



No. 64

# VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

THIRD SESSION – TWENTY-SIXTH LEGISLATURE

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Wednesday, May 19, 2010

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: Harper, Higgins, Junor, Forbes, Vermette, Furber, Broten, Morin, Iwanchuk, Wotherspoon and Chartier.

### READING AND RECEIVING PETITIONS

According to Order, the Law Clerk and Parliamentary Counsel 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 take appropriate actions to ensure that environmental requirements maintain the quality of the South Saskatchewan River.

(Sessional Paper No. 623)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to immediately expand the Graduate Retention Program to include Masters and Ph.D. graduates.

(Addendum to Sessional Paper No. 4)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to financially assist Duck Lake residents with exorbitant water rates.

(Addendum to Sessional Paper No. 5)

Of the citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to commit to maintaining quality health care services and job security for all public health care providers.

(Addendum to Sessional Paper No. 13)

Of the citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to withdraw Bill No. 80 – The Construction Industrial Labour Relations Amendment Act, 2009.

(Addendum to Sessional Paper No. 14)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to enact some form of rent control to protect Saskatchewan renters from unreasonable increases in rent.

(Addendum to Sessional Paper No. 51)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to commit to upgrade and repair Highway 915.

(Addendum to Sessional Paper No. 80)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to construct passing lanes on Highway 10 to improve safety.

(Addendum to Sessional Paper No. 102)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to improve fiscal management.

(Addendum to Sessional Paper No. 244)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to recognize the importance of protection of wildlife habitat lands and consult stakeholders that will be affected by future changes to *The Wildlife Habitat Protection Act*.

(Addendum to Sessional Paper No. 376)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to support midwifery in Saskatchewan.

(Addendum to Sessional Paper No. 611)

#### **REPORT OF THE STANDING COMMITTEE ON HUMAN SERVICES**

The following Bill was reported with amendment and consideration in Committee of the Whole having been waived, by leave of the Assembly, it was considered as amended and read the third time and passed:

Bill No. 134 – The Opticians Act

Pursuant to Rule 34(4), it was moved by the Hon. Mr. Norris: That Bill No. 80 – The Construction Industry Labour Relations Amendment Act, 2009, be now read the third time and passed under its title.

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

YEAS – 35

Morgan	Bjornerud	Gantefoer	Draude	Krawetz
Boyd	Eagles	McMorris	Cheveldayoff	Duncan
Huyghebaert	Heppner	Harpauer	D'Autremont	Harrison
Norris	Reiter	Hutchinson	Brkich	Elhard
Hart	Schriemer	Stewart	Allchurch	Weekes
Tell	Wilson	Hickie	Michelson	Ottenbreit
Ross	Chisholm	Bradshaw	Kirsch	McMillan

NAYS – 19

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

The said Bill was, accordingly, read the third time and passed.

**REPORT OF THE STANDING COMMITTEE ON THE ECONOMY**

Pursuant to Rule 34(4), it was moved by the Hon. Ms. Heppner: That Bill No. 132 – The Wildlife Habitat Protection (Land Designation) Amendment Act, 2009, be now read the third time and passed under its title.

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

YEAS – 34

Morgan	Bjornerud	Gantefoer	Draude	Krawetz
Boyd	Eagles	McMorris	Cheveldayoff	Duncan
Huyghebaert	Heppner	Harpauer	D'Autremont	Harrison
Norris	Reiter	Hutchinson	Brkich	Elhard
Schriemer	Stewart	Allchurch	Weekes	Tell
Wilson	Hickie	Michelson	Ottenbreit	Ross
Chisholm	Bradshaw	Kirsch	McMillan	

NAYS – 19

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

The said Bill was, accordingly, read the third time and passed.

**SPEAKER TABLES REPORT**

Chief Electoral Officer's Report pursuant to section 286 of *The Election Act, 1996* for the by-elections held on September 21, 2009 in the constituencies of Regina Douglas Park and Saskatoon Riversdale, dated May 19, 2010.

(Sessional Paper No. 624)

**STATEMENT BY THE SPEAKER**  
(Privilege – May 19, 2010)

This morning, the member from Saskatoon Fairview (Mr. Iwanchuk) gave notice of a question of privilege. The notice concerned specific actions of the government related to scheduling Standing Committees and the inability of members to conduct their parliamentary work. Details of the case were provided to the Government House Leader, in accordance with Rule 12(2).

The member claims that the specific actions of the government related to the scheduling of the Standing Committees have improperly interfered with ability of members to conduct their parliamentary work.

In Maingot's Parliamentary Privilege in Canada (Second Edition) at page 223 it states and I quote "In deciding whether there is a *prima facie* case, the Speaker excludes any matters that are otherwise properly to be dealt with under the practice or Standing Orders of the House. That is to say, where the answer to the alleged 'question of privilege' is contained in the rules or the practice of the House, it would unlikely involve a breach of the privileges of members."

The member claims that a notice was provided around 5:00 p.m. yesterday for the meeting of the Standing Committee on Human Services, which met at 9:30 a.m. this morning to discuss *Bill No. 80 – The Construction Industry Labour Relations Amendment Act, 2009*. He claims that this was not sufficient notice and in consequence interfered with the ability of members to know about or attend the meeting.

In the case of Bill 80, it has been well known for more than six months that there was a distinct possibility that the committee may be required to meet if this bill had not been disposed and reported to the Assembly before the day prior to completion day. The rules of this Assembly required the meeting that took place this morning. Members should have been aware that a meeting of the committee had to take place this morning, as required by the rules.

The next question to consider is the start time for the meeting. In this case, the member cites rule 126(1), and argues that the provided notice was not sufficient. As members are no doubt aware, what is "practicable" is open to interpretation. Committees have met with little notice or days and weeks of notice. The subject of what is sufficient notice is something for each committee to decide, or alternatively, something that could be considered by the House Service committee through a review of the particular rule. I remind you that it is well established that the Speaker is not responsible to rule on committee proceedings outside of a report from the committee itself.

The matter raised by the member is addressed by the rules, as I have explained. I understand that the present rules are perhaps not to the satisfaction of the member.

The remedy to the issue raised by the member is better addressed by changes to the present rules. This is more a question of order and interpretation of the rules and not properly a question of privilege. As such, I cannot find a *prima facie* case of privilege has been established.

I would also like to remind members that our practices require members to include their motion with their question of privilege. This was absent from his case.

### **COMMITTEE OF FINANCE**

Summary of Resolutions adopted, pursuant to Rule 36(3):

### **GENERAL REVENUE FUND**

### **SUPPLEMENTARY ESTIMATES 2009-2010**

### **EXECUTIVE BRANCH OF GOVERNMENT**

Resolved, That there be granted to Her Majesty for the twelve months ended March 31, 2010 the following sums:

### **BUDGETARY EXPENSES**

1. For Advanced Education, Employment and Labour .....	28,315,000
2. For Enterprise and Innovation Programs.....	1,100,000
3. For First Nations and Métis Relations .....	1,700,000
4. For Legislative Assembly.....	65,000
5. For Municipal Affairs .....	77,731,000
6. For Public Service Commission .....	12,000,000
7. For Social Services.....	13,388,000

### **GENERAL REVENUE FUND**

### **MAIN ESTIMATES 2010-2011**

### **EXECUTIVE BRANCH OF GOVERNMENT**

Resolved, That there be granted to Her Majesty for the twelve months ending March 31, 2011 the following sums:

### **BUDGETARY EXPENSES**

1. For Advanced Education, Employment and Labour .....	\$851,669,000
2. For Agriculture.....	382,925,000
3. For Corrections, Public Safety and Policing .....	353,149,000

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4. For Education .....	1,163,345,000
5. For Energy and Resources.....	43,974,000
6. For Enterprise and Innovation Programs.....	9,547,000
7. For Enterprise Saskatchewan .....	37,036,000
8. For Environment.....	185,793,000
9. For Executive Council.....	12,023,000
10. For Finance.....	204,868,000
11. For First Nations and Métis Relations .....	85,688,000
12. For Government Services .....	24,975,000
13. For Health.....	4,201,955,000
14. For Highways and Infrastructure.....	301,025,000
15. For Information Technology Office .....	18,348,000
16. For Innovation Saskatchewan .....	1,318,000
17. For Justice and Attorney General.....	132,213,000
18. For Municipal Affairs .....	372,597,000
19. For Office of the Provincial Capital Commission.....	9,291,000
20. For Office of the Provincial Secretary .....	3,417,000
21. For Public Service Commission .....	35,428,000
22. For Saskatchewan Research Council .....	16,633,000
23. For Social Services.....	757,289,000
24. For Tourism, Parks, Culture and Sport .....	111,761,000

#### LENDING AND INVESTING ACTIVITIES

25. For Advanced Education, Employment and Labour .....	\$42,000,000
26. For Enterprise and Innovation Programs.....	4,000,000

27. For First Nations and Métis Relations .....	350,000
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#### **LEGISLATIVE BRANCH OF GOVERNMENT**

28. For Children's Advocate .....	\$1,420,000
29. For Conflict of Interest Commissioner.....	156,000
30. For Information and Privacy Commissioner .....	927,000
31. For Legislative Assembly.....	8,281,000
32. For Ombudsman .....	2,020,000
33. For Provincial Auditor .....	7,813,000

#### **GENERAL REVENUE FUND**

#### **MAJOR CAPITAL EXPENDITURE**

#### **EXECUTIVE BRANCH OF GOVERNMENT**

Resolved, That there be granted to Her Majesty for the twelve months ending March 31, 2011, the following sums, which to the extent that they remain unexpended for that fiscal year are also granted for the fiscal year ending on March 31, 2012:

1. For Highways and Infrastructure Capital .....	\$250,300,000
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On motion of the Hon. Mr. Gantefer:

Resolved, That towards making good the supply granted to Her Majesty on account of certain charges and expenses of the public service for the fiscal year ending March 31, 2010, the sum of one hundred thirty-four million, two hundred ninety-nine thousand dollars be granted out of the General Revenue Fund.

On motion of the Hon. Mr. Gantefer:

Resolved, That towards making good the supply granted to Her Majesty on account of certain charges and expenses of the public service for the fiscal year ending March 31, 2011, the sum of nine billion, three hundred eighty-three million, two hundred thirty-four thousand dollars be granted out of the General Revenue Fund.

On motion of the Hon. Mr. Gantefer:

Resolved, That towards making good the supply granted to Her Majesty on account of certain charges and expenses of the public service for the fiscal year ending March 31, 2011, which to the extent that they remain unexpended for the fiscal year are also granted for the fiscal year ending on March 31, 2012,

the sum of two hundred fifty million, three hundred thousand dollars be granted out of the General Revenue Fund.

The said Resolutions were reported, read twice and agreed to, and the Committee given leave to sit again.

### **THE APPROPRIATION ACT, 2010 (No. 1)**

Pursuant to Rule 31(3), it was moved by the Hon. Mr. Gantefer: That Bill No. 145 – The Appropriation Act, 2010 (No. 1) – be introduced and read the first time.

The question being put, it was agreed to and the said Bill was, accordingly, read the first time.

Pursuant to Rule 33(1), the said Bill was then read a second and third time and passed under its title, on the following Recorded Division:

#### **YEAS – 35**

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

#### **NAYS – 18**

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

### **WRITTEN QUESTIONS**

The Order of the Day being called for Question Nos. 1656 to 1673, they were answered. (See Appendix)

### **GOVERNMENT MOTION**

Moved by the Hon. Mr. Morgan, by leave of the Assembly:

That pursuant to section 32(1) and 33 of *The Members' Conflict of Interest Act*, this Assembly requests that the Conflict of Interest Commissioner conduct an inquiry and provide an opinion to the Assembly on the conduct of the member for Saskatoon Northwest with regard to the instant message transcripts and phone recordings allegedly involving that member which were provided to CBC News, and matters relating to and arising from the transcripts and recordings.



A debate arising, it was moved by Mr. Yates, in amendment thereto:

That the motion be amended by adding the following:

“And further, that the Assembly request that the Conflict of Interest Commissioner conduct an inquiry and provide an opinion to the Assembly regarding:

- (a) The member from Saskatoon Northwest’s use of his constituency office and his constituency assistant to further his private interests;
- (b) The member’s use of his travel expense account to further his private interests;
- (c) The member’s use of his accommodation expense account in Regina while the member has been absent from the Legislative Assembly since April 14, 2010 and has publicly declared that he will not attend a sitting of the Legislature until the end of his term as a member; and
- (d) Whether the member is in violation of *The Profits of Criminal Notoriety Act*.”

The debate continuing and the question being put on the amendment, it was negatived on the following Recorded Division.

YEAS – 19

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

NAYS – 28

Morgan	Bjornerud	Gantefoer	Draude	Krawetz
Eagles	Duncan	D'Autremont	Harrison	Norris
Reiter	Hutchinson	Brkich	Elhard	Hart
Schriemer	Stewart	Allchurch	Weekes	Wilson
Hickie	Michelson	Ottenbreit	Ross	Chisholm
Bradshaw	Kirsch	McMillan		

The question being put on the motion, it was agreed to.

On motion of Mr. D'Autremont:

Ordered, That this Assembly do now adjourn.

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The Assembly adjourned at 4:48 p.m. until Thursday at 10:00 a.m.

***Hon. Don Toth***  
***Speaker***

## QUESTIONS AND ANSWERS

**Mr. Yates asked the Government the following Question No. 1656, which was answered by the Premier:**

To the Premier: What percentage of staff in Executive Council are female?

Answer:

68%

**Mr. Yates asked the Government the following Question No. 1657, which was answered by the Premier:**

To the Premier: What is the average wage of male staff in Executive Council?

Answer:

\$8,910

**Mr. Yates asked the Government the following Question No. 1658, which was answered by the Premier:**

To the Premier: What is the median wage of male staff in Executive Council?

Answer:

\$7,718

**Mr. Yates asked the Government the following Question No. 1659, which was answered by the Premier:**

To the Premier: What is the average wage of female staff in Executive Council?

Answer:

\$5,335

**Mr. Yates asked the Government the following Question No. 1660, which was answered by the Premier:**

To the Premier: What is the median wage of female staff in Executive Council?

Answer:

\$4,796

**Ms. Chartier asked the Government the following Question No. 1661, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: What was the rationale for the government's decision to impose a maximum two-week stay on certain provincial campsites?

Answer:

With demand for campsites being at an all time high, the maximum 14 night stay is intended to provide more campers with an opportunity to camp. In our pilot in 2009 that goal was achieved by serving over 560 camping families through the 54 pilot sites compared to only about 150-200 families in those same sites the year previous.

**Ms. Chartier asked the Government the following Question No. 1662, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: How many complaints has the government received about the government's policy imposing a maximum two-week stay on certain provincial campsites?

Answer:

The Ministry has received eight inquiries regarding the maximum stay program.

**Ms. Chartier asked the Government the following Question No. 1663, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: How many campsites at Emma Lake Provincial Park are designated to be a maximum two-week stay?

Answer:

Twenty-seven sites, 12 which are in the Reserve-a-Site program and 15 first come, first served sites.

**Ms. Chartier asked the Government the following Question No. 1664, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: How many of those two-week sites were reserved through Reserve-A-Site in 2009?

Answer:

This is the first year of the program for Emma Lake.

**Ms. Chartier asked the Government the following Question No. 1665, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: Of the two-week sites that were reserved through Reserve-A-Site in 2009, what percentage of the week were these sites occupied by campers?

Answer:

In 2009 the maximum 14 consecutive night stay was limited to Sagebrush Campground in Saskatchewan Landing Provincial Park as a pilot project. Occupancy rates during the period of June 24 to August 15 (the peak period identified for the program to operate in 18 locations in 2009) was 86% overall.

**Ms. Chartier asked the Government the following Question No. 1666, which was answered by the Hon. Mr. Duncan:**

To the Minister of Tourism, Parks, Culture and Sport: (1) Of the two-week sites that were reserved through Reserve-A-Site in 2009, what percentage of sites were subsequently released? (2) What percentage is attributable to these campers deciding to stay at different open sites in Emma Lake Provincial Park?

Answer:

- (1) No data of this nature exists as the maximum 14 consecutive night stay program is new in 2010 for Emma Lake Recreation Site.
- (2) Same as above.

**Ms. Atkinson asked the Government the following Question No. 1667, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: (1) With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, how will the Amicus facility be staffed? (2) How many of the staff will be long-term care providers? (3) How many will be home care providers?

Answer:

- (1) Saskatoon Health Region and Amicus have not determined staffing at this time.
- (2) Same as above.
- (3) Same as above.

**Ms. Atkinson asked the Government the following Question No. 1668, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: What are the terms of the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon?

Answer:

The Continuing Care and Service Agreement is between the Saskatoon Health Region and Amicus; a copy of this agreement and its terms should be requested through the Saskatoon Health Region.

**Ms. Atkinson asked the Government the following Question No. 1669, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, what is the estimated cost of care and facility operations?

Answer:

The Saskatoon Health Region and Amicus have not finalized the funding formula at this time.

**Ms. Atkinson asked the Government the following Question No. 1670, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, how much will be paid per resident per day in debt service stipends?

Answer:

The actual per diem has not yet been finalized.

**Ms. Atkinson asked the Government the following Question No. 1671, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, will residents be charged fees according to the same means tested model that is used by other affiliates?

Answer:

Yes.

**Ms. Atkinson asked the Government the following Question No. 1672, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, will Amicus be paying into, or receiving money, from the pool of client revenues established by the Saskatoon Health Region and its 19 affiliates to even out differences?

Answer:

Saskatoon Health Region and Amicus have not finalized how the resident revenue collected by Amicus will be managed.

**Ms. Atkinson asked the Government the following Question No. 1673, which was answered by the Hon. Mr. McMorris:**

To the Minister of Health: (1) With regard to the agreement between the Saskatoon Health Region and Amicus Health Care Inc. to build 100 long-term care beds in Saskatoon, will the Amicus long-term care facility be classified as an affiliate, or will it have a different status? (2) If so, what are the substantive differences between an affiliate and the status afforded to Amicus? (3) Will Amicus be required to sign the same accountability agreement as the Saskatoon Health Region's affiliates?

Answer:

- (1) Based on the definitions contained in *The Regional Health Services Act* Amicus can only be prescribed as a health care organization rather than an affiliate.
- (2) According to Section a(1)(a) of *The Regional Health Services Act* an affiliate is a “person who, immediately before the coming into force of this section, is the operator of a hospital approved pursuant to The Hospital Standards Act or a not-for-profit special-care home licensed pursuant to The Housing and Special-care Homes Act, and includes any successor to that operator but does not include a regional health authority or a prescribed person. According to Section 2(1)(h) of *The Regional Health Services Act*, a health care organization is “(i) an affiliate; or (ii) a prescribed person that receives funding from a regional health authority to provide health services. Differences between the two designations are prescribed by the Act. There are two substantive differences. The first is in regards to an affiliate’s ability to borrow money, sell, lease or purchase real and personal property and construct or renovate a facility is subject to Ministerial approval. The second is the Minister’s ability to appoint a public administrator to manage an affiliate’s affairs under certain circumstances. These two limitations do not apply to a health care organization.
- (3) No, because Amicus is not an affiliate. Amicus will be required to sign an agreement with similar accountabilities as they relate to financial and statistical reporting, patient safety and quality and the various program standards applicable to all special care homes.