



THIRD SESSION - TWENTY-SIXTH LEGISLATURE

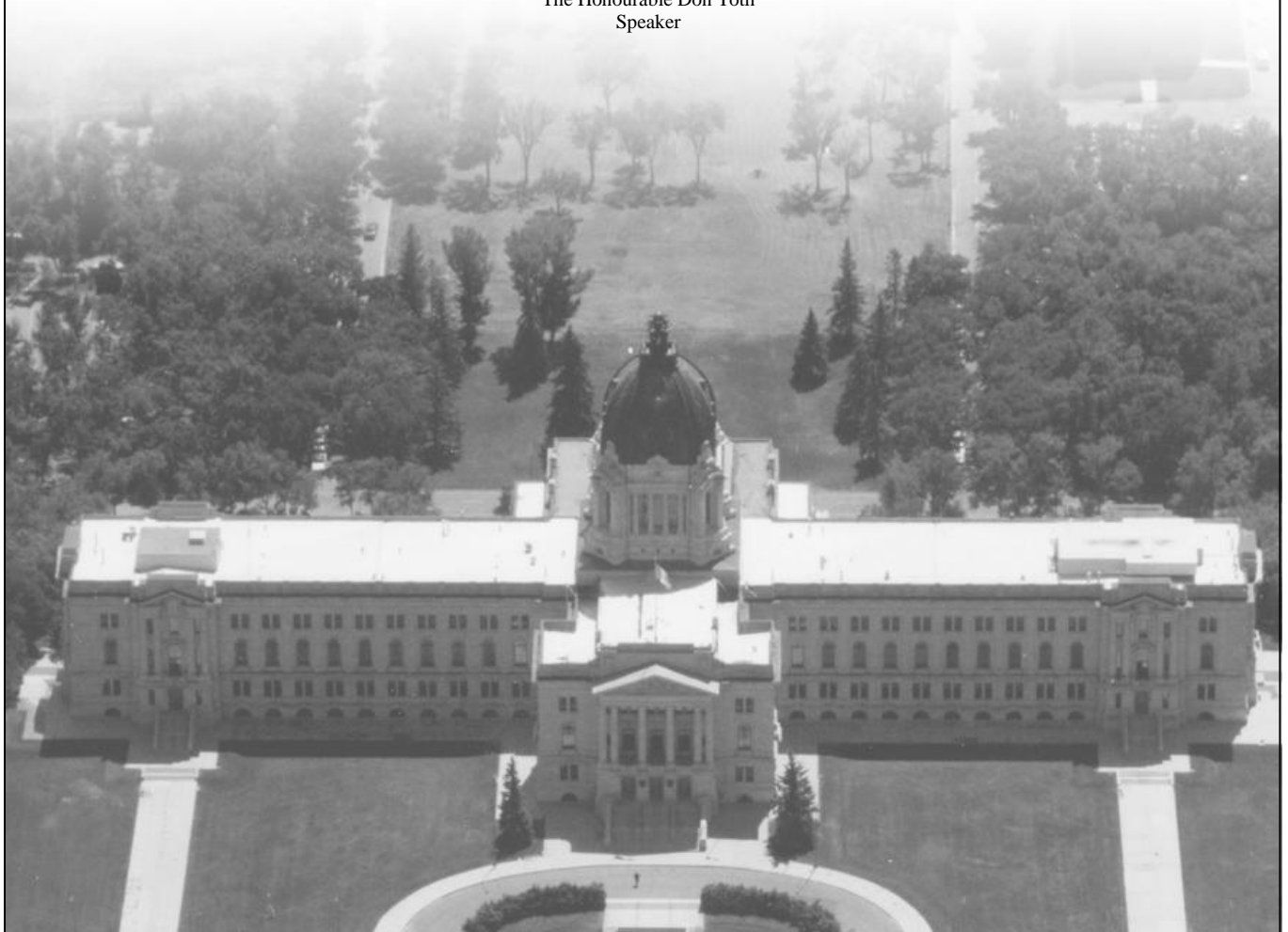
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(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
Brotten, 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
Gantfoer, Hon. Rod	SP	Melfort
Harpauer, Hon. Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
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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	Ind.	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]

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Thank you very much, Mr. Speaker. Mr. Speaker, to you and through you to all members of this Assembly, it's an honour to be able to introduce some very special guests that are seated in your gallery. They helped us mark, this morning, a very special day in Saskatchewan when we declared it Navy Day in the province of Saskatchewan to commemorate the 100th anniversary of Canada's navy.

Joining us in the gallery is a group including Captain Louis Christ, the naval reserve director of training and educating — yes, please stand, Captain, thank you — western region adviser as well as senior naval officer in Saskatchewan. Commander Randy Hanson is the commanding officer of HMCS [Her Majesty's Canadian Ship] *Unicorn*. Lieutenant Commander Corey Thiemann has also joined us today as the commanding officer of HMCS *Queen*.

As well, Mr. Speaker, as you can see, we are joined by a number of other guests who have joined us today. They are the command teams of both the HMCS *Unicorn* and the HMCS *Queen*, as well as other representatives from Saskatchewan's naval community and cadet organization, Mr. Speaker.

We understand how important the navy is to the country, how important they have been to our history, how in many ways the country was born on the decks of our ships and also borne on the shoulders of navy women and men down through the years, and we understand how important their sacrifice and service is even today as we rely heavily on secure global trade for our economy and for our prosperity.

And we are reminded, Mr. Speaker, of the sacrifice that is paid as within 24 hours, 24 hours ago, Mr. Speaker, we lost a member of Canada's navy serving in Kandahar in Afghanistan, Mr. Speaker. We honour these and those they represent and commemorate the 100th anniversary of Canada's navy, and we welcome them to their Legislative Assembly today.

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

Mr. Lingenfelter: — Mr. Speaker, I want to join with the Premier and introduce to you and through you and other members of the Assembly, a group of individuals, service women and men, gathered here on the occasion of Canadian Navy Centennial Day.

Canada's navy, Mr. Speaker, came into existence, as we know, 100 years ago with the granting of Royal Assent to the *Naval Service Act*. And I know the motto of Canada, Mr. Speaker, is "From Sea to Sea." And it reminds us that ours is a nation of maritime people whose shores are washed by the waters of the Atlantic, the Pacific, and the Arctic Ocean.

And over the last century on those waters, on many others across the world, Mr. Speaker, the men and women of Canada's regular and reserve naval force have served their fellow citizens with courage, honour and, as the Premier says, in many cases with great sacrifice.

On behalf of the official opposition, I want to thank them and their families and colleagues for their service to the peace and security of the world around us, and to all of Canada and particularly to Saskatchewan.

The Speaker: — I recognize the member from Melfort, the Minister of Finance.

Hon. Mr. Gantefer: — Thank you, Mr. Speaker. To you and through you to all the members of the Assembly, I'd like to introduce to you a group of grade 5 and 6 students from Englefeld School in Englefeld, Saskatchewan. They're in your west gallery, Mr. Speaker. They're here with their teacher, Ms. Jolene Gullacher, and we had an opportunity to meet briefly this morning.

And I certainly am ready for question period because the students provided me with a lot of practice. So, Mr. Speaker, they're here to visit and to go to the Science Centre and also to the IMAX theatre this afternoon. So we will certainly forgive them if they don't stay for question period. There's a much better show playing at the IMAX. I'd ask everyone to join me in welcoming them to their legislature.

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

Ms. Chartier: — Thank you, Mr. Speaker. To you and through you and to all members of the Assembly, it gives me great pleasure to introduce in your gallery, the Speaker's gallery, some members of the consumer group, Midwifery For All. They are here . . . This particular group wonders why, despite the government's commitment to fund midwifery, why only women within the city limits of Saskatoon have access to this funded service.

So I just would like to name some of the members here. If I miss you, please forgive me, but just give us a little wave. Erin Laing, Angela Miki, Sara and Erin Beckel, Kellyn Johnston, Nicole Dunn, Kim Smith, Tanya Apadaca-Melby, Kelly Negrych, Andy Knoll, Baby Kai who I see there, and student midwife, Janice McCaskill.

I'd also have to give a . . . Sonya Duffee, who was a midwife here practising pre-regulation who is now just in the process of the assessment, is here today, Sonya, and as is Ros Lydiat who is a registered midwife and practises in Saskatoon. And actually I had the great pleasure of having Ros as my own midwife who caught my baby, Ophelia, in my home birth a couple of years ago in Saskatoon. So with that I ask all members to join me in welcoming these women and men and babies to their Legislative Assembly.

While I'm on my feet, I also would like to introduce Heather Malek with SCN [Saskatchewan Communications Network] Matters in the east gallery who . . . west gallery. I'm a little

directionally challenged — my apologies. Heather is a member of SCN Matters and is a film and television editor here in Regina, and is optimistic that there might be a positive outcome somehow with the sale of SCN Matters. But she was at committee last night and I don't think she's holding her breath. Thank you.

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Thank you, Mr. Speaker. Mr. Speaker, it's a privilege on behalf of government to welcome the midwives and support to their Legislative Assembly on behalf of government. The midwives do a very . . . provide a very important service in a very complex health care system. I want to thank them for being here today.

I had the opportunity to meet with Janice McCaskill and Sara Beckel just briefly this afternoon over the lunch hour and certainly heard a few of their concerns that they had. I'll be looking forward to dealing with those concerns as we move forward. And perhaps we may even have an opportunity to discuss some of those issues in about 20 minutes. So, Mr. Speaker, I'd like all members to also welcome them to their Legislative Assembly.

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

Ms. Morin: — Thank you, Mr. Speaker. Mr. Speaker, it gives me great pleasure to acknowledge two constituents of Regina Walsh Acres who are here with many others in support of more accessible midwifery services in Saskatchewan. Sonya Duffee, and perhaps she could give a wave, and her sister, Erin Beckel, and perhaps she could wave as well, are certified doulas with the Childbirth and Postpartum Professional Association, otherwise known as the CAPP Canada. CAPP Canada is a national organization that provides certification for childbirth professions including doulas.

For members of the public that may not be familiar with the term doula, a doula is an assistant who provides non-medical support in the childbirth process. And based on their training, doulas may offer support during prenatal care, childbirth, or the postpartum period. As doulas, these exceptional young women play an important role in improving emotional and educational support for women experiencing childbirth and their partners. I ask all members to join with me in welcoming Sonya and Erin and others to the Legislative Assembly today. Thank you.

The Speaker: — I recognize the member from Biggar, the Government Whip.

Mr. Weekes: — Thank you, Mr. Speaker. To you and through you, I'd like to introduce 33 students seated in the west gallery. These students are from Delisle Elementary School, grade 5 students. And accompanying them today is Mrs. Dreher, Mr. Reis, and Mrs. Schnitzler as their teachers.

I'd just like to make a comment about Mrs. Dreher. She's faithfully brought her students to the legislature year after year and like to congratulate her on her dedication.

Accompanying the students from Delisle also is Mrs. Dueck,

Mr. Coulin, Grandpa Don, and Grandma Covelin. So please join me in welcoming the students from Delisle to their legislature.

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

Mr. Quennell: — Mr. Speaker, I hope I'm not pre-empting another member, but I can't let this pass without introducing to you and through you to other members of the Legislative Assembly, Peggy McKercher and her husband, Robert McKercher. Peggy was chancellor of the University of Saskatchewan while I was Chair of the board of governors and at that time I gained a small insight into her contribution to the Saskatoon community.

I'm not sure why they're here. I ran into them in the halls and Peggy said that they were here to watch their taxpayer dollars at work. I suggested there might be more edifying places to visit to the same effect without even leaving Saskatoon than to come all the way down here. But since they are here, I hope members will join me in welcoming Peggy and of course her husband Bob to the Legislative Assembly.

The Speaker: — I recognize the member from Saskatoon Sutherland.

Ms. Schriemer: — Mr. Speaker, thank you. To you and through you to other members of the legislature, I'd like to welcome Bob and Peggy McKercher to their Assembly. I met them at the early part of my political career and we both are rooted in the liberal side of the family and got on quite well.

Bob has been a Q.C. [Queen's Counsel] and senior partner for quite some time and Peggy has been two-year chancellor, two-year term chancellor of our university in Saskatoon. So I would like to welcome them to their legislature and have everyone join me in doing so. Thank you.

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

Mr. Forbes: — Thank you very much, Mr. Speaker. I'd like to introduce to you and through you Dr. Red Williams, I believe is up there, sitting beside Captain Louis Christ. He was recognized Saturday night at the community dinner at the *Unicorn* and he entertained us with a few thoughts when he reflected on the Battle of the Atlantic and ended his remarks with a few sea shanties. They were very well done. It was a great supper. We had about 250 people out. And I just want to welcome Dr. Williams to his legislature. Thank you very much.

The Speaker: — I recognize the member from Saskatoon Silver Springs.

Hon. Mr. Cheveldayoff: — Thank you very much, Mr. Speaker. I'm wanting to join with the member from Biggar in welcoming the group from Delisle and making a special introduction as well to Natalie Bartsch. Natalie is a godchild to my wife Trish and myself. Natalie's mom is originally from the Philippines and has been a Canadian for many years. She's married to Les Bartsch, and Les and Alma are good friends of mine. I'd like to welcome them to their Legislative Assembly.

While I'm on my feet, Mr. Speaker, I'd also like to introduce three people from SaskEnergy. Dave Burdeniuk, the manager of communications, is here along with Casey MacLeod, a communications officer, and Paula Haubrich, a Gradworks intern. If you could give us a wave, and also I ask all members to welcome them to their Legislative Assembly.

The Speaker: — I recognize the member from Melville-Saltcoats, the Minister for Agriculture.

Hon. Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce to you and through you to the members of the legislature students from Countryside School just outside of Saltcoats, grades 7, 8, and 9. Mr. Speaker, their teacher is also with them, Melissa Wiens, and a number of chaperones: Ray Isaac, Sheryl Isaac, Don Barkman, Charlene Barkman, Myron Wiebe, Twila Wiebe, Daryl Toews, Sue Toews, Narcenio Cano, and Loly Cano. I would ask all members to welcome these students and their chaperones to their legislature, Mr. Speaker.

The Speaker: — I recognize the Minister Responsible for Advanced Education and Labour.

Hon. Mr. Norris: — Thank you, Mr. Speaker. To you and through you to all members of the Assembly, I'd like to join the member opposite in introducing Dr. Red Williams, a distinguished naval veteran, a remarkable scholar of international repute, and makes a great contribution to Saskatchewan as well.

And I would add as well, Mr. Matt Dalzell, and he was the MC [master of ceremonies] this morning for the ceremony here in the rotunda. He works at the Canadian Light Source synchrotron. And it's great to have you both in our Assembly, and I would ask all members to welcome them to their Assembly. Thank you.

PRESENTING PETITIONS

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

Mr. Harper: — Thank you, Mr. Speaker. Mr. Speaker, today I rise on behalf of Saskatchewan citizens who are concerned over the condition and the safety of our highways. This petition pertains to Highway 135 which runs through the community of Pelican Narrows. Currently the highway is a gravel road, but it would be a very good investment for the government to consider in the safety and well-being of Saskatchewan people and people in Pelican Narrows if the road was to be, or the government was to fulfill its commitment in paving that section of road.

[13:45]

The prayer of the petition, Mr. Speaker, reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to pave the 7 kilometres of Highway 135 through the community of Pelican Narrows as committed on August the 24th, 2007.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this petition is signed by the good folks from Pelican Narrows. I so submit.

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

Ms. Higgins: — Thank you, Mr. Speaker. I rise to present a petition in support of the protection of wildlife habitat lands. And, Mr. Speaker, it's well recognized that *The Wildlife Habitat Protection Act* protects 3.4 million acres of uplands and wetlands, or one-third of all wildlife habitat lands in Saskatchewan in its natural state, and that the government currently has changes on the table repealing the scheduled listing of these designated lands. And, Mr. Speaker, the prayer reads:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action:

To cause the provincial government to immediately and without delay recognize the importance of the protection of wildlife habitat lands and immediately withdraw proposed amendments that will negatively affect the protection of wildlife habitat lands;

And in so doing, cause the provincial government to commit to meaningful and adequate consultation with all stakeholders that will be affected by future legislative changes to *The Wildlife Habitat Protection Act*.

Mr. Speaker, I so present on behalf of concerned citizens in Regina and Moose Jaw.

The Speaker: — I recognize the member from Saskatoon Eastview.

Ms. Junor: — Thank you, Mr. Speaker. I rise today to present a petition on behalf of residents of Saskatchewan who know that seniors live on fixed incomes and are victims of physical, emotional, and financial abuse, and they also think that seniors have a right to social and economic security and a right to live free from poverty. They also think seniors should have a right to protection from abuse, neglect, and exploitation. The prayer reads:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan enact a Saskatchewan seniors' Bill of Rights which would provide Saskatchewan seniors with social and economic security and protection from abuse, neglect, and exploitation.

Mr. Speaker, the signators on these petitions are from Saskatoon, Humboldt, Bruno, Muenster, Liberty, Imperial, and Dodsland. That's it. Thank you, Mr. Speaker.

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

Ms. Atkinson: — Thank you, Mr. Speaker. I have a petition in

support of maintaining educational assistants, and the residents that have signed this petition want the government to know that your own data shows the growing number of students requiring additional support. In addition, educational assistants provide support to students with special needs, including learning disabilities and behaviour problems. There is a document that was published by the ministry that calls for the drastic reduction of the number of EAs [educational assistant] in the province. And the prayer reads as follows:

Cause the government to provide funding for the required number of educational assistants to provide special needs students with the support they need and maintain a positive learning environment for all Saskatchewan students.

And this petition today is signed by people from Moose Jaw. I so present.

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

Mr. Forbes: — Thank you very much, Mr. Speaker. I rise today to present a petition in support of affordable rents and housing for Saskatoon. And we know that tenants in Saskatoon are seeing a dangerous combination of increasing rents at alarming rates and a shrinking vacancy market. I'd like to read the prayer:

We, in the prayer that reads as follows, respectfully request that the Legislative Assembly of Saskatchewan take the following action: 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 more people in Saskatoon and Saskatchewan and that the government also implement a process of rent review or rent control to better protect tenants in a non-competitive housing market.

And the people signing this petition come from the city of Saskatoon. I do so present. Thank you.

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 the expansion of the graduate retention program and a call for fairness for university students here in the province. 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, I so present.

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

Mr. Furber: — Thank you, Mr. Speaker. I rise again today to present a petition in support of financial assistance for the town of Duck Lake water project. The petition is being signed by Saskatchewan residents because of the exorbitant amount that Duck Lake citizens pay for clean, safe drinking water. And it's causing them hardship, and in fact I'm told by community leaders that it's driving people from their community. And the petition reads:

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.

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

Mr. Speaker, the petition is signed by good folks from Beardy's, Duck Lake, and Saskatoon. I so present.

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

Ms. Morin: — Thank you, Mr. Speaker. Mr. Speaker, I rise to present yet another petition on behalf of rural residents of Saskatchewan who are dealing with water issues as well. The government ministry has directed that customers may no longer treat non-potable water using methods approved by Sask Health; and that Furdale residents in dealing in good faith with SaskWater for over 30 years have paid large amounts for their domestic systems and in-home treatment equipment.

The alternative water supply referred to by the government ministry is a private operator offering treated, non-pressurized water at great cost, with no guarantee of quality, quantity, and availability of water. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to withdraw its order to cut off non-potable water to the residents of the hamlet of Furdale, causing great hardship with no suitable alternatives; to exempt the hamlet of Furdale from further water service cut-offs by granting a grandfather clause under *The Environmental Management and Protection Act, 2002*, and *The Water Regulations, 2002*; and that this government fulfills its promises to rural Saskatchewan.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, these petitions are signed by the good residents of Furdale and Saskatoon. I so present.

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

Mr. Iwanchuk: — Mr. Speaker, I stand today and present a petition in support of maintaining quality health care services. Mr. Speaker, the Government of Saskatchewan's essential services legislation is making a mockery of the collective bargaining process. And the government should realize that the

utilization and value of full-range professional skills offered by health care providers is promoted through the address of retention and recruitment issues, and that such can only be actually achieved through commitment to adequate funding and installation of good faith collective bargaining. 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 negotiating a fair and just collective agreement with health care providers in the province of Saskatchewan.

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

And this petition is signed by residents of Saskatoon. I so present.

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

Mr. Quennell: — Thank you, Mr. Speaker. I rise again to present a petition signed by citizens of Saskatchewan concerned about this government's disregard for constitutional, legal, and human rights. And the prayer reads:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to direct marriage commissioners to uphold the law and the equality rights of all Saskatchewan couples and to withdraw the reference to the Saskatchewan Court of Appeal that would allow marriage commissioners to opt out of their legal obligation to provide all couples with civil marriage services.

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

And today the petition is signed by residents of Saskatoon, Prince Albert, Regina, and Moose Jaw.

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

Mr. Wotherspoon: — Thank you, Mr. Speaker. I'm honoured to rise here again today and present petitions on behalf of concerned residents from across Saskatchewan as it relates to the unprecedented mismanagement of our finances by the Sask Party. They allude to the two consecutive \$1 billion deficit budgets and they allude to the billions of dollars of debt growth under the Sask Party. The prayer reads as follows:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly condemn the Sask Party government for its damaging financial mismanagement since taking office, a reckless fiscal record that is denying Saskatchewan people, organizations, municipalities, institutions, taxpayers, and businesses the responsible and trustworthy fiscal management that they so deserve.

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

These petitions are signed by concerned residents of Preeceville, Canora, Beaubier, and Estevan. I so submit.

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

Ms. Chartier: — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to present a petition today in support of midwifery in Saskatchewan. This petition is signed by citizens concerned that despite the fact the government proclaimed *The Midwifery Act* two years ago and committed to funding midwifery services, the only place these services are available to women is within the confines or the city limits of Saskatoon. So I'd like to read the prayer:

Wherefore your petitioners humbly pray that your honourable Legislative Assembly may be pleased to cause the government to keep its promise to broaden the options for women and their families and recognize that presently this promise remains unfulfilled as many communities in Saskatchewan still do not have midwives employed by their respective health regions;

And in doing so, your petitioners pray that the honourable Legislative Assembly cause the government to support midwifery in Saskatchewan by making funding available for additional midwife positions in Saskatchewan's health regions as well as independent positions;

And, furthermore, the honourable Legislative Assembly cause the government to encourage an increase in the number of licensed midwives in Saskatchewan by extending liability insurance, thereby making it possible for prospective midwives to achieve the number of births required to successfully apply for a licence with the newly formed College of Midwives.

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

I so submit.

STATEMENTS BY MEMBERS

The Speaker: — Order. Order. I recognize the Minister Responsible for Corrections, Public Safety and Policing.

Navy Day in Saskatchewan

Hon. Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, for more than a century, women and men from across our great country have come forward to defend our shared values of freedom and democracy. This includes the many women and men who serve in the Royal Canadian Navy.

The navy has long had a close connection to Saskatchewan. In fact one of the first naval engagements in Canada occurred on the South Saskatchewan River in the days leading up to the battle of Batoche in 1885, some 35 years prior to the official birthday of our navy.

On May the 4th, 1910, the Royal Canadian Navy was created, and in 1923, the Royal Canadian Navy Volunteer Reserve was created with 24 divisions across Canada, including two half companies — one in Regina and one in Saskatoon.

Mr. Speaker, Saskatchewan continues to provide sailors for our

navy, and our naval reservists have served with every part of Canada's navy and in operations as diverse as the Gulf War and peacekeeping missions from Cyprus to Bosnia.

I was proud to join the Premier and others earlier today in this Legislative Building to honour the centennial of the Royal Canadian Navy and to proclaim today, May 4th, Navy Day in Saskatchewan.

I encourage everyone to take some time to reflect today on the Royal Canadian Navy's 100 years of service and to celebrate the rich naval heritage of our country and our province. Thank you.

The Speaker: — I recognize the Leader of Her Majesty's Loyal Opposition.

Centennial Navy Day

Mr. Lingenfelter: — Mr. Speaker, today marks a special milestone in Canadian history. It was 100 years ago today that the *Naval Service Act* was passed, officially creating the Canadian Navy, and in recognition the federal government has declared today as Centennial Navy Day.

Mr. Speaker, whether it's engaging in battle in the Atlantic, protecting sovereignty in the Arctic, or serving a humanitarian role in Haiti, the navy truly does have a proud legacy in our country. Indeed, Mr. Speaker, we have many reasons to recognize the contributions of the critical role the Canadian Navy services daily do for the province, for our nation. Even here in the most landlocked province of the nation, we find that 40 per cent of our provincial trade travels by sea, so without a doubt maritime security is an important issue for our province.

Navy Captain Louis Christ, Saskatchewan's senior naval officer, remarked that it's often been that a prairie people make the best sailors. Perhaps it's our willingness to work hard or our affinity to the wide open spaces, but I know that hundreds of Saskatchewan families who have sent their sons and daughters to join the navy throughout the last century would firmly agree.

Mr. Speaker, I ask all members to join with me in celebrating Centennial Navy Day and recognize the history, the heritage, and the honour that the Canadian Navy represents to this great country.

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

Historical References

Mr. Wotherspoon: — Thank you, Mr. Speaker. We all know that this government thinks they have a divine right to cut programs, sign deals, and make legislation without consultation. It's true, Mr. Speaker, that Grant Devine plunged this province into financial disaster which the NDP [New Democratic Party] was left to clean up. These are days we certainly don't want to commend, but Devine does have an edge on today's government, Mr. Speaker. At least he had something to show for his financial disaster.

Devine wanted to build an upgrader, so he built it. This Premier

wanted to build a nuclear reactor, so he paid an overpriced consultant \$45,000 a day to talk about it.

[14:00]

Devine built a paper mill. This Premier wanted a paper mill, so he recruited a candidate to promise it, guarantee it, but do nothing about it.

Devine built a fertilizer plant. This Premier wanted a carbon capture facility in Montana so he put out a press release, signed an MOU [memorandum of understanding], but oops, forgot to build it.

The same can be said with respect to the children's hospital, the surgical care centre, 13 long-term care facilities, and a medical isotopes reactor as well as a clean coal facility — a lot of talk and promises but little action from a Premier who appears to suffer performance anxiety, Mr. Speaker.

So after their first two years of divine rule, what does this Premier and this government have to show for it? A Devine-style billion dollar deficit, and a Grant old list of billion dollar promises.

The Speaker: — I recognize the member from Batoche.

Trails of 1885

Mr. Kirsch: — Thank you, Mr. Speaker. I was privileged on Thursday of last week to attend in Saskatoon, along with our Premier, Vice-chief Morley Watson, MNS [Métis Nation of Saskatchewan] President Robert Doucette, Dr. Lynda Haverstock, and Senator David Tkachuk, the historic launch of Trails of 1885. This year is significant because it is the Year of the Métis and the 125th anniversary of the North-West Resistance.

As you know, Mr. Speaker, the 1885 North-West Resistance was significant in forming the history of our province and our nation. In fact, Mr. Speaker, as our Premier said in his speech, and I quote, "This is a painful story to tell, but it must be told. It is high time that we make that history come alive."

Making History Come Alive is the theme of this initiative as it marked the start of an ongoing campaign of historic and cultural themed events at the important sites across Saskatchewan. Métis Nation of Saskatchewan President Robert Doucette said it best during his address: "Mr. Premier, you are leading the way in Canada with respect to building bridges between Métis and First Nations people."

I ask all members to join me and celebrate all the events planned for this 125th anniversary of the 1885 North-West Resistance. Thank you, Mr. Speaker.

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

Committee Meeting

Ms. Higgins: — Mr. Speaker, the Minister of Tourism, Parks, Culture and Sport seemed to forget that he was in estimates last

night. The members on this side of the House were under the impression we were attending a committee of this Assembly marking the only opportunity opposition, on behalf of the public, has to hold the government to account. We thought we would be discussing budgetary decisions and all programs in his ministry.

But the minister seemed to think we were at a kid's birthday party, and the games were on. Instead of giving a clear and concise answer to questions, he played hide-and-seek, hiding the reality, avoiding answers, and seeking an escape. Instead of exposing the truth about SCN's future or why his government pulled its funding, he played duck, duck, goose, ducking from his obligation and responsibilities as a minister to provide the public with some explanation.

Instead of telling us where the cuts would happen in the ministry, he thought, hey, let's play a new game — pin the tail on the money. See if you can find our revenue and expenses blindfolded. Instead of explaining his government's programs such as community vitality, he played the good old game — hot and cold. Was the CIF [Community Initiatives Fund] funding diverted? We were warm. Is the program accounted for? Cold, Mr. Speaker, cold.

Well, Mr. Speaker, if I'd known we were going to play kids' games last night, I would have brought the minister a gift, something he could really use, something he could study, like perhaps the estimates to his own ministry.

The Speaker: — I recognize the member from Saskatoon Sutherland.

Children's Hospital

Ms. Schriemer: — Thank you, Mr. Speaker. A recent NDP pamphlet claims that the . . .

[Interjections]

The Speaker: — Order. Order. Order. Order. Order. I would ask the opposition members to allow the member, government member — order — to make her statement without interference. On a number of occasions, some members continue to interfere, and I ask them to allow the statement to be made without interference. I recognize the member from Saskatoon Sutherland. The member can start over.

Ms. Schriemer: — Thank you, Mr. Speaker. A recent NDP pamphlet claims that the children's hospital has been cancelled. This is simply false, Mr. Speaker. Our government is . . .

[Interjections]

The Speaker: — Order. The member from Saskatoon Sutherland.

Ms. Schriemer: — Thank you, Mr. Speaker. A recent NDP pamphlet claims that the children's hospital has been cancelled. This is simply false, Mr. Speaker. Our government is absolutely committed to a new children's hospital, and funding will be provided as required. The Saskatoon Health Region is presently undertaking a study to confirm the best place for the children's

hospital, taking into consideration future . . .

[Interjections]

The Speaker: — Statements by members, over the years, have been opportunities to share about advances or promotions and constituents. And generally speaking, we have allowed members to present their statements without a lot of undue interference. And I would ask the opposition members to now allow the statement to be presented as their statements were listened to by other members. The member from Saskatoon Sutherland.

Ms. Schriemer: — Saskatoon Health Region is presently undertaking a study to confirm the best place for the children's hospital, taking into consideration future demographics and the structural footprint on campus. We will do this right the first time.

Mr. Speaker, citizens of this province have spent years fundraising for a children's hospital. Children's Hospital Foundation CEO [chief executive officer] Brynn Boback-Lane, appeared on a Saskatoon radio show this morning to refute the false claims of the NDP.

She said, "When misinformation is circulated it really doesn't help our cause for the . . . fundraising that it will take to make this a truly dedicated children and family hospital. Who it really hurts are the families and the children expecting this facility."

The NDP need to apologize to the Children's Hospital Foundation for jeopardizing their good work and fundraising efforts by spreading misinformation.

I've seen a lot in my life, Mr. Speaker, but the behaviour of members opposite in this case is nothing less than cruel. The men, women, and especially the children of our province deserve better from those members opposite. Thank you, Mr. Speaker.

QUESTION PERIOD

Personal Health Information

Mr. Lingenfelter: — Mr. Speaker, the vast majority of people in the province have indicated they disagree with the Premier's decision to release people's private health information, and that's true of the Privacy Commissioner as well, who has raised significant concerns. But against all of these wishes and against the advice of experts, the Premier pushes ahead with releasing this private information. Why is the Premier so intent on breaching the privacy of Saskatchewan people?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, this has been discussed many times. It's a regulation change to *The Health Information Protection Act*. The regulation change allows for health regions to enter into negotiations with foundations to exchange only name and address.

It has met with concern from the Privacy Commissioner and that's absolutely correct, Mr. Speaker, as has other changes to

HIPA [*The Health Information Protection Act*]. In fact a number of years ago, when the former government changed a regulation regarding disclosing patients' names in cases of gang involvement or drug use, Mr. Speaker, the privacy information officer at that time disagreed with the government, Mr. Speaker, and the government went ahead with that change anyway because they thought it was the best thing to do.

Mr. Speaker, we're doing the same thing on this regulation change. We are ensuring that only patient name and address will be passed on if the patient doesn't opt out at many different levels.

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

Mr. Lingenfelter: — Mr. Speaker, it might be an idea that the Premier would look at, of allowing the individuals and the public to opt in as opposed to putting reverse onus on the public of Saskatchewan.

Mr. Speaker, it's a testament to the lack of judgment of this Premier when you realize that this Premier sat while his minister on various occasion claimed that he had consulted with the Privacy Commissioner. In fact the minister said, the Minister of Health said he had consulted four times. And the Premier sat while this was going on.

Now my question to the Premier is this: is it acceptable that the Minister of Health provides false information to the people of the province, to this Assembly, and to the press? Is that acceptable behaviour from a minister of his government?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, my statement is very clear in *Hansard*. I said that we, meaning the Ministry of Health which I am in charge of, have consulted on a number of occasions, three occasions, with the Privacy Commissioner. And I stand by that statement because the Ministry of Health did, we've had conversations with the Privacy Commissioner. Even though the formal text wasn't handed over regarding the regulation, Mr. Speaker, we had conversation with him.

But I tell you, it is prime coming from those members opposite talking about misleading the public, after a pamphlet that they sent out all over Saskatoon saying the children's hospital is cancelled. Mr. Speaker, that's an outright lie.

The Speaker: — Order. Order. I would . . .

[Interjections]

The Speaker: — Order. Order. I would ask the member to withdraw that last comment and apologize.

Hon. Mr. McMorris: — Thank you, Mr. Speaker. I withdraw that last remark and apologize.

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

Mr. Lingenfelter: — Mr. Speaker, my question is to the Premier. As we know now, his Minister of Health claimed that he had consulted the Information and Privacy Commissioner on

this very regulation, not on some other regulation, but this very regulation. But he hadn't; he didn't consult. And the fact is there's a result: the House, the media, and the people of Saskatchewan were knowingly left with false information.

My question to the Premier is this: what kind of leadership does this demonstrate from his government and from the Premier of this province to allow that kind of false information to be brought to this Assembly?

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, Mr. Speaker, the minister has answered that question. The minister indicated that the ministry was in consultation with the officer of the Legislative Assembly. The . . .

[Interjections]

The Speaker: — Order. Order. Order. Order. A moment ago, when I stood in my place to ask members to come to order, I would also suggest that where the speaker would be allowed an additional question. If members don't come to order, they'll lose that opportunity. I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, Mr. Speaker, notwithstanding the challenges to the Chair from the members opposite, I would just say this, that . . .

[Interjections]

The Speaker: — Order. Order. Order. Order. I just ask the Premier to go directly to the response please.

Hon. Mr. Wall: — Well, Mr. Speaker, I just want to say that the minister has indicated that the ministry did consult. He used the word "we" in *Hansard*. It's exactly what happened, Mr. Speaker.

Consider and compare what members opposite have done on the important issue of the children's hospital in Saskatoon, where they have knowingly, with taxpayers' money, distributed a mailout to every person in the province that does not tell the truth about what's going to happen with the children's hospital. It says the project is cancelled.

The foundation raising money for this important project, Mr. Speaker, is decrying the NDP today. It . . .

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, what they are doing is putting at risk fundraising for the children's hospital. It's not the government that's saying it . . .

The Speaker: — Order. The member from Prince Albert Northcote will allow the Premier to respond. I recognize the Premier.

Hon. Mr. Wall: — It's not the government saying that to members here or anywhere else. It is the foundation raising money for that hospital, Mr. Speaker. We stand with them and the people of the province while the NDP are making mischief

and putting at risk that important project in Saskatoon.

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

Mr. Lingenfelter: — Mr. Speaker, I'll tell the Premier what's jeopardizing the children's hospital: it's the running of a deficit in this province for the first time in many years. Mr. Speaker, everyone in this province is asking where has all the money gone, and if the Premier wants the children's hospital built, why doesn't he simply give the money so the hospital can be built? Why doesn't he do that? Just give them the money.

Mr. Speaker, my question to the Premier is this. The people of the province don't want their health information given out. That's a fact. The Information and Privacy Commissioner thinks that this flawed idea of the Premier will violate the Charter of Rights and Freedoms for the people of the province. Even at that, his minister has brought false information to this Assembly. When will this Premier come to his senses, demonstrate some leadership, withdraw this crazy idea, and deal with his minister here in this Assembly?

The Speaker: — I recognize the Premier.

[14:15]

Hon. Mr. Wall: — Well, Mr. Speaker, the member is prone to hyperbole. The same initiatives, the same initiatives in other provinces have not brought forward a Charter challenge. The minister's been pretty clear. The minister's said, we're going to implement this policy in an effort to help foundations raise still more money in the province of Saskatchewan. We're going to implement this measure, Mr. Speaker. We'll carefully review it with foundations, with health regions.

There needs to be an agreement between the regions and foundations in the first place, Mr. Speaker. An important health care fundraising foundation in the province of Saskatchewan today is the Children's Hospital Foundation . . .

[Interjections]

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, the health region in Saskatoon and those raising money for that children's hospital, that foundation understands clearly that the money will be there beyond the NDP's press releases, Mr. Speaker. We have moved. The commitment is, money will be there as it needs to flow. The biggest threat to that project, Mr. Speaker, is the irresponsibility of that Leader of the Opposition and the New Democratic Party of Saskatchewan.

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

New West Partnership Trade Agreement

Mr. Nilson: — Mr. Speaker, according to this morning's *Leader-Post*: "... Premier Brad Wall's government should likely put this deal to the scrutiny of a legislative review — either through a ratifying bill or at least a motion in the legislature . . ."

Will the Premier put forward a ratifying Bill or at least a motion about the New West Partnership so that it can undergo the scrutiny of a legislative review?

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, we're considering both of those options. We have an implementation date for the agreement of July 1, 2012. Mr. Speaker, there's been a lot of debate on this particular measure in a legislative committee. There's been consultation with stakeholders, with the municipal sector, Mr. Speaker, with health boards, with universities, effective September '09 when we signed the memorandum of understanding with the other two provinces.

Mr. Speaker, we will no doubt see more debate in this legislature on the issue, whether it's in question period like we had yesterday and now today, or a motion of the Assembly. Mr. Speaker, all of those options are available to us, but there already has been ample consultation and debate, and the people of this province are happy that we are moving forward with the New West and continuing Saskatchewan's leadership position in the country.

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

Mr. Nilson: — The *Leader-Post* goes on to say that "... as the NDP suggested in Monday's question period, he [the Premier] did acknowledge that other jurisdictions would get to preview our laws to ensure that they comply."

The new TILMA [Trade, Investment and Labour Mobility Agreement] will require the Saskatchewan government to consult with Alberta and BC [British Columbia] before making regulatory or legislative changes. Will the Premier commit to bringing forward a motion or Bill about the new version of TILMA to the legislature so that there can be a public debate on why this government consults the Alberta and BC governments before the people of Saskatchewan?

Hon. Mr. Wall: — Mr. Speaker, at least the hon. member has backed off the nonsense he was saying yesterday, Mr. Speaker, about the agreement. Yesterday he was postulating that because of this agreement, the Government of Saskatchewan would submit its measures covered by the agreement to businesses in those other provinces, Mr. Speaker.

Mr. Speaker, in any agreement, in a trade agreement, even in the Agreement On Internal Trade which that party in office advanced and facilitated under former Premier Calvert and former Premier Romanow, Mr. Speaker, there is a verification process to make sure each of the parties, all of the provinces in the case of the Agreement on Internal Trade, and all of the parties with respect to the New West Partnership that's now been signed are taking measures that are in accordance with the agreement they've signed.

Members opposite, members opposite are shouting, well and we consulted on the Agreement on Internal Trade. Mr. Speaker, there was not one legislative hearing on the Agreement on Internal Trade, Mr. Speaker, and I don't remember a Bill coming before this House. It advanced anyway, Mr. Speaker, as

a matter of course. It was a good thing Mr. Romanow did for the Government of Saskatchewan. This is a positive step for the province of Saskatchewan in 2010.

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

Mr. Nilson: — Mr. Speaker, it's unfortunate for the Premier that the people of Saskatchewan don't believe him anymore. The issue here today is the fact that the Premier has gone ahead and signed an agreement which he kept in secrecy until last Friday without consulting the people of Saskatchewan. Mr. Speaker, will the Premier commit to bringing the whole New West Partnership Agreement to this legislature for proper scrutiny?

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, Mr. Speaker, we'll leave it to the public of the province who've been surveyed recently in large samples; very recently in fact, post the budget. We'll leave it to those people, the people of the province to determine who they trust to be the government and who do they do not trust to be the Government of Saskatchewan.

Mr. Speaker, the NDP on this issue of the New West Partnership have been doing gymnastics on this thing because when it was first, when the technical briefing first happened last week, and early on when the agreement was signed they said, well this is the same as TILMA. If it is the same as TILMA, then it has been subject to the scrutiny of the legislative committee of this legislature for weeks when they were the government of Saskatchewan. And subsequent to that, September of '09, we consulted widely with third parties. Mr. Speaker, this was about as secret as the Internet, Mr. Speaker, for the last three years.

It's been signed now. The people of the province of Saskatchewan like the leadership position that this gives us, that the government has worked hard to give this province within the country, Mr. Speaker.

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

Mr. Nilson: — Well, Mr. Speaker, the people of Saskatchewan are having their trust sorely tested. We see what happens with wildlife habitat lands. We see what happens with SCN. We see what happens with other pieces of legislation brought forward to this House without consultation.

And, Mr. Speaker, we have an agreement here which affects all of the businesses of Saskatchewan. But more importantly it affects the taxpayers because the taxpayers will pay the penalties under this agreement. Mr. Speaker, will the Premier commit to bringing forward this Bill about this particular agreement, or to have a proper legislative scrutiny here in this House because the people of Saskatchewan deserve it.

The Speaker: — I recognize the Premier.

Hon. Mr. Wall: — Mr. Speaker, I am glad. I am glad there's a new-found interest on the part of the NDP in consultation.

Because, Mr. Speaker, when they ripped up GRIP [gross revenue insurance program] all those years ago, there was no consultation. When that member voted to close 52 hospitals in Saskatchewan, including the Plains, there was no consultation. When they got involved and embroiled in scandals, there was no consultation. When the Leader of the Opposition signed up 1,100 members in Meadow Lake, there was no consultation, Mr. Speaker.

There has been ample consultation on this Bill, Mr. Speaker. It's part of our plan to keep the economy moving forward. It's supported by the people of the province.

And, Mr. Speaker, you don't have to take my word for it. When asked, the people of Saskatchewan — almost 60 per cent — say they'd vote for this side. That side's working on 28 per cent, Mr. Speaker.

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

Spot Loss Hail

Mr. Lingenfelter: — Mr. Speaker, I want to ask the Minister of Agriculture on an issue that he did consult, and he did, that he did consult . . .

[Interjections]

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

Mr. Lingenfelter: — The hundredth and one question I ask; I've got answers for 40 of the 100 I've asked so far. But my question to the Minister is this. In one area, your government did consult, was on the issue of spot loss hail and crop insurance. You consulted widely. You had a consultant, I understand, who came in and you did a lot of work. And as a result of that review, the number one issue that farmers wanted was reinstatement of spot loss hail and crop insurance.

Can the minister advise the farmers of the province, who are now getting ready to seed and planning for the hail insurance premiums this summer, will they and can they expect an announcement, a positive one from the minister that spot loss hail will be put back in crop insurance?

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Well, Mr. Speaker, it's nice to have actually a live question for a change in this legislature. Mr. Speaker, to the member opposite though, I know when you look across agriculture in this province right now, it's probably hard to find a question on behalf of the NDP, the previous government. And when he does ask a question, he brings up the issue of a program that the NDP cut when they were in government. So what he's saying is, Mr. Speaker, don't do as we do, do as we say.

Mr. Speaker, we have consulted with the farmers across this province. And we've explained to them that when spot loss hail was cut by the NDP government, the federal government took their share of that dollars and put into other programming. And as we know, Mr. Speaker, they will not cost share in spot loss hail right now. So it would cost the province of Saskatchewan

about \$70 million a year to reinstate spot loss hail, thanks to the NDP, Mr. Speaker. So, Mr. Speaker, if the NDP had not cut that program, we would still have it, Mr. Speaker.

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

Mr. Lingenfelter: — Mr. Speaker, in this year's budget, we all know that the biggest cut in the whole budget, and there were many of them, happened in the Department of Agriculture where this government and that minister took almost \$100 million out of agriculture, out of ag stability. And many farmers are asking whether or not that money could be put back and put into spot loss hail.

Now they're not very impressed with your plan to cut the paws off coyotes. Everybody knows that, and you've now done away with that plan. We understand that. And we also understand that there are many areas where farmers are asking for some help. Net farm income this year is expected to be down considerably.

My question to the minister is this: even at this late date, is it possible that the \$100 million in extra money you admit to having in your department could be put into spot loss hail for the farmers of this province?

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Well, Mr. Speaker, once again we see the lack of understanding of what's going on in rural Saskatchewan from the Leader of the Opposition. The coyote program, if he would check with ranchers and farmers across this province, was well-received, well-utilized, and is to the benefit of every farmer and rancher in the province, Mr. Speaker.

And if the member also would know and remember back when he was the minister of Agriculture, he might remember, if he did understand at the time, that programming costs go up and down.

The federal government projects the costs — AgriStability, Mr. Speaker, crop insurance. Every year those projections come from the federal government, and last year they went up dramatically. This government has made a commitment to fully honour our commitment and fund programs adequately as they come out. We have done that, Mr. Speaker. This year the projections that have come out are lower. Next year they may go up again, Mr. Speaker.

But having said that, replacing money that the NDP has cut, on behalf of the federal government, it's hard for this side to keep going up and down, filling in, backfilling the cuts that that member made. Mr. Speaker, if that member was interested in rural Saskatchewan . . .

The Speaker: — The member's time has elapsed. I recognize the Leader of the Opposition.

Mr. Lingenfelter: — Mr. Speaker, my question to the minister was about the spot loss hail insurance and putting the money in that he had in the department. It's nothing to do with anyone else's money. He admitted that this government in his department had \$100 million. He had a choice. Sending it back

to the Minister of Finance who's mismanaging the finances so badly, I think that money would have better been put back into spot loss hail. That's the question: is he going to do that?

Now the minister said, when it comes to dealing with the federal government, he was at a meeting, and he said this to producers, and I quote, "We have all the power in the country now. When we go to Ottawa, the whole picture has changed. We scared the hell out of them down there."

That's what you said. You said you scared them in Ottawa. Why are you saying now you can't get any money from them?

The Speaker: — I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Well, Mr. Speaker, I'd like to go over . . . The member wants to talk about \$100 million.

[Interjections]

The Speaker: — Members want the opportunity to ask questions, and I would ask them to allow the minister to respond. I recognize the Minister of Agriculture.

Hon. Mr. Bjornerud: — Mr. Speaker, the Leader of the Opposition talks about the \$100 million. Well I'd like to talk about Ag budgets in this province of Saskatchewan. I look back for the last 16 years under the NDP, Mr. Speaker, and then I look at the first three years, two years of Ag budgets in the province of Saskatchewan under a Sask Party government. You might notice, Mr. Speaker, that last year the actual dollars spent on agriculture by this government was \$375 million. That's the same budget again this year, Mr. Speaker. And the average under that government was somewhere in the neighbourhood of excess of \$200 million.

Mr. Speaker, this government cares about rural Saskatchewan. We care about farmers and ranchers, and it shows in the Ag budget of the Sask Party government, Mr. Speaker.

The Speaker: — I recognize the member from Saskatoon Eastview.

[14:30]

Midwifery Services

Ms. Junor: — Thank you, Mr. Speaker. In Health estimates on April 19th of this year, the minister said he was going to be rolling out a midwifery program. To the minister: is he going to be announcing a comprehensive midwifery program?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Thank you, Mr. Speaker. Mr. Speaker, currently we have five midwives working in the Saskatoon Regional Health Authority. Cypress Hills has one hired and another one coming. Those services, midwifery services will be provided in the Cypress Health Region. Regina Qu'Appelle is working on recruiting two midwives, as well as P.A. [Prince Albert] and Athabasca are also looking at recruiting more midwives, Mr. Speaker. We've come a long way in the two years. There's more to do. Absolutely, there's more to do, Mr. Speaker, and we'll be moving in that direction.

But I find it very curious, Mr. Speaker. I was elected in 1999, and one of the first pieces of legislation that came before this House in 1999 was the midwifery Bill that that government passed and then sat on it, sat on their hands for eight years, Mr. Speaker. Didn't do anything for eight years. In the first year of our government, in 2008, we have proclaimed that legislation, and since then we have five working and a number more coming, Mr. Speaker. I'll take no advice from that side opposite on what to do with midwives.

The Speaker: — I recognize the member from Saskatoon Eastview.

Ms. Junor: — Thank you, Mr. Speaker. As in the case with most of the minister's announcement . . . And obviously he takes advice from no one; the Privacy Commissioner is pretty clear on that. The minister has provided no details of the program. So there's five midwives working. Well 16 people are here today to say that's not enough. In two years you've hired five people? That is not a big celebration.

So my advice to the minister would be, let's hear some details of the program. If he's going to be rolling it out, what exactly are the details of the program? Not just who's going to be hired where, but what's the program going to be?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. McMorris: — Mr. Speaker, a very, very important issue because the services that midwives provide across hopefully eventually the province, and that is the goal, to have midwifery services across the province. Mr. Speaker, there are only, as I say, in Saskatoon right now. I wish you would have had more than a minute and a half to two minutes to debate this on question period, Mr. Speaker. Two questions quite frankly does not do the program justice, Mr. Speaker.

Mr. Speaker, we are moving in the direction to increase the services, because quite frankly under 16 years of NDP government, how many midwives were working in the province? Zero, Mr. Speaker.

We're on the way to trying to supply midwifery services around the province, Mr. Speaker. Health regions have been funded. They are looking for midwives. And, Mr. Speaker, as we move on we'll see more midwives working here in Saskatchewan.

[Interjections]

The Speaker: — Order. Order.

TABLING OF DOCUMENTS

The Speaker: — Before orders of the day, under section 14.1 of *The Provincial Auditor Act*, I do lay on the Table the auditor's report presented by the Acting Provincial Auditor.

STATEMENT BY THE SPEAKER

Privilege

The Speaker: — I have a response to the request . . . Order. I have a response to the question of privilege raised by the

Opposition House Leader yesterday, and I would ask for members' attention as I read this statement.

Yesterday the Opposition House Leader gave notice of the question of privilege. The notice concerned responses by the Minister of Health made during question period on April 12th, 2010, about proposed regulations under *The Health Information Protection Act*. Members will recall, yesterday I requested that the Opposition House Leader provide me with the details of his case in writing. Following adjournment of the Assembly, I received written information for which I thank the Opposition House Leader.

Details of the case were provided to the Government House Leader in accordance with rule 12(2). Both House leaders also provided comments about the case when the Opposition House Leader was invited to state his case on orders of the day.

I want to reiterate that I allowed the case to be made without notice given the circumstance of the extended sitting hours then in operation.

The Opposition House Leader's case is that the Minister of Health committed contempt by purposefully misleading the Assembly about consultations that were said to have taken place with the Information and Privacy Commissioner.

In question period on April 12th, 2010, the minister said, in responding to a question, and I quote:

. . . the Privacy Commissioner was consulted formally four different times on this very regulation, Mr. Speaker . . . and yes we know his opinions on this regulation as did the former government know his opinions as they worked through this regulation over the last four years of their mandate.

To refute this claim, the Opposition House Leader provided a letter from the Information and Privacy Commissioner that he argues demonstrates, and I quote, "The Minister of Health clearly misled this Assembly."

The charge that a member has made deliberately misleading statements, if well founded, has been treated as contempt by this Legislative Assembly and other parliaments. On November 3, 2009, I addressed another case of alleged contempt for misleading statements. In that case, I referenced precedents that established differences in the way such cases are treated in Saskatchewan compared to other jurisdictions. I will not repeat those precedents except to say that they are dated November the 18th, 1975, and July the 13th, 1982.

These precedents establish that in Saskatchewan the threshold of proof of an offence is not restricted to an admission of guilt. Contempt has been found on the basis of evidence. In this situation the minister has not admitted to have misled the Assembly, so the case must be reviewed on the documentary evidence provided by the Leader of the Opposition.

The evidence provided by the Opposition House Leader is two letters: one addressed to the Leader of the Opposition and another addressed to all members of the Assembly. The letter to the Leader of the Opposition is in response to queries made on

April 14th, 2010, in regard to the exchange in question period about regulations two days earlier. In this letter, the commissioner states that rather than respond to him directly, he has decided to respond to all members and to publish a report on the regulations.

Of material importance to this case is the letter to all members which is dated May 3rd, 2010. The letter begins with the following statement:

On April 12, 2010, the Minister of Health made reference in the Legislative Assembly to the Office of the Information and Privacy Commissioner in the course of discussing the new Health Information Protection Amendment Regulations 2010 (Order in Council 187/2010) (the Regulations). In addition, I have now received a request from a member of the Legislative Assembly for written documentation on any verbal or written consultation I have conducted with the Minister, or his representatives, regarding the disclosure of patients' health information to a third party.

I have determined that the most appropriate way to respond to certain statements made by the Minister on April 12, 2010 and the query for information from another MLA, would be through this letter to all MLAs.

On page 6 of the letter, the commissioner addresses the question about consultations he and his office has had with the Minister or the Ministry of Health. For the record, I will quote the first four paragraphs of the letter because they are at the heart of this case. Quoting:

The new Regulation is similar to the 2007 iteration. There is a significant change, however, in the new Regulation in the substitution of "personal health information" for "any information about a client's health care or state of health" in subsection (7). The statutory definition of personal health information is much broader.

I had not seen the new Regulation until a copy was emailed to my office at my request on April 13, 2010 at 2:47 p.m. by Saskatchewan Health.

I have not received any draft documentation with respect to the type of contract that Saskatchewan Health will be introducing pursuant to subsection 7.1(1)(i) or (8) of the Regulation. In my view, Saskatchewan Health should have completed those pieces and made them available for public comment prior to proclamation of the subject Regulation.

In summary, for my office, there was only the public consultation in 2004, the exchange of correspondence in 2006 and a further exchange of correspondence in June 2007. I am not aware of any other formal consultation on the matter of a fundraising Regulation under HIPA. I also wish to stress that, in each of the three consultations, the text upon which I was commenting was different; none of the three consultations involved text identical to Order in Council 187/2010 although the 2007 consultation text was very similar but for one significant difference.

I repeat what the minister said in question period on April 12, 2010:

... the Privacy Commissioner was consulted formally four different times on this very regulation, Mr. Speaker ... and yes we know his opinions on this regulation as did the former government know his opinions as they worked through this regulation over the last four years of their mandate.

The commissioner states in his letter that the regulations being proposed are significantly different than those proposed in the past. He states he only saw the regulations in question for the first time on April 13th, 2010, one day after the exchange in question period. This is three years after the last consultation the commissioner says he had with the ministry.

It is not common for an independent officer of this Assembly to respond in such a direct and formal way to statements made in proceedings. It is apparent from the letter that the commissioner had been consulted but not about the regulations recently put into existence by the order in council noted. It is also apparent that the commissioner was consulted, but between 2004 on regulations which had, in his words, significant differences.

If the regulations are indeed significantly different, the Speaker wonders how the minister can claim the commissioner was consulted. The distinct impression left by the comments by the minister is that the regulations in question are, to use the minister's words, the very regulations provided to the commissioner. The Speaker also wonders why, if consultations had taken place on these regulations, the commissioner states he first saw them on April 13th, 2010.

Because of these troubling questions and inconsistencies, I find there is sufficient evidence and reason to warrant the Assembly taking up this question and as such find that a prima facie case has been established.

I remind members that it is not the role of the Speaker to decide if contempt has been committed. This is a question that only the Assembly can decide. It is the Speaker's role to decide where a prima facie case has been established. I have determined that there is sufficient reason to merit setting aside the regular business of the Assembly to debate the matter.

I now invite the Opposition House Leader to put forward his motion so that the Assembly can decide whether or not contempt has been committed.

I recognize the Opposition House Leader.

PRIVILEGE

Mr. Yates: — Thank you very much, Mr. Speaker. I would move that:

Be it resolved that the Standing Committee on Privileges be instructed to examine the issue of the statements made to this Assembly by the Minister of Health on April 12th, 2010, and report back to the Assembly and that, until such time that the committee reports, the Minister of Health shall be removed from his position as a minister.

I so move.

The Speaker: — The question before the Assembly is the question put forward by the Opposition House Leader:

Be it resolved that the Standing Committee on Privileges be instructed to examine the issue of the statements made to this Assembly by the Minister of Health on April 12th, 2010, and report back to the Assembly and that, until such time that the committee reports, the Minister of Health shall be removed from his position as a minister.

Is the Assembly ready for the question? I recognize the . . . Oh, pardon me, I should actually allow the member to speak and then come back . . . [inaudible interjection] . . . The member is right. And the member has moved his motion and has lost his right to speak, so I recognize the Government House Leader.

[14:45]

An Hon. Member: — Point of order, Mr. Speaker.

The Speaker: — I ask the member to state his point of order.

POINT OF ORDER

Mr. Yates: — Mr. Speaker, I moved the motion at the request of the Speaker, and had I not been instructed to do so by the Speaker, I would've spoken first and then moved my motion. You instructed me.

The Speaker: — Order. While the Speaker did ask for the member to place his motion, the members . . . It's a long-standing practice that members would speak before they place the motion. However I will ask the Assembly if the Assembly would allow leave for the member to speak to the motion that was presented.

Some Hon. Members: — Agreed.

The Speaker: — I recognize the Opposition House Leader.

PRIVILEGE

Mr. Yates: — Thank you very much, Mr. Speaker. We are standing today, or I am standing today, to talk about a very serious situation. Mr. Speaker, we have before us a situation that no members of this Assembly, including myself, would ever like to have to deal with. Mr. Speaker, we have an issue where we have had information put before us of a very serious nature, that a minister of the Crown has misled this House.

Mr. Speaker, when the minister stood and answered his questions, we in this Assembly have to take those answers in good faith. We have to be able to believe that what we are being told is true. And, Mr. Speaker, when it is not true, that brings dishonour upon us all.

Mr. Speaker, the seriousness of this situation is important to our parliamentary democracy, important to our ability to represent our constituents, and important to our ability to represent the people of the province of Saskatchewan.

Mr. Speaker, when I spoke yesterday, I can't say that was what I'd call a highlight of my political career. It is one of the times where you wish you didn't have to ever bring forward an issue, that you ever had to speak to, Mr. Speaker. But the privilege of being a member elected to this Assembly and the privilege to represent the people of the province of Saskatchewan is one that none of us should take for granted.

Mr. Speaker, few people ever have the opportunity to be elected to represent their constituents and to represent the people of the province of Saskatchewan. But, Mr. Speaker, this Assembly is our opportunity to represent the people of Saskatchewan. It's our opportunity to ensure that the voices of the people of Saskatchewan are heard and, Mr. Speaker, the opportunity to hold a government accountable for its actions, the opportunity to question the government about its intent, about its programs, about its legislation, and about its budget are the role of the opposition in order to represent the people of Saskatchewan and ensuring that the outcomes of legislation, estimates, and the actions and program of the government are in the best interest of the people of Saskatchewan.

So, Mr. Speaker, it's a long-standing tradition of this Assembly and the House of Commons, Mr. Speaker, and in fact the Houses in the British Commonwealth, that the opposition would ask the government questions. And, Mr. Speaker, a member of the Executive Council doesn't have to answer the question, Mr. Speaker, if he's not sure of the facts. If he's not sure of what the action of the government was, Mr. Speaker, he can take note of the question and rise the following day or, Mr. Speaker, even two or three days down the road after he has had an opportunity to check what the facts are and respond to the question, Mr. Speaker.

Mr. Speaker, the response to those questions form the opinion of the people of the province of Saskatchewan as to the actions of the government, and those answers are the responses to the official opposition whose role it is to hold the government accountable. Mr. Speaker, how can we hold a government accountable for actions when we aren't getting answers, accurate answers, Mr. Speaker, in which to form an opinion on what the government is doing?

And, Mr. Speaker, in this particular case we asked a very specific question. It was very clear that the people of Saskatchewan, many, many people have been raising this as a concern, the issue of their health information being provided to third parties for fundraising, Mr. Speaker. And those people have a right to have those questions asked, and they have a right to have an answer that they can rely upon.

And, Mr. Speaker, at this very moment we have before us a situation where the information provided to the people of the province of Saskatchewan, through a member of the Executive Council, wasn't accurate. And that information has been used for subsequent judgments by many people, Mr. Speaker, including foundations that would go out and want to raise money, Mr. Speaker. Mr. Speaker, even the foundations would have believed, by the minister's answers, that in fact the Information and Privacy Commissioner had been consulted.

Mr. Speaker, we have independent officers of the legislature for a reason. They are the watchdogs. And, Mr. Speaker, I mean

that with a great deal of respect. But they are the watchdogs of the public of Saskatchewan, the people of Saskatchewan, to ensure that we as legislators are doing our jobs and that we are protecting their best interest. Mr. Speaker, the Information and Privacy Commissioner is one such independent officer.

They don't work for the government. They don't work for the opposition. They work for the people of the province of Saskatchewan. And they are in fact, Mr. Speaker, the people's representatives in ensuring that, when we are undertaking our jobs as legislators, Mr. Speaker, that we are adhering to the rules, Mr. Speaker, and to the laws of our province. So, Mr. Speaker, it is a very serious situation when one of our independent officers tells us that we're not doing the job the way we should be doing it. And we should take that very, very seriously.

Now, Mr. Speaker, I would like to indicate it's a very rare occasion that we would have a letter sent to all members of the Legislative Assembly about the comments of a member of this Assembly. In fact in my 12 years, coming up on 12 years, Mr. Speaker, having been elected to this Assembly, I don't recall ever having received such a letter. And, Mr. Speaker, that in itself should serve notice to all of us in this Assembly about the importance of the issue we are dealing with.

Mr. Speaker, the situation that is before us can be dealt with in a number of ways, Mr. Speaker. But first and foremost, Mr. Speaker, in order to deal with an issue of integrity of the House . . . Because it's about the integrity of this House, Mr. Speaker, and about the integrity of our role as legislators, that people can rely on the information that is exchanged in this House in a formal way to be accurate.

Now, Mr. Speaker, I think we will all understand that there are issues of debate where we have opinions on issues. And when you're debating an issue is one thing, Mr. Speaker. Then there are differences of opinion. But in formal questions, either written or verbal, Mr. Speaker, of the government and a member of the Executive Council, Mr. Speaker, we have to be able to rely on the answers being accurate.

Mr. Speaker, just over a week ago I rose on a point of order about some written questions, Mr. Speaker, where the answer provided was not an answer. Mr. Speaker. Those raised grave concerns of that date for me. But, Mr. Speaker, what we're dealing with today is even of greater concern because, Mr. Speaker, we have been provided information that wasn't accurate, not on one occasion but on several occasions in the House. And, Mr. Speaker, the issue before us is on a single occasion.

Mr. Speaker, in the last several months in this session of the Assembly, this is the second time I've had to rise on an issue of a member of the Executive Council providing us with inaccurate information, Mr. Speaker. In the first case the member stood and apologized to this Assembly acknowledging that, Mr. Speaker, prior to coming to the point of having to deal with the issue. Now, Mr. Speaker, I would like to say that this is a situation that I actually commend the member for standing and doing that at the time because, Mr. Speaker, it's not just . . . Any of us can make a mistake. Any of us can do something we wished that we would not have done after, Mr. Speaker.

But what we're talking about today is a more serious situation, Mr. Speaker, because there were opportunities between when the time this motion was brought forward yesterday . . . or pardon me, the issue of privilege was brought forward yesterday, Mr. Speaker, and to when the motion was made today for the minister to stand and apologize to this House. And quite frankly, Mr. Speaker, that's what I expected would happen.

Well, Mr. Speaker, that opportunity was not taken. The minister had his opportunity to stand prior to this motion being made formally and apologize to the House. Mr. Speaker, that opportunity was not taken. So that makes the situation even more serious, Mr. Speaker. And because when you have an opportunity — if you make a mistake or you've done something wrong — to correct it and you choose not to correct it, Mr. Speaker, then it goes to what is the intent.

And, Mr. Speaker, far be it for me or any member of this Assembly to say that we've never made mistakes, that we never have done things we wish we hadn't done, that we haven't had to apologize for things, Mr. Speaker. Because if any member of this Assembly told me that, Mr. Speaker, I would have grave concerns because all people, all of us have made mistakes. All of us have done things we wish we wouldn't have done, Mr. Speaker. But the real, the real test here, Mr. Speaker, comes when there are numerous opportunities to reply, to say, I made a mistake, and, Mr. Speaker, to correct that error. And that opportunity is not taken.

Mr. Speaker, as I indicated some minutes ago, the seriousness of the situation when an independent officer would in fact reply on the comments of a Member of the Legislative Assembly, Mr. Speaker, that's rare. And in fact I don't recall in my 12 years — and I'm not saying it perhaps hasn't happened — but in my 12 years I cannot remember such a circumstance.

And, Mr. Speaker, the Information and Privacy Commissioner also responded very directly, very directly in his response to the issue of the language used, Mr. Speaker. And, Mr. Speaker, I'd like to read into the record the paragraph from the Information and Privacy Commissioner:

A review of my records indicates that there were only three consultations with my office that could be described as formal and those consultations spanned the period 2004 to 2007:

- 1) In August 2004, Saskatchewan Health published, in draft form, a set of HIPA Regulations and invited public comment [Mr. Speaker, and invited public comment]. This included an item described as *Proposed Regulation #11, Disclosure of registration information for Regional Health Authority and affiliate fundraising*. This fundraising Regulation differs significantly from the Order In Council 187/2010. I responded, by means of my *Report on the Health Information Protection Act Draft Regulations*, dated September 10, 2004. My Report is available at our website under the 'Resources' tab.
- 2) On August 11 2006, Saskatchewan Health provided a draft Regulation for consultation. The draft Regulation

differs significantly from Order In Council 187/2010. I responded, by means of a letter, to the Executive Director of Policy and Planning, Saskatchewan Health dated September 18, 2006. In that letter, I advised that if the Department proceeded with the draft Regulation or published the draft Regulation for public scrutiny and comment, we would also publish our commentary on our website. In that case, our comments may be reorganized and appear in a somewhat different format but nonetheless would be consistent with this letter. By a letter dated November 22, 2006, the Executive Director of Policy and Planning, Saskatchewan Health responded to several suggestions I had made for amendment. I was advised that one data element that we had objected to would be deleted from the Regulation.

[15:00]

On June 1 2007, Saskatchewan Health provided a draft Regulation for consultation which reflected further revisions to earlier iterations. I responded, by means of a letter, dated June 12, 2007. In that letter I noted some positive changes. I made the observation that our office had still not seen evidence that the requirement of express consent is not feasible and appropriate. I advised that as noted earlier, at such time as the Department proceeded with the draft Regulation or published the draft Regulations for public scrutiny and comment, we would also publish our commentary on our website. I advised that the Department could expect that our comments may be reorganized and appear in a somewhat different format but nonetheless would be consistent with this letter.

I understand that Saskatchewan Health has suggested that there was also a consultation on fundraising in May 2006, . . . to the best of my knowledge my office was not involved in that consultation and I can find no record of such a May 2006 consultation.

[An issue of] **Consultation since 2007**

The new Regulation is similar to the 2007 iteration. There is a significant change, however, in the new Regulation in the substitution of “personal health information” for “any information about a client’s health care or state of health” in subsection (7). The statutory definition of personal health information is much broader.

I had not seen the new Regulation until a copy was emailed to my office at my request on April 13, 2010 at 2:47 p.m. by Saskatchewan Health.

I have not received any draft documentation with respect to the type of contract that Saskatchewan Health will be introducing pursuant to subsection 7.1(1)(i) or (8) of the Regulation. In my view, Saskatchewan Health . . . [would] have completed those pieces and made them available for public comment prior to proclamation of the subject Regulation.

In summary, from my office, there was only the public consultation in 2004, the exchange of correspondence in

2006 and a further exchange of correspondence in June 2007. I am not aware of any other formal consultation on the matter of a fundraising Regulation under HIPA. I also wish to stress that, in each of the three consultations, the text upon which I was commenting was different; none of the three consultations involved text identical to Order in Council 187/2010 although the 2007 consultation text was very similar but for one significant difference.

I have also enclosed a document entitled *Report on Health Information Protection Amendment Regulations, 2010 (Order in Council 187/2010), May 3rd, 2010* that outlines my views and concerns regarding the new HIPA fundraising Regulation for your information.

Now, Mr. Speaker, for an independent officer of the legislature to write such a letter indicates to myself, and I would hope all members of this Assembly, the very grave situation that we now face. Mr. Speaker, this is an issue that members of this Assembly need to consider very carefully and need to consider what direction or action you wish to take.

Mr. Speaker, I read from the first page of the letter:

On April 12, 2010 the Minister of Health made reference in the Legislative Assembly to the Office of the Information and Privacy Commissioner in the course of discussing the new Health Information Protection Amendment Regulations, 2010 . . . In addition, I have now received a request from a Member of the Legislative Assembly for written documentation of any verbal or written consultation I have conducted with the Minister, or his representatives, regarding the disclosure of patient’s health information to a third party.

I have determined that the most appropriate way to respond to certain statements made by the Minister on April 12, 2010 and the query for information from another MLA, would be through this letter to all MLAs.

I am also available to meet with any Standing or Special Committee of the Assembly to discuss the Regulation.

Mr. Speaker, this letter makes it very clear that the Information and Privacy Commissioner has grave concerns about the regulation but also makes it very clear that he was never consulted about the regulation implemented by order in council 187/2010.

Mr. Speaker, the two occurrences that we’ve seen in the last several months are and should be of concern to the people of the province of Saskatchewan and of concern to all members of this Assembly. Mr. Speaker, the people of the province have a right to expect — in fact demand — that the answers provided by members of the legislature in this House are factual.

Mr. Speaker, we need to safeguard our democracy. We need to safeguard our processes to ensure that the people of Saskatchewan know and understand that not only is it a requirement. And it is a requirement, Mr. Speaker. Our rules are clear that you must answer the questions. You have options. You don’t have to answer the question, Mr. Speaker, but it has to be relevant to the question asked. And if you don’t have

specific information you can in fact take note of the question, get the information, and answer it at a later date.

Mr. Speaker, to provide that inaccurate information and to mislead the House is a very serious — and, Mr. Speaker, I want to repeat that — a very, very serious issue. Mr. Speaker, we have before us a situation which we have to take seriously. And as I indicated some time ago, Mr. Speaker, I fully expected prior to getting to a motion on the floor that the minister would have simply stood up and apologized and, Mr. Speaker, we wouldn't be dealing with this issue.

Because as I indicated before, I think as all members of this Assembly would say with, I think, you know, some degree of humbleness, that we've all made mistakes. And we've all done things we wish we hadn't have done. And we've all had the opportunity to in fact then, Mr. Speaker, apologize for it. And I was, as were my colleagues, hoping and looking to the minister to simply stand and admit that he had made that mistake. But, Mr. Speaker, that didn't occur. And for myself and other members of the Assembly, that should raise even greater concerns, Mr. Speaker.

And in my time in the legislature of Saskatchewan, we haven't had a privilege motion debated in this House. And, Mr. Speaker, this isn't an issue to deal with lightly. It isn't an issue to rush through. I think it's been many, many years since we've had a issue of privilege actually debated in our Assembly, Mr. Speaker.

An Hon. Member: — More than 30 years.

Mr. Yates: — One of my colleagues is telling me it's been more than 30 years since we've actually debated a motion of privilege in this Legislative Assembly. Mr. Speaker, if that is in fact, it's been more than 30 years, Mr. Speaker, that should also indicate to us the seriousness of the issue before us.

Mr. Speaker, as I indicated yesterday, the issue before us is the statement made by the Minister of Health on April 12th, 2010. And it's recorded for the public record on page 4704 of *Hansard*. And when the minister said, and I quote, "But it's . . . also to know, Mr. Speaker, that the Privacy Commissioner was consulted formally four . . . times on this very regulation, Mr. Speaker."

Mr. Speaker, in a letter this morning to all the members . . . or yesterday morning, pardon me, the Privacy Commissioner clearly questioned that. Mr. Speaker, it then was an issue which was raised in question period yesterday and, Mr. Speaker, the actions and answers defended. We attempted to give the minister the opportunity yesterday to say, after he would have received the report like all of us, in question period yesterday, to respond and say otherwise, Mr. Speaker. That opportunity wasn't taken.

Mr. Speaker, then I stood and raised the issue of privilege at our earliest opportunity, expecting that there would be considerable time before a decision. And when I talk about considerable time, there were several hours, Mr. Speaker, overnight and then until after question period today, giving the minister once again the full opportunity to stand and simply apologize, Mr. Speaker. Mr. Speaker, that opportunity wasn't taken. And, Mr. Speaker, I

think that that is unfortunate.

Mr. Speaker, what we have before us is a situation where we were misled by a minister and then, I would argue, Mr. Speaker, by his failure when he had the opportunities to correct that situation, Mr. Speaker. He chose not to, Mr. Speaker. So, Mr. Speaker, in choosing not to correct that, Mr. Speaker, that goes to the issue of contempt of this Assembly, Mr. Speaker, because the inaccurate statements could have been corrected and were not. The minister chose instead to allow this motion to be debated.

Now, Mr. Speaker, the government has the majority, and the government can overrule the minority. But I say to all members of this Assembly, the facts are there. You may disagree with the facts. You may not like that someone's been called upon it. But this is an issue of the very integrity of a government. This issue goes to the very integrity of a government.

Mr. Speaker, if a government uses its majority to overrule a minority when they know what they've done is wrong, Mr. Speaker, that goes to the very character of a government. It's no longer the responsibility of a single minister, Mr. Speaker. It becomes the responsibility of a government, a government that has chose, knowingly and willingly that what was done was wrong, Mr. Speaker, to not deal with it, to try to make what was wrong right by using their majority, Mr. Speaker, by voting against a motion to deal with the situation when a member of the Executive Council in the province of Saskatchewan misled the House.

Mr. Speaker, as I indicated earlier, the fact that when opportunities presented themselves that no opportunity was taken, goes to the intent. Mr. Speaker, if you're looking at an action and you're looking at what should be found in an action by an individual, there's both under law what's called the *actus reus* and the *mens rea*, Mr. Speaker. One is the action itself and one is the intent. Mr. Speaker, the fact that the member chose not to apologize when he could have shows that clearly the intent, Mr. Speaker.

[15:15]

Mr. Speaker, not since 1982 I'm told now, 28 years ago not 30 years ago, have members entered into such a debate in this Assembly. At the time the member for Prince Albert-Duck Lake claimed that the minister of Mineral Resources under Premier Grant Devine deliberately misled the House in answers he had given during question period on July 8th, 1982. The Speaker found a *prima facie* case of privilege and it was debated in this Assembly. Today once again, we are faced with a grave matter considering whether a member has deliberately misled this House.

Mr. Speaker, I want to read from *Hansard*, July 13th, 1982:

A point of privilege was raised on Friday, July 9, 1982, by the hon. member for Prince Albert-Duck Lake, claiming that the Minister of Mineral Resources deliberately misled the House in answers he made to certain oral questions on July 8, 1982. I am satisfied that the member raised the matter at the earliest opportunity . . .

Mr. Speaker, it goes on to say that:

Based on the information I have in front of me, [the Speaker ruled] I rule that a prima facie case of privilege has been established, which justifies giving this matter precedence over the orders of the day. I now leave the matter in the hands of the House to deal with it as it sees fit.

Mr. Speaker, not since 1982, 28 years ago, almost 30 years ago, Mr. Speaker, has this Assembly had to deal with a prima facie case of privilege. Mr. Speaker, as I said earlier in my comments, I wish we weren't dealing with this issue, and I think all members of this Assembly wish we were not dealing with this issue. Because, Mr. Speaker, the integrity of our parliamentary system and the integrity of this Legislative Chamber, it should be important to us all.

It should be important enough to us all that we put it first, Mr. Speaker, that if we have differences of opinion, and we do — we have differences of opinion, Mr. Speaker, on how to get to the end goal — but I think, Mr. Speaker, each and every one of us should be elected here with a goal to make our province a better place to live, a better place for our children and our grandchildren. And, Mr. Speaker, I want that, and I'm not going to claim for one second that there isn't a single member of this Assembly that doesn't want that, that doesn't want to have a better Saskatchewan for their children and their grandchildren.

Mr. Speaker, being a grandparent — I became a grandpa at age 40 — being a grandparent was one of the proudest days of my life. And every single day I spend time thinking about the province I want my grandson to live in, the province in which I want my grandson to grow up. And I know that every single member of this Chamber, regardless on what side of the Assembly, Mr. Speaker, shares a belief that they want the very best Saskatchewan for their children and grandchildren and for generations to come.

Mr. Speaker, the calling to public life is perhaps the most difficult calling that any of us will ever have. And the job we do on a day-to-day basis in this Assembly and around the province is far more difficult than many of the people in this province of Saskatchewan understand. But I will stand today and say I believe that every single member of the 58 members wants the very best for our province. But, Mr. Speaker, we have to cherish the Chamber in which we work. We have to believe that our actions and what we do are more important than any one of us. And we have to work to make that Saskatchewan a better place.

And the people of the province of Saskatchewan look to us for leadership. And yes, we can have our differences of opinion and disagreements, Mr. Speaker, on how we get to the end goal of making Saskatchewan a better place. But it's our job to get us there, not alone because, Mr. Speaker, we don't control all the factors and levers that make Saskatchewan a great place.

There are tens of thousands, Mr. Speaker, in fact every one of Saskatchewan's citizens plays a major role in making Saskatchewan the great province that it is. Our business and community leaders play a huge role in building our economy and moving us forward. Mr. Speaker, those employed in the public service, those employed in judiciary, those employed in

so many roles in our province, Mr. Speaker, all play such a key role in making Saskatchewan the great place it is.

But the 58 members of this Assembly, Mr. Speaker, are tasked at even a higher level, Mr. Speaker. We are tasked with the responsibility by our actions to help make Saskatchewan the great place it can be. Mr. Speaker, that has to start here in this Assembly. So our actions need to be, need to be considered carefully, and the rules of our Assembly must be followed, Mr. Speaker.

Now, Mr. Speaker, I'll be the first to say, Mr. Speaker, that members of this Assembly in general follow the rules, Mr. Speaker, because we do.

But we have to hold those rules to very high account, Mr. Speaker. And we have to believe in the democracy that we represent, and we have to believe in the integrity of this Chamber. And we have to believe in the future of our province. And we have to demonstrate, Mr. Speaker, standards that we want others to live to, and we have to demonstrate in a tangible way the leadership that we have been elected to demonstrate.

And, Mr. Speaker, in debates and in . . . We can disagree and we can argue on points and we often do. And I think I've argued, as I look across, with virtually, at one point or another, every member on the other side. And let me tell you this, Mr. Speaker: I respect them all. I respect them all for one reason, Mr. Speaker, is they step forward in a very difficult role to represent the people of the province of Saskatchewan. And, Mr. Speaker, they've done so.

And, Mr. Speaker, as can be demonstrated by the fact we haven't had to debate an issue of this seriousness in 28 years, Mr. Speaker, I think that it's appropriate to say that all members of this House have diligently tried to represent their constituents and the people of Saskatchewan in a very forthright manner, at all times trying to represent the best interests of their constituents.

Mr. Speaker, we tend to agree with a lot more than we disagree in this House, contrary to what many people would hear from watching the news. They'll probably agree on 95 per cent of everything and the disagreements on 5 per cent. Mr. Speaker, unfortunately it's the 5 per cent that the public often hears about and often focuses on. But in general, I would say that 95 per cent of all items that have come before this Assembly, that most people . . . that we agree on. Because, Mr. Speaker, it goes to the fact that, as I said earlier, the members of this Assembly truly want what's best for their children and grandchildren, truly want what's best for our province and truly want what's best for our futures.

Well, Mr. Speaker, in dealing with the very important issue before us, I need to talk for a few minutes about the fact that our rules and our democracy has been built and developed over hundreds of years. Mr. Speaker, over hundreds of years, coming out of the British Commonwealth, Mr. Speaker, our rules of our Assembly have been developed.

And they've been debated first in England, Mr. Speaker, when Canada was controlled by what was known then as the *British North America Act*. Mr. Speaker, it was just a very short few

years ago that our constitution was in fact endorsed, brought forward in the lifespan of our country, just a very short . . . years ago.

Mr. Speaker, parliamentary privilege is a fundamental right necessary for the exercise of our constitutional function. It is necessary for us to represent the people of our constituency. Mr. Speaker:

In any constitutionally governed country, the privileges, immunities [rights] and powers of its legislature as a body and the rights . . . of the members of such bodies are matters of primary importance.

As I indicated earlier, Mr. Speaker, these are words from chapter 2 of *Parliamentary Privilege*, second edition, Mr. Speaker, and those are words that we should in fact, Mr. Speaker, pay great attention to.

Mr. Speaker, it is obvious that no Legislative Assembly would be able to discharge its duties with efficiency or assure its independence and dignity unless it had adequate powers to protect itself and its members and officials in the exercise of their functions, Mr. Speaker. But in order to do that, we have to have rules, and we have to live by those rules, Mr. Speaker.

And, Mr. Speaker, today we have before us a situation where one of those rules has not been followed, Mr. Speaker, and that is of serious concern. Mr. Speaker, as any motion in this Assembly that's debatable, the government that has a majority can simply vote that the action taken was right, but to do so is to make a mockery of this Assembly and to make a mockery of our democratic rights and principles. And, Mr. Speaker, I would urge the government not to do that. Mr. Speaker, what we're dealing with is more important than any individual member, more important than the government, more important than the opposition. It's about the fundamental principles of our democracy.

Mr. Speaker, privilege in the legal sense, an exemption from some duty, burden, attendance or liability in which others are subject. To determine what constitutes parliamentary privilege in the Senate and House of Commons we are directed by the *Constitution Act, 1867* and of the *Parliament of Canada Act* to the privileges in the British House of Commons, 1867. And it says under clause or section 18, Mr. Speaker:

The privileges, immunities and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the Members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the Members thereof.

. . . such and the like privileges, immunities and powers as at the time as the passing of the *Constitution Act, 1867* were held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom and by the members

thereof, insofar as to seem consistent with and not repugnant to this Act, and that such privileges, immunities and powers as are from time to time defined by Act of Parliament of Canada not exceeding those at the time of the passing of such Act held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom and by the members thereof respectfully.

Mr. Speaker, the general definition goes on to say that parliamentary privilege, which is an important part of the law and custom of parliament, is part of the general and public law of Canada.

[15:30]

Mr. Speaker, that's why it's so very important that we as members of this Assembly uphold the principles of the privileges we have, Mr. Speaker. And that's why it's so even more important, Mr. Speaker, that in the situation that we are now facing, when the opportunities presented themselves, that a minister chose not to take the honourable, to take the honourable step forward, Mr. Speaker, and just simply apologize.

Parliamentary privilege is the necessary immunity that the law provides for members of parliament and for members of the legislatures of each of the ten provinces and two territories in order for these legislators to do their legislative work. It is also the necessary immunity that the law provides for anyone while taking part in a proceeding in parliament or in the legislature. In addition it is the right, power, and authority of each house of Parliament and of each Legislative Assembly to perform their constitutional functions. Finally, it is the authority and power of each house of Parliament and of each Legislative Assembly to enforce that immunity and to protect its integrity.

Mr. Speaker, it goes to the very point I made just a few minutes ago. It's our responsibility to protect the integrity of this Chamber and of our rules. Mr. Speaker, that's why it goes beyond any of us. The issue before us is more important than any single member, the government, the opposition. It's about all of us believing in the integrity of our Assembly, believing in the integrity that it's the role of the opposition to question the government and to get answers back, Mr. Speaker, that are in fact truthful, Mr. Speaker. The answers from any member of the Executive Council that are speaking to the issues before the province of Saskatchewan need to be truthful.

Mr. Speaker, the legislative body needs this legal protection of immunity so to perform its functions, defend, and vindicates its authority and dignity. Mr. Speaker, it's important that we have that dignity. The members of the legislative body enjoy these rights and immunities because the legislature cannot act or perform without the unimpeded use of the services of its members.

Mr. Speaker, I'd like to talk for a minute about a practical definition, a common sense definition of immunity. If someone improperly interferes with the parliamentary work of a Member of Parliament, i.e., any of the members' activities that have a connection with a proceeding in parliament, in such case that is a matter involving parliamentary privilege. The authority and power of each house of Parliament and of each Legislative

Assembly to enforce that immunity.

Mr. Speaker, in order to perform its functions as a legislative body, a legislature requires absolute certainty certain privileges, rights, or immunities. That is to say it cannot carry on unless it has them. Mr. Speaker, the rights of us as members, though, are subject to the procedures of the House. Mr. Speaker, we must set an example. And I believe, Mr. Speaker, in general that has occurred, because over 28 years we have not seen an issue of privilege before the House.

While we've seen that the member enjoys all the immunity necessary to perform his parliamentary work, this privilege or right such as freedom of speech is nevertheless subject to the practices and procedures of the House. Our House, Mr. Speaker, that we, as the 58 elected members of this Assembly should cherish the role in which our constituents and the people of the province of Saskatchewan have bestowed upon us. And, Mr. Speaker, we should not take, we should not take it lightly.

Because of its nature, a true question of privilege should arise in the House only infrequently and that, Mr. Speaker, we have seen. It's been 28 years since the last time a question of privilege has been raised in this House. To constitute privilege, generally there must be some improper obstruction to the member in performing his parliamentary work in either direct or a constructive way, as opposed to a mere expression of public opinion or of criticism of the activities of the members.

And, Mr. Speaker, Mr. Speaker, we have that very situation before us today. Mr. Speaker, we have a situation when we haven't had the opportunity to be afforded the answers appropriately to the question asked by a member of the opposition.

Mr. Speaker, a breach of privilege is when any of these rights or immunities is disregarded or attacked by any individual or authority and raised in the House of Commons, the offense is called a breach of privilege and it is punishable under the law of parliament as a contempt of that parliament.

And, Mr. Speaker, that's what we're dealing with today. And it is a serious issue, an issue which any government should be concerned, an issue which all of the members of this Assembly should be concerned about. Mr. Speaker, we have to be concerned about it and we have to be concerned about the issue before us.

Mr. Speaker, contempt of parliament may be more aptly described as an offence against the authority of the House, our House. This Assembly is the House of the people of the province of Saskatchewan which the 58 of us elected have the honour to represent on behalf of the people of the province of Saskatchewan. And, Mr. Speaker, we do represent the people of the province of Saskatchewan and we have a responsibility to do so, Mr. Speaker, in a very professional and appropriate manner, and to respect the very rules and laws of this Assembly and of this province and of this country, Mr. Speaker, and long-standing traditions of what I think is, without doubt, Mr. Speaker, the best system of governance in the world, Mr. Speaker.

We as Canadians — and I would argue in particular in the

province of Saskatchewan — live in a province with great potential, great political history but, Mr. Speaker, also great traditions in respect of our Legislative Assembly, respect of our Chamber, and, Mr. Speaker, I would hope at all times and I believe in almost every situation, respect of the members of this Assembly for the people of the province of Saskatchewan, the very people that we each represent in this House, Mr. Speaker, in this Chamber.

As in the case of a Superior Court, when by some act or word a person disobeys or is openly disrespectful of the authority of the House of Commons or the Senate or of their lawful commands, that person is subject to being held in contempt of the House of Commons or Senate as the case may be; therefore . . . [we see in] the Senate and the House of Commons have the power or right to punish actions that, while not appearing to be breaches of any specific privilege, are offences against their authority or dignity. These may include disobedience to their legitimate commands or libels upon them, their offices, or their Members.

Such actions, though often called "breaches of privilege," should be more properly considered "contempts."

While it will become evident that one of the corporate privileges of the House is the power to punish for contempt, there is no restriction on what may constitute a contempt of parliament. It will be seen in chapter 13, however, that a breach in question is brought to the attention of the House by means of a question of privilege.

Mr. Speaker, it goes on to say, Mr. Speaker, that:

Contempt cannot be codified. [And] Contempt has no limits.

As a Speaker said [Mr. Speaker] ". . . the dimension of contempt of Parliament is such that the House will not be constrained in finding a breach of privileges of Members, or of the House. This is precisely the reason that, while our privileges are defined, contempt of the House has no limits.

When new ways are found to interfere with our proceedings, so too will the House, in appropriate cases, be able to find a contempt of the House has occurred."

So, Mr. Speaker, it is very clear that we have the ability as a legislature, as does the House of Commons, to continue to evolve our rules and our responsibilities and, in fact, what is contempt as our rules change, Mr. Speaker, as the expectations of our community and our society and province change, Mr. Speaker. We can in fact continue to look at each of the cases before us and deal with it.

But, Mr. Speaker, for 28 years we haven't had the issue of contempt raised in this Assembly. We haven't had the option, had the situation of debating a motion of privilege in the Assembly. So, Mr. Speaker, I think that this is a very serious situation.

Mr. Speaker, we're also dealing with a situation where we have

an independent officer of this Assembly who has in fact provided information clarifying the statements of a minister. Now, Mr. Speaker, I want to go on the record in saying that no independent officer of this Assembly should ever have to fear for their job for ever raising an issue to this Assembly. Mr. Speaker, independent officers need our support. They need to be considered independent of the government, independent of the opposition, and be able to perform their functions without fear of retaliation or without fear of not being appointed or reappointed to their positions.

Mr. Speaker, we are going to watch this situation very carefully over the next months and years to ensure that, as a result of bringing forward information, that no independent officer is ever, ever in fear of not being reappointed, Mr. Speaker, for doing their job. And that's a responsibility of all 58 members of the legislature.

Mr. Speaker, I think that it's important upon all of us, an important goal and responsibility and duty of all of us, to ensure that the Assembly functions well, but also that our independent officers function well and that they have the ability to challenge any one of us, Mr. Speaker, and have no fear that they won't receive reappointment for simply doing their job.

Mr. Speaker, we have a situation in this Assembly where a committee recommended to . . . that we would appoint a Chief Electoral Officer. This Assembly recommended to the various caucuses and, Mr. Speaker, we had a situation where after a bipartisan board that consisted of two members — consisted of the Speaker, the Minister of Justice, myself, and an outside independent third party selected by the members, Mr. Speaker, of the hiring committee — brought forward a name. We spent months going through a selection process, months going through a selection process. And, Mr. Speaker, for the first time in my 12 years of political life, after we had agreed in a bipartisan group to send a name, the government rejected that name. And, Mr. Speaker, that raises many, many questions.

Mr. Speaker, we have a responsibility to uphold the rules of our Assembly. We have a responsibility to act in the best interests of the people of the province of Saskatchewan, Mr. Speaker, and we have a responsibility to ensure that in our actions we are representing the interests of the people of the province of Saskatchewan. Not the interests of our political parties, Mr. Speaker, not the interests of special interest groups, Mr. Speaker, but the interests of the people of the province of Saskatchewan.

[15:45]

Now, Mr. Speaker, we are dealing with a situation where we have before us answers provided during oral questions that were not accurate. And, Mr. Speaker, we've raised the issue. We raised the issue to the members of this Assembly and, Mr. Speaker, that would have afforded many opportunities in the adjoining period for a correction of what was said.

Mr. Speaker, I've got members opposite saying things about my riding, Mr. Speaker, and making comments, Mr. Speaker. Well, Mr. Speaker, I've been elected now four times, once in a by-election and three times in a general election. And if the citizens of Regina Dewdney want to remove me from elected

office for standing up for the parliamentary rules of this Assembly and for holding a government accountable, Mr. Speaker, then they can do so.

But, Mr. Speaker, as I said earlier, this is much more important than any one of us. And to have members chirping from their seats about my re-election and about the comments I'm making here on behalf of the people of Saskatchewan in a situation where a prima facie case of privilege has been established for debate in this House, goes to the character of the government of the day, Mr. Speaker. And I would think that there are members of the government that would want to say to those members challenging whether I should be elected again, Mr. Speaker, would want to tell them to keep their comments to themselves.

But, Mr. Speaker, why are they making those comments, Mr. Speaker? I'll tell you why they're making those comments. For the very reason we're having to have this debate. It's unfortunate, Mr. Speaker, that the issue before us is one of character. Mr. Speaker, we have seen many, many situations over the last several weeks that go to the character of the government.

Mr. Speaker, we have a budget that was tabled that said that we had . . . The debt wouldn't go up, the debt wasn't going up, Mr. Speaker. Yet you go to page 62 of the budget book and, Mr. Speaker, it shows that the debt is significantly increasing, Mr. Speaker.

Mr. Speaker, the members are talking about what's the relevance. Well the relevance is this, Mr. Speaker, and I'll point this out for them. The motion is dealing with a breach of privilege when a member has misled this House, provided false information to this House. Well, Mr. Speaker, that goes to the character, Mr. Speaker. And telling us the debt isn't rising, Mr. Speaker, when it is, that also goes to character, Mr. Speaker.

And, Mr. Speaker, we can have members opposite try to make fun of what is a very serious issue before us, but this is a serious issue. And, Mr. Speaker, they say they just want to get on and they want to vote. They'll use their majority, Mr. Speaker, to vote down, vote down the opposition, Mr. Speaker, and not deal with the fundamental issue before us. That's shameful.

Mr. Speaker, we have a situation where we have a United Nations body, the International Labour Organization, who wrote a report about pieces of legislation the government brought forward. And, Mr. Speaker, it talked about the fact that legislation brought forward, there'd been no consultations, and that the government should take a step back and go consult, Mr. Speaker. They chose not to do that.

Mr. Speaker, on the issue before us, it is an issue of respect for this Assembly and for its members and, Mr. Speaker, Mr. Speaker, we're dealing with a motion of privilege. And members opposite want to talk from their seats, Mr. Speaker, but this is one of the most serious issues in some 28 years we've ever had to deal with.

So, Mr. Speaker, I want to once again talk about parliamentary privilege, Mr. Speaker, and I want to talk about why we're having this debate. We're having this debate because a minister of the Crown chose not to do the right thing. He had the option

and opportunities, Mr. Speaker, but he chose not to. Mr. Speaker, that goes directly to the issue of intent.

And, Mr. Speaker, members opposite can be disinterested in the topic before us. They can not care about the importance of the issue before us, Mr. Speaker, but this is a very, very important issue. Mr. Speaker, the issue of parliamentary privilege extends well beyond any of us in this Assembly and goes to the actual fundamentals of what is important. Mr. Speaker:

Individual privileges of members of the Senate and the House of Commons are the absolute immunity they require to perform their parliamentary work. Corporate privileges are the necessary means for each House to effectively discharge its functions.

[Mr. Speaker] Thus a breach of any privilege constitutes a contempt of the House rather than that of the member, because the member would not require the privilege if he or she were not a member.

Mr. Speaker, these quotes are from *Parliamentary Privilege*, a general view, chapter 2. Mr. Speaker, members:

... would not require the privilege if he or she were not a member. Nevertheless, such individual privileges as freedoms of speech are considered to belong primarily to the member and only indirectly to the House itself.

[Mr. Speaker] The collective of privileges of the Senate and of the House of Commons are the power to punish for contempt (or its penal jurisdiction) [Mr. Speaker, as it says in brackets], the right to regulate its own constitution, the right to regulate its own internal affairs free from interference.

Now, Mr. Speaker, these are important concepts of our parliamentary democracy. They're important to the fundamentals of our Legislative Assembly. And Mr. Speaker, we are speaking today and dealing with a very serious motion before the House. Now, Mr. Speaker, we wouldn't be doing that if we had simply lived by the rules of this Assembly and, when opportunity presented itself, if the minister would have taken that opportunity.

Now, Mr. Speaker, having said that, Mr. Speaker, having said that, when that opportunity was there it wasn't taken, and so it is important that we take the time to discuss and debate this issue so the people of the province of Saskatchewan understand that in 28 years we have not had a debate like this before the Legislative Assembly of Saskatchewan.

And, Mr. Speaker, the last time we had such a debate, 28 years ago, not a single one of us was elected to this Assembly. And, Mr. Speaker, the members opposite can try to distract from this very important issue, but, Mr. Speaker, it is a very, very important issue. There is no issue more important to the people of the province of Saskatchewan than our parliamentary rights, Mr. Speaker, and the integrity of this Chamber.

And, Mr. Speaker, members opposite can continue to make comments from their seats as that very member did a few minutes ago, challenging whether or not I would be re-elected

in this province, Mr. Speaker. But, Mr. Speaker, intimidation isn't going to work. Mr. Speaker, they're trying to commit the very types of problem for the reason we're in this debate, Mr. Speaker — a lack of respect for this Assembly, a lack of respect for this Chamber, and a lack of respect for our rules.

If a member of this Assembly is trying to in any way influence or interfere in my ability to do my job, or of any member of this Assembly, then, Mr. Speaker, it's inappropriate. And, Mr. Speaker, it is about a respect for the rules of our Assembly, and it's about a respect for the integrity of this House.

So, Mr. Speaker, as we are talking about this issue, it is important that we consider the significance of the issue before us and the importance of the Chamber in which we have the privilege and opportunity to represent the people of the province of Saskatchewan. Mr. Speaker, we are each elected to represent the people of our constituency and by extension the people of the province of Saskatchewan.

In doing so, Mr. Speaker, we are acting on behalf of the people of Saskatchewan, and when a member of the opposition asks an oral question or for that matter a written question of the government, the expectation should be to get an honest answer, Mr. Speaker. And if you don't get that answer, Mr. Speaker, then the people of the province of Saskatchewan should be concerned about why. And in this case, Mr. Speaker, we didn't get that answer. In fact the answer we got was found to be untrue, Mr. Speaker.

So, Mr. Speaker, we are here today for the first time in 28 years talking about an issue of privilege. Because not only was the answer given not truthful, but it was repeated many times. And when there were significant and several opportunities to correct the error, Mr. Speaker, they weren't taken, Mr. Speaker. And that goes to the very intent of the issue before us. And, Mr. Speaker, that's very serious. It's very, very serious.

And I expect, Mr. Speaker, that the government will use its majority to try to bully at some point or try to push our vote through a situation they know is wrong too. And, Mr. Speaker, that goes to the very character then of the government in power, and goes to the very character of the members individually.

And, Mr. Speaker, we're all held accountable for our actions at election time. We're all held accountable for our actions, Mr. Speaker. And, Mr. Speaker, inevitably we all have a responsibility to our constituents and to the people of the province of Saskatchewan.

Mr. Speaker, members opposite can comment from their seats and they can make comments, Mr. Speaker, but there were numerous opportunities to correct this error, Mr. Speaker. The issue before us raises serious questions about the judgment of the Minister of Health, Mr. Speaker. But even more so it raises serious questions about the judgment of the Premier, Mr. Speaker.

And it raises those questions of judgment for these reasons, Mr. Speaker. There were opportunities to correct the error and they chose not to, and that goes to the judgment of the leader of the government, Mr. Speaker. It goes to the judgment of the leader because the leader has final responsibility and accountability for

his government, Mr. Speaker. In our parliamentary democracy we elect a leader for a reason, because the final responsibility and the final accountability rests with the leader, Mr. Speaker.

Despite the fact that the Information and Privacy Commissioner had clearly refuted the claim that he was consulted on this very regulation, Mr. Speaker — and we all received the letter and we raised it in this House to give the government the opportunity to do the right thing, Mr. Speaker — the Premier stood in this Assembly in question period, defended his Minister of Health, and repeated the minister's false claims.

[16:00]

Mr. Speaker, the leader of the government, the Premier could have corrected this situation, Mr. Speaker, and he also chose not to. Let me repeat that, Mr. Speaker. Just moments before the solemn debate commenced — and I do, Mr. Speaker, want to reiterate the importance of this debate — the Premier was on his feet and was not only defending his Minister of Health, but was repeating his minister's claims that consultation had occurred. Mr. Speaker, this is a testament to the Premier's lack of judgment.

The Premier could have corrected this situation. He could have had his minister correct the situation. The Premier knew about it because, just moments before this, the Premier defended the action and repeated the claim. Mr. Speaker, that clearly shows a lack of judgment, a lack of judgment that should not be and ought not to be expected from a Premier.

Mr. Speaker, the evidence could not have been clearer, and the evidence was provided yesterday, Mr. Speaker. And I, I know that that evidence had to have been reviewed, Mr. Speaker. Because no government . . . And I give the members opposite better, more credit than that. They would have reviewed this, Mr. Speaker.

But, Mr. Speaker, they obviously chose not to take the path of admission and admitting they made a mistake and correcting it. The Information and Privacy Commissioner, an independent officer of this Assembly, clearly refuted the claim and provided the facts to the contrary. Why did the Premier not show better judgment? Why did the Premier not show leadership, Mr. Speaker?

Mr. Speaker, I don't know. But it goes to the very issue at heart. Instead of demonstrating judgment and leadership, the Premier once again got angry and defensive. Mr. Speaker, the Premier could have addressed the situation appropriately and we wouldn't be in this debate. And instead he got angry and defensive, showed a lack of judgment, Mr. Speaker — a clear lack of judgment and I would argue a disrespect for the integrity of this Assembly as well, Mr. Speaker.

Because the higher, Mr. Speaker, because the higher the office you hold in this Assembly, the greater the accountability and the greater the responsibility. Mr. Speaker, the higher the office that any one of us holds, representing the people of Saskatchewan, the greater the responsibility and the greater the accountability.

So, Mr. Speaker, the Premier didn't show the judgment that

should be expected of the Premier. Mr. Speaker, he could have corrected this situation and he could've dealt with it. Instead of listening to the Information and Privacy Commissioner, Mr. Speaker, an independent officer of this Assembly, the Premier stood during question period and repeated the minister's false claims that consultation had occurred. It is a shocking lack of judgment on behalf of the Premier, Mr. Speaker.

Mr. Speaker, the motion says "that, until such time as the committee reports, the Minister of Health shall be removed from his position as minister." And I'd like to explain why to the members of this Assembly and to the people of the province of Saskatchewan. The Speaker has ruled for the first time in many, many years that there is a prima facie case of privilege — Mr. Speaker, the first time in 28 years this issue's been debated before the Legislative Assembly of Saskatchewan.

And as I indicated earlier, I don't think any of us enjoy this. I don't think anybody can enjoy dealing with such a serious issue, Mr. Speaker, dealing with the integrity of our House, of our Chamber, Mr. Speaker. This Chamber has to be bigger than any one of us and bigger than all of us, Mr. Speaker. And our responsibility to the people of the province of Saskatchewan has to be bigger than any one of us or bigger than all of us combined.

Mr. Speaker, this means you have found evidence that the minister may have misled the Assembly. It is a principal requirement of ministers that they be able to stand in their place and answer for their ministries, Mr. Speaker. It is crucial that ministers' answers be credible to members of the Assembly who are questioning the government on behalf of the people. Mr. Speaker, it's absolutely important that the answers provided by ministers on behalf of their ministries, on behalf of the government, be credible.

Mr. Speaker, today we're in a debate because, Mr. Speaker, we have a situation where that wasn't so. This minister has been found, prima facie, to have possibly given an unreliable, incorrect answer. Mr. Speaker, he had the opportunity to correct the record. We have an independent officer of the Legislative Assembly who refuted the information provided to this Assembly by the minister, and the minister could have stood and done the appropriate thing.

Members would be derelict in their duties as members if they continued to question this minister on behalf of the people as though his answers were credible. Mr. Speaker, we can no longer ask questions of this minister as if his answers are credible. We can't. So how can an opposition effectively do their job in one of the most crucial portfolios any minister can have on behalf of a government?

The issue that Saskatchewan people care about most, health care, it is the issue that the people of Saskatchewan care about most. And, Mr. Speaker, it is the issue in which most questions are arguably asked of any government. It is the most important portfolio that a government in Saskatchewan has. Now there will be those who would argue that there are more important portfolios, Mr. Speaker, but I argue, I make my comment for the reason that it is the issue that the people of Saskatchewan care most about, so it should be the issue that we in this Assembly care most about.

Medicare as we know it in this country was debated and came to life in this Chamber. Our predecessors are the ones who debated and brought forward modern medicare that then went on to become an icon of Canada, Mr. Speaker, and something that the people of this province I think are very, very proud of. It all started down in Health Region No. 1 in southwest Saskatchewan, Mr. Speaker, which I grew up in as a boy. And I can tell you many, many people still cherish the fact from southwest Saskatchewan that medicare and the inception and concept of medicare came from their health region, Mr. Speaker. And people in this province are very proud that medicare was brought forward, debated, and made a reality in this very Chamber, on behalf of the people of Saskatchewan.

So, Mr. Speaker, for the opposition not to be able to take the responses of the Minister of Health as being credible is very, very important. Mr. Speaker, they would also be prejudging the outcome of the committee's deliberations if they were to do so. Mr. Speaker, if this motion, as it should, goes to committee, an appropriate investigation is done and the findings returned to this Assembly.

In the meantime, how can the opposition and the public take the answers of the Minister of Health as credible? This would be signalling to the committee that they consider the minister's answers to be reliable, when this is the very point of deliberation of the committee and must be decided and reported back to the House. Mr. Speaker, once again there are members pretending to cry and making noises from the government side of the House.

The Speaker: — Order. I would ask the member just to direct his comments to the Chair and make his comments according to the motion that he's presenting. I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker. I am speaking to the motion before us and the very reasons why. That in the motion it says that until such time as the committee reports, the Minister of Health shall be removed from his position as a minister. I'm trying to explain to the people of the province of Saskatchewan and to my colleagues in this Assembly why, Mr. Speaker, and it's fairly simple. We have before us a prima facie case of privilege being found by the Speaker for debate. That means that there's been enough evidence for the Speaker to have determined that the minister may have misled this House. Mr. Speaker, for those very reasons, the issue should be referred to the Committee on Privileges for investigation and examination.

It is a principle requirement of ministers, Mr. Speaker, as you would well know, that they'd be able to stand in this Assembly and answer for their ministries on behalf of the government, Mr. Speaker. But it's absolutely crucial that we also be able to believe that the answers be credible to the members of this Assembly, Mr. Speaker, and to members of the opposition who are questioning ministers on behalf of the people of the province of Saskatchewan.

Mr. Speaker, as you well know there's . . . the minister's been found prima facie to have possibly given an unreliable answer and, I think, with some fairly substantial supporting documentation. We would all be derelict in our duties if we

continued to question the Minister of Health on behalf of the people as though his answers were credible until after a thorough investigation had been done. Mr. Speaker, that'd be prejudging the outcome of the investigation and the deliberations in the committee, and it would also be signalling, Mr. Speaker, that it doesn't matter what the outcomes and findings of the committee were because we'd already would be taking the minister's answers as being reliable. So that would be contrary to the very important nature of the issue before us.

Mr. Speaker, and why, why do we have this issue before us, Mr. Speaker? Well, Mr. Speaker, we have this issue before us for a number of reasons, most significantly that, Mr. Speaker, in the asking of a written question — or, pardon me, an oral question, Mr. Speaker — we received an answer and, Mr. Speaker, a very specific answer; very specific in that it said, and to us, Mr. Speaker, and I'd like to just once again, Mr. Speaker, indicate why, Mr. Speaker, that the information before us was so clear.

Mr. Speaker, on April 12th, 2010, and this is recorded on page 4704 of *Hansard*, and I'm going to quote, Mr. Speaker, the Minister of Health said, and I quote, "But it's important also to know, Mr. Speaker, that the Privacy Commissioner was consulted formally four different times on this very regulation, Mr. Speaker," making specific reference to the regulation that was put in place.

So, Mr. Speaker, very specific, it wasn't general in nature, Mr. Speaker. There is no confusion as to what was being spoken about, Mr. Speaker.

[16:15]

He said the very regulation that he brought forward, Mr. Speaker. And, Mr. Speaker, Mr. Speaker, it's very, very clear, very clear, and the response from the Information and Privacy Commissioner, Mr. Speaker, that:

On April 12, 2010 the Minister of Health made reference to the Legislative Assembly [and I'm quoting from the Privacy Commissioner's letter] to the Office of the Information and Privacy Commissioner in the course of discussing the new Health Information Protection Amendment Regulations, 2010.

So, Mr. Speaker, it's very clear in this letter in fact that he wasn't speaking to the very same regulation. And the minister's language was specific. It's the very same regulation.

So, Mr. Speaker, I want to now spend some time talking about the issue before us in a broader sense, Mr. Speaker, and why this should be a concern to the people of the province of Saskatchewan.

Mr. Speaker, an issue of privilege before this Assembly is an issue of importance to the province of Saskatchewan for numerous reasons. And I'd like to take the time to talk in some detail about the concerns that it raises for us as members of the opposition, and then should be a broader concern for the people of the province of Saskatchewan.

Mr. Speaker, we have to take the answers provided by any member of the Executive Council as being truthful, Mr.

Speaker, and as being reliable, Mr. Speaker. And when we can't do that, Mr. Speaker, then it brings into question the integrity of this Assembly and the integrity of the information provided to us to do our jobs.

And, Mr. Speaker, when that integrity's questioned, we have a responsibility to challenge it, Mr. Speaker. We wouldn't be doing our jobs as members of this Assembly if we knew that a member of the Assembly was not providing reliable information, if we didn't challenge it and we didn't deal with it.

And the people of the province of Saskatchewan should feel concerned that this issue has to be raised, as do I think all members of this Assembly. I think we'd all prefer we weren't dealing with this today and we were doing the business of the Assembly. But, Mr. Speaker, we have to deal with this very important issue.

And, Mr. Speaker, we have to deal with it because the importance and the integrity of our Chamber has to be the most important issue to us. And, Mr. Speaker, in responding to and speaking to the issue of privilege, Mr. Speaker, I have earlier talked about the importance of what privilege is. And, Mr. Speaker, privilege is the collection, the collective of those rights and immunities and powers that are put upon us as members of the Legislative Assembly to act in the interest of the people of the province of Saskatchewan. And when we don't do that, Mr. Speaker, when we don't do that, then, Mr. Speaker, it's very, very serious.

And there is a reason that we haven't debated an issue of privilege in this Assembly for more than 28 years because the members of this Assembly take this issue very seriously. Mr. Speaker, the members of this Assembly take the issue very, very seriously so we haven't had to deal with this issue for 28 years. And it's unfortunate that today we are dealing with this issue, Mr. Speaker.

And, Mr. Speaker, it is absolutely important that the people of Saskatchewan have confidence in their government, they have confidence in their Legislative Assembly, and they have confidence in the members of this Assembly. And, Mr. Speaker, when we have abused that collection of rights, privileges, powers, and immunities, Mr. Speaker, then we need to be held accountable.

Mr. Speaker, what's most disturbing about this particular issue is the fact that there were many opportunities over the . . .

The Speaker: — Order. Order. I've been listening very carefully to the member, and the member has referred to the serious nature of the motion, but over the past period of time the member has, on numerous occasions, basically reiterated the same argument. And it would seem that, based on the principles of debate in this Assembly, if this motion is indeed serious, that the member would state very clearly the reasons why the motion was brought forward and not have to stand and continually be repetitive.

And I would ask the member to move directly, and directly to the motion as the motion's fairly limited. It states the fact that we ask the Standing Committee on Privileges to examine the statements and/or move . . . ask the Standing Committee on

Privileges to examine the point of privilege.

I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much. Mr. Speaker, I was just moving to a new issue of debate, Mr. Speaker, a new set of information, Mr. Speaker, that I think is absolutely important be discussed in this House.

Mr. Speaker, debates in the House of Commons. And I want to quote from that debate, Mr. Speaker. March 18th, 1903, page 132 and 133, and I quote:

The members of cabinet are above everything else, responsible to the House of Commons, not as individuals alone, but collectively as well. This responsibility has been key to the control of the executive power in Canada and in Britain. The powers of the crown have remained for the most part intact, or have been increased, but the exercise of those powers has come under the cabinet and this body, in turn, under the general scrutiny of parliament. This is the central fact of parliamentary democracy, for it is this practice which keeps the system both efficient and constantly amenable to popular control. The minister at the head of every department is responsible everything that is done within the department, and inasmuch as he will expect praise or assume blame for all the acts of his subordinates, he must have the final word on any important decision that is taken.

The book goes on to quote R. L. Borden who, when leader of the opposition, aptly described the ideal situation as follows:

A minister of the crown is responsible, under the system in Great Britain, for the minutest details of the administration of his department. He is politically responsible, but he does not know anything at all about them. When anything goes wrong in his department, he is responsible therefore to parliament. If he comes to parliament and [he] points out that he entrusted the duty to an official in the ordinary course and in good faith, and that the official had been selected for his capacity, ability and integrity, and that the moment the man went wrong the minister investigated the matter to the full and punished the man, either by degradation or dismissal, the minister has done his duty to the public.

So, Mr. Speaker, even if the minister had believed that the information, if he had been provided information by his department, was in fact, Mr. Speaker, accurate, he still holds the accountability. And when challenged by an independent officer, he should have responded to correct the record, Mr. Speaker.

That opportunity presented itself several times. The opportunity was not, Mr. Speaker, acted upon. Mr. Speaker, I'd like to quote from page 638 from July 9th, 1982, from the last time that we stood in this Assembly to talk about the issue of privilege. It says, and I quote:

A question of privilege, on the other hand, is a question partly of fact and partly of law — the law of contempt of parliament — and is a matter for the House [of Commons] to determine. The decision of the House on a question of

privilege, like every other matter which the House has to decide, can be elicited only by a question put from the Chair by the Speaker and resolved either in the affirmative or in the negative, and this question is necessarily founded on a motion made by a member.

It follows that though the Speaker can rule on a question of order, he cannot rule on a question of privilege. His function, when a question of privilege is raised, is limited to deciding whether the matter is of such a character as to entitle the motion, which the member who has raised the question desires, to move to priority over [other] orders . . . [Mr. Speaker].

And, Mr. Speaker, that is the situation we have before us, Mr. Speaker. Mr. Speaker, Mr. Speaker, I have before me a series of letters, or pardon me, I have the letter from the Information and Privacy Commissioner, Mr. Speaker. And it's very clear that the Information and Privacy Commissioner reviewed his records in detail and that there were only three consultations in office and none, none by the minister before us.

So, Mr. Speaker, in previous cases in this House and across the Commonwealth, Mr. Speaker, the issue of privilege has been debated, has been examined. And, Mr. Speaker, it is incumbent upon us to not take this lightly, to move this forward and to examine it in detail, Mr. Speaker, and to return to this Assembly with a recommendation. Mr. Speaker, we have a Committee on Privileges, as does each Legislative Assembly in Canada, Mr. Speaker, and the House of Commons, and that committee is tasked with the job of dealing with issues of privilege.

Mr. Speaker, I have to say that I fully realize the seriousness of the issue we are dealing with and bringing this type of issue to the House is one that I wish we weren't doing, but we are. And, Mr. Speaker, over the last number of years, members of this Assembly have conducted their issues with the duty of . . . with the appropriate level of respect and concern, Mr. Speaker. And as a result, we have had very few instances to deal with such a matter.

Mr. Speaker, I would like to spend a few minutes at this time talking about the issue before us, Mr. Speaker, and I'd like to deal with it from a perspective of clarity. Mr. Speaker, in my statements yesterday, I was very, very clear. I believe I was very clear anyway, Mr. Speaker. So I'd like to take a minute to just re-examine that issue before the House, Mr. Speaker, to ensure that in fact it is clearly understood.

Mr. Speaker, the Information and Privacy Commissioner indicates that on April 13th — and he's very precise — at 2:47 p.m., he requested from Saskatchewan Health a copy of the regulation. And at that point, he saw it for the first time. Mr. Speaker, the minister said very clearly that, on April the 12th, that the Information and Privacy Commissioner had been consulted on four occasions on that very, very regulation — and the word very was used and it was used to be very precise, Mr. Speaker.

And then, Mr. Speaker, the evidence shows that, very clearly, the Information and Privacy Commissioner, on April the 13th, 2010, 2:47 p.m. — which is again very precise and very precise for a reason, Mr. Speaker — saying:

I have not received any draft documentation with respect to the type of contract that Saskatchewan Health will be introducing pursuant to . . . the Regulation.

So, Mr. Speaker, I think it's clear. I think it's clear that the Information and Privacy Commissioner said he'd not seen it. And he's very precise, even to the time at which he requested it. I need more information. That's the same information. It's the same information.

Mr. Speaker, and without that information, the . . . Mr. Speaker, I think the information's clear. I think that it would be somewhat inappropriate for us to challenge the fact that the information before us is clear. It's very, very clear.

Mr. Speaker, last fall I rose in this House about statements made by another member of the Executive Council. And, Mr. Speaker, it had to do with statements made in this Assembly and then statements made to a media reporter, Mr. Speaker. And in that case, Mr. Speaker, I raised my point. We had the discussion, Mr. Speaker. I put the statement on the record. It was at that point the Minister of Corrections, Public Safety and . . .

[16:30]

The Speaker: — Why is the member on his feet?

Mr. Trew: — To ask leave to introduce a guest, Mr. Speaker.

The Speaker: — The member has asked leave to introduce guests. Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — I recognize the member from Regina Coronation Park.

INTRODUCTION OF GUESTS

Mr. Trew: — I thank you very much, Mr. Speaker. Here to witness a historic debate and in the east gallery . . . This is a debate that happens once every 20 years, 28 years. So, Mr. Speaker, I'm going straight to the introduction, Mr. Speaker, as per your request.

A very good friend of mine who came down for the occasion in the east gallery is Fred Kress. Fred who . . . Actually I've met Fred's parents, Dan and Doreen in 1985 before I met Fred. And we became friends and they became supporters and then along came Fred, who, as I got to know him, I recognized significant talent, Mr. Speaker. And I had the opportunity to hire him to be my constituency assistant in about 1992. And he served for about four years until he got a better job, at which time I reluctantly let him go. And then, Mr. Speaker, I was able to hire Fred again when I was appointed a minister of the Crown, and he stayed there and worked for executive government for some time after that.

So he's got a long-standing interest in politics, and in fact came back to serve with me — after he was let go when the government changed — and is working as my constituency assistant now. And indeed, indeed, indeed, Mr. Speaker . . .

An Hon. Member: — Just wait he's getting to that.

Mr. Trew: — We're getting to the best part of the story, indeed, of the introduction.

[Interjections]

The Speaker: — Order. Order. I would ask the member to go directly to introduction. We're almost getting into another speech and that certainly is not necessarily considered appropriate. I recognize the member from Regina Coronation Park.

Mr. Trew: — Oh thank you, Mr. Speaker. My very good friend, Fred, who also worked for the minister from Moose Jaw Wakamow when she was the minister of Education . . . He's got a long interest in politics that extends to when he was 14 and first worked in his first election. And he's hoping to have and I expect will have an even longer history, because he is one of five excellent candidates for nomination in the constituency of Regina Coronation Park for the New Democratic Party of Saskatchewan. I ask, Mr. Speaker, through you, I ask for all members to welcome my friend, Fred Kress, to the legislature.

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

PRIVILEGE (continued)

Mr. Yates: — Thank you very much, Mr. Speaker. Prior to the introduction, Mr. Speaker, I was talking about raising a very similar issue last fall, Mr. Speaker, in this Assembly. And I do this, Mr. Speaker, to talk about and to demonstrate, Mr. Speaker, that there are ways to deal with this problem prior to dealing with the motion before the House.

Mr. Speaker, on October 4th, 2009, the Minister of Corrections, Public Safety and Policing made statements to the House, then went and made contrary statements to the media. Mr. Speaker, the evidence presented clearly of what the reporters had recorded and had seen, Mr. Speaker. We had before us what was obviously a situation that was going to result in this debate. And, Mr. Speaker, the minister did the appropriate thing.

And I respect the actions that minister took. And I may not always agree with that minister, but forever there will be a respect that he put, he put this Assembly, its members, its rules, and its integrity ahead of himself and ahead of perhaps his government in some ways, Mr. Speaker, because when you do that you never know what the outcome's going to be. But the action, Mr. Speaker, was the appropriate action. And I will forever respect that action, Mr. Speaker, and I will forever respect the fact that in doing so he put this Chamber, this House, and its members ahead of himself.

Mr. Speaker, I think that's what's asked of each and every one of us in a debate such as this. And, Mr. Speaker, we have to at all times, in the debate in this House, Mr. Speaker, remember that we are here representing the people in the province of Saskatchewan.

But most importantly, as I indicated a few minutes ago in the

quoting from *Parliamentary Privilege*, a minister is responsible for the actions of his department and the people who work for him. But, Mr. Speaker, when a minister takes that responsibility and accountability and he stands up and does the right thing, I'm going to in this House say, thank you. And I think the people of Saskatchewan should say thank you. And, Mr. Speaker, for that I will always respect the Minister of Corrections, Public Safety and Policing.

Mr. Speaker, it is contrary to the situation we face today. Today, Mr. Speaker, we face a debate. Mr. Speaker, I would like to take a couple of minutes and talk about the standards in which, and why the answers of ministers to this Assembly are so important.

Mr. Speaker, the people of Saskatchewan make their decisions, their choices. They move forward with business decisions or decide not to move forward. They take opportunities or choose not to take opportunities, Mr. Speaker, based on the answers that they hear from ministers of the Crown. And, Mr. Speaker, the public, bankers, businessmen, farmers, the people of the province of Saskatchewan need to be able to rely on the answers provided by ministers in this Assembly. Because, Mr. Speaker, they make their choices, and they make decisions that affect them, their families, and the people of Saskatchewan based on the answers provided by ministers of the Crown.

So, Mr. Speaker, it's absolutely important, absolutely important that the answers provided, provided to the people of Saskatchewan prove this Assembly and oral questions are accurate. And . . .

The Speaker: — Why is the member on his feet?

Mr. McCall: — With leave to introduce a guest, Mr. Speaker.

The Speaker: — The member has asked for leave to introduce a guest. Is leave granted?

Some Hon. Members: — Agreed.

The Speaker: — I recognize the member from Regina Elphinstone-Centre.

INTRODUCTION OF GUESTS

Mr. McCall: — Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly, an individual seated in your gallery. She's no stranger to these chambers. Mr. Speaker, I'm speaking of course of Leane Goldsmith. She's looking great. She's a, you know, devout Rider prider — got her jacket on; looking good.

I should say that Leane, I'm very happy to say, has come to work with me in the constituency office of Regina Elphinstone-Centre. She knows her way around Centre very well and Elphinstone to boot. She had done work with the previous member for the Legislative Assembly for Regina Centre, Joanne Crofford. I know she did tremendous work there. She'd worked in the building in different capacities, finishing off as the chief of staff to the then minister of Justice, the member from Saskatoon Meewasin.

In addition to all this political savvy, Mr. Speaker, she's a painter. She's leaving a very successful painting business to come work with me back in the political fray. She's a mechanic, and she's a social worker. So I don't know if psychotherapist could be worked into there as well, Mr. Speaker, but, you know, you couldn't imagine a more diverse and interesting skill set to bring to bear.

Anyway, I'd ask all members to join with me in welcoming Leane Goldsmith to her Legislative Assembly.

The Speaker: — Why is the member from Saskatoon Massey Place on his feet?

Mr. Broten: — With leave to introduce a guest, please.

The Speaker: — The member has asked for leave. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave has not been granted. Leave has not been granted. I recognize the member from Regina Dewdney.

PRIVILEGE (continued)

Mr. Yates: — Mr. Speaker, as I was speaking prior to the introduction of guests, that the public of Saskatchewan need to be able to rely on the answers provided in question period to make important decisions. And, Mr. Speaker, I'm going to be able to give a number of examples here, Mr. Speaker.

If the Agriculture critic was to ask the Minister of Agriculture whether or not the farm fuel subsidy would remain in effect for this crop year, Mr. Speaker, and there was any question of that fact, Mr. Speaker, the answer provided may well make a significant difference in the decisions made by those producers in the utilization of their . . .

The Speaker: — Order. The motion before the Assembly is the one presented by the member regarding the motion to resolve in Standing Committee on Privileges, and I ask the member to refer his comments to the motion that he is presenting.

Mr. Yates: — Thank you very much, Mr. Speaker. I would like to refer the issue that I was speaking to, why it is relevant to the motion, Mr. Speaker. Business people, Saskatchewan citizens, make decisions which may involve thousands, tens of thousands, or maybe even millions of dollars based on the answers and the word of the ministers of the Executive Council. And, Mr. Speaker, they have to be able to rely on that. If I was making a business decision and I had heard an answer from a minister that was contrary to that business decision, I may put it off and not make or not buy a business that I had the opportunity to do and lose significant money, Mr. Speaker.

You have to understand the cause and effect of your answer, Mr. Speaker. And, Mr. Speaker, it is the way we conduct our public affairs . . .

The Speaker: — Why is the member from Saskatoon Fairview on his feet?

Mr. Iwanchuk: — Leave to introduce some labour people in your gallery, Mr. Speaker.

The Speaker: — Leave for introductions. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave is not granted. I recognize the member from Regina Dewdney.

Mr. Yates: — Mr. Speaker, it's been previously indicated . . .

The Speaker: — Why is the member on his feet?

Mr. Iwanchuk: — Leave to introduce the labour leader in your gallery, Mr. Speaker.

The Speaker: — The member from Saskatoon Fairview has asked for leave to introduce guests. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave is not granted. Member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker. This has . . .

The Speaker: — Why is the member from Regina Northeast on his feet?

Mr. Harper: — Leave to introduce a guest.

The Speaker: — The member from Regina Northeast has asked for leave to introduce guests. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave is not granted. I recognize the member from Regina Dewdney.

Mr. Yates: — Mr. Speaker, in previous cases on the issue of privilege, on the issue of oral questions, Mr. Speaker, this very issue has been raised . . .

The Speaker: — Why is the member from Athabasca on his feet?

Mr. Belanger: — To ask for leave to introduce some labour groups, people.

The Speaker: — The member from Athabasca has asked for leave to introduce guests. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave is not granted.

[Interjections]

[16:45]

The Speaker: — Order. Why is the member from Regina Rosemont on his feet?

Mr. Wotherspoon: — With leave, Mr. Speaker, to introduce Terry Parker of Saskatchewan Building Trades, who stands opposed . . .

The Speaker: — Order. Order. Order. Order. I asked the member why the member was on his feet, and he wasn't given the authority to introduce anything. I recognize the member from Regina Dewdney.

Mr. Yates: — Thank you very much, Mr. Speaker. As I was speaking prior to the attempt to introduce guests, Mr. Speaker, that in previous rulings, Mr. Speaker, on the issue of the importance of having oral questions answered factually, Mr. Speaker, it is said, the way we conduct our affairs in the question period, is a very serious part of the way we govern ourselves, Mr. Speaker, and that the answers to written questions, Mr. Speaker, must, must be reliable.

Mr. Speaker, Mr. Speaker, I want to go on to talk, Mr. Speaker, of numerous examples, Mr. Speaker, in our parliamentary system, Mr. Speaker. And each talks about the importance of the reliability of the information provided by ministers of the Executive Council.

Mr. Speaker, on January 31st, 2002, in the House of Commons, Brian Pallister rose on a question of privilege and accused then Art Eggleton, the minister of National Defence, to be in contempt of the House, Mr. Speaker. Mr. Speaker, in that particular case the issue before the House of Commons was, should the minister be held in contempt of the House because on two occasions the minister made contradictory statements in the House regarding precisely when he had been informed about the involvement of Canadian troops and taking prisoners in Afghanistan, Mr. Speaker.

Mr. Speaker, I'm trying to give an indication to all members of this Assembly of the types of issues that have been found in the past in contempt, Mr. Speaker.

Mr. Speaker, on Monday, January 28th, 2002 Peter Goldring, the member from Edmonton Centre-East, Canadian Alliance member, raised a question of privilege stating that the former member from Saint-Michel, Alfonso Gagliano, had deliberately misled the House during his tenure as Minister of Public Works and Government Services. The member argued that in response to questions from other members in the House — same situation we have here, Mr. Speaker — in response to questions from other members in the House, the former minister's responses contradicted statements made by another member of the House, the Hon. Jon Grant, former chairman of Canada Lands corporation, Mr. Speaker. A very similar situation to what we face today, Mr. Speaker. We have a minister who in fact has provided an answer that's been contradicted, but in this case by an independent officer of this Assembly.

Mr. Speaker, these are important issues that we see before our Legislative Assembly today — very, very similar issues, Mr. Speaker. Mr. Speaker, on the issue of parliamentary privilege, in order to assess a claim of privilege, Mr. Speaker, the Speaker first hears a description of the problem from the member raising the complaint. Then he or she, although they're not even obliged to, Mr. Speaker, may hear comments from the other members, as is the practice of Speaker Milliken in the House of

Commons, Mr. Speaker.

And I have before me an extensive document from the Speaker, from the Speaker in the House of Commons of Canada, Mr. Speaker, talking about the issue of privilege. Mr. Speaker, so after the initial airing of the issue which was brought before this House, except in the very clearest of cases the Speaker will take the matter under advisement and permit himself time to review.

Mr. Speaker, it should be noted that in deciding whether the matter is of such a character as to entitle the member who has raised the question to move a motion that will have priority debate over others, there are many, many, many things to be taken into consideration. Mr. Speaker, ultimately it is the House that decides whether a breach of privilege or a contempt has been committed and whether punishment should be imposed as well as what other form that punishment will take, Mr. Speaker.

But, Mr. Speaker, in order to do that, the members of this Assembly have to hold, they have to hold the integrity of this House to a high enough value or level, Mr. Speaker, that they allow an investigation of the facts, Mr. Speaker. They allow the Committee on Privileges, Mr. Speaker, to investigate the issue and report back to the House. Mr. Speaker, the members of this Assembly ought not to take that responsibility lightly. The members of this Assembly should take the responsibility of the integrity of this House very seriously.

Mr. Speaker, on March the 14th, 2001, following the introduction of Bill C-15, Vic Toews, then the minister of Justice raised a question of privilege concerning the disclosure of information regarding a Bill in the House of Commons, Mr. Speaker, another situation on the issue of contempt that could be raised in our Assembly, Mr. Speaker.

Mr. Speaker, members of this Assembly need to take the issue of contempt very seriously. As you can see in numerous cases, Mr. Speaker, in numerous cases, Mr. Speaker, the Parliament of Canada has had to deal with the issue of privilege. Mr. Speaker, one of the reasons I'm articulating this is to show the importance of this issue in this Assembly and that we haven't had the issue for 28 years.

Mr. Speaker, on May 11th, 2001, Peter MacKay, Progressive Conservative member, rose on a question of privilege concerning a letter the Privacy Commissioner had written to the Information Commissioner. Mr. Speaker, it was argued that such was a breach of privilege, Mr. Speaker. Mr. Speaker, it is important that the rights of members be respected. And in many, many cases in the Parliament of Canada, there have been questions of privilege raised.

But, Mr. Speaker, in this Assembly, in this Assembly we have seen very few, very few situations where the issue of privilege has been raised. And in fact, Mr. Speaker, I don't think that any of us were elected at the time the last issue of privilege was raised in this Assembly. Pardon me, Mr. Speaker, I think that 28 years . . .

An Hon. Member: — How long?

Mr. Yates: — Twenty-eight years in which the issue of privilege has not been raised in this House. And the last

individual that was challenged with an issue of privilege was Colin Thatcher, Mr. Speaker. Colin Thatcher was before, Mr. Speaker, any of the members of this Assembly were here.

Mr. Speaker, on April 17, 2002, Ralph Goodale, the then government house leader, rose and stated, earlier in the evening a Member of Parliament, Keith Martin, had attempted to seize and to remove the ceremonial mace which is placed in honour in the Assembly. Mr. Speaker, and that was raised as an issue of privilege.

Mr. Speaker, privilege is the combined rights — privileges and immunities — of the members of this Assembly. As I've indicated in the last number of cases, Mr. Speaker, being raised in the House of Commons, Mr. Speaker, that those privileges, powers, rights, and immunities exist, Mr. Speaker. They must be respected by the members of the Assembly, Mr. Speaker. And not since Colin Thatcher in 1982, not since Colin Thatcher, and not since 1982 when Colin Thatcher and the arrogance of that government, Mr. Speaker, has an issue of privilege been debated in this House. Mr. Speaker, that is a record that I don't think that we should be very proud of.

But for 28 years in this Assembly we've not debated the issue of privilege, ever since Colin Thatcher in 1982. Mr. Speaker, not since Colin Thatcher in 1982 has this Assembly dealt with this issue. And, Mr. Speaker, Mr. Thatcher in 1982 misled this House and, Mr. Speaker, we're dealing with the same issue today. Mr. Speaker, it is unfortunate, but I need to urge that, like the members on the issue of Colin Thatcher in 1982, the members of this Assembly take just as seriously the issue before us today. And, Mr. Speaker, each and every member of this Assembly needs to take the issue seriously.

As I spoke of earlier, Mr. Speaker, people make decisions, choices which may affect them significantly, based on the answers and information provided by their government and by the ministers of the Crown. And the ministers of the Crown provide that information in many ways, but one of the ways they provide that information is in question period. And, Mr. Speaker, I have to — as does every member of this Assembly and should every member of the public — be able to rely on the information provided to us in written questions or in oral questions, Mr. Speaker, because we could make decisions that could affect our families, our loved ones, our businesses, and our future dramatically.

For those reasons, we have to take this issue seriously. It's a very serious issue. And for 28 years, not since 1982 and Colin Thatcher have we had this issue in debate in the House. And, Mr. Speaker, we see today a similar situation, a similar arrogance, and a similar problem.

Mr. Speaker, the facts are starkly clear. They are precise, Mr. Speaker, and it's indisputable, Mr. Speaker. It's indisputable what the answer the minister provided is, and it's indisputable the reply and the evidence provided by the Information and Privacy Commissioner.

So the members of this Assembly have little or no choice. They have little or no choice, Mr. Speaker, with the facts that are presented but to move this forward to the commission on privileges, Mr. Speaker, to vote in favour of this motion, Mr.

Speaker, and to let the Committee on Privileges, Mr. Speaker, examine this issue in detail and bring back the recommendation to the House.

And, Mr. Speaker, Mr. Speaker, it's even more important that the minister not, in the interim period represent the Executive Council and answer on behalf of his department of government because the members of this Assembly would not be able to take the information provided by that minister as reliable, Mr. Speaker. And to allow him to remain answering questions on behalf of his department or ministry, Mr. Speaker, in the interim would say that the outcome of the investigation meant nothing, Mr. Speaker, because it would be saying that the information that he provided was reliable, Mr. Speaker. And that's the very issue at question.

Now, Mr. Speaker, not since 1982, not since Colin Thatcher have the members of this Assembly faced this decision and faced dealing with this issue before us today.

The Speaker: — Being now 5 p.m., the Assembly will recess until 7 p.m.

[The Assembly recessed until 19:00.]

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President of the Executive Council

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Minister of Agriculture
Minister Responsible for Saskatchewan
Crop Insurance Corporation

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