



No. 14

VOTES and PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

PROVINCE OF SASKATCHEWAN

THIRD SESSION – TWENTY-SEVENTH LEGISLATURE

Monday, November 18, 2013

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: Forbes and McCall.

READING AND RECEIVING PETITIONS

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

Of citizens of the province of Saskatchewan humbly praying that your honourable Assembly may be pleased to cause the government to replace the gymnasium of Sacred Heart Community School.

(Addendum to Sessional Paper No. 11)

STATEMENT BY THE SPEAKER (Privilege)

At 10:55 a.m. today, in accordance with Rule 12(1), the Opposition House Leader (Mr. McCall) gave notice that he proposed to raise a question of privilege. I thank the Member for providing notice pursuant to the new privilege rules.

In his case, the Opposition House Leader stated that at approximately 8:00 a.m. on the morning of Thursday, November 14, 2013 Executive Council staff provided members of the media with embargoed copies of *Saskatchewan's Action Plan to Address Bullying and Cyberbullying* prepared by the Member for Saskatoon Fairview and Legislative Secretary to the Minister of Education, responsible for the Anti-Bullying initiative. However, the opposition was not provided a copy of the report until the press conference held at Arcola Community School in the afternoon of Thursday, November 14, 2013. The decision to not also provide a copy of the report to the opposition, in the opinion of the Opposition House Leader, constitutes a breach of Members' parliamentary privilege.

The basis of the Member's case are rulings by: Speaker Kowalsky in Saskatchewan on April 11, 2005 and Speaker Milliken of the House of Commons, made March 19, 2001. Speaker Milliken found that the denial of Members or their staff to an embargoed technical briefing for media on a bill constituted a *prima facie* contempt of Parliament. The Ruling on April 11, 2005 by Speaker Kowalsky found that previous Speakers had consistently ruled that the denial of information Members need to do their work, while at the same time providing such information to the media, is not an acceptable practice.

In Saskatchewan, Speakers have admonished the government for releasing bills to the public before their introduction to the Assembly although infractions were not considered a breach of privilege. In Speaker Kowalsky's ruling he stated that whether it is a bill, or a report, the principles remain the same. "That principle is that nothing should be done that disadvantages or impedes Members from carrying out their parliamentary functions." Speaker Kowalsky's ruling was supported by Speaker Milliken who ruled on March 19, 2001 that the practice of media lock-ups and embargoed technical briefings, whether they be on bills, budgets, or auditor general reports, are successful and useful when Members and their staff are given access.

Given the ruling by Speaker Kowalsky in this house and Speaker Milliken's ruling in the House of Commons I find that when embargoed papers are provided to the media, in advance of release to the public, these documents must be provided on the same embargoed basis to the opposition. The advanced release of the embargoed papers must occur so that Members have the same opportunity to better understand and respond to the issues. The Opposition House Leader has made a sufficient case for me to find a *prima facie* case of breach of privilege.

Before recognizing the Opposition House Leader, I would also like to draw to your attention the new rules relating to privilege. First, I will recognize the Opposition House Leader and invite him to outline his case and at the end of his remarks move his motion. I would like to also note that pursuant to Rule 12(6) there are now time limits on debate on a motion of privilege. The mover of the motion shall speak for not more than one hour and is permitted 15 minutes to close debate and no other Member shall speak for more than 45 minutes.

I recognize the Opposition House Leader.

Moved by Mr. McCall:

That this Assembly finds Executive Council staff members in contempt of the Legislative Assembly, in that they failed to provide the official opposition with the same access as the media to the report entitled *Saskatchewan's Action Plan to Address Bullying and Cyberbullying*, and that this Assembly urge the government to respect the rights and privileges of all Members of this Assembly, by ensuring that official opposition Members and their staff are privy to any and all such embargoed information provided to members of the news media.

A debate arising and the question being put on the motion, it was negatived on the following Recorded Division:

YEAS – 7

Broten	Forbes	Wotherspoon	Belanger	McCall
Nilson	Sproule			

NAYS – 42

Wall	Morgan	Stewart	Duncan	Draude
Krawetz	Eagles	McMorris	Cheveldayoff	Harpauer
Huyghebaert	Doherty	Norris	McMillan	Heppner
Harrison	Wyant	Tell	Weekes	Bjornerud
Brkich	Hutchinson	Makowsky	Ottenbreit	Campeau
Wilson	Marchuk	Ross	Kirsch	Michelson
Doke	Cox	Merriman	Jurgens	Steinley
Hickie	Lawrence	Tochor	Moe	Parent
Phillips	Docherty			

SECOND READINGS / DEUXIÈME LECTURE**Bill No. 108 – The Athletics Commission Act**

The Hon. Mr. Doherty, a Member of the Executive Council, having acquainted the Assembly that Her Honour the Lieutenant Governor, having been informed of the subject matter of the bill, recommends it to the consideration of the Assembly, moved: That Bill No. 108 – The Athletics Commission Act – be now read a second time.

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

Bill No. 102 – The Builders' Lien Amendment Act, 2013

Moved by the Hon. Mr. Wyant: That Bill No. 102 – The Builders' Lien Amendment Act, 2013 – be now read a second time.

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

Bill No. 103 – The Enforcement of Maintenance Orders Amendment Act, 2013
Projet de loi n° 103 – Loi de 2013 modifiant la Loi de 1997 sur l'exécution des ordonnances alimentaires

Moved by the Hon. Mr. Wyant: That Bill No. 103 – The Enforcement of Maintenance Orders Amendment Act, 2013 – be now read a second time.

L'hon. M. Wyant propose: Que le projet de loi n° 103 – Loi de 2013 modifiant la Loi de 1997 sur l'exécution des ordonnances alimentaires – soit maintenant lu une deuxième fois.

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

Il s'élève un débat et sur motion de M. Belanger, le débat est ajourné.

Bill No. 104 – The Enforcement of Maintenance Orders Consequential Amendment Act, 2013

Moved by the Hon. Mr. Wyant: That Bill No. 104 – The Enforcement of Maintenance Orders Consequential Amendment Act, 2013 – be now read a second time.

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

Bill No. 105 – The Informal Public Appeals Act

Moved by the Hon. Mr. Wyant: That Bill No. 105 – The Informal Public Appeals Act – be now read a second time.

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

Bill No. 106 – The Legal Profession Amendment Act, 2013

Moved by the Hon. Mr. Wyant: That Bill No. 106 – The Legal Profession Amendment Act, 2013 – be now read a second time.

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

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

Bill No. 113 – The Powers of Attorney Amendment Act, 2013
Projet de loi n° 113 – Loi de 2013 modifiant la Loi de 2002 sur les procurations

Moved by the Hon. Mr. Wyant: That Bill No. 113 – The Powers of Attorney Amendment Act, 2013 – be now read a second time.

L'hon. M. Wyant propose: Que le projet de loi n° 113 – Loi de 2013 modifiant la Loi de 2002 sur les procurations – soit maintenant lu une deuxième fois.

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

Il s'élève un débat et sur motion de M. Belanger, le débat est ajourné.

Bill No. 114 – The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013

Moved by the Hon. Mr. Wyant: That Bill No. 114 – The Health Care Directives and Substitute Health Care Decision Makers Amendment Act, 2013 – be now read a second time.

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

Bill No. 115 – The Public Guardian and Trustee Amendment Act, 2013

Moved by the Hon. Mr. Wyant: That Bill No. 115 – The Public Guardian and Trustee Amendment Act, 2013 – be now read a second time.

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

ADJOURNED DEBATES / DÉBATS AJOURNÉS**Bill No. 112 – The Accounting Profession Act**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Krawetz: That Bill No. 112 – The Accounting Profession Act – be now read a second time.

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

Bill No. 99 – The Public Employees Pension Plan Amendment Act, 2013

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Krawetz: That Bill No. 99 – The Public Employees Pension Plan Amendment Act, 2013 – be now read a second time.

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

**Bill No. 98 – The Child Care Act, 2013
Projet de loi n° 98 – Loi de 2013 sur les garderies d'enfants**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Morgan: That Bill No. 98 – The Child Care Act, 2013 – be now read a second time.

L'Assemblée reprend le débat ajourné sur la motion de l'hon. M. Morgan: Que le projet de loi n° 98 – Loi de 2013 sur les garderies d'enfants – soit maintenant lu une deuxième fois.

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

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

Bill No. 100 – The Assessment Management Agency Amendment Act, 2013

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Reiter: That Bill No. 100 – The Assessment Management Agency Amendment Act, 2013 – be now read a second time.

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

Bill No. 101 – The University of Saskatchewan Amendment Act, 2013

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Norris: That Bill No. 101 – The University of Saskatchewan Amendment Act, 2013 – be now read a second time.

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

Bill No. 107 – The Wildfire Act

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Cheveldayoff: That Bill No. 107 – The Wildfire Act – be now read a second time.

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

Bill No. 111 – The Personal Care Homes Amendment Act, 2013

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Duncan: That Bill No. 111 – The Personal Care Homes Amendment Act, 2013 – be now read a second time.

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

On motion of the Hon. Mr. Harrison:

Ordered, That this Assembly do now adjourn.

The Assembly adjourned at 9:29 p.m. until Tuesday at 1:30 p.m.

Hon. Dan D'Autremont
Speaker

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

On Wednesday / mercredi:

Hon. Mr. Harrison to move First Reading of Bill No. 116 – The Municipalities Amendment Act, 2013 (No. 2)

Hon. Mr. Harrison to move First Reading of Bill No. 117 – The Municipalities Consequential Amendment Act, 2013

L'hon. M. Harrison proposera la première lecture du projet de loi n° 117 – Loi de 2013 portant modification corrélative à la loi intitulée The Municipalities Amendment Act, 2013 (No. 2)

NOTICE OF WRITTEN QUESTIONS

The following questions were given notice on day no. 11 and are to be answered by day no. 16:

Mr. Vermette, to ask the government the following Question No. 185:

To the Minister of Highways and Infrastructure: (1) How many staff were deployed to plow Highway No. 2 between Waskesiu and Weyakwin on November 8, 2013? (2) How many staff are normally available to plow this stretch of highway?

Ms. Chartier, to ask the government the following Question No. 186:

To the Minister of Social Services: (1) How much was budgeted for the operations of the Adaptation for Independence program in 2011? (2) 2012? (3) 2013? (4) How much was spent in 2011? (5) 2012? (6) 2013?

Ms. Chartier, to ask the government the following Question No. 187:

To the Minister of Social Services: (1) How many people did the Adaptation for Independence program serve in 2011? (2) 2012? (3) 2013?

Ms. Chartier, to ask the government the following Question No. 188:

To the Minister of Social Services: In what years has the Adaptation for Independence program been oversubscribed?

Ms. Chartier, to ask the government the following Question No. 189:

To the Minister of Social Services: When does the ministry expect to take applications again for the Adaptation for Independence program in 2013?

Ms. Chartier, to ask the government the following Question No. 190:

To the Minister of Social Services: (1) How many individuals have been turned away from the Adaptation for Independence program in 2011? (2) 2012? (3) 2013?

Mr. McCall, to ask the government the following Question No. 191:

To the Minister of Central Services: (1) What was the total cost of developing the e-cabinet document project in 2010? (2) 2011? (3) 2012? (4) 2013?

The following questions were given notice on day no. 14 and are to be answered by day no. 19:

Mr. McCall, to ask the government the following Question No. 192:

To the Minister of Health: (1) How many special care aides were there in each health region in long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?

Mr. McCall, to ask the government the following Question No. 193:

To the Minister of Health: (1) How many licensed practical nurses were there in each health region in long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?

Mr. McCall, to ask the government the following Question No. 194:

To the Minister of Health: (1) How many registered nurses were there in each health region in long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?

Mr. McCall, to ask the government the following Question No. 195:

To the Minister of Health: (1) How many special care aide vacancies were there in each health region's long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?

Mr. McCall, to ask the government the following Question No. 196:

To the Minister of Health: (1) How many licensed practical nurse vacancies were there in each health region's long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?

Mr. McCall, to ask the government the following Question No. 197:

To the Minister of Health: (1) How many registered nurse vacancies were there in each health region's long-term care facilities in 2007? (2) 2008? (3) 2009? (4) 2010? (5) 2011? (6) 2012? (7) 2013 (to date)?