



No. 23

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FIRST SESSION – TWENTY-SIXTH LEGISLATURE

Wednesday, April 9, 2008

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: Iwanchuk, Forbes and Higgins.

READING AND RECEIVING PETITIONS

According to Order, the Clerk having favourably examined the same pursuant to Rule 16(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 reassess its decision to close the South Hill liquor store in Moose Jaw.

(Sessional Paper No. 130)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to reverse its decision to means test seniors for the provincial prescription drug plan.

(Sessional Paper No. 131)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to immediately restore funding to the Station 20 project.

(Addendum to Sessional Paper No. 111)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to ensure that the Task Force on Housing Affordability hold open public consultations.

(Addendum to Sessional Paper No. 129)

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. 22 – The Irrigation Amendment Act, 2008

(Hon. Mr. Bjornerud)

Bill No. 23 – The Municipal Revenue Sharing Amendment Act, 2008

(Hon. Mr. Hutchinson)

Bill No. 24 – The Trade Union Amendment Act, 2008 (No. 2)

(Hon. Mr. Norris)

Bill No. 25 – The Wildlife Habitat Protection Amendment Act, 2008

(Hon. Ms. Heppner)

REPORT OF THE STANDING COMMITTEE ON PRIVATE BILLS

Mr. Allchurch, Chair of the Standing Committee on Private Bills, presented the First Report of the said committee which is as follows:

Your committee has duly examined the under-mentioned Petition for a Private Bill and finds that the provisions of Rules 91, 92 and 95 have been fully complied with:

Of Caronport Schools, in the Province of Saskatchewan, praying for an Act to amend *The Caronport Schools Act*.

(Sessional Paper No. 132)

On motion of Mr. Allchurch:

Ordered, That the First Report of the Standing Committee on Private Bills be now concurred in.

Thereupon the Clerk laid upon the Table the following Bill:

Bill No. 901 - The Briercrest College and Seminary Amendment Act, 2008

(Mr. Michelson)

The said Bill was deemed to have been read the first time, and ordered for Second Reading at the next sitting, pursuant to Rule 98.

STATEMENT BY THE SPEAKER
(Remarks by Member)

During the evening sitting of April 7, 2008, the Opposition House Leader raised a point of order regarding certain remarks made by the Member from Kindersley from his seat. I have now had a chance to carefully review the *Hansard* for the evening of April 7. I find there is nothing on the record regarding any remarks by the Member from Kindersley. However, I would like to take this opportunity to caution all members that inflammatory language incites disorder and interferes with the proper functioning of the Assembly.

I would like to remind members of a ruling of a former Speaker made during a similar circumstance. On April 15, 1999, Speaker Hagel reminded members that shouting across the floor does not contribute to the proper conduct of debate and does nothing to preserve the dignity in this Assembly.

STATEMENT BY THE SPEAKER
(Question of Privilege – Closure and Extended Hours Motion)

Yesterday the Opposition House Leader (Len Taylor) gave notice of a question of privilege concerning the Government's decision to invoke the closure rule on the motion to extend the sessional sitting hours. I thank the Member for raising this matter by the proper means and for providing me with the advantage of a day's notice in which to consider it.

Under the Rules of this Assembly, my role as Speaker when presented with a question of privilege is restricted to determining whether a *prima facie* case of privilege has been established. If I am satisfied that this threshold has been met, the question is put before the Assembly for it to decide whether or not a breach of privilege has been committed.

In order for a *prima facie* case of privilege to be found, the actions complained of must amount to an impediment to a Member's ability to carry out his or her functions as a Member. It must be clearly demonstrated that a Member has been obstructed or interfered with in his or her parliamentary work.

It is the submission of the Opposition House Leader that changes to the Rules or standing orders of parliaments are traditionally only implemented after opposition parties have been consulted and their consent obtained, or after a lengthy parliamentary debate. In his opinion, the Government's decision to unilaterally move to extend the sitting hours and to curtail debate on the motion after two days debate unduly limits the ability and opportunity of Opposition Members to consult with their constituencies and to develop and offer alternatives.

A further consideration raised by the Opposition House Leader is whether the application of closure is within the spirit of this Assembly's Rules and practices. It was his assertion that the impact of the proposed sessional sitting hours would permit the government majority to in effect impose closure on specified bills in contravention of Rule 66(2).

Let me begin with the closure rule itself. The purpose of the closure rule is to give the government a procedural device to bring debate on a question to a close. The rule is only available to ministers but it has been rarely used despite having been part of the rules of this Assembly since 1917. It has been invoked only seven times. The rule was first used in 1989 and hasn't been applied since 1993. An observation by the Speaker of the Canadian House of Commons on June 29, 1987 captures the nuances of its use:

“[Closure] is not a new Standing Order, even if only infrequently used. This present situation is not without precedent. Closure has been used by all Parties while in Government; it has been used after much, and after very little debate. It remains to this day a procedural avenue available to the Government. By and large, the timing of its use becomes a political issue, but some debate clearly must have taken place. Thus, the timing of closure in debate is clearly not a procedural matter.”

My decision on this question of privilege must rest on whether the government's actions are an impediment to Members' ability to perform their parliamentary duties. To answer this question, I must consider the matter in the context of the rules and procedures that Members' themselves have put in place and have a continuing ability to modify as they see fit.

When the new rules for a parliamentary calendar were put into place the closure rule was retained, except that it could not be applied to “specified bills.” The application in this instance is not on a “specified bill” nor does the motion under notice of closure attempt to curtail debate on those bills. I should also point out that the rules contain many other examples where this Assembly has imposed limitations on debate through its standing orders. In these instances where Members themselves have established limitations on debate, or means to curtail debate, the Speaker has no discretionary authority to intervene as a matter of privilege. The issues the Opposition House Leader has raised are properly questions of order, and not privilege. In this instance the closure rule has been applied properly. I do not agree that its impact would amount to an infringement on any Member's freedom of speech beyond what is already made acceptable by the rules.

Accordingly, I find that the application of the closure rule on the motion to extend the sessional sitting hours does not meet the threshold required to establish a *prima facie* breach of privilege.

CLOSURE MOTION

Before the Order of the Day was called for resuming debate on the Government Motion to revise sitting times, it was moved by the Hon. Mr. Gantefer:

That debate on the motion regarding the revision of sessional sitting times, and on any amendment or sub-amendments proposed thereto, be not further adjourned.

The question being put, it was agreed to on the following Recorded Division:

YEAS – 33

Stewart	Elhard	Bjornerud	Draude	Krawetz
Boyd	Eagles	D'Autremont	Hickie	Cheveldayoff
Heppner	Tell	Gantefer	Harpauer	Morgan
Hutchinson	Huyghebaert	Brkich	Kirsch	Schreimer
Allchurch	Weekes	Chisholm	Wilson	Duncan
Michelson	LeClerc	Ottobreit	Ross	Reiter
Bradshaw	Harrison	McMillan		

NAYS – 18

Calvert	Harper	Junor	Trew	Van Mulligen
Atkinson	Nilson	Yates	Higgins	Belanger
Furber	Iwanchuk	Forbes	Taylor	Quennell
Broten	McCall	Wotherspoon		

GOVERNMENT MOTION

Pursuant to Rule 66(1), the Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Gantefer:

That the *Rules and Procedures* for the sitting times of the Assembly and the sitting times for standing committees shall be varied on an interim basis for the remainder of the First Session of the Twenty-sixth Legislature as follows:

1. Notwithstanding Rule 6(1), the ordinary times for the daily meetings and adjournments of the sitting of the Assembly on Mondays, Tuesdays and Wednesdays shall be 10:00 a.m. to 12:00 midnight, with a recess from 5:00 p.m. to 6:00 p.m.;
2. Standing committees shall meet and adjourn at the following times when convened:
 - a. On Thursdays: 2:00 p.m. to 12:00 midnight, with a recess from 5:00 p.m. to 6:00 p.m.;
 - b. On Fridays: 10:00 a.m. to 5:00 p.m.;
3. By order, the Assembly and standing committees may adjourn earlier than the adjournment times specified by this sessional order; and further,

That the provisions of this sessional order shall come into effect the sitting day after its adoption and shall expire upon the adjournment of the Assembly on the sitting day preceding the "Completion Day" of the First Session of the Twenty-sixth Legislature,

And the proposed amendment thereto moved by Mr. Yates:

That all the words in clause 1 be deleted and the following substituted therefor:

- "1. Notwithstanding Rule 6(1), the ordinary times for the daily meetings and adjournment of the sittings of the Assembly on Mondays, Tuesdays and Wednesdays shall be 10:00 a.m. to 1:00 a.m., with a recess from 5:00 p.m. to 6:00 p.m."

The debate continuing and the question being put on the amendment, it was agreed to.

The question being put on the motion as amended, it was agreed to on the following Recorded Division:

YEAS – 30

Stewart	Elhard	Bjornerud	Draude	Krawetz
Boyd	Eagles	McMorris	D'Autremont	Heppner
Tell	Gantefer	Harpauer	Norris	Morgan
Huyghebaert	Brkich	Kirsch	Schreimer	Allchurch
Weekes	Chisholm	Wilson	Duncan	LeClerc
Ottenbreit	Reiter	Bradshaw	Harrison	McMillan

NAYS – 17

Calvert	Harper	Junor	Trew	Van Mulligen
Atkinson	Nilson	Yates	Higgins	Belanger
Furber	Iwanchuk	Taylor	Quennell	Broten
McCall	Wotherspoon			

The Speaker adjourned the Assembly without question put, pursuant to Rule 6(6).

The Assembly adjourned at 9:01 p.m. until Thursday at 10:00 a.m.

Hon. Don Toth
Speaker

RETURNS, REPORTS AND PAPERS TABLED

The following papers were laid upon the Table:

By the Hon. Mr. Gantefoer:

Annual Report and Financial Statements for SaskEnergy Retiring Allowance Plan for the year ended December 31, 2007.

(Sessional Paper No. 133)

Annual Report and Financial Statements of the Public Employees Deferred Salary Leave Fund for the year ended December 31, 2007.

(Sessional Paper No. 134)

By the Hon. Mr. Cheveldayoff:

Annual Report and Financial Statements for Saskatchewan Transportation Company for the year ended December 31, 2007.

(Sessional Paper No. 135)

Annual Report and Financial Statements of the Information Services Corporation of Saskatchewan for the year ended December 31, 2007.

(Sessional Paper No. 136)

Annual Report and Financial Statements for Saskatchewan Water Corporation for the year ended December 31, 2007.

(Sessional Paper No. 137)

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

On Monday / lundi:

Hon. Mr. D'Autremont to move First Reading of Bill No. 27 – The Alcohol and Gaming Regulation Amendment Act, 2008

L'hon. Mr. D'Autremont proposera la première lecture du projet de loi n° 27 – Loi de 2008 modifiant la Loi de 1997 sur la réglementation des boissons alcoolisées et des jeux de hasard

Hon. Mr. Cheveldayoff to move First Reading of Bill No. 28 – The Vital Statistics Administration Transfer Act

Hon. Mr. Krawetz to move First Reading of Bill No. 29 – The Education Amendment Act, 2008

Hon. Mr. Morgan to move First Reading of Bill No. 30 – The Statutes and Regulations Revision Act

NOTICE OF WRITTEN QUESTIONS

The following Questions were given notice on day no. 21 and are to be answered by day no. 26:

Ms. Junor, to ask the Government the following Question No. 555:

To the Minister of Health: (1) How many patients were turned away per service or department from Royal University Hospital for each day of the 2007 University of Saskatchewan labour strike? (2) What were the services or departments that were affected? (3) What were the services or departments that were not affected?

Mr. Harper, to ask the Government the following Question No. 556:

To the Minister of Highways and Infrastructure: (1) How many injuries and deaths occurred on grid roads in 2006? (2) 2007? (3) 2008?

Mr. Harper, to ask the Government the following Question No. 557:

To the Minister of Highways and Infrastructure: (1) How many injuries and deaths occurred on highways in 2006? (2) 2007? (3) 2008?

Mr. Harper, to ask the Government the following Question No. 558:

To the Minister of Highways and Infrastructure: (1) How many injuries and deaths occurred on municipal roads in 2006? (2) 2007? (3) 2008?

Mr. Forbes, to ask the Government the following Question No. 559:

To the Minister of Social Services: In which communities in Saskatchewan are each of the FTEs for Employment and Support and Income Assistance branch, as of March 1, 2008, located?

Mr. Forbes, to ask the Government the following Question No. 560:

To the Minister of Social Services: What is the intended number of term employees for Employment and Support and Income Assistance branch by March 1, 2009?

Mr. Forbes, to ask the Government the following Question No. 561:

To the Minister of Social Services: How many term employees did the Employment and Support and Income Assistance branch have as of April 1, 2008?

Mr. Forbes, to ask the Government the following Question No. 562:

To the Minister of Social Services: How many term employees did the Employment and Support and Income Assistance branch have as of March 1, 2008?

Mr. Forbes, to ask the Government the following Question No. 563:

To the Minister of Social Services: What is the intended number of full-time employees for Employment and Support and Income Assistance branch by March 1, 2009?

Mr. Forbes, to ask the Government the following Question No. 564:

To the Minister of Social Services: How many full-time employees did the Employment and Support and Income Assistance branch have as of April 1, 2008?

Mr. Forbes, to ask the Government the following Question No. 565:

To the Minister of Social Services: On April 2, 2008, the Minister announced, "Cabinet has approved revisions to her Ministry's Income Assistance Modernization Strategy that will lead to improved services for clients. Changes to benefits under the Saskatchewan Assistance Plan are being deferred pending further consultation with staff and stakeholders." What are the communication plans for the Minister to announce publicly any further changes prior to implementation so staff, stakeholders and clients may be fully aware of the changes?

Mr. Forbes, to ask the Government the following Question No. 566:

To the Minister of Social Services: On April 2, 2008, the Minister announced, "Cabinet has approved revisions to her Ministry's Income Assistance Modernization Strategy that will lead to improved services for clients. Changes to benefits under the Saskatchewan Assistance Plan are being deferred pending further consultation with staff and stakeholders." Please describe the consultation process, as cited in the above statement for stakeholders by answering the following: (1) Who are the stakeholders referred to in the press release? (Please name them) (2) When will meetings be held? (3) Who will be invited? (4) Will there be public notice given for the consultation process? (5) How will the ministry fully consult its staff?

Mr. Forbes, to ask the Government the following Question No. 567:

To the Minister of Social Services: On April 2, 2008, the Minister announced that Cabinet has approved revisions to her Ministry's Income Assistance Modernization Strategy. (1) Will the strategy still be known as the "Modernization Strategy"? (2) What other names will it be known as?

Mr. Forbes, to ask the Government the following Question No. 568:

To the Minister of Social Services: (1) How many calls were logged to the Housing Information Line in the month of September 2007? (2) October 2007? (3) November 2007? (4) December 2007? (5) January 2008? (6) February 2008?

Mr. Forbes, to ask the Government the following Question No. 569:

To the Minister of Social Services: What is the intended number of part-time employees for Employment and Support and Income Assistance branch by March 1, 2009?

Mr. Forbes, to ask the Government the following Question No. 570:

To the Minister of Social Services: How many part-time employees did the Employment and Support and Income Assistance branch have as of April 1, 2008?

Mr. Forbes, to ask the Government the following Question No. 571:

To the Minister of Social Services: How many part-time employees did the Employment and Support and Income Assistance branch have as of March 1, 2008?

Mr. Forbes, to ask the Government the following Question No. 572:

To the Minister of Social Services: How many FTEs did the Employment and Support and Income Assistance branch have as of March 1, 2008?

Ms. Higgins, to ask the Government the following Question No. 573:

To the Minister Responsible for Saskatchewan Liquor and Gaming Authority: (1) What were the salary and benefit expenses for South Hill Liquor Store (Store 562) in 2004/05? (2) 2005/06? (3) 2006/07? (4) 2007/08?

Ms. Higgins, to ask the Government the following Question No. 574:

To the Minister Responsible for Saskatchewan Liquor and Gaming Authority: (1) What were the operating expenses for South Hill Liquor Store (Store 562) in 2004/05? (2) 2005/06? (3) 2006/07? (4) 2007/08?

Ms. Higgins, to ask the Government the following Question No. 575:

To the Minister Responsible for Saskatchewan Liquor and Gaming Authority: (1) What the net income from South Hill Liquor Store (Store 562) in 2004/05? (2) 2005/06? (3) 2006/07? (4) 2007/08?

Ms. Higgins, to ask the Government the following Question No. 576:

To the Minister Responsible for Saskatchewan Liquor and Gaming Authority: (1) What the net income for each liquor store in the province for 2004/05? (2) 2005/06? (3) 2006/07? (4) 2007/08?

Ms. Higgins, to ask the Government the following Question No. 577:

To the Minister Responsible for Saskatchewan Liquor and Gaming Authority: (1) What did SLGA spend on repair and maintenance work related to the South Hill Liquor store in 2004/05? (2) 2005/06? (3) 2006/07? (4) 2007/08?

The following Questions were given notice on day no. 22 and are to be answered by day no. 27:

Mr. Quennell, to ask the Government the following Question No. 578:

To the Minister of Enterprise and Innovation: How long are the appointments of each individual Enterprise Saskatchewan member?

Ms. Junor, to ask the Government the following Question No. 579:

To the Minister of Health: How much money was transferred on April 1, 2008 from each Saskatchewan Regional Health Authority to its respective SUN-RHA fund?

Ms. Junor, to ask the Government the following Question No. 580:

To the Minister of Health: How much money was transferred on April 1, 2008 from the Ministry of Health to each of the SUN-RHA funds outlined in the Government of Saskatchewan SUN MOU?

Ms. Junor, to ask the Government the following Question No. 581:

To the Minister of Health: (1) What is the process for filling the vacancy on the Saskatchewan Regional Health Authority Board? (2) What names are being considered?

Ms. Junor, to ask the Government the following Question No. 582:

To the Minister of Health: (1) How many paramedics were hired into RN/RPN vacancies per region since November 1, 2007? (2) On what units and at what facilities were they hired?

Ms. Junor, to ask the Government the following Question No. 583:

To the Minister of Health: (1) How many LPNs were hired into RN/RPN vacancies per region since November 1, 2007? (2) On what units and at what facilities were they hired?

Ms. Junor, to ask the Government the following Question No. 584:

To the Minister of Health: (1) What is the baseline RN/RPN number per unit at the Regina General Hospital? (2) Pasqua Hospital? (3) Royal University Hospital? (4) Saskatoon City Hospital? (5) St. Paul's Hospital?

Ms. Junor, to ask the Government the following Question No. 585:

To the Minister of Health: What was the baseline RN/RPN number for each health region as of November 1, 2007?

Ms. Junor, to ask the Government the following Question No. 586:

To the Minister of Health: (1) How many RPN vacancies were there as of September 30, 2007? (2) October 31, 2007? (3) November 30, 2007? (4) December 31, 2007? (5) January 31, 2008? (6) February 29, 2008?

Ms. Junor, to ask the Government the following Question No. 587:

To the Minister of Health: (1) How many RN vacancies were there as of September 30, 2007? (2) October 31, 2007? (3) November 30, 2007? (4) December 31, 2007? (5) January 31, 2008? (6) February 29, 2008?