



No. 39

# VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

FOURTH SESSION – TWENTY-SIXTH LEGISLATURE

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**Tuesday, March 29, 2011**

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: Junor, Broten, Taylor and Wotherspoon.

## READING AND RECEIVING PETITIONS

According to Order, the following Petitions were favourably examined and pursuant to Rule 16(7) read and received:

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 through retention and recruitment.

(Sessional Paper No. 87)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to develop a poverty elimination strategy.

(Addendum to Sessional Paper No. 3)

Of the citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to manage the provincial finances more responsibly.

(Addendum to Sessional Paper No. 6)

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. 29)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to devote the necessary resources for the construction of an elementary school in Hampton Village.

(Addendum to Sessional Paper No. 77)

Of citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to withdraw Bill No. 160 and hold public consultations.

(Addendum to Sessional Paper No. 78)

Of the citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to address the funding inequity between Regina Catholic Schools and Regina Public Schools.

(Addendum to Sessional Paper No. 85)

Of the citizens of the Province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to cause the Government to ensure that CBO workers achieve wage equity.

(Addendum to Sessional Paper No. 86)

#### **REPORT OF THE STANDING COMMITTEE ON PRIVATE BILLS**

Ms. Wilson, Chair of the Standing Committee on Private Bills, presented the Tenth 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 Bethany College, in the Province of Saskatchewan, praying for An Act to amend *The Bethany College Incorporation Act, 1993*.

(Sessional Paper No. 119)

On motion of Ms. Wilson:

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

Thereupon, the Clerk laid upon the Table the following Bill:

Bill No. 906 – The Bethany College Amendment Act, 2011

(Ms. Heppner)

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  
(Appropriateness of Statement by Minister)**

On Monday, March 28, 2011, the Opposition House Leader (Mr. Yates) raised a point of order regarding the Ministerial Statement made by the Minister of Social Services (Hon. Ms. Draude). The Opposition House Leader indicated that the minister had announced the Headstart program over a year earlier on March 24, 2010. The Government House Leader (Mr. D'Autremont) responded to the point of order by stating that the minister was announcing a new housing strategy. The strategy included a similarly named program that had been previously announced but contained new details, new projects and new programs.

Following the intervention by the Opposition House Leader, I advised the Assembly that the minister should have the opportunity to make her ministerial statement. This is in line with previous rulings where Speakers have ruled that it is difficult to determine the appropriateness of a Ministerial Statement as it is being delivered, and the Speaker must also balance this with the need to ensure fairness by allowing the opposition an equal opportunity to respond to the statement.

I committed to review the details and specifics of the ministerial statement. I have done this and I am now prepared to rule on this matter.

The Ministerial Statement made by the Minister of Social Services can be found on page 6919 of *Hansard*. The minister discussed a five-point housing plan. The Ministerial Statement details Headstart on a Home, affordable home ownership plan, rental construction, rental housing, and renewing and expanding the partnership with Habitat for Humanity. The Opposition House Leader is correct that the Headstart on a Home program was previously announced in a news release on March 24, 2010. The Ministerial Statement presented yesterday does provide further specific details on this program. However, reviewing the record, the Habitat for Humanity program and incentives for investment in rental housing have both been previously announced. On the other hand, the housing plan announced in the Ministerial Statement does contain new information pertaining to affordable home ownership and rental construction plus additional dollars for Habitat for Humanity.

I find that some of the information contained in the Ministerial Statement was previously announced but there was also new information relating to housing. This creates a dilemma for the Speaker in determining whether or not the statement is in order. I have reminded ministers that ministerial statements must focus on announcing new programs. The question is was there anything in the statement that might constitute a new initiative for a program previously announced. Although not a new program, should updates and new initiatives be permitted? This is a very difficult question for the Speaker. In the case of motions, if any part of a motion is irregular, that renders the whole motion irregular. It is the Speaker's point of view that in the absence of clear guidelines for ministerial statements, this principle should be applied. Because a portion of the statement did contain matters from previous announcements, I must find the point of order well taken.

This is the fourth time I have had to rule on the appropriateness of ministerial statements. Our Assembly does not have a rule that details what constitutes a proper ministerial statement. We do have rules that govern the content of members' statements. I think it is time that this Assembly clear up the evident uncertainty about what properly constitutes a ministerial statement. I have called on the Standing Committee on House Services to review the rules for ministerial statements. I can understand that there is confusion and this event only underscores the need for members to consider and properly define an allowable Ministerial Statement for all members and ministers.

On another note, on March 24, 2010, I ruled that the response to a Ministerial Statement should not exceed the time taken by the minister. This is consistent with our practice and previous rulings by other Speakers. Speaker Rolfes interrupted a member due to the length of a response on June 15, 1993. On April 8, 1998 and April 10, 1997, Speaker Hagel interrupted a Member when the response to a Ministerial Statement was longer than the minister's statement, and went on to recognize another member. Members should be mindful of this practice.

**STATEMENT BY THE SPEAKER  
(Privilege)**

Earlier today, I received notification from the Government House Leader (Mr. D'Autremont) that he intends to raise a question of privilege on Orders of the Day. The notice arrived at 11:30 a.m. in accordance with Rule 12(1) and a copy was distributed by my office to the Opposition House Leader.

The Government House Leader claims that the Member from Regina Dewdney made the comment, "We have a biased Speaker." He argues that the claim is substantiated by reference to the video record of the Assembly proceedings from March 28, 2011, at the 1:13:58 mark. The Government House Leader argues that the statement constitutes a breach of privilege by citing cases from the Northwest Territories and by quoting Maingot's *Parliamentary Privilege in Canada*, 2<sup>nd</sup> edition, at page 253.

To begin, I want to advise members of the applicable rules and practices of this Assembly. Rule 50(d) states that "Members should not reflect on the conduct of the Speaker or other presiding officer except by way of a substantive motion with notice." The *House of Commons Procedure and Practice*, 2<sup>nd</sup> edition, 2009, states on page 313, "Reflections on the character or actions of the Speaker – an allegation of bias, for example – could be taken by the House as breaches of privilege and punished accordingly." As cited by the Government House Leader, Maingot's *Parliamentary Privilege in Canada*, 2<sup>nd</sup> edition, page 253, states, "Any suggestion of partiality or bias on the part of a presiding officer such as the Speaker, a chairman of a Committee of the Whole, or a chairman of a standing or special committee automatically shows disrespect and amounts to contempt."

On three occasions, November 17, 1977, April 11, 1980, and April 24, 1980, privilege cases were brought before this Assembly based on allegations of bias or impartiality of the Speaker. In all those cases the Assembly found that contempt had been committed.

As Speaker it is my duty to decide whether a *prima facie* case of breach of privilege has been established. In doing so, the Speaker must be satisfied that the allegation is properly a matter of privilege and if a sufficient case has been established to justify giving precedence over the Orders of the Day. It is my conclusion that the remark was indeed stated by the Member from Regina Dewdney. Upon review of our own rules and practices, past cases, and our parliamentary authorities, comments reflecting on the impartiality of the Speaker are properly matters of privilege. For these reasons I find that the comments constitute a *prima facie* case of breach of privilege.

However, in light of the admission earlier today by the Member from Regina Dewdney for having made the remark, and for his full and ample apology to the Speaker and the Assembly, I find that the matter is sufficiently resolved. I remind members at page 267 of Maingot's *Parliamentary Privilege in Canada*, 2<sup>nd</sup> edition, in the section "Where a Member is the subject of a question of privilege," it is stated: "An apology by the offending Member will invariably close the matter without the necessity of putting the motion to a vote."

I thank the Member from Regina Dewdney for taking responsibility for his actions.

**WRITTEN QUESTIONS**

The Order of the Day being called for Question Nos. 962 to 969, they were answered. (See Appendix)

The Order of the Day being called for Question Nos. 951 to 961, pursuant to Rule 20(5), the questions were converted and Orders for Returns were issued:

Ms. Junor, for Return No. 78 showing:

To the Minister of Health: (1) The number of women needing surgery or treatment for suspected or confirmed gynaecological cancer from the Regina Qu'Appelle Health Region that were sent to the Saskatoon Health Region in 2000. (2) 2001. (3) 2002. (4) 2003. (5) 2004. (6) 2005. (7) 2006. (8) 2007. (9) 2008. (10) 2009. (11) 2010.

Ms. Junor, for Return No. 79 showing:

To the Minister of Health: The number of surgeries Dr. Carlos Aspe Lucero performed in the Saskatoon Health Region in 2010.

Ms. Junor, for Return No. 80 showing:

To the Minister of Health: The number of the surgeries that Dr. Carlos Aspe Lucero performed in the Saskatoon Health Region in 2010 that were for women from the Regina Qu'Appelle Health Region.

Ms. Junor, for Return No. 81 showing:

To the Minister of Health: (1) The number of surgeries that Saskatchewan gynaecologists performed that turned out to be women with gynaecological cancer in 2005. (2) 2006. (3) 2007. (4) 2008. (5) 2009. (6) 2010.

Ms. Junor, for Return No. 82 showing:

To the Minister of Health: (1) The number of women from the Saskatoon Health Region who travelled to the Regina Qu'Appelle Health Region to receive chemo for cervical and/or uterine/endometrial cancer in 2005. (2) 2006. (3) 2007. (4) 2008. (5) 2009. (6) 2010.

Ms. Junor, for Return No. 83 showing:

To the Minister of Health: (1) Of the surgeries performed by gynaecologists in 2007 that were related to gynaecological cancer, the surgeons who performed the surgeries. (2) The number of surgeries each surgeon performed.

Ms. Junor, for Return No. 84 showing:

To the Minister of Health: (1) Of the surgeries performed by gynaecologists in 2008 that were related to gynaecological cancer, the surgeons who performed the surgeries. (2) The number of surgeries each surgeon performed.

Ms. Junor, for Return No. 85 showing:

To the Minister of Health: (1) Of the surgeries performed by gynaecologists in 2009 that were related to gynaecological cancer, the surgeons who performed the surgeries. (2) The number of surgeries each surgeon performed.

Ms. Junor, for Return No. 86 showing:

To the Minister of Health: (1) Of the surgeries performed by gynaecologists in 2010 that were related to gynaecological cancer, the surgeons who performed the surgeries. (2) The number of surgeries each surgeon performed.

Ms. Junor, for Return No. 87 showing:

To the Minister of Health: (1) The type of investigation that is being done to review the cases of gynaecological cancer surgeries that were performed by gynaecologists in 2007. (2) 2008. (3) 2009. (4) 2010.

Ms. Junor, for Return No. 88 showing:

To the Minister of Health: The type of guide that is currently used to determine if a patient may have gynaecological cancer and should be referred to a gynaecologic oncologist.

### **BUDGET DEBATE**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Krawetz, seconded by Ms. Heppner:

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

and the proposed amendment thereto moved by Mr. Wotherspoon, seconded by Mr. Trew:

That all the words after “That the Assembly” be deleted and the following be added:

condemns this government for a budget that ignores Saskatchewan people and families, and furthermore;

That this government no longer has the confidence of this Assembly and of the people of Saskatchewan because, despite a record level of revenue, this budget is doing nothing to help people and families deal with the rising cost of housing, it does nothing to implement rent control, it does not help struggling families deal with the growing cost of living, it does nothing to improve the province’s education system, it fails to get a fair potash royalty deal for Saskatchewan people, and it is not telling Saskatchewan people that this government is actually increasing the province’s debt.

The debate continuing on the motion and the amendment, the Assembly recessed from 5:00 p.m. until 7:00 p.m.

The debate being resumed on the motion and the amendment, the Acting Speaker adjourned the Assembly without question put, pursuant to Rule 6(6).

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The Assembly adjourned at 10:30 p.m. until Wednesday at 1:30 p.m.

*Hon. Don Toth*  
*Speaker*

## QUESTIONS AND ANSWERS

**Ms. Junor asked the Government the following Question No. 962, which was answered by the Hon.**

**Mr. McMorris:**

To the Minister of Health: In the “Releasing Time to Care” initiative, how much money per bed is charged by the company that holds the rights to the program?

Answer:

Releasing Time to Care (RTC), a lean-based program delivered on acute care wards, is a licensed product. The Health Quality Council (HQC) pays for the use of this licensed product. The HQC is prohibited under their licensing agreement from releasing the cost per bed for RTC without the prior written consent of the National Health Services’ Institute for Improvement and Innovation.

**Ms. Junor asked the Government the following Question No. 963, which was answered by the Hon.**

**Mr. McMorris:**

To the Minister of Health: (1) How many physicians were working in Saskatchewan in 2005? (2) 2006? (3) 2007? (4) 2008? (5) 2009? (6) 2010?

Answer:

- (1) In March 2005 there were 1,680 licensed physicians in Saskatchewan.
- (2) In March 2006 there were 1,708 licensed physicians in Saskatchewan.
- (3) In March 2007 there were 1,742 licensed physicians in Saskatchewan.
- (4) In March 2008 there were 1,782 licensed physicians in Saskatchewan.
- (5) In March 2009 there were 1,836 licensed physicians in Saskatchewan.
- (6) In March 2010 there were 1,882 licensed physicians in Saskatchewan.

**Ms. Junor asked the Government the following Question No. 964, which was answered by the Hon.**

**Mr. McMorris:**

To the Minister of Health: (1) How many physicians that were working in Saskatchewan in 2005 earned more than \$60,000? (2) 2006? (3) 2007? (4) 2008? (5) 2009? (6) 2010?

Answer:

Active physicians have earned a minimum of \$15K in the quarter (\$60K annually) and are still in practice at the end of the quarter.

- (1) In December 2005 there were 1,324 active physicians in Saskatchewan.
- (2) In December 2006 there were 1,332 active physicians in Saskatchewan.
- (3) In December 2007 there were 1,357 active physicians in Saskatchewan.
- (4) In December 2008 there were 1,329 active physicians in Saskatchewan.
- (5) In December 2009 there were 1,366 active physicians in Saskatchewan.
- (6) In December 2010 there were 1,413 active physicians in Saskatchewan.

**Mr. Lingenfelter asked the Government the following Question No. 965, which was answered by the Hon. Mr. Bjornerud:**

To the Minister of Agriculture: What is the average crop insurance producer premium for chickpeas in 2011?

Answer:

	Producer Premium at 70% Coverage (\$/ac)
Desi Chickpeas	17.23
Large Kabuli Chickpeas	19.24
Small Kabuli Chickpeas	17.21

**Mr. Lingenfelter asked the Government the following Question No. 966, which was answered by the Hon. Mr. Bjornerud:**

To the Minister of Agriculture: What is the average crop insurance producer premium for canola in 2011?

Answer:

	Producer Premium at 70% Coverage (\$/ac)
Canola	11.43

**Mr. Lingenfelter asked the Government the following Question No. 967, which was answered by the Hon. Mr. Bjornerud:**

To the Minister of Agriculture: What is the average crop insurance producer premium for lentils in 2011?

Answer:

	Producer Premium at 70% Coverage (\$/ac)
Lentils-Large Green	15.89
Lentils-Other	16.77
Lentils-Red	14.62

**Mr. Lingenfelter asked the Government the following Question No. 968, which was answered by the Hon. Mr. Bjornerud:**

To the Minister of Agriculture: What is the average crop insurance producer premium for mustard in 2011?

Answer:

	Producer Premium at 70% Coverage (\$/ac)
Yellow Mustard	8.77
Brown Mustard	7.12
Oriental Mustard	9.06

**Mr. Forbes asked the Government the following Question No. 969, which was answered by the Hon. Ms. Draude:**

To the Minister of Social Services: (1) How much money was provided by the Ministry of Social Services to the Autism Partnership Institute in Los Angeles in 2009? (2) 2010?

Answer:

- (1) Nil.
- (2) Nil.

## NOTICE OF MOTIONS FOR FIRST READING OF BILLS

On Thursday:

Mr. Iwanchuk to move First Reading of Bill No. 622 – The Workers' Compensation Amendment Act, 2011