



THIRD SESSION - TWENTY-SIXTH LEGISLATURE

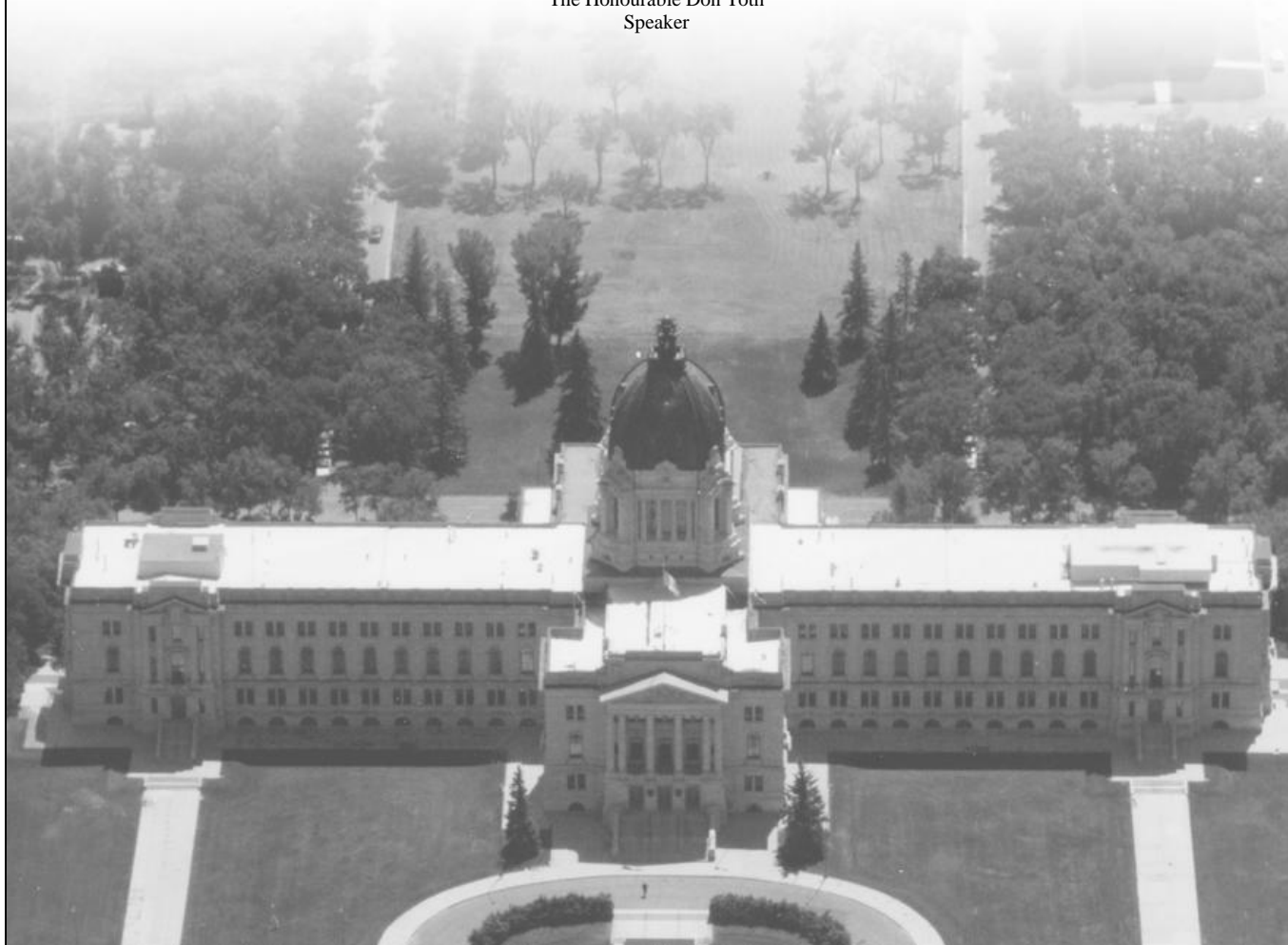
of the

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
Harrison, Hon. Jeremy	SP	Meadow Lake
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Hon. Nancy	SP	Martensville
Hickie, Darryl	SP	Prince Albert Carlton
Higgins, Deb	NDP	Moose Jaw Wakamow
Hutchinson, Hon. Bill	SP	Regina South
Huyghebaert, Hon. D.F. (Yogi)	SP	Wood River
Iwanchuk, Andy	NDP	Saskatoon Fairview
Junor, Judy	NDP	Saskatoon Eastview
Kirsch, Delbert	SP	Batoche
Krawetz, Hon. Ken	SP	Canora-Pelly
LeClerc, Serge	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 resumed at 19:00.]

EVENING SITTING

The Speaker: — It now being 7 p.m., the House will resume debate on the proposed motion by the member from Regina Dewdney.

**PRIVILEGE
(Continued)**

Mr. Yates: — Thank you very much, Mr. Speaker. I'm very pleased once again to rise and speak to the motion before the House. Mr. Speaker, over the supper hour I had the opportunity to review the stark similarities between the situation we face today and the situation faced by this Assembly in 1982.

Mr. Speaker, in 1982 this House last faced a motion of privilege and, Mr. Speaker, at the time we had a Premier by the name of Grant Devine, Mr. Speaker. And we had a situation where a member of his government was brought forward on a motion of privilege, Mr. Speaker, and the characteristics I would have to say, after reviewing the situation in some detail, Mr. Speaker, are in stark, really stark comparison to today, Mr. Speaker. They're virtually identical in the characteristics and mannerisms in which the government of the day and the government of today believe that they can in fact, Mr. Speaker, do whatever they want.

Mr. Speaker, I was somewhat surprised to see the similarities, Mr. Speaker, and that they are so, so much alike. Mr. Speaker, 1982, Colin Thatcher, the then member that was up on an issue of privilege, was supported by his leader. He was supported by his leader. He was supported by Grant Devine. And, Mr. Speaker, that government went on to be perhaps the worst in Saskatchewan's electoral history.

And, Mr. Speaker, there are those who say — and if you read some of the comments on those days, Mr. Speaker — that those early, early decisions to not reign in and not allow the arrogance and not to deal with the situation that that privilege motion presented, resulted in many of the problems that the government faced as time went on, Mr. Speaker. Because had the leader in 1982 taken the reigns and apologized and shown leadership, Mr. Speaker, that government would have perhaps not gone on to do many of the things they did because of a lack of leadership and a lack of direction from the Premier.

Mr. Speaker, I am at the moment having transcribed the comments from the Minister of Health and the Premier in their scrums before the motion was even in this Assembly, Mr. Speaker, before the motion was even in this Assembly. I am told . . . Pardon me. Just after it was in, Mr. Speaker, before it was even debated, before it was even debated, before the members of this Assembly had a chance to debate the issue whether or not this case of privilege should in fact be referred to the Standing Committee on Privileges, the Premier said his government would vote it down. All his members would vote down the issue of privilege, Mr. Speaker. Prior to this debate, prior to the conclusion of this debate, the Premier said that his government and every one of its members would vote against this privilege.

Mr. Speaker, a Premier who will not respect even the processes of this House, a Premier that does not respect the rights of members, does not respect this Chamber, does not respect its processes, Mr. Speaker, is not a leader. A Premier who will before the legal rights of the people of Saskatchewan are examined, a Premier that will determine, predetermine prior to process, Mr. Speaker, right or wrong, that he knows better than this Assembly. He knows better than the Speaker. He knows better than each of the members in this Assembly. He knows better than the member from Moose Jaw North. He knows better than the member from Carrot River Valley. He knows better than the member from Lloydminster. He knows better than the member from Last Mountain-Touchwood or any of the members in the back.

Before we have a right to use our parliamentary rights, our privileges that are afforded only to the members of this Assembly, before we have a chance to debate an issue which the Speaker has determined is a prima facie case, Mr. Speaker, the Premier determines that his members, to a person, are going to vote — before the debate on a motion before this House where this House has been misled or has been believed to be misled by a minister of the Crown, Mr. Speaker.

And they think it's funny, Mr. Speaker. Mr. Speaker, I have to say that this may well be the darkest day that I have seen in my elected life. Because, Mr. Speaker, when a Premier will say, before the debate is allowed to occur, what the outcome will be on an issue of privilege where they can bring false information before the House . . . And they can laugh about it. They can laugh. They can laugh about misleading the people of Saskatchewan, Mr. Speaker. That's a shame.

And, Mr. Speaker, if you have any respect for this institution, any respect for its processes, Mr. Speaker, the Premier at least would let the process go on and then he'd use his majority to abuse the minority. All right. That's fine. But at least he would allow the process to go on.

Mr. Speaker, Mr. Speaker, I want to talk about, I want to talk about, Mr. Speaker, and this is from . . . I am quoting from *The Law, Privileges, Proceedings and Usage of Parliament*, Mr. Speaker, the 19th Edition, Erskine and May.

Mr. Speaker, it talks about a "Conspiracy to Deceive Either House or Committees of Either House":

It has already been seen that the giving of false evidence, prevarication or . . . [suspension] of the truth by witnesses while under examination before either House or before [the] committees of either House is punished as a contempt;

Mr. Speaker, it goes on to say, "Misconduct of Members . . ." Mr. Speaker:

The Commons may treat the making of a deliberately misleading statement as a contempt.

Mr. Speaker, now, Mr. Speaker, we're dealing with an issue where the facts have been established at least to a level, Mr. Speaker, that this issue should be referred to the Committee of

Privileges for review. Mr. Speaker, it is a relatively simple matter. We have before us the statement made by the Minister of Health when he says the very regulation that he's speaking about on *The Health Information Protection Act*, that the Information and Privacy Commissioner has been consulted four times on that very regulation, and it is specific.

Mr. Speaker, we then have a letter written from that very same independent officer of the legislature saying, no he had not been consulted. And, Mr. Speaker, before we even have the opportunity as an Assembly — our rights as members of the Legislative Assembly on the issue of privilege, probably the most important issue a Legislative Assembly ever determines, Mr. Speaker, on the most important issue that a Legislative Assembly and the members of that Assembly ever determine, Mr. Speaker — the Premier goes to the media. The Premier goes to the media and says, all of his members will vote against the motion of privilege.

But even before he did that, Mr. Speaker, he stood in this House and he defended the minister today rather than showing leadership, rather than showing the leadership that should be seen by the Premier.

He could have made the minister apologize. He could have corrected the situation, and he didn't. Mr. Speaker, that, that is a choice that he made; not a choice that I would have liked to see him make. I would have liked to believe that the Premier of the province of Saskatchewan would have greater integrity, greater character, and be willing to do the right thing because, Mr. Speaker, we all received the same information from the Information and Privacy Commissioner.

We can all read. We can all determine for ourselves that what was said in this House and what the Information and Privacy Commissioner said were very different — very, very different, Mr. Speaker. And nobody, nobody could mistake that. In fact this House has been told an incorrect fact, not once, but several times, Mr. Speaker.

So, Mr. Speaker, we saw this same situation in 1982. We saw the Grant Devine government and one Colin Thatcher showing a similar level of arrogance, disrespect, contempt, disregard, and disrespect for this Assembly. And, Mr. Speaker, even more importantly, that disrespect and contempt goes beyond the doors of this Assembly to all the people of the province of Saskatchewan, Mr. Speaker. And when a government has no respect for the people of the province of Saskatchewan, Mr. Speaker, then, Mr. Speaker, it is very, very difficult to consider to see them as a government in the future.

Mr. Speaker, when members of this Assembly cannot rely on the answers from a minister of the Crown, Mr. Speaker, and that minister of the Crown is in one of the most powerful portfolios of a government, Mr. Speaker, that's a shame.

And, Mr. Speaker, as I had stated earlier, we are having the transcripts of the interviews with the Minister of Health and the Premier put together and I'll have them in a short period of time in the House, Mr. Speaker.

But, Mr. Speaker, I want to speak to the individual members of the government. Mr. Speaker, for the Premier to say, before the

motion is even spoken to, before the debate has been concluded and for that matter barely begun, Mr. Speaker, that each and every one of you will vote against a motion of privilege, perhaps the most serious vote you will ever have in your years as a member of the legislature and that you will all follow like puppets, Mr. Speaker, and do as you're told, Mr. Speaker, why, Mr. Speaker, should the people of Saskatchewan believe that you're governing in their best interest?

Mr. Speaker, because you have . . . We as members of the Assembly have a right to exercise judgment, a responsibility to exercise judgment and to act in the interest in the people of Saskatchewan. And yes, Mr. Speaker, to exercise good judgment. Judgment that is both respectful of the people of the province of Saskatchewan, that is respectful of the members of this Assembly, and that is respectful of your role as a member of the Assembly. And, Mr. Speaker, failure to exercise that good judgment, Mr. Speaker, means we're not doing our jobs, Mr. Speaker.

Now, Mr. Speaker, after a debate, after consideration, after having all the facts in front of you, if every member of the government voted in a similar manner then, Mr. Speaker, that is their right. Even if they're wrong, it is their right under our parliamentary system, Mr. Speaker, because the majority gets their way after the minority has their say.

But, Mr. Speaker, the Premier pre-empted the parliamentary system. He pre-empted the right of you to have your own say. When he goes out to the media before the debate and says, each and every one of you are going to vote against the motion before you even hear, Mr. Speaker, the debate.

Now, Mr. Speaker, there is a lot of, there's a lot of similarity to this in the 1982 situation, and we know what that government went on to do. They displayed a level of arrogance and incompetence, Mr. Speaker. And many say, many say when you talk of those days and reflect upon what happened, that very early in the Grant Devine government's first term of office they faced a similar situation on the issue of privilege. And they displayed an arrogance where the then Premier Grant Devine defended Colin Thatcher in the same manner that we see the Premier today defending Minister McMorris, defending the Minister of Health.

[19:15]

Mr. Speaker, those similarities leave concern. Mr. Speaker, those similarities should make members of this Assembly concerned. And, Mr. Speaker, I'm going to say that the Premier today went one step further when he showed a level of absolute arrogance and went out and said to the media he doesn't care. He doesn't care about the debate in this Assembly, that every one of you are going to vote it down, every one of the members of the government are going to vote against it.

Now, Mr. Speaker, if they had, if they had allowed the debate to go on without making those types of comments, and at the end of the night voted as I said a minute ago, the rights of the majority are such that they can vote down a minority, even it's wrong. Even it's wrong. Because, Mr. Speaker, there are many members on the government side that I know, know what was said was wrong, that the actions of the Minister of Health don't sit well with them. And that if they're in close ridings, Mr.

Speaker, and they're looking at their own electoral futures, Mr. Speaker, they wear something somebody else did.

But, Mr. Speaker, more importantly on principle, more importantly on principle, Mr. Speaker, the members opposite cannot feel good. The members opposite cannot feel good that they are going to vote against the motion of privilege before they even heard the debate. And, Mr. Speaker, for the Premier to go out in the public and say that every one of his members is going to vote against the motion of privilege when the Speaker has found a prima facie case, Mr. Speaker, before we even have the opportunity to debate it, Mr. Speaker, that's shameful.

Mr. Speaker, I know there are members on the government side know that's wrong. I know there are members on the government side that respect the process. I know that there are members on the government side that respect the role of an elected member of the Legislative Assembly, and I know that there are members on the government side that respect our parliamentary democracy, that respect this Chamber. They respect our rules, and they respect our processes, Mr. Speaker. I know there are members that do, and we know who they are.

And we urge those members not to vote like puppets the way the Premier said you are all going to vote before the debate even occurred, Mr. Speaker. In an arrogance that is seldom seen, in an arrogance seldom seen on an issue of privilege, Mr. Speaker, before the issue is debated in the House, Mr. Speaker, we have the Premier saying to the members of this Assembly that they're all going to vote against a motion of privilege.

Mr. Speaker, that in itself is a challenge to the very rules which we live by. It's a challenge to the very rules of this Assembly, Mr. Speaker, when the Premier, the head of a government, does not respect the rules of this Chamber. Did not consult with his own caucus. Not acting in the interest of the people of Saskatchewan. Does not respect this Chamber. Does not respect our parliamentary traditions. Does not respect our law, Mr. Speaker. He does not respect the law in this land and our country. Mr. Speaker, our parliamentary rights, our parliamentary law, Mr. Speaker.

And when a Premier, prior to the debate goes out and predetermines the outcome of a vote, Mr. Speaker, with no consultation, telling each of you which way you're going to vote, Mr. Speaker, telling each member of the government which way they're going to vote, that's unbelievable, Mr. Speaker. And it's shameful, it's absolutely shameful.

Mr. Speaker, in 1982 we saw a similar pattern. And what happened? We went on to see a government that could not manage its affairs. It was out of control. There was uncontrolled arrogance, Mr. Speaker, a government that acted without any sense of rules, Mr. Speaker. No restriction on what they would do, Mr. Speaker, didn't follow the rules of the Assembly, Mr. Speaker. And, Mr. Speaker, didn't even in the end pass a budget, Mr. Speaker.

Mr. Speaker, and today we have a very similar situation. In 1982 we had Grant Devine defending Colin Thatcher, even though he knew Colin Thatcher was wrong. And Colin Thatcher went on to create great difficulty for the people of this province, Mr. Speaker. And that government went on to be

perhaps the worst in our Canadian parliamentary history. Well it's definitely the worst in Saskatchewan history. And, Mr. Speaker, the similarities today are unbelievable.

We have a Premier today standing up and defending a minister when an independent officer is saying what he said was not true. We have the Premier standing up and defending him, Mr. Speaker. And that independent officer knows he puts his job on the line taking on a cabinet minister of a government, Mr. Speaker. Mr. Speaker, he felt strong enough that he's prepared to lose his job taking on the Minister of Health. Mr. Speaker, but the members on this side are going to be watching very carefully that Mr. Dickson's not, not in any way mistreated as a result of doing his job.

And, Mr. Speaker, today is a day that will go down in the history of this province, Mr. Speaker because before we had the right to have a debate, before we had the right to have a debate, the Premier said, what you think as individuals doesn't matter; that the issue of a prima facie case of privilege doesn't matter; that you as individual members don't have a right to have an opinion. You don't have a right to have a say.

And I know the member from Cypress Hills, that will bother him. I know it will bother the member from Last Mountain-Touchwood. I know it's going to bother the member from Carrot River Valley. I know it'll bother the member from Yorkton. I know it's even going to bother the member from Moose Jaw North. I know it's going to bother the member from Melfort, I know it will. I know that it will bother many members on the government side.

But, Mr. Speaker, there are others it won't bother. But the members of the government, Mr. Speaker, are not, are not, Mr. Speaker, being allowed the freedom, being allowed the freedom to vote the way they want. If the Premier says before they even hear the debate, before they even get to hear the debate that he will in fact, they will all in fact vote against, vote against the motion before the House, a motion that through due process of this Assembly has been determined to be a prima facie case of privilege.

Mr. Speaker, I'm going to spend some time talking about the attack on democracy and what it means to this Assembly, what it means to the future of the members of this Assembly. And I'm going to talk about it, Mr. Speaker, from the point of view of an attack on our democracy.

Mr. Speaker, when a case is being made for an issue of privilege, and we haven't had a case of privilege being debated in this House . . . We had a case just about eight months ago in October — pardon me, Mr. Speaker, not even eight months, six months ago — but the minister stood up and apologized. He did the right thing. He did the honourable thing. He stood up and apologized because he knew, he knew that, Mr. Speaker, it was the right thing to do. He knew he had misled the House, and he knew that he would be found in contempt of the House. And, Mr. Speaker, he did the right thing.

Today we are debating a prima facie case of privilege, Mr. Speaker, something we have not done since 1982, something the last time that we went to this extent was Colin Thatcher and, Mr. Speaker, in the government of Grant Devine. And, Mr.

Speaker, that's not a comparison I'd want to be made about me. I would not want that comparison to be made about me, comparing me to Colin Thatcher, comparing me to the Devine government. I certainly would not want that on my parliamentary record, Mr. Speaker.

Mr. Speaker, I'm going to spend time because I think it's important of the people in the province of Saskatchewan to understand what we're dealing with. It has been 28 years since members of this Assembly entered into such a solemn debate. And it is a solemn debate, Mr. Speaker.

I think it's important on this occasion to look back to the 1982 case because it's very similar to the case before the Assembly today. And in order for members of this Assembly to understand the gravity of this case and to understand the need to refer this case to the Committee on Privileges, members must understand past cases, particularly past cases that this Assembly has dealt with, and understand the history of this Assembly and understand the reasons why this is so important to this Assembly to maintain its credibility, and its credibility not just amongst its members, Mr. Speaker, but amongst the people of the province of Saskatchewan and the people of Canada as well, Mr. Speaker. Because if we think that we can act and not follow the rules and have no respect for our Assembly and for the rules of this Assembly and our parliamentary process, and nobody is going to follow it and nobody is going to understand, we are fooling ourselves, Mr. Speaker.

In October, in October the case, Mr. Speaker, was written up in *The Parliamentarian*. And the parliamentarians across this country and across the Commonwealth read about it. They read about the situation of the member from Wood River, the Minister of Corrections, Public Safety and Policing and the issue that this Assembly dealt with.

And now, Mr. Speaker, in just a few short months we have another identical situation before the Assembly, Mr. Speaker. It is a pattern of behaviour and a pattern, Mr. Speaker, that the people of Canada and the people of Saskatchewan have a right to know about and should know about, Mr. Speaker.

Now, Mr. Speaker, on July 8th, 1982, Mr. Hammersmith, the MLA [Member of the Legislative Assembly] for Prince Albert-Duck Lake rose in this Assembly and asked the following question during question period:

Question to the Minister of Mineral Resources. In the June 21, 1982 edition of the *Toronto Globe and Mail* the Minister of Mineral Resources, in responding to an allegation that he personally fired an employee, or employees, of the Department of Mineral Resources said, and I quote:

That's not true. I have not dismissed anyone personally.

My question to the minister is as to the accuracy of the quotation, and whether it is true that the minister has not personally fired or dismissed any employee or employees from the Department of Mineral Resources.

That's what Mr. Hammersmith, the MLA for Prince Albert-Duck Lake, asked Colin Thatcher, the minister of

Mineral Resources. And I'll continue to quote briefly from *Hansard* because I think it's very important for members of this Assembly to see the parallels between the 1982 case and the case which is before us this evening. In response, to Jerry Hammersmith's question, Colin Thatcher stood and said:

Mr. Speaker, I have to confess to becoming so bored with this question period, I wasn't even listening. Could I ask the member to repeat his question?

Now, Mr. Speaker, that showed a level of arrogance . . . And I see the members of the government laughing, Mr. Speaker. They can think it's funny. The Highways minister can think it's funny but, Mr. Speaker, that is just saying that he thinks what Colin Thatcher did was appropriate. So the Minister of Highways in the government today thinks what Colin Thatcher did was appropriate and funny, Mr. Speaker, and funny.

The *Hansard* account continues, Mr. Speaker, and I quote:

MR. HAMMERSMITH: —: My question to the bored minister is, and I repeat: has the minister personally fired or dismissed any employee or employees from the Department of Mineral Resources?

HON. MR. THATCHER: — No.

MR. HAMMERSMITH: — I just want to get this clear for the record, Mr. Speaker. Is the minister stating unequivocally that he has not personally, in writing, verbally, from the radio in his tractor, or by any means whatsoever, personally fired any employee or employees from the Department of Mineral Resources? Unequivocal.

And, Mr. Speaker, here's what Colin Thatcher said in response to that very specific question, and I quote:

Mr. Speaker, perhaps the member has some difficulty with the English language. I believe I answered his initial question which was the identical question to his supplementary. I used a basic English word, known as no. I will repeat it. Perhaps if he requires the same answer in French, I could ask my colleague to respond to it.

Mr. Speaker, that was an extremely arrogant, extremely arrogant answer and an extremely arrogant response. Mr. Speaker, that is very similar to the situation we are facing today. Mr. Speaker, we have a minister who repeatedly answered a question that he knew, he knew was not right, that the answer was not right, Mr. Speaker.

And, Mr. Speaker, even after the Information and Privacy Commissioner, at potential personal risk for his own, his own future, wrote to every single member of this Assembly, every single member of this Assembly saying unequivocally, he had never, never been consulted on that regulation, Mr. Speaker, on the HIPA [*The Health Information Protection Act*] regulation, that the minister stood in this House and said he had been consulted on four times.

[19:30]

The Information and Privacy Commissioner made it very clear

he had never been consulted. Mr. Speaker, that is what happened in this Chamber on July 8th, 1982. Three times, Jerry Hammersmith, the NDP [New Democratic Party] member from Prince Albert-Duck Lake, asked Mr. Thatcher, Grant Devine's minister of Mineral Resources, a very direct and clear question.

Once Mr. Thatcher didn't hear the question because he was bored, but the other two times he answered with an empathetic denial. The following day, on July 9th, 1982, Jerry Hammersmith stood in this Chamber to raise a point of privilege. Mr. Speaker, I think it will be helpful to the members of this Assembly to hear just a brief portion of Mr. Hammersmith's remarks that day.

Again, Mr. Speaker, the comparisons to the case in 1982 and the case before this Assembly today is remarkably the same. The attitudes of the government are remarkably the same, Mr. Speaker, and the attitudes of the two ministers are remarkably the same.

The one thing that is different, Mr. Speaker, one thing that is different — although both Premiers defended their ministers — is in this case today the Premier went out into the rotunda and told the media, before the debate even occurred, that each and every one of his members would vote against the motion. Mr. Speaker, that shows a level of disrespect for this Chamber, for our rules, for his own members, for this Assembly, and most importantly for the people of Saskatchewan.

Mr. Speaker, so the Premier today went one step further than Grant Devine in 1982. Grant Devine in 1982 didn't go out to the rotunda and tell everybody that his members would vote against a motion of privilege, the most important motion that members of an Assembly will ever deal with, before the debate even occurred. Mr. Speaker, even Grant Devine and the Conservative government of 1982 didn't have that level of arrogance, Mr. Speaker. And the Premier, the Premier of today does. Mr. Speaker, that shows very little, very little leadership, no respect for this Assembly, very poor judgment, Mr. Speaker, extremely poor judgment.

And, Mr. Speaker, I'm surprised that his members are not outraged. I'd be outraged if my leader told me before a debate even occurred what my position had to be, and if he went and told the media what my position was before I even had a chance to hear it. And, Mr. Speaker, Mr. Speaker, the Premier today did that to his members, Mr. Speaker. The Premier today disrespected this Assembly and disrespected his members by going to the media and telling the media what his members would vote, that his members would vote against a motion of privilege before the debate occurred and before he talked to his members and before, Mr. Speaker, and before all the evidence was debated.

Mr. Speaker, on July the 9th, 1982, Jerry Hammersmith stood in this Chamber to raise a point of privilege. As I said, I think it would be very helpful to the members of the Assembly to hear a brief portion of Mr. Hammersmith's remarks. Again, the 1982 case was the last time this House was faced with a prima facie case of privilege and it is important . . . It's the last time that there was a debate, Mr. Speaker.

I want to point out that in this government's short history, there

have been two cases of prima facie, Mr. Speaker, and in one the minister did the right thing and he apologized. But, Mr. Speaker, this afternoon there were many opportunities for the minister to do just that and he didn't do it, or yesterday, Mr. Speaker, or in many, many days as this issue's been before the House.

Again, the 1982 case was the last time the House was faced with a prima facie case of privilege, and it is important for members to understand the similarities between the case and the case that is before us this evening. So here is a brief quote from Jerry Hammersmith's remarks on July 9th, 1982, and I quote:

Mr. Speaker, I fully realize the seriousness of the charge that I bring before this House this morning. That is made clear for all parliamentarians in Erskine May, 19th Edition, page 142, under the heading "Misconduct of Members or Officers of Either House." That section in Erskine May [which I read earlier, Mr. Speaker] is under the heading I have stated, subheading "Deliberately Misleading the House."

The House may treat the making of a deliberately misleading statement as a contempt.

In 1963 the House resolved that in making a personal statement which contained words which he later admitted not to be true, a former Member had been guilty of a grave contempt.

That's from Profumo's case, 1962-63. Members who are familiar with the history of that case will recall that it was not the particular personal involvements that Mr. Profumo had been involved in that resulted in the necessity of him resigning. It was rather that he had misled the House with regard to his involvements.

So I understand the seriousness of the charge, Mr. Speaker, but I feel that I must make it.

Mr. Speaker, it's amazing that members opposite take an issue as important as contempt of the Assembly, a motion of privilege, and laugh about it, Mr. Speaker, laugh about it. Mr. Speaker, I wish the members opposite will at least show respect to the House this evening, Mr. Speaker, in the seriousness of the issue before us.

Mr. Hammersmith went on to quote Mr. James McGrath, the Progressive Conservative Member of Parliament for St. John's East, who said in the House of Commons, May 20th, 1982, the following quote:

If I cannot be satisfied that I can rely on receiving honest and factual answers to the questions that I raise in this House, then I cannot function as a member of this House and I cannot effectively serve my county, my province, or my constituency. It is as simple as that.

Mr. Speaker, I'd like to repeat that, Mr. Speaker, because this is the exact situation this Assembly faces today — the very, very same situation. And as I said earlier, the similarities to the case in 1982 and Colin Thatcher and Grant Devine, and the Minister of Health and the current Premier is actually astounding. It is so

similar, Mr. Speaker, that it's just about unnerving.

But I want to repeat that Mr. McGrath, Progressive Conservative Member of Parliament for St. John's East, who said in the House of Commons on May 20, 1982, the following quote:

If I cannot be satisfied that I can rely on receiving honest and factual answers to the questions that I raise in this House, then I cannot function as a member of this House and I cannot effectively serve my country, my province, or my constituency. It is as simple as that.

Mr. Speaker, that is the exact same case I made earlier this day, that I made to members of this Assembly. But before you even heard the debate, your leader, the current Premier of the province of Saskatchewan, went out into the rotunda and told the media and the people of Saskatchewan that each and every one of you would vote against this motion.

The Acting Speaker (Mr. Elhard): — Order. When the member is speaking, I would appreciate if he would address his comments to the Chair and through the Chair. Thank you.

Mr. Yates: — Thank you very much, Mr. Speaker. Mr. Speaker, through you to all the members, this quote is exactly, exactly the same point I made this afternoon, that if we cannot rely on the information provided to us by ministers of the Crown, Mr. Speaker, then we cannot do our jobs.

But more importantly, Mr. Speaker, if they don't respect this institution, they don't respect our rules, if you don't respect this Chamber, if you don't respect our parliamentary democracy, at least respect the people of Saskatchewan. Because, Mr. Speaker, people make decisions. They make choices. They act upon the information provided to them by ministers of the Crown.

And families make decisions that affect their children, their grandchildren, their businesses, their farms, and their futures based on information provided to them by ministers of the Crown. Mr. Speaker, and if you can't rely on that information, Mr. Speaker, how can the people of this province know what options they have before them, know what choices they have to make for their families, know how they can advance the well-being of their children and grandchildren?

So it goes far beyond us being able to do our jobs in this Assembly. It goes to the very essence of our province. This province was built through co-operation, understanding, working together, relying on one another. And if you can't rely on the information provided by ministers of the Crown and this Assembly, Mr. Speaker, in question period, Mr. Speaker, then the people of Saskatchewan have been let down.

Even if you care nothing for our parliamentary rules, the Chamber in which we stand, your responsibilities of a member of the legislature, Mr. Speaker, if the members don't care about that, at least care about the people of the province of Saskatchewan because each and every one of us is elected, is elected to represent the people of the province of Saskatchewan, Mr. Speaker.

And we have a responsibility, a responsibility to act in the interest of the people of the province of Saskatchewan. And in acting, Mr. Speaker, in acting . . . And our answers to the people of the province is part of our acting, Mr. Speaker, and part of our actions on their behalf. They cannot rely on that, Mr. Speaker. And they cannot rely on their government. They cannot believe in their government and, Mr. Speaker, that's a shame. That is a real shame.

And, Mr. Speaker, to have a Premier that takes it one step further than Grant Devine did in 1982, that went out into the rotunda and told the people of the province of Saskatchewan through the news media that all of his members would vote against this motion, they would vote it down — before the debate — is in itself a contempt for this Assembly and a contempt for the members of this Assembly, Mr. Speaker, and should not have been done.

Mr. Speaker, when a Premier goes and tells the media that they're going to vote down a motion of privilege before the debate, that shows a level of contempt for this Assembly, for its rules, and for the people of the province of Saskatchewan like we've never seen before. And, Mr. Speaker, that isn't leadership, Mr. Speaker, that is not leadership. And, Mr. Speaker, the people of the province of Saskatchewan didn't elect the Premier as a dictator. They elected him to lead.

Mr. Speaker, a leader, a leader is not going to show the type and level of contempt for this Assembly to go out into the rotunda and before the debate on a serious matter of privilege say that they will vote it down without even allowing the debate to occur. Because the debate doesn't matter the minute the Premier says it's over. He's voting against it. The debate does not matter.

Now, Mr. Speaker, I'm going to just move on on this particular case because I think it's very important and very relevant. I'd like to remind those listening that the reason I am speaking about the case from 1982 is because it was the last time the Speaker found a prima facie case of privilege, or breach of privilege, pardon me. And that was the last time members of this Assembly were faced with such a debate.

It is important for us to consider past precedent when examining the facts of the case that is before us this evening. So the NDP member from Prince Albert-Duck Lake made his case that Colin Thatcher, Grant Devine's minister of Mineral Resources had misled the House, Mr. Speaker — Grant Devine and Colin Thatcher. Colin Thatcher had misled the House and the Premier had gone along with it, Mr. Speaker.

[19:45]

Similar to what we saw today. Minister of Health misleads the House, the arrogant minister, and we have the Premier defending him. But then he takes it one step further and goes out into the rotunda and says the debate doesn't matter here. Your opinions don't matter. Our opinions don't matter. The Speaker's opinion doesn't matter. The people of Saskatchewan's opinion doesn't matter. He's going to do what he wants. And his members are going to follow and do exactly as he tells them to and vote against this motion even before debate has had an opportunity to be held.

Mr. Speaker, so the NDP Member from Duck Lake made his case that Colin Thatcher, Grant Devine's minister of Mineral Resources, had misled the House. And what happened then, Mr. Speaker? Eric Berntson, Eric Berntson, Grant Devine's deputy, stood up and said the following quote:

Just a couple of words on the point raised by the hon. member. I, of course, can't speak for the Minister of Mineral Resources and since he is not here he is unable to speak for himself. I would ask, Mr. Speaker, that before you make the determination as to whether this is in fact a prima facie case of privilege you wait for the Minister of Mineral Resources to have the opportunity to present his case . . .

The next sitting day, Mr. Speaker, was July 12, 1982. On that day, Colin Thatcher rose in this Assembly to reply to the point of privilege. And since I believe it is important for members to know the similarities between the Minister of Health's actions today and those of Colin Thatcher, I will quote briefly from Colin Thatcher's response to the point of order. Thatcher said, and I quote: "There is no question Mr. Speaker, I state categorically again, I have not personally fired any employees."

Thatcher went on to say, and I quote:

Mr. Speaker, I wish to go a little bit further. I suggest that the manner in which this was dealt with on Friday was reprehensible. And, Mr. Speaker, I would like to personally express my contempt and scorn for the former minister, the member for Prince Albert-Duck Lake, for the manner in which he has approached the matter without notice — particularly during my absence in this House — to get a cheap headline on the weekend. Mr. Speaker, I suggest that tactics like this, tactics which I think are reprehensible and disgusting, are indicative of why that pathetic little crew occupies the turf that they do in this Assembly today.

That's how Colin Thatcher talked about the opposition of the day, Mr. Speaker, with an arrogance and contempt that we have not seen in a very long time — an arrogance and contempt, Mr. Speaker, that we have not seen for 28 years.

Mr. Speaker, but today I saw an arrogance and contempt that I think is even greater because, Mr. Speaker, when a Premier will circumvent the fundamental privileges of members of this House by going out into the rotunda and will say that his members will vote down a motion of privilege before the debate even occurs, Mr. Speaker, that is contempt of the members of this Assembly, of this House, and of our privileges at a level that exceeds those of 1982.

Mr. Speaker, that is what Colin Thatcher, Grant Devine's minister of Mineral Resources had to say in response to the very serious points of privilege raised by NDP MLA Jerry Hammersmith. Instead of recognizing that he had misled the House, Thatcher simply spouted partisan rhetoric and expressed scorn and contempt for the opposition member who was trying to uphold the standards of parliamentary privilege.

Mr. Speaker, today when I rose on the motion of privilege, Mr. Speaker, and rose to speak on the motion of privilege and the

Premier went into the rotunda and said it didn't matter what our case was, it didn't matter what the Minister of Health did, that all his members were going to vote against a motion of privilege even before the debate, I now have seen a case of arrogance that exceeded that of Colin Thatcher. Mr. Speaker, it's shameful. And, Mr. Speaker, it does not serve this Assembly well. It does not serve the people of the province of Saskatchewan well, and it does little to build confidence, in the people of the province of Saskatchewan, in our government, our institutions, or in its elected members.

Mr. Speaker, again I want to emphasize that it is important for members of this Assembly to understand the parallels between the current actions of the Minister of Health and the Premier and the actions of Colin Thatcher and Grant Devine in 1982. Because, Mr. Speaker, it's history repeating itself. Mr. Speaker, in response to Colin Thatcher's statement, Allan Blakeney, the leader of the opposition, said this, and I'll quote just briefly, Mr. Speaker. And I quote:

We in this House must be able to rely upon statements by ministers, not by taking them out and analysing them to see whether some different construction might be put upon them, but rather we (and the public, by the way) must be able to rely upon statements as being fair and giving to the listener the facts.

Mr. Speaker. Now those are different words that I use this afternoon, Mr. Speaker, but what I said meant exactly the same thing. Mr. Speaker, if members of this Assembly cannot rely upon the information provided to us by ministers of the Crown, Mr. Speaker, that is a very, very serious situation.

And, Mr. Speaker, as I indicated earlier, people make decisions about their lives and about their families and about their children and grandchildren based on the information provided to them by ministers of the Crown. They make investments in their companies. They make choices in what they're going to plant, Mr. Speaker. Producers and farmers make choices based on information provided. Health care workers make decisions based on what information is provided. Chiropractors, teachers, the people of the province of Saskatchewan have to be able to rely on the information provided to them by their elected representatives, by the ministers of the Crown.

Mr. Speaker, and in this province the Minister of Health holds the most important portfolio in the minds of people in this province. Health is the number one concern of the people of the province of Saskatchewan. Mr. Speaker, medicare, medicare — this is the birthplace of medicare. Mr. Speaker, people care dearly, dearly for their health system in the province of Saskatchewan. And, Mr. Speaker, they have to be able to rely on their Minister of Health and the information the Minister of Health provides them, Mr. Speaker, as being factual because they make decisions based on that information.

Now, Mr. Speaker, in response to Colin Thatcher's statement as I said earlier, the then leader of the opposition, Allan Blakeney, went on to say that they had to rely on that information. "The public and bankers and businessmen must be able to rely upon statements made by ministers all of the time."

So when I was talking earlier today about farmers and business

people and parents making decisions on behalf of their children, in 1982 a man who I will give credit for having a great deal more wisdom than myself — in fact more wisdom than many, many if not all of the current members of the Assembly — a man that I think held the respect of the people of Saskatchewan and a man who earned it . . . It's kind of amazing in some ways that he and I in two different decades never having served together, 28 years apart, have the exact same feelings about the responsibilities of a government and about the need for the people of Saskatchewan to be able to rely upon the ministers, the word of the ministers of the Crown in answers, Mr. Speaker.

And, Mr. Speaker, so that tells me a number of things, Mr. Speaker, that the words of a minister to the people of the province of Saskatchewan through this House are very important to people, Mr. Speaker. In 1982 a colleague who I am going to say I respect a great deal went on to be the premier of Saskatchewan or had been the premier of Saskatchewan, pardon me, for many years, a person I hold in great respect, came to the same conclusions. And, Mr. Speaker, that tells you that this issue and the concern of people is the same today as it was in 1982. "The question period is a very serious part of the way we govern ourselves."

In response to all that was said — he had heard just a snippet of what I have shared in this debate — the Speaker ruled on July 13th, 1982. As part of his ruling, the Speaker stated the following, and I quote:

I have reviewed the remarks of all members on this point of privilege. There seems to be two main issues involved in this case: (1) was it misleading for the Minister of Mineral Resources to say that he did not personally fire any employee, and (2) was there a deliberate intent to mislead the House?

The minister in his remarks explained the circumstances regarding the dismissal and claimed that he did not personally fire the employee, thus implying there was no misleading of the House. Although there were other circumstances involved, the fact remains that it was the letter signed by the minister which effectively accomplished the dismissal, I did not find anything in the comments of any member to dispute this conclusion.

In this light I find that the original answers of the minister in question period on July 8 were misleading.

The second question is the more important one in determining whether a breach of privilege has been committed, and that is: was there a deliberate intent to mislead the House? The Minister of Mineral Resources did not deal with this question in his explanation yesterday. I want the House to understand very clearly that it is not the role of the Chair to decide whether or not there was a deliberate intent to mislead; that is for the House to decide. It is my role to decide whether privilege is sufficiently involved to warrant the House examining this question now, before any other business is taken up.

Mr. Speaker, we're in that exact same position today in that debate.

Based on the information I have in front of me, I rule that a prima facie case of privilege has been established, which justifies giving this matter precedence over the orders of the day.

That, Mr. Speaker, prior to today was the last time a Speaker found a prima facie case of privilege in this Chamber. That's why I think it is incredibly important for members to look back at the case and to understand the parallels between the actions of Colin Thatcher and the actions of the current Minister of Health.

Mr. Speaker, we have before us a case today when the minister has said clearly that he had consulted with the Information and Privacy Commissioner on four occasions on that very specific regulation. This very regulation, Mr. Speaker. We then had the Information and Privacy Commissioner, in a letter to all members of the Assembly . . . And that occurred, Mr. Speaker, on April the 12th, when the Minister of Health told us in no uncertain terms that he had consulted four times in that very regulation, on that very regulation. He used the word, "very regulation".

And then, Mr. Speaker, we have a letter from the Information and Privacy Commissioner saying that he had never seen the regulation, never seen the regulation until he had requested it on April the 13th, the day after he'd heard it, he'd heard it in the Assembly, Mr. Speaker. So, Mr. Speaker, I once again think it's very, very important to read the letter. Mr. Speaker, I'm going to go to . . .

The Speaker: — I hear the member from Regina Dewdney talking about reading the letter once again which is true would be, I don't know how many times already. And I've just picked up the newest rules, *House of Commons Procedure and Practice* and there's some certain guidelines in regards to repetition and relevance and the fact that the Speaker does have the authority to move to another member. So I would ask the member to address the question before the Assembly of the motion presented and to move to other arguments, not the same argument over and over and over again.

Mr. Yates: — Thank you, Mr. Speaker. The case resulted in Colin Thatcher offering an apology to the House. He apologized. But then, according to a report in the *Canadian Parliamentary Review*, Colin Thatcher went out to their media and said he only apologized because he said he was forced to and he questioned Speaker Swan's ruling on the matter.

[20:00]

So Colin Thatcher apologized one moment and left this Chamber and made a mockery of the Speaker the next. So on July 14th, Jerry Hammersmith stood during oral questions and asked Premier Grant Devine about Colin Thatcher's statements outside of the House. At that time Grant Devine requested leave for his minister to make a statement and Colin Thatcher stated, and I quote from the *Canadian Parliamentary Review*:

Mr. Speaker, last evening in the corridor I made an off the cuff remark that was stupid, inappropriate and inexcusable . . . Mr. Speaker, it is my sincere wish that you accept my apologies with my additional assurances that such will

never be repeated.

Mr. Speaker, we are dealing today with an issue that the similarities are unbelievable, Mr. Speaker.

But the one difference that is of great significance in this particular case, it wasn't the Minister of Health that went out and made the statement that should not have been made, in the case before us today was made by the Premier of the province of Saskatchewan. And when the Premier goes out into the rotunda, when a motion of privilege is before the House and before the debate has occurred, after the Speaker has found a prima facie case of privilege, Mr. Speaker, after you have found a prima facie case of privilege, Mr. Speaker, the Premier goes out into the rotunda and says all his members are going to vote against the motion of privilege, even before the debate is allowed to occur — now, Mr. Speaker, that is the difference between the case of 1982 and the case of today.

In 1982 it was Colin Thatcher who went out into the rotunda and made the remark that never should have been made. And in the year 2010, it was the Premier of the Government of Saskatchewan that went out and made a remark to the media that never should have been made, that shows total contempt and disrespect for this Assembly, its members, and the people of the province of Saskatchewan, Mr. Speaker.

I think members should think about that because, Mr. Speaker, if the pattern holds true, tomorrow the Premier should stand in this House and apologize to this Assembly and to its members and to the people of the province of Saskatchewan. Because in 1982 Colin Thatcher, by his own admission, did the stupid thing; but today it wasn't the Minister of Health, it was the Premier.

Mr. Speaker, I want to talk further about the attack on democracy and how through attacking the democracy in the province of Saskatchewan, how by not respecting the rules and privileges of members of the Assembly, Mr. Speaker, that the government lets the people of the province of Saskatchewan down. We have seen time and time again how the government does not respect the democratic institution or independent officers of this Assembly.

Mr. Speaker, today we had a prima facie case found because an independent officer had the courage to stand up for his convictions, to do what he saw was right, Mr. Speaker, to do what he thought was right and to do his job as the people of the province of Saskatchewan hired him to do.

And, Mr. Speaker, that's no easy task when you have a government who won't hire the Chief Electoral Officer selected by an independent panel because they don't like him. They couldn't provide any real explanation after a panel — which included their own member, the Minister of Justice, an independent person that they picked, the Speaker of this Assembly — the Speaker recommends the appointment of the Acting Chief Electoral Officer to the position of Chief Electoral Officer in the province of Saskatchewan, and the Premier decides he won't do it, Mr. Speaker.

So any independent officer that stands up to this government does so, does so at a risk to their own future, Mr. Speaker. So,

Mr. Speaker, Mr. Speaker, there is a pattern and there is concern, Mr. Speaker.

Mr. Speaker, I used the example of the appointment, their refusal to appoint the recommended candidate for the Chief Electoral Officer's position, Mr. Speaker. The people of the province of Saskatchewan should be concerned. They should be very concerned when a government, after a several month process — a several month process, Mr. Speaker — they don't appoint the recommended candidate, Mr. Speaker.

Mr. Speaker, today we're talking about a case of privilege, which is part of our democratic process. It's a part of holding a government accountable for their actions, Mr. Speaker. It is about defending our parliamentary democracy, Mr. Speaker.

And independent officers are part of our parliamentary democracy, Mr. Speaker, because they are hired as the watchdogs, Mr. Speaker. And I don't mean that in a derogatory term, Mr. Speaker. They are very, very credible individuals hired to ensure that this Assembly operates credibly, Mr. Speaker.

Mr. Speaker, the assault on democracy continued today in the rotunda made it very clear as to why . . . Why would anybody using good judgment go out in the rotunda prior to debate and say, we're just going to vote it down. I'll tell you, nobody using good judgment would do that, Mr. Speaker. What we saw was evidence of what would be very poor judgment.

Mr. Speaker, when a government decides how they're going to vote on an issue of privilege about the very fundamental rights of our democratic process in this Assembly, before even hearing the debate, well that in itself is a problem. Because, Mr. Speaker, that means it doesn't matter if it's right or wrong. They don't believe in right or wrong. They don't believe in the rule of law, Mr. Speaker; because that's what the rule of law is about — right and wrong. Mr. Speaker, it means they believe they're going to do what they want anyway.

But, Mr. Speaker, what's even worse than that — to agree you're going to do it and keep it to yourself is one thing — but to go and announce to the people of the province, to the media, you're going to do it, that's even worse. And, Mr. Speaker, we have a legitimate problem.

Mr. Speaker, I'm going to spend some time talking now about other cases that have an impact, a potential impact on the decision about this case before us today. And, Mr. Speaker, it is very important to understand the other relevant cases on privilege across the country, Mr. Speaker, and some of the determinations that have or some of the outcomes as a result of those cases.

Mr. Speaker, it is extremely rare for a speaker to find a prima facie case of privilege, as you know, in which a member misled the House. It's rare. Any of us can go through the *Canadian Parliamentary Review* and find many examples of questions of privilege that have been raised in the legislatures across Canada and in our federal parliament. But in those cases, Mr. Speaker, it has not often found a prima facie case of privilege. That is why, Mr. Speaker, the case that is before us today is incredibly serious. It is incredibly serious, Mr. Speaker. These proceedings

are not to be taken lightly.

A prima facie case of privilege involving members misleading the House are so rare that we should, in fact, deal with this with the respect, consideration, and detail that is warranted. It is important for members of this Assembly to understand the gravity of the situation that is before us today. And hearing a few details from other cases where prima facie cases of privilege were found related to misleading members of the House, I think, is important.

One such example from the *Canadian Parliamentary Review* is from Prince Edward Island in 2001. And I quote from the *Canadian Parliamentary Review*:

On November 23, 2001, [Mr. Speaker], the Minister of Development and Technology, Michael Currie, raised a question of privilege for the Speaker to consider [Mr. Speaker]. At issue were remarks made by the Leader of the Opposition, Ron MacKinley, during Oral Question Period in which he alleged that the Minister engaged in an illegal activity, specifically listening to wiretapped conversations of private individuals. The Leader of the Opposition withdrew his use of the word “wire tap” and replaced it with “taped” but declined to apologize. Later in the sitting day, [Mr. Speaker] Premier Pat Binns, rose and requested that the Leader of the Opposition apologize for his remarks. Again, the Leader of the Opposition declined to do so.

In her ruling, Speaker Mildred Dover found that a prima facie case of privilege had been made. The statements by the Leader of the Opposition were serious and misleading. Further, such allegations have the potential of significantly damaging the reputation of any Member.

Mr. Speaker, I want to repeat that. In the rule it says:

Further, such allegations have the potential of significantly damaging the reputation of any member. The Leader of the Opposition offered a verbal apology to the Minister of Development and Technology. Government House Leader, Elmer MacFadyen, advised that a letter of apology to the Minister accompanied by a letter of apology to the House, and tabled in the House, would be acceptable to the Government. He then moved, seconded by Beth MacKenzie [the member for] (Park Corner-Oyster Bed) a motion to that effect. The Leader of the Opposition tabled two copies of his letter of apology on December 5, 2001. It proved to be unacceptable to the House. Following a brief recess to allow Government Members to consult, a motion to suspend the Leader of the Opposition for the remainder of the sitting day was passed.

So, Mr. Speaker, we see that in Prince Edward Island when a member misleads the House it is taken seriously. It is acted upon, and it is dealt with. And the integrity of our parliamentary system, the rules of our Assembly, and our democracy are defended and protected by the members of the Prince Edward Island Legislative Assembly.

Another example is from February 1st, 2002, in the federal parliaments of Canada, our federal parliament, Mr. Speaker, our

federal House. Here is the summary of that situation from the Speaker of the House of Commons website:

On January 31, 2002 Brian Pallister, (Portage-Lisgar, Canadian Alliance) rose on a question of privilege and accused Art Eggleton (then Minister of National Defence) to be in contempt of the House.

And, Mr. Speaker, I believe I've spoke to this case earlier today, Mr. Speaker, but I have much greater detail today than I did then. I simply spoke of the case in a very general term. But, Mr. Speaker, I now have detail of what occurred in that case. And I think it's important for members to understand, rather than just talk about that that case occurred, what actually did occur:

Mr. Pallister stated that the Minister of National Defence should 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 in taking prisoners in Afghanistan.

And, Mr. Speaker, that point I made this afternoon, that far I hadn't information this afternoon. But my research over the supper hour, Mr. Speaker, divulged a great deal more information. I think it's important for the House to know:

Mr. Pallister added that after Question Period, outside the Chamber, the Minister had admitted to the media that he had indeed misled the House, but had not apologized in the House. After interventions by other Members, including the then Minister of National Defence, the Speaker said that he would take the matter under advisement and come back to the House in due course.

On February 1, 2002, the Speaker delivered his ruling. He stated that while he was prepared to accept the Minister's assertion that he had no intention to mislead the House, the contradictory statements made by the Minister in the House merited further consideration by an appropriate committee in order to clarify the matter.

Accordingly, at the conclusion of his ruling, the Speaker invited Mr. Pallister to move his motion to refer the matter to the Standing Committee on Procedure and House Affairs for investigation. The motion was agreed to by the House and accordingly ... was taken up by the Committee.

So Mr. Speaker, in the Parliament of Canada, in the Parliament of Canada the government did not use its majority to stop an investigation to get to the bottom of the facts. The Parliament of Canada allowed the investigation to go on, Mr. Speaker, and I think that's absolutely, absolutely important for members to understand. Unlike here when the Premier goes out in the rotunda and says before the debate even occurs that his members will vote it down in a display of arrogance not seen in this country, Mr. Speaker, the Parliament of Canada — the government, the government, Mr. Speaker — agreed to allow it to be investigated.

[20:15]

So we see, Mr. Speaker, the members of parliament take it seriously when there is evidence that a member has misled the House. Mr. Speaker, we have the examples across Canada which are very few — very, very few — when a prima facie case is brought before the Legislative Assembly or the House of Commons in a jurisdiction. And, Mr. Speaker, they're so rare and they're so few, but in those cases, Mr. Speaker, that have been there — where a prima facie case is there — the legislature of Prince Edward Island and the House of Commons, Mr. Speaker, both allowed the investigation to go on.

And we heard a few minutes ago that the members of the Legislative Assembly of Prince Edward Island take it seriously when there is evidence a member has misled the House. As rare as it is for a Speaker to find a prima facie case, Mr. Speaker — and it is rare, Mr. Speaker — but in Prince Edward Island and the House of Commons, both times the government allowed the investigation to go on, Mr. Speaker.

But not here, not here. The Premier says — even before we have the right to debate — with no respect at all for this Assembly that no, he will not let it be referred to the Committee on Privileges for investigation.

Mr. Speaker, I just pointed out two cases where a member misleading the House was taken seriously in other jurisdictions in this country. It was not treated flippantly in the way the Premier treated this case today. Members in Prince Edward Island took it seriously when a member was accused of misleading this House. And members of our federal parliament also took it seriously when a member was accused of misleading the House.

Mr. Speaker, I must quote from James McGrath, the Progressive Conservative Member of Parliament for St. John's East, who said, and I quote. Mr. Speaker, I've used this quote once, but I think it's very important to once again, because it's so profound and fundamental to the very issue before us. Because, Mr. Speaker, if I cannot be satisfied — and this is the quote, this is the quote from the member from St. John's East:

If I cannot be satisfied that I can rely on receiving honest and factual answers to the questions that I raise in this House, then I cannot function as a member of this House and I cannot effectively serve my country, my province, or my constituency. It is as simple as that.

That is from the *Hansard* of the Parliament of Canada, May 20, 1982.

Mr. Speaker, no wonder members in Prince Edward Island and the House of Commons take it seriously when a member is accused of misleading this House. The question today is whether the Sask Party members will take it seriously as well, will not listen to their leader, will act, Mr. Speaker, will think for themselves, and will in fact allow the issue to be referred to the Committee on Privileges.

We already know the Premier has chosen not to do so. He has exercised a complete lack of judgment and leadership by precluding the outcome of this debate and by announcing that he will stand by his Minister of Health and whip all of his

MLAs to do the same. Mr. Speaker, this is a very unfortunate day for democracy in Saskatchewan, democracy in Canada and, Mr. Speaker, in respect for the people of the province of Saskatchewan.

Mr. Speaker, I'd like to spend a little bit of time now . . . I have the audio transcripts, the actual audio transcripts, Mr. Speaker, that I just received moments ago. Pardon me, Mr. Speaker. Mr. Speaker, I want to just quickly before I go to the actual scrum, Mr. Speaker, just want to refer back to the actual questions in the House, Mr. Speaker. And the member from Douglas Park said when the . . . during question period on May the 4th, 2010, Mr. Speaker, today, so this is very relevant, I haven't quoted this at all, Mr. Speaker, in my debate. He said:

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?

That was the question asked today in question period, Mr. Speaker. And I now have the transcript of the response of the Minister of Health, because it is very relevant to this debate. The Hon. Mr. McMorris said:

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, that was legislation and that was through public hearings and there was a public debate about the issue and hearings held across the province. But, Mr. Speaker, the next question by the Leader of the Opposition is this, Mr. Speaker:

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, and to this Assembly, and to the press? Is that acceptable behaviour from a minister of his government?

Mr. Speaker, and the Minister of Health rose to respond:

Hon. Mr. McMorris: — Mr. Speaker, my statement is very clear in *Hansard*. I said that we [have], 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.

Mr. Speaker, the member was then asked to apologize to the House, and stood and apologized to the House.

The next question by the Leader of the Opposition, Mr. Speaker, is this:

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?

Mr. Speaker, the Premier stood to respond. Mr. Speaker, the Premier, the minister had . . . The Premier responded:

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

The Speaker stood, and an interjection, Mr. Speaker, and Mr. Wall then continued his answer: "Mr. Speaker, Mr. Speaker, notwithstanding the challenges to the Chair from the members opposite, I would just say this . . ." Again the Speaker rose, then Mr. Wall continued:

. . . 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 . . . issue of the children's hospital . . .

Mr. Speaker, the remainder of his comments have nothing to do

with the question asked. Mr. Speaker, so he, the Premier continued to defend his minister during question period today.

Mr. Speaker, the next question asked by the Leader of the Opposition was this, Mr. Speaker:

Mr. Speaker, I'll tell the Premier what's jeopardizing the children's hospital: it's 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 a children's hospital built, why doesn't he simply give the money so the hospital can be built? Why doesn't he just do that? Just give . . . 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 of the people of the province of Saskatchewan. Even at that, his minister has brought false information to this Assembly. When will the Premier come to his senses, demonstrate some leadership, withdraw this crazy idea, and deal with his minister here in this Assembly?

Mr. Speaker, the Premier responded in this way:

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 [very] . . . 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, [and] with health regions.

Mr. Speaker, that was the response of the Premier of Saskatchewan. Mr. Speaker, he continued, he continued to defend his minister. And then he went out, Mr. Speaker, to a scrum and I have the audio of his scrum, Mr. Speaker. The transcript, pardon me, of the audio of the scrum. The reporter asked, and I'm going to start with on, this is asking of the Premier, on Mr. McMorris:

What is your side's intention in terms of the vote of this? Given you heard the Speaker's ruling, I assume.

Brad Wall:

Yes, I did hear the ruling. I heard there's a prima facie case made, in the Speaker's opinion, for there to be now to be a debate in the Assembly. When the Speaker rules there's a prima facie case made in the case of a point of privilege, it's not a prima facie case necessarily in favour of the original motion. It simply says this should be debated by the House. This can move forward and be debated by the House and absolutely fair enough.

Well, Mr. Speaker, first the Premier says that we can debate this and it's fair enough. Then the reporter asked: "Do you acknowledge the rarity in that happening?" Mr. Speaker, the

reporters understand the rarity of a prima facie case of privilege coming before an Assembly and this is the first time in 28 years. The Premier responded:

Absolutely. I haven't been here all that long, but it's a rare occurrence indeed. The Opposition House Leader is currently speaking to the motion. It's unclear at this point. They may be trying to move right until 10 minutes before the rule is . . . Ten minutes before the end of this day, it must come to a vote. If that occurs, we obviously, we will be here until 10 minutes before the regular hours and we will be voting against the motion.

So, Mr. Speaker, the words of the Premier in the rotunda before we even have a chance to debate this issue is, we will be voting against the motion, the motion to refer an issue of privilege to the Committee on Privileges which is set up for the sole purpose of reviewing issues of privilege, Mr. Speaker. And the Premier will say that they will be voting against the motion before the motion is even debated. He goes on to say, "The government members will be voting against the motion, or if the vote happens any time before the 10 minutes prior, we will be voting against the motion."

So, Mr. Speaker, this is the Premier saying it, unlike in the province of Prince Edward Island, unlike in the Parliament of Canada where the government voted against its own member to allow an investigation to go on. Mr. Speaker, here the Premier says, just like the premier did, Mr. Speaker, just like the premier did in 1982:

The reason is that there is a matter of intent here with the minister. The minister actually took the step yesterday of indicating this. It was in the ministry's consultation that occurred on the principle, on the very same principle — maybe not on each and every word in conjunction in the regulation — but on the principle of allowing foundations, with the approval of regions, to access information, names, and addresses for the purpose of fundraising.

[20:30]

Mr. Speaker, that isn't at all what the Information and Privacy Commissioner says. Mr. Speaker, the transcript goes on to say:

We know that the Privacy Commissioner was opposed to that. We understood that he was opposed to it when the previous administration was thinking about it but didn't do it. It was thinking about it. We know that's the case now. That's what the minister was referring to.

So he was referring to consultations done years before. Mr. Speaker, I go on and I quote from the transcript:

On this issue of the Privacy Commissioner's position on this and weighing in on this, I've looked at it and there's just no intent for the Minister of Health to mislead the House in his answer. And he took steps to clarify yesterday.

So, Mr. Speaker, what the Premier's saying in his transcript, in his reply to the media, is that he looked at it and it doesn't matter what this Assembly, what our processes, what our rules

are, what our democracy permits and in fact demands of each of us; that he alone will make a decision whether or not there was a case of privilege. And, Mr. Speaker, he'll make that without having been here many of the last weeks, Mr. Speaker. Mr. Speaker, he'll make that case without all the facts in front of him.

Mr. Speaker, the reporter went on to ask this question: "If that was true, why didn't he tell us three weeks ago that my ministry did consultations under the previous government, but not once since I've been Health minister?"

Mr. Speaker, the next question from the transcript is this, from the reporter:

If that was true [asking of the Premier] why didn't he tell us [referring to the Minister of Health] three weeks ago that my ministry did consultations under the previous government, but not once since I've been Minister of Health.

The Premier replied, "Well I don't know. I think he said he misspoke yesterday, and certainly tried to clarify that yesterday. I've only read *Hansard*."

The reporter, next question. He said, and this is the reporter speaking:

He said, "And I felt like part of the ministry even when the NDP was in charge of the ministry. So when I said we, I meant ministry officials." But he never took pains to tell any of us who have covered this every day, when I said we did consultations, I mean, they did consultations.

Mr. Speaker, you can imagine how much, Mr. Speaker, you can imagine how much consultations have changed, saying the Labour ministry sent you to government. When I hear, we did consultations, to me that means since we formed government. Mr. Speaker, the Premier went on to say, and this is the Premier, and I quote:

I don't know. I don't know what Don would say in direct answer to that. Here's what I think: I think Don would say, because the principle here has not changed, the desire of the government to move forward with something the previous government was only thinking about and didn't do. The principle hasn't changed.

Many people in the ministry are the same people. Many of the people in the office of the Privacy Commissioner are also the same people. I think that's what the minister is saying there. I think that's what the minister is saying. I've talked to him about this.

I've looked at the information, and I fundamentally don't believe there is an intent here by the minister to do what's alleged by the opposition. And we'll be voting against the motion.

Mr. Speaker, obviously the Premier isn't aware that the opposition makes a case whether or not that there should be a prima facie case of privilege. But it's the Speaker determines whether or not there is a prima facie case of privilege. Mr.

Speaker, surprising the Premier doesn't understand that.

Mr. Speaker, I go on. And the reporter now asks another question of the Premier in the scrum. Reporter says:

Normally one might respect and accept it, but he did make reference in the House to this specific consultation, this specific proposal in terms of a regulation change. That is the point in contention.

The Premier's reply:

I think what he would say is that specific proposal, the notion of the opt in versus the opt out, that's what's at debate here. And it's a reasonable debate to have. In fact, as you know, we'll be reviewing this in a year's time to see what the net result is.

That was the reply by the Premier, Mr. Speaker. Mr. Speaker, the reporter goes on to ask another question, Mr. Speaker:

Why not just say, look we didn't consult with me as minister under the new direction. I am the minister of the department now. I didn't consult under my guidance; however there were consultations in the past under the former NDP administration. That's what makes sense. It's hard to accept.

That's what makes it hard to accept, Mr. Speaker. That's what the reporter said. The Premier replied, "I don't think that's true. I don't think it's true." The reporter said, "It's absolutely true." Well the Premier went on to say, and I quote:

Well, it isn't. I think it's reasonable that a minister, in the course of discussing a proposal that comes from the ministry or health care foundation, could quite rightly ask has there been consultation on this with the Privacy Commissioner. And the briefing would be, yes there has been. On this specific principle of opt in versus opt out, yes. What's the position of the commissioner? He's not in favour of it. We know that.

That was the Premier's reply to the reporter. The reporter then asked why would he think it's not his duty to not consult then? The reporter asked, "Why would the minister then think it's not his duty to not consult, then?" The Premier said, "Because the consultation has happened."

The reporter went on to say, or to ask, "But do consultations happen all the time?" The reporter . . .

The Deputy Speaker: — Order. Order. I would ask the opposition members not to drown out his own member. If the opposition doesn't want their member to speak, I can recognize somebody else. I will ask the opposition side to come to order. Right away. I recognize the member from Regina Dewdney.

Mr. Yates: — Mr. Speaker, the reporter went on to say, "But do consultations happen all the time?"

The Premier responded, and I quote:

But on this specific point, the consultation had happened

three times. It may not have been the exact words, but on this issue, but on my understanding of reading the Privacy Commissioner's letter, is that the issue here at debate, opt in versus opt out, was a matter of deliberation by the Commissioner. And the Commissioner didn't support it and we knew that. I would think the minister has taken steps to say, look if I had misspoke, I want to clarify the matter. He's done that, and that's why we'll be voting against the motion.

Mr. Speaker, the reporter said this: "He hasn't done that in the House. He hasn't done that with the media and I report." The reporter said very clearly and deliberately when the Premier said that he had apologized, said he misspoke.

The reporter said, he hasn't done that in the House and he hasn't done that with the media. The reporter then said, "He didn't say he misspoke, he just said we should have known that he was part of the ministry, so consultations that took place a few years ago."

The Premier then said, and I quote, "I don't know what it said specifically in *Hansard*. I think he said he wanted to clarify. I'm not sure of the words, I don't have *Hansard*."

The reporters then asked, does he owe the people of Saskatchewan an apology if the Speaker finds a prima facie case for debate whether or not he misled? The Premier then replied this: "I think he's already decided. After the vote, notwithstanding the result, he wants to state that in the Legislative Assembly."

Mr. Speaker, so the Minister of Health has said after his members — based on what the Premier has said in his own quotations — stand in this House and say that he didn't mislead the House, that he wants to stand and apologize for doing just that.

Mr. Speaker, that makes a greater mockery of our parliamentary system, of our rules, and of this Assembly, than doing nothing, Mr. Speaker, because he's saying after the Premier has said, you'll all vote against the fact he has misled the House, then he'll stand and apologize for it.

Mr. Speaker, I don't understand. Quite frankly I'm a bit flabbergasted. I don't know what to think because we have the Premier who says that his members are going to vote en masse against the motion on the issue of he misled the House. And then the Premier says, after you defeat the motion, he's going to stand up and apologize. I don't understand, Mr. Speaker, I'm at a loss. I'm at a loss that a Premier would make such a mockery, such a mockery of this Assembly, such a mockery of our parliamentary democracy and such a mockery of this institution.

Mr. Speaker, you shouldn't be elected here unless you believe in this institution; unless you believe, believe in our parliamentary democracy; unless you believe in the rights of the people of the province of Saskatchewan; unless you believe in this Chamber, its rules, its traditions, and its responsibilities.

But to say that you're going to vote against the motion on a prima facie case of privilege and then you're going to apologize after you've just voted it down for doing the very thing you just

voted against, that makes a mockery, it makes a mockery of this Assembly.

And, Mr. Speaker, I don't . . . I'm at a bit of a loss of words, Mr. Speaker, because this Assembly and its rules and its traditions, the importance of our parliamentary system to people of our province and to us as members of the Assembly, I don't know how to explain that. I don't know how to explain that, Mr. Speaker. And, Mr. Speaker, I don't know how you can explain something like that.

I don't understand the logic. I don't understand the judgment of the Premier. I don't understand the lack of leadership that that would demonstrate. I don't know or understand the lack of judgment that demonstrates. I don't know what that does to make the people of Saskatchewan trust their government or trust this Assembly, Mr. Speaker. And, Mr. Speaker, I think all members of this Assembly should be concerned. I really do. I really do wonder, Mr. Speaker. Mr. Speaker, the reporter went on to ask this question of the Premier:

What do you think this does to people's trust in members of your cabinet if the Speaker and the Privacy Commissioner say, well this guy told you that he's not consulted, but in fact he did, and the Speaker says, yep, that's a good enough case to debate instead of dismissing it out of hand.

The Premier replied:

I will vigorously defend the minister in terms of his intent here and his conduct as a Minister of Health in this government. I think the people of the province today, if you asked them, are far more worried about the misinformation spread by the NDP about our intentions with the children's hospital.

So, Mr. Speaker, the Premier goes on to try to deflect blame and not deal with the very serious issue before us.

The reporter said this to him: "Are you serious?" That's the question the reporter asked of the Premier. "Are you serious?"

And the Premier replied, "I'm dead serious."

[20:45]

The reporter said, "You think it's a bigger deal . . ."

And the Premier cut him off, saying:

Absolutely. Well you don't have to take it from me. The health care foundation raises the money for the children's hospital and the same people are calling to ask for their donations back because the householder paid for by the taxpayers' dollars sent out by the New Democrat Party is misrepresenting the decision of the government on the hospital.

The reporter went on to say this:

So what would be the impact of actually cutting the funding, removing the funding from this year's budget in

terms of their fundraising capacity? Because I think honestly, sir, that would be far more tragic in terms of their ability to raise funds than some NDP householder.

Mr. Speaker, that's what the reporter said to the Premier. The Premier went on to say, and I quote:

But it hasn't. We were very clear that this decision early on, that as soon as the money was needed for construction, it will be there. We have been very clear about that and that's why the health region has been very comfortable. That's why the health region has been comfortable.

Mr. Speaker, Mr. Speaker, the reporter said:

And you think the NDP mailer is a bigger deal? A minister lying. I didn't want to use that term but then the "minister empirically lying" . . .

Mr. Speaker. That is a quote. Mr. Speaker . . .

[Interjections]

The Deputy Speaker: — Order. Order. Order. I would ask the opposition members to come to order. Before I recognize the member, I would be careful about saying indirectly what he can't say directly.

Mr. Yates: — Thank you very much, Mr. Speaker. I want to just reiterate, Mr. Speaker, that was a direct quote.

Mr. Speaker, the Premier went on to reply, and I quote, "Well you just did use that term. That's not the case."

And the reporter said, "You think that's a bigger deal than a minister empirically lying?" Mr. Speaker. And that is a direct quote.

The Premier, the Premier replied in this manner:

That's not the case, and I categorically reject what you're asserting. I do think it's a bigger deal if taxpayers' money is used to propagate what is in fact a lie that actually hurts the foundation's ability to raise money for the children's hospital. You bet I think that's more serious.

Mr. Speaker, and that was a direct quote from the Premier. Mr. Speaker, and I quote, the reporter then said, "Have you ever seen a federal Tory mailer?" And Brad . . . the Premier, pardon me, said "No, I do not." Mr. Speaker, this is a direct quote from the Premier: "No, I do not. I don't know if I have or haven't."

The reporter then asked this question: "Really? Because I get one every single month from Ottawa and they are full of what you describe as hyperbole."

The Premier then asked, "What's your point?"

Mr. Speaker, the reporter then said, and I quote, "My point is that those political mailers are full of hyperboles, all of them."

The Premier then said:

If hyperbole has somebody phoning a foundation saying, I want to withdraw my donation or ask you about withdrawing my donation to the children's hospital, I think that's serious.

Mr. Speaker, the reporter then said, and I quote:

They cancelled funding. It says right here that they cancelled funding as opposed to withdrawing. I understand that, cancelling.

Brad Wall . . . or pardon me. Excuse me, Mr. Speaker, I apologize for using a direct name. The Premier, and I quote, "Don't ask me to ask the foundation. I mean, they're the ones getting the calls."

Mr. Speaker, I apologize for using a name; the names are used in the actual transcript.

Mr. Speaker, the reporter then says:

What would people make of this that this issue only comes up a day after your own minister has been accused of misleading the House, that all of a sudden this is the biggest issue that's become a Sask Party talking point?

The Premier's response was this, and I quote:

This issue was raised today, in the morning, maybe even yesterday by the foundation. They have been pretty clear in Saskatoon that they've been hearing back from donors who are very concerned about the impact of fundraising on this particular mailout and it came out today. It's when they've been on the radio.

The reporter says, and I quote, "It seems like an attempt to change the channel for a government that's taking heat on privacy rules."

The Premier responded, and I quote:

To tell you the truth I don't . . . anybody in our organization including me thought that there would be a prima facie case to move to debate based on the intent of the minister. There is a debate now that's going on. There will be a vote. I think the minister will want to say a few things before the matter is concluded.

Mr. Speaker, I have many, many more pages of this particular transcript, Mr. Speaker. The reporter then said, "Given that, I want to go back to this. Your minister's being accused right now of lying." And it's a direct quote from the reporter.

The Premier then said, "By the NDP."

And the reporter responded, the reporter responded — and obviously the speaker doesn't understand the rules of this Assembly very well, because the prima facie case is not found by the NDP; it's found by the Speaker — but the reporter responded, "And fair enough, but if it's proved to be so for whatever reason, that would seem to be a very, a way bigger deal to me as Premier."

The Premier said, "But it hasn't been proved to be so and it's not true."

The reporter said, "It is proved to be so." The reporter said, "Well it is proved to be so."

The Premier then responded, and I quote:

Well it's not true. I'll tell you what. The NDP can use taxpayer-funded ads to say a member of this Assembly — it happens to be me in this case — has bankrupted two businesses. Right?

The reporter said, "I don't know that that's accurate, though, and I think there's more political discourse."

Brad Wall: "Oh, that's just political discourse."

Then the reporter says, "Well it is. It's a flyer as opposed to something that's said in the House."

The Premier said:

Well I guess you and I are going to disagree here. In this case, there's no intent. There's a clear intent in that case to misrepresent the truth — a clear intent, and it's funded by the taxpayers' dollars and the same is true of the children's hospital. Folks, there's just no intent here by the minister, and that's how we'll vote against the minister.

Now, Mr. Speaker, that's inconsistent with his other comments. He said he's going to vote against his minister, and that's a direct quote.

Mr. Speaker, the reporter then said, and this is the final comment, "I just don't see how there is no intent here." At that point, the Premier walks away. The Premier simply walks away.

Mr. Speaker, I have also the scrum from the Minister of Health's . . . the transcript from the Minister of Health's scrum this afternoon. The reporter asked, and this is the question:

I think part of the issue too is that you said, we consulted on this very regulation. It wasn't just a matter of you are definitely the head of the ministry then or now, but this very regulation. Do you understand why there is some concern that . . .

And at that point the minister cuts him off:

Yeah, and again I'm going on the general term of what the regulation, the general intent of the regulation . . . You know, I know the ministry had talked to the Privacy Commissioner. Certainly, you know, a month or so — I guess, Jacquie, you would know — before we introduced it. So the Privacy Commissioner knew the intent of the regulation regarding fundraising in health regions. I think, you know, Jacquie had mentioned, you know, they had some conversations with the iterations in 2007, and he was asking for a substantial change. It was changes that he had recommended. That was a substantial change. And certainly, Jacquie can speak to it much better than me, but

when I again was speaking about this very regulation, this very regulation, allowing name and address to be, um, to be shared, it's the same intent of the previous regulations. There were some iterations, but it's the same intent.

As I said, it's not a regulation that is completely different from what was consulted on before. I'm saying the overall intent of the regulation . . . and people will misread, not misread, interpret, that I was misleading. I am sorry about that. That was never my intent.

So, Mr. Speaker, Mr. Speaker, in his scrum outside of this Chamber, the Minister of Health has admitted he did, he did what is in question in the motion of privilege, Mr. Speaker, in his own scrum, in his own scrum, in his own scrum, Mr. Speaker. Mr. Speaker, how do you vote against a motion of privilege when in his own scrum, in his own scrum the minister admits it?

Mr. Speaker, I want to . . . Mr. Speaker, I am at this time reading from the transcript, word-for-word transcript of the Minister of Health's scrum this afternoon. Mr. Speaker, in the final three sentences of his scrum he says:

As I said, it's not a regulation that is completely different from what was consulted on before. I'm not saying the overall intent of the regulation . . . And people will misread, not misread, interpret, that I was misleading. I am sorry about that. That was never my intent.

Mr. Speaker, the reporter then asked:

And given you can see, even if you didn't intend to mislead people, you can see how people may have been misled. And I believe you were talking about your government consulting as opposed to the prior government consulting, by which I mean ministry officials under both those governments. Will you do anything differently in the future when you're speaking?

Mr. Speaker, the Minister of Health went on to say this:

I guess I'll try and be much clearer. You know, I've been here for 10 years. This hasn't happened for 20-some years in this House.

Mr. Speaker, the reporter then said, "Almost 30 years."

The Minister of Health said:

Okay, almost 30 years. I don't want to be misleading. I heard a lot of things said in the House and I could question a lot of that. I spent eight years in opposition and heard cabinet ministers say stuff that they couldn't back up and whatever. You know, I'm not very pleased with the way this has gone. I mean I feel sick about it. But, you know, it was never my intent.

So, Mr. Speaker, we have in the minister's scrum today a clear admission. Mr. Speaker. We had earlier the Premier say that his government, even before the debate, would vote down the motion of privilege. Mr. Speaker, I hope the members opposite take into consideration what their own Health minister has said.

[21:00]

Mr. Speaker, I want to continue to quote from the transcript of the scrum. The reporter then said:

I'm having a hard time understanding even where your head's at on this. On the one hand, you're sick about it and it hasn't happened in almost 30 years and you do take it seriously. On the other hand, you've heard all kinds of politicians say all kinds of crazy stuff that they can't back up. And you got caught and they didn't.

And the Minister of Health then said, "No, that's not what I'm saying."

The reporter then said, Mr. Speaker, and I am quoting directly from the transcript:

Well I've just heard you say all those words. I've heard you say all those words with the exception of the last words I said: you got caught and they didn't. But you've just said that, you know, compared to what you've heard over the last 10 years, all kinds of stuff that people couldn't back up, I assume from that again, I have to interpret based on what you're saying, that that sounds like you've heard lots of stuff over the years that people couldn't back up. But you're the guy that's been found for a prima facie case of misleading the House.

So, Mr. Speaker, members of the Assembly, the reporter asked this very direct question:

So which is it? I get that this is a big deal. So which is it, I guess? That this is a big deal or you just got caught on something that people do all the time?

The Minister of Health went on to say:

No, Stefani, that's not at all what I said. I said that I'm not happy with what has happened. I don't feel good about it at all.

Mr. Speaker, I want to say here at this time, I respect the Minister of Health for saying that, a great deal.

I've heard lots of things that have been said in this House different times. I bring my credibility to this place. I try to conduct my affairs. That was never my intent to mislead the public whatsoever, and I'm sick that this has happened. It was never my intent. The words that I spoke were never my intent to mislead. As I said when I referred to we, we're talking the Ministry of Health. That's what I meant. When I talk about a generalization of regulation or fundraising, that's what I talk about. I never meant to mislead and I'm sorry that's what the impression that I have left.

Mr. Speaker, I want to go on to quote as we finish this scrum. The reporter then said, "What would be . . ." The reporter then asked, "What would be wrong with a just an unequivocal apology?" And the Minister of Health said this:

I have no problem standing in the House after the motion

saying I apologize if the people felt that I misled the House.

The reporter then said:

But, sir, we didn't get the dates until we got them from the Privacy Commissioner. I guess that's what you knew that we never knew.

The Minister of Health then said:

Yes, but again I didn't see the importance of it because it was a consultation on a regulation that I don't see changing a whole lot. It's the intent of regulation. I wasn't misleading saying . . . I could have said, our government did. I didn't say that. I said, we have through the ministry. The ministry has consulted with the Privacy Commissioner. We know the intent of this regulation, and we know the Privacy Commissioner's stand on it.

Mr. Speaker, that concluded the Minister of Health's scrum. Mr. Speaker, we have an admission.

Mr. Speaker, I want to read from the *Canadian Parliamentary Review*, volume 33, no. 1 of 2010. This is a direct quotation, Mr. Speaker, from the *Parliamentary Review*:

On Tuesday November 3, the Opposition House Leader, Kevin Yates, raised a question of Privilege. Mr. Yates alleged that the Minister of Public Safety . . . and Policing, Yogi Huyghebaert, was attempting to mislead the House.

And this is a direct quote, Mr. Speaker.

The Minister indicated that he had no knowledge of a dangerous sex offender being at large. When provided with further information of the specific case, the Minister corrected the record. Speaker Don Toth, outlined the evidence and concluded that the Opposition House Leader had not provided sufficient evidence to find a prima facie case of contempt.

Two days later, [two days later] the Opposition House Leader, raised another question of Privilege. He claimed the Minister of Corrections, Public Safety and Policing made remarks in the Assembly that were perceived as a threat and discouraged him from performing his duties and exercising his freedom of speech. The Minister apologized and withdrew the inappropriate remarks. The Speaker found that the threatening comments were contemptuous. However, given that the Minister had apologized, the Speaker ruled that the apology ended the matter. He did remind Members that if there had been no apology given, he would have had no other choice but to find a prima facie case of privilege.

Mr. Speaker, what we have before us is a very, very serious issue. Mr. Speaker, we have a case of privilege that has been brought before the House. We then have an admission of that case in a scrum, Mr. Speaker, outside the House. Mr. Speaker, these cases reflect upon Saskatchewan and the people.

Mr. Speaker, not since 1982 in this province have we had to

debate an issue of prima facie case privilege. Mr. Speaker, at that time Colin Thatcher, a minister in the Grant Devine government, misled the House, Mr. Speaker. And in that case, the minister apologized to the people of the province of Saskatchewan, to the members of this Assembly, and to his colleagues in the House.

Mr. Speaker, today we have a similar situation, where we have the Minister of Health, we're debating a prima facie case of misleading the House. The Premier defended the actions as Grant Devine did in 1982. And like 1982, Mr. Speaker, it happened. It happened now not just by the information provided by the Information and Privacy Commissioner, but by admission of the minister in his own scrum.

Mr. Speaker, the Minister of Health had indicated in his scrum that he would want to apologize after the vote. As I had indicated earlier, Mr. Speaker, for a government to vote against a case of prima facie privilege before the House, to just simply use its power knowing, knowing that it has occurred, knowing that it has occurred is the most absolute abuse of power — is an absolute abuse of power. Mr. Speaker, for a government to vote against a case of privilege when the case is absolute, for the government to use its power to abuse the rules of this Assembly, the parliamentary law which we must all abide by, is the absolute most extreme, the absolute most extreme abuse of power.

Mr. Speaker, I hope we don't see that this evening. I hope for the sake of our democracy, for the sake of our parliamentary laws, for the sake of our province, for the sake of its people, and for the sake of the future of this institution, that the government doesn't vote against a motion they know is wrong, that they do not vote against a motion they know is wrong, as difficult as it may be for the government.

As difficult as it may be, Mr. Speaker, as difficult as it may be — to vote against the motion is to say, Mr. Speaker, it's okay to lie. We know he lied but it's okay to lie because we're the majority, we're the government. And, Mr. Speaker, that would show a level of arrogance and a contempt for the people of the province, for this institution, for our parliamentary democracy, for our rules, that I hope never occurs.

As I started my comments earlier today, that the rules of this institution are more important than any of us, the outcomes of this debate today are fundamental to the future of this institution, fundamental to the future of our province because if a government knowingly votes, knowingly votes against the truth and abuses its power absolutely, then it's no longer fit to govern. It is no longer fit to govern.

So, Mr. Speaker, later this evening we are going to have to make a very significant choice, a choice that reflects upon the integrity of each and every member, a choice that reflects upon the integrity of a government and of an opposition, a choice that reflects upon the integrity of this institution. It's also a choice that reflects upon the integrity of our families, our friends, those we represent but most importantly, Mr. Speaker, it reflects upon the future of our province.

And, Mr. Speaker, we as members of this Assembly need to be willing to step beyond our own petty differences to ensure that

this institution, that this institution continues to have integrity, that this institution continues to be responsible to the people of the province of Saskatchewan and continues, Mr. Speaker, to be a place of integrity.

Mr. Speaker, today, the day as I said earlier in my opening remarks, is a day every member of this Assembly wishes was not here. It's a black mark on our history. It is a black mark on our future. So, Mr. Speaker, we have to rise above today and think of tomorrow, and think of how we vote on this issue allows us to move forward or to move backward, to look at what it means to our constituents, the people of Saskatchewan, our friends and families, and to this very institution. Mr. Speaker, it's not a laughing matter. Some members may think it's not a solemn occasion, but then they just don't understand. Mr. Speaker, we are tasked by the election to our positions in society with a responsibility that's greater than any one of us, and it's something that we must take seriously.

Mr. Speaker, the minister understood that this afternoon in the scrum and for that he deserves credit. I hope all members of this Assembly understand that as well, the choice that we will all make in about 45 minutes or so where we'll reflect upon the ability of this Assembly to move forward with integrity and respect or to be considered, Mr. Speaker, as a place of anarchy and a demonstration of absolute power by a government knowingly, a government knowingly voting against the truth.

Mr. Speaker, finding a case of prima facie privilege in our Canadian history is very rare. Even in the history of our parliamentary democracy across the British Commonwealth it is rare. Elected members very rarely disrespect the Assembly and the privileges that come with it to the degree that the Minister of Health and the Premier of this province did today.

[21:15]

Of course we have seen how Colin Thatcher dealt with the issue in 1982 and how the then Premier Grant Devine dealt with it. They disrespected this House. They disrespected the Assembly, and they disrespected the people of Saskatchewan when they misled the House in 1982.

Mr. Speaker, let's not make a very serious situation even more serious. The situation we have before us is a very, very serious situation, one of which that through scrums today it appears clearly that the Minister of Health has come to terms with. One today which we as members of the Assembly later this evening will have to also come to terms with.

Mr. Speaker, in 1982 Colin Thatcher and Grant Devine never came to terms with it. They had not finished dealing with the original issue, and immediately the then minister, Colin Thatcher, went out and made a mockery of the decision of the Assembly. Mr. Speaker, in 1982 Colin Thatcher made a mockery of this Assembly, but the Premier did the right thing the next day and made him apologize to the House.

Mr. Speaker, the difference today is that the Premier went out in a scrum before this very debate occurred today and said that his government would vote against the motion of privilege. Then minutes later, after the Premier's scrum, the Minister of Health accepted his responsibility.

And, Mr. Speaker, I think that later this evening all members of this Assembly need to think very carefully before they vote. This is an issue that should not be taken lightly. It should not be used to assert majority power when in doing so you would know you're wrong. The members of the government could know they were wrong if they made . . . use their majority to say something was right when they know it's wrong. Mr. Speaker, that is the worst abuse of power that any government can ever do.

It's about the integrity of the House. It's about the integrity of this Chamber. It's about the integrity of our government. It's about the integrity of our legislature and the integrity of our democracy.

Mr. Speaker, on December 10th, 2001, Paul Forseth, the member from New Westminster-Coquitlam-Burnaby and a member of the Canadian Alliance, rose on a question of privilege. He alleged that the minister of Citizenship and Immigration had deliberately attempted to tarnish his reputation by accusing him of spreading lies. Damaging a member's good name could constitute a member of . . . constitute a motion of privilege.

But I would argue that this member did . . . what this member did, the Minister of Health, is an even more serious allegation. The Minister of Health misled the House, misled the media, and misled the people of Saskatchewan. In the case in the federal parliament, Mr. Speaker, Speaker Milliken in the Canadian House of Commons ruled that these remarks were made outside the Chamber and therefore did not constitute a question of privilege.

The fact that the Minister of Health made his remarks within this Assembly makes them even more serious. Members are protected within this Assembly. Privilege is the collective of our rights, privileges . . . Mr. Speaker, privilege is the collection of our rights and privileges and our immunities, Mr. Speaker, from prosecution by others for what we say in this House. A goal going hand in hand with that, Mr. Speaker, is the accountability of members of this Assembly to this House.

The fact that the Minister of Health made his remarks within this Assembly is even more serious. All the members are protected in this Assembly and given privileges that are not afforded outside of this Assembly. By making statements that have been refuted by the Privacy Commissioner, the Minister of Health is making a mockery of our privileges that are afforded to us as members of this Assembly.

On September 27th, 2001, the member from Edmonton North, a member of the Progressive Conservative caucus, rose on a question of privilege stating that she had been denied access to her computer files. She believed that there had been an infringement on her rights as a member. Now that our own Speaker has found that a prima facie case of privilege has been made, the Minister of Health has by consequence infringed upon the rights as members of this Assembly to receive truthful and honest answers.

The Speaker ruled on October 15th, 2001, and he stated that he found a cause for concern. The Speaker referred the House to a decision made by Speaker Fraser on February the 9th, 1988, in

a similar case. He found that while this error might have been an honest mistake, the fact remained that the action taken could have been damaging to the minister's ability to properly represent her constituents.

If misleading statements are made in this House, Mr. Speaker, it affects all of our ability to properly represent our constituents. We should all expect that inside this Assembly we can expect honest, truth, and integrity from members. We expect that the answers we hear from cabinet ministers are true. We expect that we can take these answers back to our constituents in good faith. But now the actions of the Minister of Health have thrown all of this into question.

Mr. Speaker, I'd like to now talk of another example of a point of privilege being raised by the Speaker. On March 14th, 2001, Vic Toews, the member from Provencher representing the Canadian Alliance, rose on a question of privilege concerning the disclosure of information prior to a Bill. Mr. Speaker, again, again a serious concern.

I will repeat, Mr. Speaker, the House should take precedence for all members. Members should give the House precedence to the most accurate information that they have at all times. Unfortunately on April the 12th the Health minister completely disregarded this notion and provided inaccurate information to the House.

In this instance, the denial of information necessary to members in order for them to do their work had been the key consideration of the Chair. The matter was referred to the standing committee on procedures and House affairs, Mr. Speaker, for further study. The committee decided that there would be no sanctions against the minister but that steps should be taken to ensure that similar breaches of privilege not occur in the future.

Now our Speaker has found that on April 12th the Minister of Health did commit a breach of privilege. This minister has shown no regard for this House and for the hard work of the House of Commons to ensure that this would not happen again in the future.

Mr. Speaker, this is a very serious situation. Mr. Speaker, if you review the various cases of privilege that have been found in both the House of Commons and in the legislatures of the provinces of Canada, Mr. Speaker, they all point to a very common theme. If a member of an Assembly or the House of Commons makes a statement that directly contradicts statements made by a public servant or officer of the Assembly, that's not appropriate. This is much like the situation we find ourselves in today.

Mr. Speaker, the Speaker delivered his ruling in the case in February 18th, 2000, did not find a *prima facie* case of privilege in this case. However we can take an important lesson from his ruling. He did rule that statements in the House are protected in an absolute sense by privilege. Although in that particular case there wasn't evidence found, he did rule that statements in the House are protected in an absolute sense by privilege.

Mr. Speaker, we all expect this absolute sense of privilege is to ensure both truth and honesty in the House. Mr. Speaker, we

have before us now a serious situation in which we can no longer know and can no longer rely upon the answers provided by a minister of the Crown, Mr. Speaker, and that is a very, very serious situation.

Mr. Speaker, I want to, now want to just reflect upon what is being said, Mr. Speaker, about this issue in the media because, Mr. Speaker, the actions of this Assembly as reflected in the media talk about where the people of Saskatchewan and how they view this situation.

Mr. Speaker, and I am responding to *Canada Views*, Mr. Speaker. It says:

Responding to a Motion of Privilege raised by the NDP Opposition yesterday regarding misleading comments made by Health Minister Don McMorris made on April 12, 2010, the Speaker of the Legislative Assembly ruled today that there is a *prima facie* case of privilege to be found. The Speaker's ruling means that credible evidence has been found that McMorris deliberately misled the Assembly and the people of Saskatchewan when he claimed he had consulted with the Information and Privacy Commissioner regarding regulatory changes which would allow health foundations to access personal health information of patients in Saskatchewan.

Mr. Speaker, that's a news report. It goes on to say that:

The Privacy Commission refuted the Minister's claims when he said he was consulted on this regulation and we are pleased that the Speaker has found his ruling in this regard, [it goes on to say] NDP Leader Dwain Lingenfelter said. Ministers are required to answer truthfully and provide full disclosure when responding to questions put to them by Opposition members in the Assembly. The Minister clearly failed in this case.

He goes on to say that:

Lingenfelter said he was surprised to see Brad Wall's full-throated support of his Minister and noted that Wall himself repeated the misinformation McMorris had provided to the public regarding the consultations. He said Wall should remove McMorris from cabinet as he has broken his trust with [the] . . . people.

This speaks directly to Brad Wall's credibility and judgment, Lingenfelter said. By not only supporting his Minister even after the Speaker had found evidence he misled the Assembly but by repeating the false claims of consultation, the people of Saskatchewan should have little reason to trust either one of them when it comes to answers given in the Legislature or anywhere else. The Minister should be removed from Cabinet immediately.

[21:30]

Mr. Speaker, this is just one of many news reports that are out there on this issue. Mr. Speaker, I have another one from 620CKRM radio report.

What's the most overused phrase in the world of politics?

Public consultation would certainly be in the top 10, and it's proving to be a bit of an embarrassing nuisance for Brad Wall and company. The Speaker of the legislature, Don Toth, takes his job very seriously. Regular debates were suspended in the House yesterday when the Speaker ruled that an examination should be made of statements by Health Minister Don McMorris to see if they . . . deliberately misleading. That's the most serious charge that can be made against a member of the Assembly. In less polite circles it means lying, but that word is considered unparliamentary.

Of greater concern, it strikes me, is the tendency by this government to pay drive-by lip service to the whole notion of consultation. Last Friday they signed a deal with Alberta and BC called the New West Partnership. It has huge implications for many sectors in this province, but I'm willing to bet that not all members of Brad Wall's cabinet have even read it. Even if they wanted to, chances are it was not even made available to them until hours before the signing. When asked if the legislature would get a chance to study the agreement line by line and clause by clause, the Premier said the equivalent of "I guess so" with no formal sense of commitment or understanding.

On the rare occasion when they have allowed substantial public consultation, the results have been interesting. We won't see a nuclear power plant in Saskatchewan in this lifetime, thanks to the efforts of Dan Perrins. The former civil servant chaired consultations across the province and the message that came back was clear: don't do it. It wasn't the answer the government wanted to hear, so now it appears they just won't bother to consult. Deal with it.

Mr. Speaker, that is one of the many, many pieces of information that is being put on radio stations across the province, Mr. Speaker.

I have some comments, Mr. Speaker, from the public, emails and notes that are coming in on this issue. This in from blogs, Mr. Speaker, it says, in one case here, Mr. Speaker:

Saskatchewan Party hacks seem to love to distort the truth and hope to blur it for everybody else. What is clear is the Health minister lied and should resign.

At 10:13 p.m. ET [eastern time]:

Is this true? McMorris went from a driving instructor in Indian Head to the Minister of Health. Say it ain't so.

Mr. Speaker, another individual went on to say:

I watched the proceedings on the tube and it was quite clear the Minister of Health did not consult with the Privacy Commissioner and that he told the House consultations occurred four times. Mr. Lingenfelter pressed him on that very point and there was no room for equivocation. The Speaker's ruling to investigate further was determined independently by Mr. Toth . . . an SP MLA.

Mr. Speaker, I have numerous other quotes, Mr. Speaker, which I think are important because they reflect upon what the people

of Saskatchewan are thinking about this very debate:

Easier to believe what the CBC says than anything connected to Rawlco radio which is one of the biggest donors to the Saskatchewan Party. Interesting to note that they have failed to even cover the story despite it dealing with the fundamental structure of democracy.

Talking about this debate. Similar comment:

Similar to the Premier said about "consulting" on the New West Partnership/TILMA . . . Does anybody see a disturbing trend here?

Mr. Speaker, another citizen goes on to say:

Wow . . . they're just realizing now that the Minister of Health has deceived the government? I have a feeling a lot more healthcare issues will be resolved once and for all upon this man's resignation.

Mr. Speaker, another one goes on to say:

McMorris said he consulted the Saskatchewan privacy commissioner about the matter? Sounds like a lie. He says he did it, really just using previous NDP documents.

Mr. Speaker, there are more and more and more comments coming in. Now, Mr. Speaker, as these comments come in from people across the province, this is reflecting upon what's being said by the people of the province of Saskatchewan. And it reflects upon what a very, very serious issue it is.

Mr. Speaker, I want to take a minute or two to comment on two or three of the media columns, Mr. Speaker, and why they're relevant to this debate.

Mr. Speaker, members opposite should take note that this is the debate going on in the media today with the exception, as I understand it from comments, not on Rawlco radio; they're not covering this issue. Mr. Speaker, that may in itself be news. Mr. Speaker, it's also that they are one of the larger donors to the Saskatchewan Party.

Mr. Speaker, but it's clear from media coverage to this that the media in the province of Saskatchewan are very concerned about this issue, as they should be. Mr. Speaker, we in this Assembly are here to represent the people of the province of Saskatchewan, and what we should do should reflect upon the province of Saskatchewan with both integrity, responsibility, and respect for the Chamber in which we have the opportunity to serve. As each of us serves on behalf of the people of the province of Saskatchewan, Mr. Speaker, we need to take our role very seriously.

It's obvious to me by the media coverage of this issue that the media take it very seriously, Mr. Speaker. The people of Saskatchewan are taking it very seriously, Mr. Speaker. Now, Mr. Speaker, the true test will be, the true test will be in just a few short minutes, Mr. Speaker, if the members of this Assembly truly take it seriously.

Mr. Speaker, we need, as members of this Legislative

Assembly, to be reflective of the concerns of the people of the province of Saskatchewan. And in a few minutes we're going to have the opportunity to make a choice. A choice to uphold the integrity of this Assembly, its rules, and our democracy, or a choice to vote the way the government, the way the Premier tells the government members to vote.

And, Mr. Speaker, the facts need to be taken into consideration. The Speaker has found a prima facie case that should be referred. The minister in a scrum later admitted it and doesn't feel good about it and, Mr. Speaker, for that he deserves some credit. And, Mr. Speaker, what he should have done and what the Premier should have done is stood in this House before this debate ever occurred and apologized to this Assembly and apologized to the people of Saskatchewan. And then the Minister of Health should have done the honourable thing and resigned. And if he didn't, Mr. Speaker, then the Premier should have done the honourable thing and shown leadership and removed him as the Minister of Health.

As has been reported in the media around the province, this is a very serious issue. Mr. Speaker, I have Global TV in British Columbia. Mr. Speaker, these issues are no longer contained within the province of Saskatchewan. This issue is being discussed on Global TV in British Columbia. And what does it say? It goes on to say:

The NDP is alleging that Health Minister Don McMorris misled the public when he said the province's privacy watchdog was consulted about a controversial new plan to provide fundraising hospital foundations with the names of former patients.

But McMorris said that when he spoke of formal consultations, he was referring to the ones that took place between the health ministry and Information and Privacy Commissioner Gary Dickson between 2004 and 2007 under the previous NDP government.

Mr. Speaker, McMorris then said in this article, according to this article and I'm quoting directly, Mr. Speaker:

... there was no need to seek Dickson's formal opinion again this year when the Saskatchewan Party government decided to proceed with the change to health privacy rules, because his opposition to the idea had already been made clear.

"We knew the ... [opposition] of the privacy commissioner all ... along. That has been consistent, so that we knew that he would not be in favour of this regulation because he hasn't been in the past," McMorris said.

But NDP Leader Dwain Lingenfelter blasted McMorris for stating in the assembly last month that Dickson "was consulted formally four different times on this very regulation" when three formal consultations actually took place a few years ago under a different government.

"Why did he refer to the four consultations as if he and his ministry had done it when he knew full well he had not consulted with the commissioner even once?" Lingenfelter

asked during question period.

"I think this is serious ... and a difficult thing for a minister to have to explain because he wasn't being truthful and forthcoming with the public on the issue," Lingenfelter said to reporters outside the assembly.

Mr. Speaker, it goes on to say:

In a new report Monday, Dickson urged MLAs to require "express consent" from patients before information is shared. Dickson said that of six provinces that have stand-alone health information laws like Saskatchewan, three require that consent be given before information is handed over to assist with fundraising drives.

Mr. Speaker, this very issue is the talk of not just local, but national news. Mr. Speaker. Tonight as we conclude this issue in the next few minutes, Mr. Speaker, the government has an opportunity to restore some trust, some trust with the people of the province of Saskatchewan, some trust with the members of this Assembly, and a trust, Mr. Speaker, with the people of Canada, because this issue is now being debated and talked about across Canada, Mr. Speaker.

We know that the Premier and his government have broken the trust with Saskatchewan people in many ways in the last several months, that they have taken a province from surplus to deficit, Mr. Speaker, raising concerns of the people of the province. They have brought in a budget that has questioned the very things that we're dealing with tonight about the state of our finances.

They have broken countless promises from their election platform, driven up the cost of living, and, Mr. Speaker, as they have broken the trust in those ways, Mr. Speaker, the issue we deal with tonight is more important than them all. Because, Mr. Speaker, it deals with the fundamental trust of the people of Saskatchewan and being able to believe what they tell this Assembly and what they tell the people of the province of Saskatchewan.

And, Mr. Speaker, as I indicated in many, many of the speeches and debates on the issue of privilege across the country, Mr. Speaker, when the issue has been raised, there are many, many concerns that people have, that if the information provided by a minister of the Crown cannot be relied upon, Mr. Speaker, it affects business decisions. It affects individual decisions. Mr. Speaker, it affects people's views of the services the government provides. It affects decisions on people's health care, Mr. Speaker. It can affect many, many things. Mr. Speaker, you have to be able to rely, and we have to be able to rely as members of this Assembly on the information provided to us in this Chamber to do our jobs. And, Mr. Speaker, if we can't rely on that information, then we cannot do our jobs.

And, Mr. Speaker, tonight the Premier can demonstrate some good judgment. He can demonstrate some leadership and he can stand in this House and support the motion before this Assembly. Mr. Speaker, to do otherwise after the comments made by the Minister of Health in his own scrum, Mr. Speaker, I don't know what the Premier ... I don't know how the Premier could do anything but and remain with any integrity.

This Premier is now faced with a serious moral dilemma, and this is going to be and should be a defining moment in his premiership. It will define for the people of Saskatchewan what his moral compass is. It will define for the people of the province of Saskatchewan what the values of our Premier is.

[21:45]

Mr. Speaker, tonight is an opportunity for the Premier to turn the page, to show some leadership, to demonstrate sound judgment, to do what he knows in his own heart is right — as I know the members in the government all know and understand and realize — and vote in favour of this motion.

Mr. Speaker, repeatedly in this session we have seen a lack of judgment on the part of the Premier. Today is an opportunity for the Premier to turn the page, to use his moral compass and re-establish some confidence, Mr. Speaker, and to show that he can learn from mistakes and that he can show appropriate, sound judgment when the issue is before him.

Mr. Speaker, and based on the actions from earlier today, it would appear that the Premier, because he said that he would instruct his members to vote against this motion even before it was debated . . . And, Mr. Speaker, the facts have changed since then. Since then, the Minister of Health, in a scrum, did the honourable thing. Mr. Speaker, it would be incredibly unfortunate if the Premier did not lead his government to vote for the motion and then move for the members of this Assembly to resolution of this issue.

Mr. Speaker, if the Premier does not do that, if the government votes against this, if the members of the government vote against it, then the Premier's moral compass — and I dare say that of his own members — is highly questionable. After the comment, after the admissions and comments and the taking of responsibility we saw later this day in scrums from the Minister of Health, Mr. Speaker, how could we, as an opposition of the people of Saskatchewan, trust anything that the minister would say in this House?

If they would vote against, if they would vote against what they knew to be untrue, Mr. Speaker, if the members of the Legislative Assembly cannot rely on receiving honest and factual answers to questions that we raise in this Chamber, then it is impossible for us to function as members of the Legislative Assembly and impossible for us to do our jobs.

Mr. Speaker, I think all members of this Assembly should understand that. Mr. Speaker, later this evening the Premier will have an opportunity to show that he understands that and that his caucus and cabinet understand that.

Mr. Speaker, earlier this day, as we all know, the Premier vigorously defended his minister. And then he went out in the rotunda, Mr. Speaker, and said that before the debate even had occurred that his entire caucus would vote against the motion.

And, Mr. Speaker, we've had a defining moment since that point. And, Mr. Speaker, as I read the scrums, Mr. Speaker, it became clear that we had in fact had a defining moment. The information had changed. So we look upon the government to act properly and do the right thing — show some leadership,

show some good judgment, step beyond this issue and move forward.

So, Mr. Speaker, I'm calling on the Premier to do the right thing. I'm calling on his cabinet ministers and the members of his caucus to do the right thing. Mr. Speaker, to vote against a motion they know to be accurate, Mr. Speaker, a motion they know to be true, to simply use their power to say, no — even knowing it's wrong, we're going to defend an action — is the absolute greatest abuse of power.

Mr. Speaker, if the government chooses to do that, it will put a black mark on our political history in the province of Saskatchewan, Mr. Speaker, and this Assembly. It will make this event more significant even than that of Grant Devine and Colin Thatcher in 1982. Mr. Speaker, it would make this issue an even greater, a greater injustice and mockery of our parliamentary rules, laws, traditions and, Mr. Speaker, make a mockery of the members of this Assembly, our rules, and the people of the province of Saskatchewan.

Mr. Speaker, I now, Mr. Speaker, call upon the members of the government to do the right thing, the honourable thing, Mr. Speaker, to do the honourable thing, to consider prior to voting what the honourable thing is in this situation, Mr. Speaker. I know it's not an easy thing. I'm not saying it's easy. I'm not saying it's something you'd like to do. I'm not saying it's comfortable, but it's the right thing to do. And, Mr. Speaker, I'm asking all of the members of this Assembly to vote for this motion so we can put this issue behind us and move forward. Mr. Speaker, it shows both leadership, it shows integrity. It shows judgment, Mr. Speaker, and it begins a path back to trust and working in this House.

Mr. Speaker, in other jurisdictions when the Speaker finds a prima facie case of privilege, members have taken it seriously. And I've used many examples tonight where even the government members voted against one of their members, Mr. Speaker, and I would expect no less of the members of this Assembly. Mr. Speaker, let's not shirk our responsibilities. Let's ensure that the basic rights of members are respected and honoured, because at the end of the day, Mr. Speaker, this is all about trust.

And Saskatchewan people are starting, Mr. Speaker, to recognize that this government has broken that trust in so many ways. Tonight's vote is an opportunity for the government to start to restore some of that trust. Will they use their majority to say it's okay to mislead the House? Or will they do the right thing and refer this matter to the Standing Committee on Privileges?

Mr. Speaker, people are watching this debate. Mr. Speaker, people are commenting online. People are waiting to see how the Premier and the government members will respond. Mr. Speaker, I call on them to do the right thing, Mr. Speaker, Mr. Speaker, for the first time in 28 years, for the first time in 28 years we're dealing with one of the most difficult decisions a government would ever make. Twenty-eight years ago now, the government of Premier Grant Devine, the cabinet minister by the name of Colin Thatcher faced a similar dilemma.

Mr. Speaker, today we face, today we face the same decision.

Mr. Speaker, we face that same decision today as members of the Assembly. Mr. Speaker, this issue is one in which we must step above, we must step above our biases, we must step above our party roles, we must look at this issue for what it is — an issue of integrity, responsibility, and respect for the very Chamber in which we sit.

Mr. Speaker, for the last several hours I've had the opportunity to speak about probably the most important issue I will ever speak about in my career as a Member of the Legislative Assembly. Mr. Speaker, I will never in my career, I hope ever speak to another motion of privilege. Mr. Speaker, today is a serious day for this legislature. It's a serious day for the people of the province of Saskatchewan. And, Mr. Speaker, it is although a very serious day, it is also an opportunity for us as members of the Assembly to step beyond our petty differences, to step above those things that stand in the way of moving forward and doing the right thing.

Mr. Speaker, it is not only in this Chamber that the issue of privilege is being debated. Mr. Speaker, it's being debated in households across this province. It's being debated in households across this country, Mr. Speaker. It's being talked about because this is such a rare occasion, Mr. Speaker, that this is being talked about. Mr. Speaker, in 28 years this is the first time that we have debated this issue.

Mr. Speaker, in just a few minutes we are going to have the opportunity to either step forward or step backward. It's an opportunity to make a difference on maybe the most important debate the members of this House have had an opportunity to participate in, Mr. Speaker, an issue of privilege.

Mr. Speaker, the people of this Legislative Assembly need to take their responsibilities as seriously as members have in other Houses across the country. Mr. Speaker, these issues have not been dismissed lightly anywhere, nor should they. They are extremely important issues, Mr. Speaker. They are issues that all members of this Assembly need to take very, very seriously.

Mr. Speaker, very recently Speaker Milliken in Ottawa made a very historic ruling on matters of privilege related to the production of documents, Mr. Speaker — a courageous decision, Mr. Speaker. In the course of giving his ruling, Speaker Milliken laid out very well the role of the Speaker in the parliamentary system such as ours when they are dealing with matters of privilege such as this one. And he said, I quote:

As Speaker, one of my principal duties is to safeguard the rights and privileges of Members of the House. In doing so, the Chair is always mindful of the established precedents, usages, traditions and practices of the House and of the role of the Chair in their ongoing evolution.

Mr. Speaker, of course that's your principal duty here as well, to safeguard the rights and privileges of the members of this House. Now, Mr. Speaker, those rights and privileges are not an ends in themselves. They serve important purposes, Mr. Speaker, for members of this Assembly, for the integrity of this Chamber, and for the people of the province of Saskatchewan.

Mr. Speaker, those rights and privileges are essential to our democratic system of representative government. And under

our system, Mr. Speaker, the people elect us as their representatives to this Assembly. We are here to act on their behalf, to oversee the actions of the government, and, in our role as opposition members, to call the government to account. We are here to perform that duty on behalf of those who elect us, Mr. Speaker, the people of Saskatchewan. And we must be secure in those rights and privileges we have as elected members, Mr. Speaker.

[22:00]

And, Mr. Speaker, to vote against this motion tonight would say that our rights and privileges don't mean anything, Mr. Speaker — and that became even more clear after the Minister of Health's comments in his scrums, Mr. Speaker — that to not respect this, Mr. Speaker, would be an affront to those rights, Mr. Speaker, and privileges that we have as elected members.

Mr. Speaker, we as members have, as an example, a special freedom of speech not accorded to others in other places. We have this freedom, Mr. Speaker, so that we can ask questions we wish without fear of legal harassment that would impede us in the execution of our functions. Similarly, Mr. Speaker, we must be able to expect that every answer we receive from a minister of the Crown is a truthful answer, Mr. Speaker. Otherwise, Mr. Speaker, we could not do our job. We could not question ministers on behalf of those we represent because we could not rely upon the answers that we receive.

So, Mr. Speaker, we have these privileges and these rights, Mr. Speaker, to exercise as members of the Legislative Assembly, so that the people may properly be, so that the people may be properly represented here in their Assembly by us. Mr. Speaker, if we didn't have them or if they weren't respected by the members opposite, our democratic system of representative parliamentary government couldn't and wouldn't work, Mr. Speaker.

And that's why Speaker Milliken — as I know you do too, Mr. Speaker — takes so seriously his role as the guardian of our rights and privileges as members of the Legislative Assembly. This is truly a principal function of the role of Speaker.

Now, Mr. Speaker, in future outlining his role in matters of privilege, Speaker Milliken also cited a practice which is very relevant to the motion we are debating tonight. He quoted, Mr. Speaker, from the *House of Commons Procedure and Practice*, 2nd Edition, O'Brien and Bosc, at page 141. Mr. Speaker, it says: "Great importance is attached to matters involving privilege." A member wishing to rise on a question:

A Member wishing to raise a question of privilege in the House must first convince the Speaker that his or her concern is *prima facie* (on the first impression or at . . . [a] glance) a question of privilege. The function of the Speaker is limited to deciding whether the matter is of such a character as to entitle the Member who has raised the question to move a motion which will have priority over Orders of the Day; that is, in the Speaker's opinion, there is a *prima facie* question of privilege. If there is, the House must take the matter into immediate consideration. Ultimately, it is the House which decides whether a breach of privilege or a contempt has been committed.

And that, Mr. Speaker, up until the last sentence, is what we have done so far. I have raised the matter, Mr. Speaker, and you have found there is a prima facie question of privilege. And we are, Mr. Speaker, taking the matter into immediate consideration. We are doing so with the motion I have moved on this matter, Mr. Speaker, and here I'd like to move to the motion itself and explain why each part of it is so relevant to the important question of privilege we are discussing tonight.

Mr. Speaker, first of all, we are asking the Committee on Privileges to examine the statements made to this Assembly by the Minister of Health. This is a very important step, Mr. Speaker, and I wish here to invoke a precedent in the House of Commons in Ottawa, Mr. Speaker, of February and March of 2002, because it deals very directly with the question of how referral to a committee relates to the question of a minister's intention to mislead the House.

Mr. Speaker, on that occasion the issue was one of ministerial statements that could not be reconciled with one another. The minister in question, the Minister of National Defence had made different statements on two different occasions about when he had been informed about the involvement of Canadian troops in Afghanistan and the taking of prisoners, Mr. Speaker. Now, Mr. Speaker, in February 2002, the Speaker ruled that, even though he was prepared to accept the minister's assertion that he had no intention of misleading the House, the Speaker nevertheless ruled the matter merited further consideration by the relevant parliamentary committee in order to clarify the matter.

Mr. Speaker, while not prejudging the work of the committee, we think the same kind of clarification is needed on this matter.

Second, Mr. Speaker, we are asking the committee to report back to this Assembly. Mr. Speaker, allow me to quote again from Speaker Milliken's remarks when he said, quoting O'Brien and Bosc, "Ultimately, it is the House which decides whether a breach of privilege or a contempt has been committed."

Mr. Speaker, we agree with that principle very strongly. But if the House is to decide, Mr. Speaker, it must do so in a deliberate way. The decision of the House must be an informed decision, Mr. Speaker. It should not be a hasty decision.

Mr. Speaker, in the case involving ministerial statements regarding Afghan detainees, the federal committee took a few weeks to clarify matters. It took that time, Mr. Speaker, because they too take matters of privilege very serious, Mr. Speaker. When they reported back to the House, the federal MPs [Member of Parliament] on the committee wanted to ensure that their report was full and clear and could provide the best guidance possible to their fellow MPs.

And they did that, Mr. Speaker, because they respected the principle I cited a moment ago, that ultimately it is the House which decides whether a breach of privilege or a contempt has been committed. It should be a decision of the whole House, Mr. Speaker, and it should be an informed decision made with due deliberation after the relevant committee has given the opportunity to carefully review the matter and provide the proper report to members of the Assembly, Mr. Speaker.

Unfortunately, Mr. Speaker, we understand the Premier may take a different view. Reportedly, Mr. Speaker, he has decided to short-circuit the process and has told his MLAs to vote against this motion, and so prevent the relevant committee from doing its work and so prevent this whole Assembly from making an informed and deliberate decision about whether a breach of privilege or contempt has occurred.

Mr. Speaker, in finding a prima facie question of privilege, you noted that it was quite unusual for an officer such as the Privacy Commissioner to respond as he did with his letter on May the 3rd. Everyone recognizes, Mr. Speaker, that it may be even rarer for someone in your position to find prima facie evidence that a minister had made a misleading statement in the House.

Everyone recognizes the seriousness of the question that should be facing the whole House, Mr. Speaker — of whether or not a true breach of privilege or a contempt has been committed, Mr. Speaker, is of the utmost seriousness — because it should be the whole House that decides this matter, Mr. Speaker, after receiving a full report from the relevant committee that investigates the issue, Mr. Speaker.

And, Mr. Speaker, it's become, you know, more and more clear, Mr. Speaker, that the Minister of Health understands the seriousness of what has happened, as his scrum this afternoon would indicate. Everyone recognizes this, Mr. Speaker, except the Premier apparently because he's prepared to rush his judgment. He's prepared to tell his MLAs how to vote, and to tell his MLAs how to vote without even letting the committee do its work.

Mr. Speaker, if this happens it is regrettable. When a Premier instructs his members to treat so lightly a very serious matter that touches on the rights and privileges of those members themselves, Mr. Speaker, where would the moral compass of the Premier be?

Mr. Speaker, I would ask the members opposite how seriously the Premier takes the rights and privileges as members of the Assembly when he is asking them to co-operate in a rush judgment in a matter like this one. When the Premier will go out in the rotunda before the media and say his members are all going to vote against it, and just minutes later the minister himself will admit — he will admit, Mr. Speaker — and he will feel bad about what has occurred.

And finally, Mr. Speaker, we are asking them, until the committee reports to this Assembly, that the minister be removed from his position as a minister. Mr. Speaker, we have serious reasons for doing so. Mr. Speaker, first the Speaker has ruled for the first time in many years that there's a prima facie case of privilege. This means he has found evidence that the minister may have misled the Assembly.

And now it is the principal requirement of ministers that they be able to stand in their place and answer for the ministries. Mr. Speaker, it's absolutely crucial that ministers' answers be credible to members of the Assembly who are questioning the government on behalf of the people. Any less than that, Mr. Speaker, any less than members of this Assembly getting credible answers from ministers of the Crown, Mr. Speaker, prevents us from doing our jobs, Mr. Speaker — the very job

that the people of the province of Saskatchewan elected us to do.

Mr. Speaker, this minister has been found prima facie to have possibly given an unreliable answer. Members of this Assembly 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. They would also be prejudging the outcome of the committee's deliberations if they were to do so. They would be signalling to the committee that they consider the minister's answers to be reliable, Mr. Speaker, when this is the very point of deliberation the committee must decide and report back to this House on.

So, Mr. Speaker, these are the principal reasons we are asking that the minister be removed from his position while the committee does its work. Mr. Speaker, we could not rely on the answers of the minister. And to have him remain in his position, Mr. Speaker, while the committee was doing its work, would in fact undermine the ability of the committee to do the very work that they should be doing. That work, Mr. Speaker, will allow the whole House to make an informed decision about whether a breach of privilege has occurred or a contempt has occurred, Mr. Speaker.

That, Mr. Speaker, is the proper way to handle a matter such as this. When the fundamental rights and privileges of all members are at stake, Mr. Speaker — rights and privileges that we exercise on behalf of the people of Saskatchewan as their democratically elected representatives, Mr. Speaker — anything less than that is a failure to do our jobs, Mr. Speaker.

And, Mr. Speaker, that is why I hope the Premier will reverse his decision to rush the judgment, Mr. Speaker, and will allow his members to vote freely on the merits of this motion so that the rights and privileges of all members can be as well safeguarded as they deserve to be, Mr. Speaker. Mr. Speaker, this is the most important decision the members of this Assembly will make in their time in this Assembly, Mr. Speaker.

And for those very reasons, Mr. Speaker, Mr. Speaker, I want to go back and for a few minutes discuss, Mr. Speaker, what the Minister of Health said in his scrum. Because, Mr. Speaker, in his scrums . . . Mr. Speaker, in my mountain of paper here I'm looking for, Mr. Speaker, to one more time talk about the statements made by Mr. McMorris.

[22:15]

Mr. Speaker, I'd like to just reiterate what I think is an absolutely important, an absolutely important piece of information to the vote we are about to take in the next few minutes, Mr. Speaker. Mr. Speaker, what I want to quote is from the scrum of the Minister of Health, Mr. Speaker, his scrum from today.

Mr. Speaker, Mr. Speaker, today in his scrum the Minister of Health makes it very clear, makes it very clear. The minister says this: "I guess I'll try and be much clearer. You know I've been here for 10 years; this hasn't happened for 20-some years in the House." The reporter says, "Almost 30." "Okay, almost 30." And he goes on to say, and this is the Minister of Health,

he says:

Okay, almost 30. I don't want to be misleading. I heard a lot of things said in this House, and I can question a lot of that. I spent eight years in opposition and I heard cabinet ministers say stuff that they couldn't back up and whatever. You know, I'm not very pleased with the way this has gone. I mean I feel sick about it but, you know, it was never my intent.

Mr. Speaker, the Minister of Health goes on. Mr. Speaker, the Minister of Health goes on to say that he didn't intend to mislead the House. He goes on to say, Mr. Speaker:

No, Stefani, that's not all what I said. I said they're not very happy with what has happened. I don't feel good about it at all. I've heard lots of things that have been said in this House different times. I bring my credibility to this place, I try to conduct my affairs. That was never my intent to mislead the public whatsoever and I'm sick that this has happened. It was never my intent. Those words that I spoke were never my intent to mislead.

Mr. Speaker, Mr. Speaker, then, Mr. Speaker, the Minister of Health then goes on to say, to say this: that after the vote in this Assembly, he would apologize. So, Mr. Speaker, I want to make one final comment about the absolute . . . [inaudible] . . . integrity.

There is no integrity in apologizing after you've had your own members vote against what you know to be wrong. In fact that is the most hypocritical situation that any of us could ever do. And, Mr. Speaker, the apology would not be in good taste because if you just had your members vote that in fact you hadn't done it, and then you come in and apologize for doing it, Mr. Speaker, that makes a sham of this very process and makes a sham of this very Assembly. It makes a sham of our rules, of our institution and, Mr. Speaker, we don't want this.

Mr. Speaker, in a very few, short minutes we have the opportunity for the Premier to show some leadership, something he has not done. Mr. Speaker, the Premier can be different than Grant Devine, different than Colin Thatcher and he can show some leadership. He can stand, he can stand in this House and not follow the leadership of Grant Devine and Colin Thatcher and move ahead and do what he knows what is the right thing, which is to vote in favour of this motion of referral to the Committee on Privileges, Mr. Speaker.

Mr. Speaker, the Premier has an opportunity to once again move away from his history, Mr. Speaker, not follow Grant Devine, not follow Colin Thatcher, but to show some judgement, to show better judgement than he's shown in recent months, Mr. Speaker, to show the people of Saskatchewan that he can do something, that he can lead. He can do the honourable thing to show a moral compass and to vote in favour, Mr. Speaker, of the motion before us. But, Mr. Speaker, but, Mr. Speaker . . .

[Interjections]

The Speaker: — Order. Order. Order. I'll ask the members to come to order. According to rule 12(5) of the members' rules

and proceedings, being now 10 minutes before the hour of adjournment, I will place the question on the motion before the Assembly. The motion presented by the member from Regina Dewdney:

Be it resolved that the Standing Committee on Privileges be . . .

[Interjections]

The Speaker: — Order.

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 it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — No.

Some Hon. Members: — Agreed.

The Speaker: — All those in favour say aye.

Some Hon. Members: — Aye.

The Speaker: — Those opposed say nay.

Some Hon. Members: — No.

The Speaker: — I believe the nays have it. Standing vote. Call in the members.

[The division bells rang from 22:21 until 22:25.]

The Speaker: — I'll ask the members to take their chairs and we'll call the vote. Those in favour of the motion please rise.

[Yeas — 20]

Lingenfelter	McCall	Belanger
Harper	Trew	Higgins
Junor	Atkinson	Nilson
Forbes	Vermette	Broten
Furber	Morin	Yates
Iwanchuk	Taylor	Quennell
Wotherspoon	Chartier	

The Speaker: — Those opposed to the motion please rise.

[Nays — 32]

Wall	Morgan	Bjornerud
Gantefoer	Draude	Krawetz
Boyd	Eagles	Cheveldayoff
Duncan	Huyghebaert	Heppner
Harpauer	D'Autremont	Harrison
Norris	Reiter	Hutchinson
Brkich	Elhard	Schriemer
Stewart	Allchurch	Weekes

Wilson	Michelson	Ottenbreit
Ross	Chisholm	Bradshaw
Kirsch	McMillan	

Principal Clerk: — Mr. Speaker, those in favour of the motion, 20; those opposed, 32.

The Speaker: — The motion is defeated. We'll go to government orders. I recognize the Minister of Health.

Hon. Mr. McMorris: — Thank you, Mr. Speaker. With leave to make a statement.

The Speaker: — The Minister of Health has asked for leave for a statement. Is leave granted?

Some Hon. Members: — No.

The Speaker: — Leave is not granted. Being near the hour of adjournment, the Assembly will stand adjourned until tomorrow afternoon at 1:30 p.m.

[The Assembly adjourned at 22:30.]

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