



No. 16

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FIRST SESSION – TWENTY-FIFTH LEGISLATURE

Thursday, April 8, 2004

10:00 a.m.

PRAYERS

PRESENTING PETITIONS

Petitions of citizens of the Province of Saskatchewan were presented and laid upon the Table by the following Members: Elhard, Hermanson, Huyghebaert, Brkich, Weekes and Dearborn.

READING AND RECEIVING PETITIONS

According to Order, the Deputy Clerk having favourably reported on the same pursuant to Rule 14(7), the following Petitions were read and received:

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to ensure that the Davidson and Imperial Health Centres be maintained at their current level of service.

(Addendum to Sessional Paper No. 63)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to fund the Unity and District Seniors Lodge Project to ensure that citizens of Unity and District remain in the community for this necessary service that will bridge the gap between independent living and long term care.

(Addendum to Sessional Paper No. 65)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to repair Highway 43 in order to address safety concerns and to facilitate economic growth in rural Saskatchewan.

(Addendum to Sessional Paper No. 69)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to reverse the increase in Crop Insurance Premiums and the reduction in coverage.

(Addendum to Sessional Paper No. 72)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to provide reliable cellular telephone service in the regions encompassed in the Constituency of Biggar.

(Addendum to Sessional Paper No. 76)

REPORT OF THE STANDING COMMITTEE ON HOUSE SERVICES

The Speaker, Chair of the Standing Committee on House Services, presented the Second Report of the said Committee.

(Sessional Paper No. 84)

On motion of Mr. Gantefoer, seconded by the Hon. Mr. Van Mulligen:

Ordered, That the Second Report of the Standing Committee on House Services be now concurred in.

INTRODUCTION OF BILLS

The following Bills were received, read the first time, and ordered to be read a second time at the next sitting:

Bill No. 19 – The Land Titles Amendment Act, 2004

(Hon. Mr. Cline)

Bill No. 20 – The Land Surveyors and Professional Surveyors Amendment Act, 2004

(Hon. Mr. Cline)

Bill No. 21 – The Saskatchewan Association of School Business Officials Act, 2004

(Hon. Mr. Thomson)

WRITTEN QUESTIONS

The Order of the Day being called for Question Nos. 73 to 154, pursuant to Rule 45(5), they were transferred to Motions for Returns (Debatable) Nos. 28 to 109.

BUDGET DEBATE

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Van Mulligen, seconded by Mr. Hagel:

That the Assembly approves in general the budgetary policy of the Government.

and the proposed amendment thereto moved by Mr. Krawetz, seconded by Mr. Hermanson:

That all words after “That” be deleted and the following substituted therefor:

“the current Premier and cabinet have betrayed Saskatchewan voters with the 2004-2005 provincial budget and, therefore, this provincial government does not enjoy the confidence of the Assembly.”

The debate continuing and the question being put on the amendment, the Deputy Clerk informed the Speaker that there was an equality of votes on the following Recorded Division:

YEAS – 28

Wall	Toth	Elhard	Heppner	D'Autremont
Krawetz	Draude	Hermanson	Bjornerud	Stewart
Wakefield	Morgan	McMorris	Eagles	Gantefoer
Harpauer	Bakken	Cheveldayoff	Huyghebaert	Allchurch
Brkich	Weekes	Kerpan	Merriman	Chisholm
Dearborn	Hart	Kirsch		

NAYS – 28

Calvert	Addley	Lautermilch	Hagel	Van Mulligen
Atkinson	Cline	Sonntag	Crofford	Prebble
Forbes	Wartman	Belanger	Higgins	Thomson
Nilson	Beatty	Hamilton	Junor	Harper
Iwanchuk	McCall	Quennell	Trew	Yates
Taylor	Morin	Borgerson		

Mr. Speaker, under Rule 26(2), cast his vote against the amendment and stated his reason to be as follows:

The Clerk has announced that there is an equality of votes for and against the amendment. In these circumstances, it is my duty pursuant to Rule 26(2) to give a casting vote to break the tie. According to parliamentary practice, the Speaker votes according to certain procedural principles, and not for or against the substance of the matter, in order to avoid any imputation on the impartiality of the Chair.

An amendment to the Budget motion is traditionally viewed as a question of confidence and, in this case, is worded as an explicit motion of non-confidence. In general, the principle applied to amendments is that decisions should not be taken except by a majority and that, where there is no majority, the main motion should be left in its existing form. In a vote that is a test of the Assembly's confidence in the Government, the decision of non-confidence should be clearly stated by a majority. It would not be appropriate for the vote of the Speaker alone to overturn the *status quo* as determined at the last election.

I therefore vote against the amendment and declare the amendment defeated.

The question being put on the motion, the Clerk Assistant informed the Speaker that there was an equality of votes on the following Recorded Division:

YEAS – 28

Calvert	Addley	Lautermilch	Hagel	Van Mulligen
Atkinson	Cline	Sonntag	Crofford	Prebble
Forbes	Wartman	Belanger	Higgins	Thomson
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Harpauer	Bakken	Cheveldayoff	Huyghebaert	Allchurch
Brkich	Weekes	Kerpan	Merriman	Chisholm
Dearborn	Hart	Kirsch		

Mr. Speaker, under Rule 26(2), cast his vote in favour of the motion and stated his reason to be as follows:

The Clerk has announced that there is an equality of votes for and against the motion. In these circumstances, it is my duty pursuant to Rule 26(2) to give a casting vote to break the tie. According to parliamentary practice, the Speaker votes according to certain procedural principles in order to avoid any imputation on the impartiality of the Chair.

The vote on the Budget motion is traditionally viewed as a question of confidence. The principle that applies in this instance is that important decisions should only be taken by a majority. Matters of confidence are of such importance that a decision of non-confidence should be clearly made by a majority. It would not be appropriate for the vote of the Speaker alone to overturn the *status quo* as determined at the last election.

I therefore vote in favour of the Budget motion and the motion is carried.

REFERRAL OF ESTIMATES TO THE STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES

On motion of the Hon. Mr. Van Mulligen, seconded by Hon. Ms. Atkinson, by leave of the Assembly:

That the following Estimates and Supplementary Estimates, being:

Vote 74	Information Technology Office
Vote 33	Public Service Commission
Vote 53	Saskatchewan Property Management Corporation
Vote 165	Crown Investments Corporation of Saskatchewan
Vote 159	Information Services Corporation of Saskatchewan
Vote 154	Saskatchewan Opportunities Corporation
Vote 152	Saskatchewan Power Corporation
Vote 153	Saskatchewan Telecommunications Holding Corporation
Vote 150	SaskEnergy Incorporated

be withdrawn from the Committee of Finance and referred to the Standing Committee on Crown and Central Agencies.

The question being put on the motion, the Clerk informed the Speaker that there was an equality of votes on the following Recorded Division:

YEAS – 28

Calvert	Addley	Lautermilch	Hagel	Van Mulligen
Atkinson	Cline	Sonntag	Crofford	Prebble
Forbes	Wartman	Belanger	Higgins	Thomson
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NAYS – 28

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Wakefield	Morgan	McMorris	Eagles	Gantefer
Harpauer	Bakken	Cheveldayoff	Huyghebaert	Allchurch
Brkich	Weekes	Kerpan	Merriman	Chisholm
Dearborn	Hart	Kirsch		

Mr. Speaker, under Rule 26(2), cast his vote against the motion and stated his reason to be as follows:

The Clerk has announced that there is an equality of votes for and against the motion. In these circumstances, it is my duty pursuant to Rule 26(2) to give a casting vote to break the tie. According to parliamentary practice, the Speaker votes according to certain procedural principles in order to avoid any imputation on the impartiality of the Chair.

In general, the principle applied to motions is that, where no further discussion is possible, decisions should not be taken except by a majority. The Speaker alone should not change the *status quo*, which is to leave the Estimates in the Committee of Finance.

I therefore vote against the motion and declare the motion defeated.

On motion of the Hon. Mr. Van Mulligen:

Ordered, That this Assembly do now adjourn.

The Assembly adjourned at 12:21 p.m. until Wednesday at 1:30 p.m.

Hon. P. Myron Kowalsky
Speaker

NOTICE OF MOTIONS FOR FIRST READING OF BILLS AVIS DE MOTION PORTANT PREMIÈRE LECTURE DE PROJETS DE LOI

On Thursday / jeudi:

Hon. Mr. Forbes to move First Reading of Bill No. 23 – The Regional Parks Amendment Act, 2004

Hon. Mr. Quennell to move First Reading of Bill No. 24 – The Provincial Court Amendment Act, 2004

Hon. Ms. Crofford to move First Reading of Bill No. 25 – The Adoption Amendment Act, 2004

L'hon. Mme Crofford proposera la première lecture du projet de loi n° 25 – Loi de 2004 modifiant la Loi de 1998 sur l'adoption

Hon. Ms. Crofford to move First Reading of Bill No. 26 – The Adoption Consequential Amendment Act, 2004

NOTICE OF WRITTEN QUESTIONS

The following Question was given notice on day no. 13 and is to be answered by day no. 18:

Mr. Heppner, to ask the Government the following Question No. 166:

To the Minister of Highways and Transportation: (1) With regard to the Highway 11 twinning project, what is the Department's plan for accesses on this Highway in the communities of Hague, Osler and Rosthern? (2) Has the Department consulted with the councils in those communities about the number and location of these accesses? (3) What is the position of those communities about these accesses, and how does it compare to that of the Department of Highways' plan?

The following Question was given notice on day no. 14 and is to be answered by day no. 19:

Mr. Brkich, to ask the Government the following Question No. 167:

To the Minister of Highways and Transportation: When will the section of highway 15 from the junction of #20 east to the junction of #6 be resurfaced or re-paved?

The following Questions were given notice on day no. 15 and are to be answered by day no. 20:

Mr. Hermanson, to ask the Government the following Question No. 168:

To the Minister Responsible for Saskatchewan Telecommunications: (1) As of December 31, 2003, how many MAX TV subscribers were employees of SaskTel? (2) Do SaskTel employees receive a discounted subscription rate for the MAX TV service? (3) If so, how much is the employees' discount, per employee? (4) What is the total discount amount?

Mr. Hermanson, to ask the Government the following Question No. 169:

To the Minister Responsible for Saskatchewan Telecommunications: Can the Minister provide an explanation as to why SaskTel can release the number of subscribers for its MAX TV service, yet does not release the number of disconnects due to what is termed “competitive reasons”?

Mr. Brkich, to ask the Government the following Question No. 170:

To the Minister Responsible for Saskatchewan Property Management Corporation: How many full- and part-time positions will be lost within SPMC due to the budget?

Mr. Dearborn, to ask the Government the following Question No. 171:

To the Minister of Agriculture, Food and Rural Revitalization: In light of the recently announced cull of 19 million chickens in Canada, and given the need to replace those birds, will any action be taken to expedite the granting of quotas to Saskatchewan chicken and egg producers who are on waiting lists for the Chicken Farmers of Saskatchewan and the Saskatchewan Hatching Egg Producers' Marketing Board, respectively?

The following Questions were given notice on day no. 16 and are to be answered by day no. 21:

Mr. Weekes, to ask the Government the following Question No. 172:

To the Minister of Health: (1) What will be the anticipated costs to change the names of all hospitals in the Heartland Health Region? (2) Is it expected to occur in this fiscal year?

Mr. McMorris, to ask the Government the following Question No. 173:

To the Minister of Justice: For fiscal year 2001, what was the total number of transfers done by Spectrum Transfer Company in the Regina area?

Mr. McMorris, to ask the Government the following Question No. 174:

To the Minister of Justice: For fiscal year 2002, what was the total number of transfers done by Spectrum Transfer Company in the Regina area?

Mr. McMorris, to ask the Government the following Question No. 175:

To the Minister of Justice: For fiscal year 2003, what was the total number of transfers done by Spectrum Transfer Company in the Regina area?

Mr. McMorris, to ask the Government the following Question No. 176:

To the Minister of Justice: For fiscal year 2003, what was the fee paid by the Coroner's office to Spectrum Transfer Company, per transfer in the Regina area?

NOTICE REGARDING PETITIONS FOR PRIVATE BILLS

Notice is hereby given, in accordance with Rules 75 and 78 of the Legislative Assembly of Saskatchewan, that the time for filing Petitions for Private Bills with the Clerk of the Legislative Assembly will expire on the twentieth sitting day, and that the time for presenting Petitions for Private Bills to the Legislative Assembly at its present Session will expire on the twenty-fifth sitting day of the said Session.

GWENN RONYK
Clerk of the Legislative Assembly

ALPHABETICAL LIST OF BILLS

Bills that have been introduced are listed alphabetically along with the Bill number. To find what stage a Bill is at, refer to the Progress of Bills chart.

TITLE	DATE CONSIDERED	BILL NO.
Administration of Estates Amendment Act, 2004 / Loi de 2004 modifiant la Loi sur l'administration des successions	March 25, 2004	10
Appropriation Act, 2004 (No. 1)	April 2, 2004	18
Automobile Accident Insurance Amendment Act, 2004	March 24, 2004	7
Certified Management Consultants Amendment Act, 2004	March 24, 2004	3
Department of Energy and Mines Amendment Act, 2004	April 1, 2004	17
Department of Post-Secondary Education and Skills Training Amendment Act, 2004	March 25, 2004	11
Electrical Inspection Amendment Act, 2004	March 25, 2004	9
Financial Administration Amendment Act, 2004	March 24, 2004	1
Gas Inspection Amendment Act, 2004	March 25, 2004	8
Geographic Names Board Amendment Act, 2004	April 1, 2004	16
Labour-sponsored Venture Capital Corporations Amendment Act, 2004	March 29, 2004	13
Land Surveyors and Professional Surveyors Amendment Act, 2004	April 8, 2004	20
Land Titles Amendment Act, 2004	April 8, 2004	19
Municipal Employees' Pension Amendment Act, 2004	March 24, 2004	4
Power Corporation Amendment Act, 2004	March 24, 2004	2
Purchasing Act, 2004	March 29, 2004	12
Saskatchewan Association of School Business Officials Act, 2004	April 8, 2004	21
Saskatchewan Pension Annuity Fund Amendment Act, 2004	March 24, 2004	5
Superannuation (Supplementary Provisions) Amendment Act, 2004	March 24, 2004	6
Whistleblower Protection Act	April 5, 2004	201
Workers' Compensation Board Pension Implementation Act	April 1, 2004	15

PROGRESS OF BILLS**TO Friday, April 8, 2004****Bill comes into force on:**

A–Assent P–Proclamation

Committees:

CF: Committee of Finance

IAI: Intergovernmental Affairs and Infrastructure

PBC: Private Bills

SD–Specific Date

CW: Committee of the Whole

CCA: Crown and Central Agencies

ECO: Economy

SE–Specific Event

HOS: House Services

HUS: Human Services

GOVERNMENT BILLS

No.	Title	Member	1st Reading	Crown Recomm.	Comm.	2nd Reading	Comm.	Amdt.	3rd Reading	Royal Assent	In Effect
1	The Financial Administration Amendment Act, 2004	Van Mulligen	March 24/04								
2	The Power Corporation Amendment Act, 2004	Quennell	March 24/04								
3	The Certified Management Consultants Amendment Act, 2004	Van Mulligen	March 24/04								
4	The Municipal Employees' Pension Amendment Act, 2004	Van Mulligen	March 24/04								
5	The Saskatchewan Pension Annuity Fund Amendment Act, 2004	Van Mulligen	March 24/04								
6	The Superannuation (Supplementary Provisions) Amendment Act, 2004	Van Mulligen	March 24/04								
7	The Automobile Accident Insurance Amendment Act, 2004	Sonntag	March 24/04								
8	The Gas Inspection Amendment Act, 2004	Quennell	March 26/04								
9	The Electrical Inspection Amendment Act, 2004	Quennell	March 26/04								
10	The Administration of Estates Amendment Act, 2004 / Loi de 2004 modifiant la Loi sur l'administration des successions	Quennell	March 26/04								
11	The Department of Post-Secondary Education and Skills Training Amendment Act, 2004	Thomson	March 26/04								
12	The Purchasing Act, 2004	Higgins	March 29/04								
13	The Labour-sponsored Venture Capital Corporations Amendment Act, 2004	Cline	March 29/04								

GOVERNMENT BILLS (continued)

No.	Title	Member	1st Reading	Crown Recomm.	Comm.	2nd Reading	Comm.	Amdt.	3rd Reading	Royal Assent	In Effect
15	The Workers' Compensation Board Pension Implementation Act	Higgins	April 1, 2004								
16	The Geographic Names Board Amendment Act, 2004	Cline	April 1, 2004								
17	The Department of Energy and Mines Amendment Act, 2004	Cline	April 1, 2004								
18	The Appropriation Act, 2004 (No. 1)	Van Mulligen	April 2, 2004			April 2, 2004	CF April 2/04		April 2, 2004	April 2, 2004	A
19	The Land Titles Amendment Act, 2004	Cline	April 8, 2004								
20	The Land Surveyors and Professional Surveyors Amendment Act, 2004	Cline	April 8, 2004								
21	The Saskatchewan Association of School Business Officials Act, 2004	Thomson	April 8, 2004								

PRIVATE MEMBERS' PUBLIC BILLS

No.	Title	Member	1st Reading	Crown Recomm.	Comm.	2nd Reading	Comm.	Amdt.	3rd Reading	Royal Assent	In Effect
201	The Whistleblower Protection Act	Morgan	April 5, 2004								