



No. 94

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FIRST SESSION – TWENTY-FIFTH LEGISLATURE

Tuesday, April 19, 2005

1:30 p.m.

PRAYERS

PRESENTING PETITIONS

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

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 Biggar Hospital, Long-term Care Home and Ambulance services maintain their current level of services.

(Addendum to Sessional Paper No. 106)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to reverse the decision to force the amalgamation of school divisions in Saskatchewan and continue re-organization of school divisions on a strictly voluntary basis.

(Addendum to Sessional Paper No. 637)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to take immediate action and make necessary repairs to Highway 32 in order to address safety and economic concerns.

(Addendum to Sessional Paper No. 666)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to provide the funding required for additional residential spaces for Swift Current residents with lifelong disabilities.

(Addendum to Sessional Paper No. 715)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to implement an allocation of financial resources to build an elementary school in Arbor Creek.

(Addendum to Sessional Paper No. 716)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to implement a strategy that will deal with crystal methamphetamine education, prevention, enforcement and treatment.

(Addendum to Sessional Paper No. 720)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to ensure that the development of cabin lots in the area of Rafferty Dam proceeds.

(Addendum to Sessional Paper No. 729)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to install the technical equipment necessary to ensure that all rural areas of Saskatchewan are protected by reliable cellular phone coverage.

(Addendum to Sessional Paper No. 730)

REPORT OF THE STANDING COMMITTEE ON PRIVATE BILLS

Mr. Yates, Chair of the Standing Committee on Private Bills, presented the Fourth Report of the said Committee which is as follows:

Your Committee has considered the following Bills and has agreed to report the same without amendment:

Bill No. 304 – The Concentra Trust Act, 2005

Bill No. 305 – The Saskatoon Foundation Amendment Act, 2005

Bill No. 306 – The Soeurs de la Charite de St. Louis Repeal Act

And further, that the fees less the cost of printing be remitted to the petitioners for Bills 304, 305 and 306.

(Sessional Paper No. 747)

On motion of Mr. Yates, seconded by Mr. Hart:

Ordered, That the Fourth Report of the Standing Committee on Private Bills be now concurred in and that the said Bills be accordingly referred to the Committee of the Whole.

INTRODUCTION OF BILLS / DÉPÔT DE PROJETS DE LOI

The Minister, in each case, having acquainted the Assembly that Her Honour the Lieutenant Governor, having been informed of the subject matter of the Bills, recommends them to the consideration of the Assembly, the following Bills were received, read the first time, and ordered to be read a second time at the next sitting:

Le Ministre fait savoir à l'Assemblée que Son Honneur la Lieutenant-gouverneure, ayant été informé de l'objet des projets de loi, dans chaque cas, les recommande à la considération de l'Assemblée; les projets de loi suivants sont reçus, lus une première fois, et la deuxième lecture en est fixée à la prochaine séance:

Bill No. 114 – The Education Amendment Act, 2005

Projet de loi n° 114 – Loi de 2005 modifiant la Loi de 1995 sur l'éducation

(Hon. Mr. / L'hon. M. Thomson)

Bill No. 115 - The Education Property Tax Credit Act

(Hon. Mr. Thomson)

SPEAKER TABLES REPORTS

The Speaker laid before the Assembly, in accordance with the provisions of Section 14 of *The Provincial Auditor Act*:

Report of the Provincial Auditor on the Financial Statements of Crown Agencies for Years Ending in the 2004 Calendar Year dated April 2005.

(Sessional Paper No. 750)

Report of the Provincial Auditor on the 2004 Financial Statements of CIC Crown Corporations and Related Entities dated April 2005.

(Sessional Paper No. 751)

STATEMENT BY THE SPEAKER

Yesterday, the Government House Leader (Hon. Mr. Van Mulligen) raised a point of order concerning an apology made to this Assembly by the Member for Thunder Creek (Mr. Stewart) for remarks made off the record during Oral Question Period on April 14, 2005. The Government House Leader asked for a ruling as to whether Members' Statements during Routine Proceedings is an appropriate place to deal with a point of order; whether an apology must be the result of a point of order, and thirdly whether the apology offered by the Member for Thunder Creek was made unequivocally.

I have reviewed the record and it is clear that an apology was made directly to the affected Member, the Deputy Premier (Hon. Mr. Serby), and also to the Assembly. The Member withdrew the unparliamentary language with the following words, which I quote from Hansard, page 2531: "... During question period on Thursday, Mr. Speaker, I directed comments towards the Member from Yorkton, and in so doing I used unparliamentary language. Mr. Speaker, I wish to apologize to the member and to this Hon. Assembly for, and to retract that particular language." I find that there was no equivocation in the Member's apology.

With respect to when and how the apology was offered, there is nothing within the rules or practices of this Assembly that prohibit a Member from making an apology in the absence of a point of order nor during Members' Statements. Rule 12(3) states that "Members may make statements about any subject of interest or concern."

The point of order raised by the Government House Leader is not well taken.

With respect to language usage in the Assembly I do want to emphasize the necessity for Members of this Assembly to be able to exercise freedom of speech and at the same time respect the integrity of the Assembly and personal integrity of all members. Beauchesne Citation 494, p. 151: "It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible." Marleau and Montpetit, p. 525: "The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscene language or words are not in order."

I bring this to Members' attention because the lack of respect members occasionally show one another in the House reflects upon the entire body of MLA's and thus on the institution itself.

I therefore remind all Members to be respectful of our parliamentary rules and processes which have withstood the test of time.

As Members exercise the responsibility given to them by the electorate, they should respect the privilege of free speech through vigorous debate of issues while making conscious effort to refrain from intemperate and personal attacks.

MOTION FOR RETURN (NOT DEBATABLE)

The following Order of the Assembly was issued:

By Ms. Bakken, for Return No. 357 showing:

A list of facilities run by community based organizations in Saskatchewan that are currently providing addictions services.

SECOND READINGS

Bill No. 102 – The Mandatory Testing and Disclosure (Bodily Substances) Act

Moved by the Hon. Mr. Quennell: That Bill No. 102 – The Mandatory Testing and Disclosure (Bodily Substances) Act – be now read a second time.

A debate arising, it was on motion of Mr. Gantefoer, adjourned.

ADJOURNED DEBATES / DÉBATS AJOURNÉS

Bill No. 59 – The Ambulance Amendment Act, 2004

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Nilson: That Bill No. 59 – The Ambulance Amendment Act, 2004 - be now read a second time.

The debate continuing, it was on motion of Mr. Cheveldayoff, adjourned.

Bill No. 86 – The Labour Standards Amendment Act, 2004 (No. 2)

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Ms. Higgins: That Bill No. 86 – The Labour Standards Amendment Act, 2004 (No. 2) - be now read a second time.

The debate continuing, it was on motion of Mr. D'Autremont, adjourned.

Bill No. 87 – The Trade Union Amendment Act, 2004

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Ms. Higgins: That Bill No. 87 – The Trade Union Amendment Act, 2004 - be now read a second time.

The debate continuing, it was on motion of Mr. Toth, adjourned.

Bill No. 80 – The Education Amendment Act, 2004
Projet de loi n° 80 – Loi de 2004 modifiant la Loi de 1995 sur l'éducation

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Thomson: That Bill No. 80 – The Education Amendment Act, 2004 – be now read a second time.

L'Assemblée reprend le débat ajourné sur la motion de l'hon. M. Thomson: Que le projet de loi n° 80 – Loi de 2004 modifiant la Loi de 1995 sur l'éducation – soit maintenant lu une deuxième fois.

The debate continuing, it was on motion of Mr. Kerpan adjourned.

Le débat se poursuit et sur motion de M. Kerpan, il est ajourné.

Bill No. 91 – The Land Surveys Amendment Act, 2005

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Cline: That Bill No. 91 – The Land Surveys Amendment Act, 2005 - be now read a second time.

The debate continuing, and the question being put, it was agreed to and the said Bill was, accordingly, read a second time.

On motion of the Hon. Ms. Atkinson:

Ordered, That Bill No. 91 – The Land Surveys Amendment Act, 2005 - be now referred to the Standing Committee on Crown and Central Agencies.

Bill No. 88 – The Health Labour Relations Reorganization Amendment Act, 2004

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Ms. Higgins: That Bill No. 88 – The Health Labour Relations Reorganization Amendment Act, 2004 - be now read a second time.

The debate continuing, it was on motion of Ms. Harpauer, adjourned.

Bill No. 94 – The Apiaries Act, 2005

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Wartman: That Bill No. 94 – The Apiaries Act, 2005 - be now read a second time.

The debate continuing, and the question being put, it was agreed to and the said Bill was, accordingly, read a second time.

On motion of the Hon. Mr. Wartman:

Ordered, That Bill No. 94 – The Apiaries Act, 2005 - be now referred to the Standing Committee on the Economy.

Bill No. 95 – The Ecological Reserves Amendment Act, 2005

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Forbes: That Bill No. 95 – The Ecological Reserves Amendment Act, 2005 - be now read a second time.

The debate continuing, it was on motion of Mr. Brkich, adjourned.

Bill No. 101 – The Enforcement of Foreign Judgments Act Projet de loi n° 101 – Loi sur l'exécution des jugements étrangers

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Quennell: That Bill No. 101 – The Enforcement of Foreign Judgments Act – be now read a second time.

L'Assemblée reprend le débat ajourné sur la motion de l'hon. M. Quennell: Que le projet de loi n° 101 – Loi sur l'exécution des jugements étrangers – soit maintenant lu une deuxième fois.

The debate continuing and the question being put, it was agreed to and the said Bill was, accordingly, read a second time.

Le débat se poursuit et la motion, mise aux voix, est adopté et, en conséquence, ledit projet de loi est lu une deuxième fois.

On motion of the Hon. Ms. Atkinson:

Sur motion de l'hon. Mme. Atkinson:

Ordered, That Bill No. 101 – The Enforcement of Foreign Judgments Act - be now referred to the Standing Committee on Human Services.

Il est résolu que le projet de loi n° 101 – Loi sur l'exécution des jugements étrangers – soit maintenant renvoyé au Comité permanent des services à la personne.

Bill No. 103 – The Real Estate Amendment Act, 2005

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Quennell: That Bill No. 103 – The Real Estate Amendment Act, 2005 - be now read a second time.

The debate continuing, and the question being put, it was agreed to and the said Bill was, accordingly, read a second time.

On motion of the Hon. Ms. Atkinson:

Ordered, That Bill No. 103 – The Real Estate Amendment Act, 2005 - be now referred to the Standing Committee on Human Services.

COMMITTEE OF FINANCE

The Assembly, according to Order, resolved itself into the Committee of Finance to consider Estimates for the Department of Learning.

The Committee recessed from 5:00 p.m. until 7:00 p.m.

The Committee resumed its consideration of Estimates for the Department of Learning.

The Hon. Mr. Van Mulligen raised a point of order that quorum was not present, and a count was taken with the following Members being recorded as present:

The Chair and			
Van Mulligen	Hamilton	Thomson	Elhard
Cheveldayoff	Stewart	Eagles	Morgan
Huyghebaert			

There being no quorum, the Committee rose and the Chair reported the lack of quorum to the Deputy Speaker.

The Deputy Speaker ordered a count to be taken.

The Deputy Speaker adjourned the Assembly pursuant to Rule 6(3), due to a lack of quorum with the following Members being recorded as present:

The Deputy Speaker and			
Van Mulligen	Thomson	Hamilton	Iwanchuk
Elhard	Stewart	Eagles	Cheveldayoff
Huyghebaert	Morgan		

The Assembly adjourned at 7:13 p.m. until Wednesday at 1:30 p.m.

Hon. P. Myron Kowalsky
Speaker

RETURNS, REPORTS AND PAPERS TABLED

By the Hon. Mr. Van Mulligen:

Financial Statements for SaskEnergy Incorporated (Consolidated); SaskEnergy Incorporated (Distribution Division); SaskEnergy Incorporated (Holdings Division); TransGas Limited; Many Islands Pipe Lines (Canada) Limited; Bayhurst Gas Limited; Swan Valley Gas Corporation; Saskatchewan First Call Corporation; SaskEnergy International Incorporated; SaskEnergy Chilean Holdings I Ltd.; SaskEnergy Chilean Holdings II Ltd.; SaskEnergy Chilean Holdings Limitada; SaskEnergy Mexican Holdings Ltd.; SaskEnergy Nova Scotia Holdings Ltd.; Heritage Gas Limited for the year ended December 31, 2004.

(Sessional Paper No. 748)

Annual Report and Consolidated Financial Statements for SaskEnergy Incorporated for the year ended December 31, 2004.

(Sessional Paper No. 749)

NOTICE OF MOTION FOR FIRST READING OF A BILL

On Thursday:

Mr. Brkich to move First Reading of Bill No. 205 – The Water Quality Recognition Day Act

NOTICE OF WRITTEN QUESTIONS

The following Question was asked on day no. 91 and is to be answered by day no. 96:

Mr. Brkich, to ask the Government the following Question No. 997:

To the Minister of Rural Development: Can the Minister provide the expected date of release for the next ACRE report?

The following Questions were asked on day no. 92 and are to be answered by day no. 97:

Mr. Brkich, to ask the Government the following Question No. 998:

To the Minister of Finance: (1) Does the provincial government receive any funds from the federal department of Human Resources and development for job creation? (2) If so, how much did the province receive in 2004 and where were these funds directed to?

Mr. Bjornerud, to ask the Government the following Question No. 999:

To the Minister of Agriculture and Food: Can the Minister identify the amount of money the provincial government has spent on radio advertising as part of Agrivision's "Growing the Future" radio advertising campaign?

Ms. Bakken, to ask the Government the following Question No. 1000:

To the Minister of Health: (1) Is Larson House in Saskatoon run by a community based organization? (2) If not, who operates the facility and when did the last change in operations structure take place?

Ms. Bakken, to ask the Government the following Question No. 1001:

To the Minister of Health: (1) What is the amount of funding allocated to Larson House by the government of Saskatchewan, including funding provided to the brief detox facility? (2) How many beds are there in both Larson House and the brief detox facility attached to Larson House?

The following Questions were asked on day no. 93 and are to be answered by day no. 98:

Mr. Brkich, to ask the Government the following Question No. 1002:

To the Minister of Property Management: Can you provide details as to the criteria used in the tendering process for contracts concerning the service of SPMC vehicles?

Ms. Eagles, to ask the Government the following Question No. 1003:

To the Minister of Health: Is the government planning to close Valley View Centre in Moose Jaw over the next three to five years?

Mr. McMorris, to ask the Government the following Question No. 1004:

To the Minister of Health: Do government employees have access to any designated smoking rooms in buildings that house government departments, Crowns, agencies, boards or commissions, including Workers' Compensation Board, Casino Regina and government-owned property leased to third parties?

Ms. Bakken, to ask the Government the following Question No. 1005:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 1999? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Ms. Bakken, to ask the Government the following Question No. 1006:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 2000? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Ms. Bakken, to ask the Government the following Question No. 1007:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 2001? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Ms. Bakken, to ask the Government the following Question No. 1008:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 2002? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Ms. Bakken, to ask the Government the following Question No. 1009:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 2003? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Ms. Bakken, to ask the Government the following Question No. 1010:

To the Minister of Industry and Resources: (1) How many trade missions did the government conduct in 2004? (2) Where did these missions take place? (3) How much did each trade mission cost? (4) How many businesses have re-located to Saskatchewan as a result of these missions? (5) How many jobs have been created in Saskatchewan as a result of these trade missions?

Mr. Dearborn, to ask the Government the following Question No. 1011:

To the Minister of Industry and Resources: (1) What was the amount spent on advertising the “Future is Wide Open” campaign in the province of Quebec for the year 2002? (2) Which advertising agency was employed for these purposes?

Mr. Dearborn, to ask the Government the following Question No. 1012:

To the Minister of Industry and Resources: (1) What was the amount spent on advertising the “Future is Wide Open” campaign in the province of Quebec for the year 2003? (2) Which advertising agency was employed for these purposes?

Mr. Dearborn, to ask the Government the following Question No. 1013:

To the Minister of Industry and Resources: (1) What was the amount spent on advertising the “Future is Wide Open” campaign in the province of Quebec for the year 2004? (2) Which advertising agency was employed for these purposes?

Mr. Dearborn, to ask the Government the following Question No. 1014:

To the Minister of Industry and Resources: (1) What was the amount spent on advertising the “Future is Wide Open” campaign in the province of Quebec for the year 2005 to date? (2) Which advertising agency was employed for these purposes?

The following Question was asked on day no. 94 and is to be answered by day no. 99:

Mr. Weekes, to ask the Government the following Question No. 1015:

To the Minister Responsible for Immigration: (1) What was the total number of applications received for the fiscal year 2004-2005? (2) How many of these applicants received approval?