone that I can plug into that telephone and stick one earphone in one ear and have the other ear open for the sounds of the road, so to speak, the sounds of the traffic ... That would allow me to hear a siren if it comes up behind me and an ambulance making its rush, or a fire truck or something on its way to an emergency. Those are the kind of things you certainly would not want to interfere with.

So you want to have the ability to hear something like this. So



I'm saying with an earphone in one ear, Mr. Speaker, and the ability then to talk into this phone, to hear the conversation back without, without having to have that particular electronic device in your hand, so that would rule out it being hand-held then. It's not hand-held. It's no longer hand-held.

It is a device that is on the dashboard of my car but at the same time can be just as distractive because I'm involved in a conversation — perhaps a serious conversation, or perhaps with a constituent of mine, and I'm paying very close attention, as I should, and perhaps even trying to make some mental notes from this conversation. And therefore takes my concentration away from what should be my primary responsibility, and that's the control of my vehicle.

That takes my primary concentration away so that I become really a hazard on the road because I have now exchanged my primary responsibility of being alert and concentrating on the handling of my vehicle and concentrating on the traffic that I am surrounded by. I've exchanged that for the pursuit of questions or issues or concerns that my constituent may have who is sharing that with me. And I'm trying to make mental notes so that I can find out the answer to his inquiry or her inquiry and get back to them with the information. I'm trying to remember this stuff while I'm driving. I don't want to take my time away to make notes, because I quite frankly am trying to concentrate on what is being said by my constituent, and I lose concentration on what should be my biggest responsibility, and that is to ensure that I have full control of my vehicle.

And that, Mr. Speaker, once again creates the problem: what is meant by a hand-held device in this piece of legislation? It doesn't state. There's no information that accompanies this Act to provide the opposition with those types of answers. And I wonder, has the government bothered looking into that? Has the government bothered looking into that? Has the government bothered looking into what is really meant by a hand-held device?

And have they been able to frame that in a way that the opposition would be able to find some comfort in the information provided by the government? Because I don't see it. I don't see it. We haven't been provided it and I just don't see it. And I've checked through the file here a couple of times and I don't see anything here except some copies of speeches given by the minister at the introduction of this Bill. But other than that, I don't find anything of substance that would support the terminologies. And my first terminology of course is hand-held electronic communications equipment. What is meant by hand-held? What is meant by hand-held?

My fear, Mr. Speaker, is that the government probably hasn't done its work. We've seen many examples in the past over the history of this government, a mere two years of this government, but they have quite a track record, Mr. Speaker, of bringing in legislation without even consulting stakeholders. Bringing in legislation without talking to people in Saskatchewan about this. Bringing in legislation that in some cases has dramatic changes and has dramatic effects — not positive but negative effects — on people in Saskatchewan here. And this government has no problem to bring those kind of changes in without fair and reasonable consultation with the good folks of Saskatchewan here.

And I wonder if that isn't the case again because I think perhaps what has happened here, Mr. Speaker, is that the government got blinded with the results of this poll that said that 87.9 per cent of people to varying degrees would support a government-introduced ban on cellphones and the use of cellphones while driving. I think they seen that and said, whoa, here's an opportunity for us to make some hay with the general public. Here's the opportunity for us to gain some political favour going into the last half of our term, and we want to start staging things for our election run which we'll see in 2011.

And here's an opportunity to say, well look at all the things we've done. But one in particular we've done, we've introduced legislation that banned cellphones. That should make us quite popular because 87.9 per cent of those polled said that they would support, either strongly support or somewhat offer support, to that type of legislation. So I think, Mr. Speaker, that the government put . . . [inaudible interjection] . . . You want me to do that? I don't want to do that. I'm not ready yet. I have too many things to say yet.

I want to, I want to . . . My colleagues here want me to sit down, but I'm not going to let them off the hook that easy, Mr. Speaker. I think that the government members would probably enjoy the fact if did, but I don't plan to do that.

Mr. Speaker, it's a simple . . . [inaudible] . . . clause. It's simple, that's all it is. It's a clause in this particular Act. Now this Act, like I said, covers a number of other fronts. It covers a number of other fronts such as valid driver's licence. And it covers other temporary driver's licence and the photo ID [identification] cards. And there's a number of pieces of legislation here that of course affects the travelling, motoring public.

And this particular one, which I think is a very important Bill, I think it's very important. And it's only one clause, it's only one clause in this entire Bill, Mr. Speaker. And I think that's unfortunate because this is an important piece of legislation. It is important to the people of Saskatchewan, because it provides an opportunity to further improve, further improve the safety factor for the motoring public of this great province.

And like I said before, I think, as you travel Saskatchewan — and I know you have, Mr. Speaker, and I know that the members across the way have — and I think we all agree, I think we all agree that wherever you travel in Saskatchewan, you do certainly nothing more than meet great people. Very friendly, hospitable people. And whether it be in Canora, where I was last Friday, or Preeceville on Saturday, or whether you be in Humboldt or whether you be in Melfort or wherever you happen to go, I can guarantee that the people you meet there will be warm and friendly, hospitable people.

And I've had that experience, having travelled the province a fair amount in my lifetime. But I travelled a fair amount this last summer and both north and south, east and west, and I just really enjoy it. And I enjoy it every time I get out there and visit with people. And this is one of the things I would hope that the government had done. I would hope that the government had contacted people throughout the province — various groups perhaps, Mr. Speaker, individuals and representatives from various community groups — and run this piece of legislation

past them, particularly this clause past them, as far as the banning of cellphones and text messaging devices. If they run it past these people, what was the reaction?

I mean we know what the polls show, Mr. Speaker. But the polls, is the poll taken on a very broadly based question? The question was, would you support the government's banning cellphones or use of cellphones while people are driving and operating their vehicle? And I think, Mr. Speaker, common sense would say the vast majority of people would say, yes, they would. And obviously that's what the poll shows — an 87.9 per cent of people supported to some degree, some strongly, some not quite so strongly. But overwhelming support was there for a ban on the use of hand-held or cellphones while driving.

I think also, Mr. Speaker, it's just as important that we ensure that we have in that ban, text messaging ability, not just on BlackBerrys, Mr. Speaker, perhaps not just on cellphones. But as I have indicated earlier, I do know of people involved in the business world who have the ability to communicate with their laptop computer sitting on the front seat of their car on the passenger side. They will use that to communicate while driving or standing, but certainly while driving also, with their home office or with clients in fact around the world. And that is just as distracting, Mr. Speaker.

And I would hope that the government has taken some time to look into that because that computer sitting on the passenger seat of a businessman's vehicle is not hand-held. In my terminology, I don't think it would be considered hand-held. That's why I asked the question, and repeatedly so, is what is meant by hand-held? Because does that computer sitting on that passenger's seat while the owner of the vehicle, the businessperson I'm thinking of, is driving down the highway and often drives the highway between Regina and Saskatoon on a very regular basis and can communicate with his laptop computer on the dash. Is that the same as a BlackBerry?

A BlackBerry is likely, in all likelihood, considered a hand-held device. And is it hand-held device if it's in your hand? Of course it would be a hand-held device. But what if that same device is mounted on the dash, or if it was a bracket, which is available, mounted on the dash? It's not being held in the hand. Is it then still considered a hand-held device? Likelihood just as distracting if you're driving down, and you're going to try to do some text messaging while your device is mounted on your dash is just as distracting if you do that. Or is it not considered a hand-held device, as indicated earlier?

It raises a question with me, Mr. Speaker, having a bit of a rural background. Would this legislation also apply to a farmer who is moving his motorized farm equipment on a public road? Would this legislation apply to a farmer who is moving, operating motorized farm equipment on the road? Does this apply?

Is this motorized farm equipment covered by the terminology within this legislation that says . . . Mr. Speaker, I have a lot more to say on this issue. I've just hardly scratched the surface. But I'm getting pressure from my colleagues who want to get on to do other pieces of business. And so with that, Mr. Speaker, I will move adjournment of debate.

**The Speaker:** — The member from Regina Northeast has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Agreed. Carried. I recognize the Government House Leader.

**Hon. Mr. Gantefoer:** — Thank you, Mr. Speaker. In order to allow the important work of the Standing Committee on Human Services and Intergovernmental Affairs and Justice, I move this House do now adjourn.

**The Speaker:** — The Government House Leader has moved that in order to facilitate the work of committees, this Assembly stand adjourned. The House stands adjourned until tomorrow afternoon at 1:30 p.m.

[The Assembly adjourned at 16:59.]



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