



STANDING COMMITTEE ON THE ECONOMY

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**STANDING COMMITTEE ON THE ECONOMY
2005**

Mr. Eldon Lautermilch, Chair
Prince Albert Northcote

Mr. Randy Weekes, Deputy Chair
Biggar

Ms. Brenda Bakken
Weyburn-Big Muddy

Ms. Doreen Hamilton
Regina Wascana Plains

Hon. Deb Higgins
Moose Jaw Wakamow

Mr. Delbert Kirsch
Batoche

Mr. Kevin Yates
Regina Dewdney

[The committee met at 15:00.]

The Chair: — Thank you very much. Ladies and gentlemen, we are about to begin our deliberations for the Committee on the Economy this afternoon. We will be going through a number of Bills and then into consideration for estimates. So it will be the Department of Environment, Labour . . . or Environment later.

Bill No. 120 — The Fuel Tax Amendment Act, 2005

Clause 1

The Chair: — The first item before the committee is Bill No. 120, The Fuel Tax Amendment Act, 2005. Mr. Minister, if you'd like to introduce your officials.

Hon. Mr. Van Mulligen: — Thank you, Mr. Chair. Seated on my left is Kirk McGregor, the assistant deputy minister, taxation and intergovernmental affairs. And on my right is Doug Lambert, he's the director of revenue programs.

Mr. Chair, the Bill we're dealing with is The Fuel Tax Act, and it's being amended to implement the reduction in the tax rate on aviation fuel as announced in the recent budget. The tax on aviation fuel decreases from 3.5 cents per litre to 1.5 cents per litre effective March 24, 2005.

In addition, a full refund of the tax on fuel used in international flights is being provided for by regulation. And the reduction in the tax rate on aviation fuel and refund on fuel used in international flights is estimated to cost \$800,000 annually.

The Chair: — Thank you very much, Mr. Minister. Item 1, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 5 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 120, An Act to amend The Fuel Tax Act, 2000. Would you move the Bill?

Mr. Yates: — I move to report the Bill without amendment.

The Chair: — It's been moved that the Bill be reported without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed.

**Bill No. 125 — The Corporation Capital Tax
Amendment Act, 2005**

Clause 1

The Chair: — The next item before the House is Bill No. 125,

The Corporation Capital Tax Amendment Act, 2005. Mr. Minister, if you'd introduce your officials.

Hon. Mr. Van Mulligen: — Mr. Chair, seated beside me on my left again is Kirk McGregor, the assistant deputy minister, taxation and intergovernmental affairs. On my right is Kelly Laurans, the director of revenue operations. And seated on Mr. McGregor's left is Eric Johnson, he's a senior analyst in taxation policy.

Mr. Chairman, this Bill extends the corporation capital tax resource surcharge to include resource trusts and resource corporations affiliated with resources trusts. This effectively closes a tax loophole and puts resource trusts and corporations involved in oil and gas industry on a level playing field. And these changes were outlined in the budget, retroactive to April 1, 2005.

The Chair: — Thank you, Minister. Item 1, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 9 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 125, An Act to amend The Corporation Capital Tax Act. Is that agreed? Would you report the Bill . . .

Mr. Yates: — Mr. Chair, I move to report the Bill without amendment.

The Chair: — Mr. Yates has moved that the Bill be reported without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Thank you.

Bill No. 94 — The Apiaries Act, 2005

Clause 1

The Chair: — The next item before the House is Bill No. 94, The Apiaries Act, and I want to thank the minister and his officials on behalf of the committee. And we will await the arrival of some new officials and a new minister.

Thank you very much. I see our officials have arrived so we would be willing to move on with Bill No. 94, An Act respecting the Bee Industry. Minister, if you'd like to introduce your officials and make a brief comment.

Hon. Mr. Wartman: — Thank you very much. Seated next to me on my left is deputy minister of Agriculture and Food, Mr. Doug Matthies, and on my right is Mike McAvoy. Mike is the manager of crops development section. And to my far left is Merv Ross, who is manager of financial programs branch.

First off we'll be dealing with The Apiaries Act. Would you

like me to make introductory comments, Mr. Chair?

The Chair: — Thank you very much, Mr. Minister. Is item 1 agreed?

Some Hon. Members: — Agreed.

The Chair: — Is item 2 agreed? Oh, I'm sorry. Mr. Bjornerud on item 1.

Mr. Bjornerud: — Thank you, Mr. Chair. Just some general questions we have on the whole Bill, not directly to any specific part of it. But I guess the first thing I would ask the minister is what exactly you're dealing with here — I think we've gone through the Bill — and see what protections do you believe you're putting in place by the changes in this Bill?

Hon. Mr. Wartman: — Basically this Act repeals and replaces the previous apiaries Act. The Act essentially provides for the appropriate tools to help protect the health of the bee industry against disease and pest threats. And that's been a very important piece of the work as we move forward.

The department has consulted with industry on all the proposed changes including meeting with the executive of the Saskatchewan Beekeeping Association, discussing proposed changes at the beekeepers' annual general meeting, and publishing the proposed changes in an industry newsletter.

This Act was last amended 10 years ago in '95. The fundamental provisions within the existing Act are maintained in the new legislation. And I think from, just in terms of the new pieces, it really is to help protect the health of the bees and the bee colonies.

Mr. Bjornerud: — Thank you, Mr. Minister. Well I know in my area I have beekeepers. In fact I have one such person out there that actually goes, I believe, to Australia, and I believe it was Brazil, and actually all over the world and brings bees back to Canada.

How will what you're doing here affect what he's doing when he's importing bees into the country? Will that make the rules a little more stringent and cumbersome, I guess is the concern I would have in that case, although I realize the problem that we have and we're trying to deal with here? But how will that affect people like that that are importing bees from all over the world and bringing them into Canada?

Hon. Mr. Wartman: — Okay. I think this, as we understand it, this will provide for the importation of bees under prescribed circumstances. So that if there's a general restriction, that could be noted but it should actually facilitate the operations of the person in your area, but make clear what the program rules are. And this would be done on a case-by-case basis. So it would depend on I expect on the area that the bees are coming from, what the history is, health history is in the particular area, etc.

Mr. Bjornerud: — Thank you, Mr. Minister. Mr. Minister, in the Bill I noticed under penalty and you talk here about \$5,000 first offence fine and \$10,000 for subsequent offences and so on. What would constitute an offence that you're dealing with in this Bill?

Hon. Mr. Wartman: — The deputy will answer this.

Mr. Matthies: — Mr. Chair, the Act contemplates a number of different things including registration of producers. And there are certain times where to control pests or disease there may be a requirement to put a quarantine in place, or to in some cases even destroy bees or bee equipment. And if there was a breach of one of the quarantine or a destruction order then there would be room for prosecution under the Act.

Mr. Bjornerud: — Good, thank you.

Ms. Draude: — Mr. Chair, with leave to introduce guests.

The Chair: — Is leave granted?

Some Hon. Members: — Agreed.

INTRODUCTION OF GUESTS

Ms. Draude: — Thank you very much, Mr. Chair, and to the members. It is my great privilege to introduce to you in the east gallery from Foam Lake, the great town of Foam Lake, we have 24 grade 5 students. With them is Ruth Gislason and Jim Hack. Jim brings his grade 5 class here every year. He also was a member of the SSTI [Saskatchewan Social Sciences Teachers' Institute on Parliamentary Democracy] group last year. And I think he really enjoyed himself.

And I'm really pleased to see the students here. So right now we're in committee and the members are talking about a Bill regarding bees. I hope you'll learn lots in the next few minutes and then we'll have an opportunity to discuss this and any other issue you want to discuss in a few minutes. So thank you very much for coming.

Hon. Members: — Hear, hear!

The Chair: — Thank you very much. Mr. Allchurch.

Bill No. 94 — The Apiaries Act, 2005 (continued)

Clause 1

Mr. Allchurch: — Thank you, Mr. Chair. Mr. Minister, and welcome to your officials. I have a few questions regarding The Apiaries Act. My brother is a beekeeper; he's been doing it now for some years. And many colleagues in my constituency also have bees and they're also in the honey business. So when this Bill came up, I know a lot of the beekeepers in my area were behind you in supporting this Bill. I just have some questions regarding . . . This Bill basically looks at the bees coming in from United States and other world countries. Is that not correct?

Hon. Mr. Wartman: — Yes, it's general application, so it would be all importation of bees.

Mr. Allchurch: — This Bill has no protection of having bees coming in from other provinces in Canada. It's just out-of-country jurisdictions. Is that correct?

Hon. Mr. Wartman: — No, that would be incorrect. It also has to do with bees imported from other provinces.

Mr. Allchurch: — So this Bill here . . .

Hon. Mr. Wartman: — Any import into Saskatchewan.

Mr. Allchurch: — This Bill then . . . bees from Manitoba or Alberta cannot come into Saskatchewan then?

Hon. Mr. Wartman: — They'd have to meet the requirements in order to do so.

Mr. Allchurch: — Okay, this Bill when it was brought in . . . I know of a couple of diseases that beekeepers have. One is varroa mite which a lot of beekeepers have right now, and it is very difficult to work with and could damage a beehive operation very quickly.

In regard to the diseases that are coming in, is there any way that beekeepers could get queens — and this is where the big problem lies, is getting the queens in from other jurisdictions — is there any jurisdiction that would oversee to allow those queens to come in?

Hon. Mr. Wartman: — Under the CFIA [Canadian Food Inspection Agency] protocol, CFIA protocol, bees have . . . queens have been brought in from the US [United States] since 2004. And it is under the jurisdiction of the CFIA that they can be brought in.

Mr. Allchurch: — Okay. Would this also affect bees coming from Australia or South Africa or places like that also, as long as they came through under the jurisdiction of Ottawa?

Hon. Mr. Wartman: — Because Australia is clean of these diseases, we have been importing packages from Australia as well, which would include bees and queens.

Mr. Allchurch: — Mr. Minister, thank you. What about other countries that have honeybees? Are they in the same jurisdiction then as Australia or United States?

Hon. Mr. Wartman: — The primary country for importation would be Australia and also the US for queens. And really the issue is whether or not the country itself is . . . history of being clean from these diseases. And so at this point, it's not a big issue in terms of importation from other countries. I mean there are other issues of course with Africa and some of the Africanized bees, concerns about those genetics. But really a primary source for queens would be Australia and then through the US.

Mr. Allchurch: — Thank you, Mr. Minister. And I know that what you said is true. Some of the queens that were coming in into my part of the area, if they came from Africa, the queens were a lot stronger and therefore they produce better hives, but I can guarantee you that they're a lot meaner. A couple of the hives that my brother has, I went down and I was stung nine times in one day. And you have to be a certain person to deal with bees and bee stings.

In regards to this Act, is there any way there in the Act that has

some protection for the beekeepers in regard to pricing of honey?

Hon. Mr. Wartman: — No, actually pricing will be a function of the market. This is primarily around health of bees and bee colonies.

Mr. Allchurch: — Thank you, Mr. Minister. The reason I ask that is last year the honey prices weren't bad. The year before they were quite good. This year they're predicting the honey prices to be dramatically low. And that's simply because of the honey coming in across the border from Mexico that's infecting the United States' pricing, which in turn affects the pricing of the Canadian market. And therefore the beekeepers are looking at prices probably equivalent to what we have in grain seeds where the price has fallen real low, and the beekeepers are subsequently in that predicament right now.

Hon. Mr. Wartman: — This Act itself is about health and safety rules. But certainly we're aware of the impact of honey and honey products coming in and the kind of labelling that is on those and the impact that that can have on the industry when you get significantly cheaper source honey being brought in from China and then honey-type products which could be something like corn syrup with a little bit of honey in it.

All of those things have the potential to impact, but they are not covered within this particular Act. But certainly they're issues that the beekeepers are aware of and concerned about. And I expect we'll be seeking a variety of ways to address those issues in the future.

But primarily in terms of pricing, the market will deal with that. And we think this legislation should help in terms of the health and safety of the bees.

Mr. Allchurch: — Well thank you, Mr. Minister, and I couldn't agree with you more that this is definitely going to help the beekeepers of not only my area, but Saskatchewan. And I know they're very supportive of this Bill.

That's all the questions I have today in regard an apiaries Act.

The Chair: — Is item 1 agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 23 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: an Act respecting the bee industries . . . The Apiaries Act, 2005, Bill No. 94. Would someone move that Bill be reported without amendment?

Ms. Hamilton: — I move the Bill be reported without amendment.

The Chair: — Ms. Hamilton has moved the Bill be reported without amendment. Is that agreed?

Some Hon. Members: — Agreed.

**Bill No. 121 — The Farm Financial Stability
Amendment Act, 2005**

Clause 1

The Chair: — The next item before the committee is Bill No. 121, The Farm Financial Stability Amendment Act. Minister Wartman, if you have all of your officials present to deal with this Bill, we'd ask you to introduce them and if you care to make a brief statement before we proceed with debate. Mr. Weekes, I believe, has some questions.

Hon. Mr. Wartman: — Thank you. We have the same officials as for the previous Act: Deputy Minister Doug Matthies; Mike McAvoy, manager of crops development section; and Merv Ross, manager of financial programs branch.

And this Farm Financial Stability Act, there are a few minor amendments to the Act. The province received input from the producer advisory committee, the lender committee, and the Farm Land Security Board on these changes.

First, there is an amendment to enable producer associations who have had to call upon the government loan guarantee to continue to take debt collection actions with their member. This is an industry-driven request because they may be more successful in the province and that can reduce their own losses as well.

Second, there are new provisions to allow members to leave idle funds in the assurance fund beyond the normal 90-day period if they so desire, and to exclude those funds from being applied to any association losses.

There are also housekeeping amendments to clarify the producer agreements — the producer agreements are exempt from The Farmland Security Act — and to ensure assurance funds are exempt from seizure unrelated to the association loans they relate to. Thank you.

The Chair: — Thank you, Mr. Minister. Mr. Weekes.

Mr. Weekes: — Thank you, Mr. Chair. I'd like to ask the minister a few questions concerning the Bill 121. Just a clarification on the assurance fund and the whole issue around that. Right now by agreement, the association can put the assurance fund money towards a debt of a particular member, and that would be by agreement of the association. But if you could clarify, are you saying that with this passing of this Bill that a banker cannot take assurance fund money after it's been in for 90 days under any circumstance?

Hon. Mr. Wartman: — After the loan has been paid out, it's 90 days. There's a 90-day period then. If it's left in beyond the 90 days, then it is exempt from seizure. And you know some of the associations may want to keep it in there for future purchases as well.

Mr. Weekes: — So the money in the assurance fund from day one to ninety days can be seized by a banking institution?

Hon. Mr. Wartman: — For the amount of debt, yes. Yes.

Mr. Weekes: — Does that apply for both the breeder and feeder?

Hon. Mr. Wartman: — Yes.

Mr. Weekes: — And I assume with this Bill, it would not be retroactive. It would be just from assent then, or would this be going back to January 1, let's say?

Hon. Mr. Wartman: — It'll be from date of Royal Assent.

Mr. Weekes: — Thank you. Does this Bill change the control or the rules that the local board association has over these funds? Can they insist on this money still being used to pay off an individual debt?

What I'm getting at . . . I understand what you mean by what the Bill is stating. But by agreement the association has taken money out of other savings that they've collected to pay off an individual debt, if it's not too much, that the association has on hand. But does the board have any control or say in these assurance funds beyond the 90 days that would differ from what the Bill is stating?

Mr. Matthies: — Mr. Chairman, maybe to help clarify, what we're talking about is there are cases where a member and an association pays off his loan and may decide, at their option, to leave the funds within the association rather than take it out.

Normally after the loan is paid out, their assurance funds would be paid back to them with sort of the 90-day period. Sometimes producers want to leave the funds in there because they know they're going to be re-purchasing additional cattle.

So what this provision allows for is the funds can be retained. And if they are, then they cannot be applied to cover a loss that a different association member may have related to a different loan. So this is strictly something that's flexible and voluntary to a member after they retire their account. If they choose to leave the money in the association fund, then it's a safeguard for those dollars beyond that 90-day period. That . . . [inaudible] . . . the clarification.

Mr. Weekes: — I believe that clarifies it. So by agreement, if there's another member of the association has incurred a debt, so by agreement — the cases that I'm familiar with, that the assurance fund has been pro-rated to pay off that other debt — so by agreement that member could still agree to that. But if they disagree with that, they would be exempt from using their assurance money.

Mr. Matthies: — If I could clarify just to make sure I've got it. If there is an association that has a loan go in default, then all of the monies that are in the assurance fund could be applied to help cover the loss. What this provision says is that would be the general rule. But if for whatever reason a producer has chosen to leave these — I'll call them idle funds — instead of having them paid back to his pocket, if he chooses to leave them in there, then only that amount of money would be excluded from the normal provisions which you've described.

So if I have a loan in the association and all my colleagues here do and it goes bad, all of our assurance money could be available to cover the financial loss, except for a member who has chosen to leave these extra monies in, if you will. The extra funds would be protected. It gives him the flexibility. It basically puts him in the same situation as if he would have withdrawn the money in the first place.

Mr. Weekes: — I believe that, that clarifies it. Is there a minimum length of time that assurance fund money must stay in the association before it can be withdrawn?

Mr. Matthies: — It must stay in the association fund up until 90 days after the loan for which it relates is paid out.

Mr. Weekes: — Okay. And that's true for both the feeder association and the breeder association?

Mr. Matthies: — Yes it is.

Mr. Weekes: — There's a bison aspect to the feeder loan guarantee. Does this Bill apply to that portion of the loan guarantee as well?

Hon. Mr. Wartman: — It applies to all the options that would be covered by the loans association.

Mr. Weekes: — Does this Bill speak to or change any of the rules concerning the role of the supervisor administering these loans and the loan guarantee?

Hon. Mr. Wartman: — No it doesn't.

Mr. Weekes: — Is the government planning on including any other species of livestock in the feeder loan guarantee in the future, or is there any discussion with the industry to include other animals?

Hon. Mr. Wartman: — No. At this point there is no intention to broaden to other species.

Mr. Weekes: — I don't believe there's been any connection, but does this Bill change anything concerning the connection between the breeder association funds and the feeder association funds? And correct me if I'm wrong, but I understand one can't be used to pay off the other's debt.

Mr. Ross: — It doesn't change the relationships between the funds as such. However there is a current provision which will stay the same. In the event the member owes an association money say on the feeder side, and he has . . . and he asks for a refund on the breeder side, then the association has the right to offset for that particular member on the basis of these excess funds. And that's already in the program.

Mr. Weekes: — So the association has the option of asking for it but it's not mandatory.

Mr. Ross: — Well they have the option to do that, that's correct.

Mr. Weekes: — Yes okay. Since the outbreak of BSE [bovine spongiform encephalopathy] and the whole disaster around that,

one of the big concerns is the valuing of breeder stock in particular. It's not quite as big a issue as feeder cattle, other than for a period in the, probably the late 2003. But breeding stock has been so volatile and there's been cases of course once they are not a feeder and become bred animals or cows, the value just drops dramatically.

What are the rules and the limits that the provincial supervisor and the government have imposed as far as valuing when someone has purchased a bred heifer or cows to . . . as far as the value and the protection, taking into account the huge drop in the value of that cow as long as the border stays open?

Mr. Ross: — Several things have happened under the breeder side to allow for the drop in the value of those animals. There have been loan extensions provided through the program whereby a producer now will be able to offset that market decline through a longer repayment period.

Lenders have also implemented some guidelines in that they have in some cases asked for a prepayment where they value . . . the current market value of a breeder cow is significantly below its current loan amount. And so that has been implemented on the basis of the lender looking at what security they have. And when they felt that they have been undersecured, they've said, well we need some extra payment and then you can continue on your normal basis of purchasing and paydown.

Mr. Weekes: — I'm aware of circumstances where the producer just walks away from the cattle, and the association has been just left holding the bag you might say. Of course all the rules apply except in these circumstances when the person is not viable. Ultimately, and correct me if I'm wrong, but ultimately a person can . . . the lending institution would go after that individual. They would have to basically declare bankruptcy before they could get away from that debt. Is that correct? And could you tell me how many dollars have been involved in losses in the last two years since the BSE outbreak in both the breeder and feeder.

Mr. Ross: — For the information for the member, to pay back, it continues whether it's through the association . . . The associations in your example, an association would attempt to collect from the member. The lender would make an attempt only when the assurance funds didn't cover the loss. As long as the assurance funds covered a loss, then the association is the one that attempts to collect from the member. And in much the same way as a lender would.

In terms of the losses that have occurred in the last two years, we've had . . . In the last two years we've expensed about \$200,000 loss through the guarantee. Now I don't have the amount of money that would be lost by the member himself or the assurance funds. But that's been the loss to government in the last two years.

Mr. Weekes: — So that's 200,000 to government. And is that for total breeder and feeder, or do you have a breakdown between the feeder and breeder plans?

Mr. Ross: — That would be for both.

Mr. Weekes: — Would you have the breakdown, losses between the breeder and feeder plan?

Mr. Ross: — We don't have it here, I'm sorry. We can get it.

Mr. Weekes: — And is that \$200,000 just one year or is this going back . . .

Mr. Ross: — Well we haven't expensed for the 2003 and '04 year and the 2004 and '05 year. So likely in excess of 200,000.

Mr. Weekes: — That's total. We are seeing now . . . Even though the lending institutions in the province have been fairly . . . I mean I would have to say they've been fairly lenient and have worked with the industry quite well — and you're nodding your head in agreement — so I don't really have an axe to grind with that. But we're starting to see where the banks now are more hesitant to approve, not extensions but increases. The increase now I understand has gone from — on the feeder plan I'm referring to — has gone from the maximum of 250,000 up . . . I'm sorry, 150,000 to 200,000, I believe. And there's certainly a hesitant, at least with the financial institutions that I'm familiar with, to grant that. And there hasn't been a loss in our particular association that I'm referring to. There's never been a loss to the bank. There's been some insurance funds paid out, but it's been covered. There's never been a loss to the government.

But again on the feeder side, I know the members feel that it's a very safe investment because you buy the animal. And all the feed comes off the farm, goes into the animal, and the equity in the animal is built up. And if there is a default, there's . . . only when there was the disaster that hit in the fall of 2003 when in fact cattle were only worth 25 cents a pound. Other than that period, there was value in those animals. And now this financial institution is starting to, well, just to be a little hesitant to increase the amount of loan guarantee that they're willing to accept.

What role does the government have through this Bill or maybe through the provincial supervisor in discussing these issues with the banking institution? Because there's never been a default in this. The loan payments are paid off on a timely basis. I just don't feel that they have a reason to withhold that increase.

And given the problems with the livestock industry, it's natural for the producer to go to the feeder loan guarantee, to the local association, to ask for this guarantee because without it the bank institutions on their own are hesitant to loan money on their own.

So I just want you to comment on what the government is doing to encourage the banking institution to extend these loans . . . not extend them, but to approve increases when there's never been a loss to an individual or even an association.

Hon. Mr. Wartman: — Well I think it's important to know that we have been regularly meeting with the lenders and talking to them about their direction and the kind of commitments they have to the industry. And I think the message that we got back clearly when I met with them last week was — or just over a week ago — was that they are perhaps a bit more cautious. But where they see good business

certainly they're still in. They want to be a part of it.

I think some of the cautions with the actions of R-CALF [Ranchers-Cattlemen Action Legal Fund] raise hesitation for the lenders in terms of what longer-term impacts will be. But we meet with them regularly; we are in contact with them regularly. And certainly our sense is that there is yet a good future there despite some of the threats and the risks. And they are just being a little more careful.

But we think that the associations do help in terms of providing a confidence. And certainly a producer association that has not had any kind of defaults would be much more attractive to the lender than some that's run into difficulty two or three times.

So all I can say is that it's something that we will continue to do, is to meet with and try and provide encouragement for the lenders. And we will continue to work with the producer advisor committee, and working with them and the lender committee, try and make sure that the needs will be met for the associations and for producers.

Mr. Weekes: — At one time, I don't at what level it was discussed, but at the producer level and the association level it was discussed to increase the loan guarantee program to include other aspects — well, basically feed. Has that been actively considered? And what is . . . Has that been discussed recently and what has been the result of those discussions if they took place?

Mr. Ross: — Yes we did two years ago discuss with the lenders the possibility of including a guarantee that would cover some of the inputs. But they were very cool on it, so we kind of stopped there.

Mr. Weekes: — My next question is somewhat off topic, so I hope Mr. Chair will allow it. But I'm sure the minister will want to ask . . . answer the question. It's concerning the brands . . . sorry, the horns. It was increased I believe last year or the year before from \$2 per horn to \$10. The Bill wasn't enacted. Could you enlighten us on what your plans are as far increasing that to \$10 and the time frame that would take place?

Hon. Mr. Wartman: — This was actually brought forward in consultation with the industry. And when the changes were made it was with the understanding that that was the direction that the industry wanted to go. However following the decisions, further discussion with the industry led us to the understanding that they did not want to see this move forward at that time. And so we pulled back, did not proclaim, and are waiting for further discussion and advice from the industry.

The Chair: — I always forget about you.

Mr. Bjornerud: — Thank you, Mr. Chair. Mr. Minister, I find that these co-ops have been a very worthwhile effort on behalf of everyone out there although, as my colleague talked about with BSE now and the prices dropping, in many cases far less than the actual value of the loan that the farmers are taking.

But I want to go back. Some of my concerns and I'm wondering if part of what this Bill is touching on now goes back to . . . And I know the minister may not be aware of this. But in my area

about I'm guessing three, four years ago — and I think some of your officials have been very up to speed on this — in the Spy Hill area, we had a co-op there that had a tremendous amount of trouble and really burnt a number of the participants in the co-op, and it was just a bad situation through tracking or whatever. And I know this question maybe doesn't totally fall within the parameters of this Bill, but maybe it does. Has anything been changed from the problems that we saw out there?

And I'm not pointing the finger at anyone. It was just a bad situation and a lot of innocent farmers got burnt on it. But has anything been changed to maybe clear up the tracking of cattle?

I believe this situation was through custom feeding at that time, and cattle had ended up missing from the numbers that should have been there and things like that. Have those problems been rectified or are they actually part of this Bill or has that been previously looked at?

Hon. Mr. Wartman: — We have implemented a number of, number of actions to try and deal with this. We have stronger conflict of interest guidelines. We have implemented random audits, and every feedlot is audited annually. But we think that the random audits are also helpful.

Let me just ask . . . I think that one of the other issues is around board governance training to make sure that there are not conflicts of interest. We've strengthened that side. Board governance training I think is also helpful so the boards are aware of the kind of issues that they need to be watching for.

Mr. Bjornerud: — That same situation . . . And I realize some of these questions probably should have been asked in another venue but didn't get it done, and if you would bear with me here. The dollars that were lost out in that area at that time, is there still a court case pending on that or is that whole case totally finished with?

Mr. Ross: — The RCMP continue their investigations.

Mr. Bjornerud: — Okay, that's good. I guess because I had many constituents that were caught in this, and some of them actually were very good friends . . . In fact, myself, I was within about an hour of having money in that assurance fund. And that's great for me, but not so good for the people that were involved.

In fact I know one case for sure where it helped to his demise down the road because the money he had in his assurance fund, you know, was part of his equity. And when that all disappeared, it was a great loss that they couldn't afford at that time. And I know others, it dramatically affected their bottom line.

So I'm hoping, you know, that we . . . I think we've all learned from this, and I hope those loopholes are changed. In this Bill I believe now that we can go after . . . we can follow up with trying to collect some of the funds that are lost in that. Is that what I heard you say before?

Hon. Mr. Wartman: — Actually what this will allow is for the association to continue to try and collect for their losses even

after we have paid for the guarantee. And I think that'll help them in the end to cover some of their losses.

Mr. Bjornerud: — And that is up to the co-op, though, to follow up on that and try and collect those funds?

Hon. Mr. Wartman: — Yes, that's correct.

Mr. Bjornerud: — Okay, thank you, Mr. Minister. Now I guess I'm trying to go back to this case and don't mean to dwell on it, but I think there was so many problems there that we all got our eyes opened up. But I think this was a custom feeding arrangement that was out there and would actually be third party involved here. Do we have any comeback on that?

I know there's, you know, legalities that are being looked at right now. But other than that, the dollars that could be recovered, possibly, from those custom feeding — and guess I ought to be careful how I word this — but is there any avenue to follow it up and try and get some of that money back for the people that lost their assurance money?

Hon. Mr. Wartman: — In general if somebody who's in default then declares bankruptcy, there isn't opportunity for recovering. And that may in fact be the case in this particular situation.

Mr. Bjornerud: — Thank you, Mr. Minister. I'll get off that subject now. And thank you for your answering and bearing with me on that.

I had a call the other day from a participant in a feeder co-op. And I think my colleague had mentioned here about the prices — as we all know — have dropped and the value of the loan far exceeded. And taking all that in consideration, fell behind with his payments and so on. And we probably know the rest.

But, I guess, the farmer, and I believe there's a number of them out there caught between a rock and a hard place because now when he goes to sell cattle, his inventories have gone up for one or two reasons, I guess. Number one being that the prices are low. But number two, that he's behind with his payments.

But when he does sell cattle now, the total amount of dollars that comes out of any sale of his cattle goes towards the co-op. And I guess most people would say, well that's fair, and it is fair. But looking at it from the farmer's point of view, he has no advantage, or there's no advantage to him and his family to sell cattle. His numbers are coming up. He's hoping the prices recover so that when he does sell, and he's kind of caught between a rock and a hard place right now.

When he does sell cattle, there's no dollars coming back into his operation. So if you follow me, there's no advantage for him to sell cattle. At the same time, his herd is growing and growing, and the co-op is actually in need of that money at the same time. And I guess I'm wondering if you realize that these problems are happening out there and if there's some way that we could deal with these things so a farmer might be able to get part of the cheque when he sells cattle even though he's in default of some amount of money to the co-op.

Hon. Mr. Wartman: — On the breeder side, there is

provisions so that only the interest would have to be paid, not on the feeder side though. Is that correct?

A Member: — Yes.

Mr. Bjornerud: — Can I get that clarified? Did you say just on the feeder side?

Hon. Mr. Wartman: — Just on the breeder side.

Mr. Bjornerud: — Oh on the breeder side, okay good.

The rules, are the rules for every co-op the same throughout the province? Are the rules directed from government? Like or can each co-op kind of to a degree make their own rules of how they collect, or do they give the farmer 10 per cent of his proceeds from the sale of cattle or 30 per cent? Is that up to the co-op, or is this in regulations that it's cut and dried — once you're in default, all the money from the cattle sale will go to pay the co-op what is owed?

Mr. Ross: — The requirement on payment is in regulation. And the associations have some flexibility in that they can tighten up, but they can't loosen up without agreement from both the lender and from government because there is some provision for flex in the regs and in the Act, but it's quite limited.

Mr. Bjornerud: — So there is some flexibility, but there's not a whole lot.

Mr. Ross: — That's correct.

Mr. Bjornerud: — I guess in the case of the guy that called me the other day — and I think there's a number of people caught probably in that same position — it would be more for him to deal with the financial institution, I suppose, to find some arrangement to, as the minister said, pay the interest or whatever he could pay.

I guess the problem that the farmer had is he's praying against praying that the prices will recover to some degree or the border opens and we all start to get a better price for our animals. But I guess he just feels that he's helpless right now because he's darned if he does and darned if he doesn't because he's caught in the middle.

And I guess I know, I realize there's no easy answer out there right now, but I wanted to bring to your attention some of the issues that were being brought to us out there and the problems that some of the farmers are having.

I believe that's all the questions that I have at this time, Mr. Chair. My colleague . . .

The Chair: — Mr. Weekes.

Mr. Weekes: — Thank you, Mr. Chair. Just to continue on that same line of thought, it is a serious issue as far as financing an operation. A producer, whether it be a feedlot or a farmer producer that has a few of his own cattle or bought a few is . . . goes out and buys a calf for \$500 or \$550, puts all their own feed and inputs into that animal, and at this stage that animal is nearly fat. It's going to be worth \$1,000 at safe or easy figuring.

There's \$500 there in equity, and there's just a serious cash crunch that happens right now in that operation in those animals. And if you're an operation that has hundreds or even thousands of animals, that becomes very burdensome to the operation. And of course when you talk to a bank, naturally the bank's question is, well how soon can you sell those animals to get the equity out to finance your other operation?

Is there anything . . . Now I'm referring to the feeder side and, you know, I understand on the breeder side there's some . . . only the interest has to be paid. But is there anything on the feeder side that can be done to offset that cash crunch when it happens on an annual basis quite frankly when you're finishing cattle?

Hon. Mr. Wartman: — As we indicated earlier there is no provision to go beyond the 90-day period. And I think one of the realities is that once the animals are sold, there is no further equity. And so on the feeder side of it, there isn't a provision to move any further. And I mean I think there's always a possibility, as was indicated earlier, of working with the lender to see if special arrangements can be made to . . . Again once the animals are sold, the equity is gone as well.

Mr. Weekes: — Well yes the equity is gone in a sense, but it goes towards paying for the feed or . . . whether it's producer purchased. What other arrangements are you referring to that the lender could take that the feed association would allow as far as financing that equity?

Mr. Matthies: — Mr. Chair, just a comment. Basically what we're dealing with here is we're dealing with a co-operative where a number of producers have banded together, and through the program they're able to get a cheaper financing cost through lenders partly because of the government guarantee. But basically the collective power of their combined financial strength puts them in a better bargaining position where they can negotiate, if you will, a lower interest rate for the association. It continues to function so long as all of the parties are, you know, abiding by the terms of the loan.

So the association gets the benefit of a better-than-market rate, if you will, because of the power of the combined strength of the group than what an individual might be able to get in a guarantee. And the bank is content to continue lending and having the turnover of the animals, provided as the animals are sold then, that their accounts get paid off.

So as long as that continues, then you have a healthy, growing association. We are having some hiccups right now, as the members have identified, because of the BSE situation. But by and large the rules remain the same. The monies are advanced with the expectation that when the asset is sold, being the animal, that the funds will be applied against the account. And then normally, in a normal market situation, there would be sufficient profits going back to the individual, and then you could get turnover and a new cycle and continuation of the loans and more animals.

There are some cases where we are seeing difficulties — and the members have identified that — primarily due to the border issue and related to the breeder animals because of the severe decline in those values. That's where we saw some additional

flexibility brought to bear. But on the feeder side, as I think the member himself pointed out, it has not been the same pressure point as on the breeder side. And so that's where the flexibility was added more on the breeder side.

And the department typically takes the view that we work with the producer advisory committee to identify what are the hot-point issues that they can suggest to us in terms of program improvements. And so based on their input, that's where we made changes on the breeder side. On the feeder side, as the member suggested, it hasn't been the same issue, so we haven't moved in that direction to this point.

Mr. Weekes: — Yes and I agree with that. But even before the BSE situation, this fact of life, that all this equity's in this animal and the bills are out there that need to be paid is a reality and of course has been made considerably worse with the BSE situation.

I just want to ask some questions just to follow up on some questions about audits. What is the rule as far as regulation in the Bills concerning audits? What kind of mandatory audits need to be done on the breeder side and the feeder side? And is there a difference between whether they're in a custom lot or on a home ranch or a feedlot?

Mr. Matthies: — Mr. Chair, I'll start on this, and then I may ask my official for some additional assistance on this. But basically what the audits are intended to do, is they're to make sure that the inventory that the funds are advanced against do in fact exist and are in control of the association. So what the audits are doing, is we're going to make sure that those animals that the funds are advanced are there.

The approach that we use is a bit of a risk-based approach, if I could say that. So what we tend to do is we target feedlots where you've got greater numbers, greater dollars that are involved, and then we would do a sampling of smaller operations.

Mr. Weekes: — Thank you. Just a general comment and my comments are in support of what the government has been doing and the rules and regulations around what the supervisor's role is. And I think further on when the feeder loan guarantees came in, there was a problem quite frankly with the arm's lengths distance between the supervisor, the treasurer, the board. And I believe that's probably what facilitated some of the problems in the past.

And really not a question, I'd just like the government to keep that as a firm commitment because that's really the first line of defence in stopping these crises from happening. Because if you get . . . I believe they were called family units before, where you just had basically from the same family that were running these associations. And not anyone committed fraud or intended to commit fraud, but when the tough gets going, things happen.

And I think it's extremely important that that continues, that arm's length is kept and for the good of the whole plan, the feeder loan guarantee, and for the good of the individual associations that are in place because that certainly can be a point of concern and possible problems in the future if that gets out of whack.

And I know the supervisors that I have talked to are . . . There's always a bad apple in the crowd, and sometimes . . . especially in the breeder plan when cattle go out to pasture, they're in the bush, and they don't get . . . the calves don't get branded, and you can't find the cattle. And sometimes the supervisors have to take some fairly drastic measures to make sure that those calves are branded. And I would just like to reinforce the fact that that's very important that gets done. And individual members that break those rules really should be held accountable for those actions.

Hon. Mr. Wartman: — Thank you. We appreciate the support of the member. And I think it's why we've pressed for education in terms of governments, to make sure that the boards are structured properly and that they know what the issues are that they'll be dealing with. And I think we want to make sure that these producer associations operate effectively and that people are not burned by misunderstandings or by wrongful activities.

Mr. Weekes: — Thank you, Mr. Minister. And just to reinforce that, I think everyone realizes the feeder loan guarantee programs have been very beneficial to the livestock industry. And obviously if there's defaults and losses that the taxpayer has to pick up, that suddenly the interest or the acceptance of the program would come into doubt from the taxpayer. So I would just like to concur with what you said. And thank you very much for your answers.

The Chair: — Thank you very much. Clause 1, is that agreed?

[Clause 1 agreed to.]

[Clauses 2 to 7 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Farm Financial Stability Amendment Act, 2005.

Ms. Hamilton: — I would move that we report the Bill without amendment.

The Chair: — Ms. Hamilton has moved that we report the Bill without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — The next item of business is Bill No. 118, The Saskatchewan Watershed Authority Act. And we, I believe . . .

Hon. Mr. Wartman: — Mr. Chair, that would not be under our jurisdiction

The Chair: — I'm sorry . . . I believe we have a new set of officials. But before we move to that I would like to ask you, Mr. Minister, to thank your officials. And on behalf of the committee, I thank you.

Hon. Mr. Wartman: — I would like to thank the members for their questions and obvious interest in these issues. And I would like to thank my officials, Deputy Minister Doug Matthies; Mike McAvoy, manager of crop development; and Merv Ross, manager of financial programs. Thank you very much for your

support.

The Chair: — If we could just ask you to wait for just a second. I think we do have one other piece of your legislation on this list. No, I think there's a misprint here. I'm sorry. Minister, we'll allow you to carry on with your business here.

Mr. Weekes, did you want to say a couple of words, I'm sorry, I ...

Mr. Weekes: — I'd just like to thank the minister but also thank the officials because of very good answers and it's a great way to get the information that our producers that we represent, to get the answers. So thank you very much.

The Chair: — Thank you very much. The committee will recess just for a few minutes while we find another minister and some officials.

Bill No. 118 — The Saskatchewan Watershed Authority Act, 2005

Clause 1

The Chair: — Thank you very much. We have Bill No. 118 before the committee. And before we begin deliberation, I'd ask Minister Forbes if you would introduce your officials to the committee, and then we'll continue.

Hon. Mr. Forbes: — All right. Thank you very much, Mr. Chair. I'd like to take this opportunity to introduce the officials from the Saskatchewan Watershed Authority. On my left is Wayne Dybvig, vice-president, operations; as well, Susan Ross, general counsel. And on my right, Garnet Gobert, policy and program development analyst.

So, Mr. Chair, I have some comments that I'd like to start us off with. And what I would like to say is the watershed authority Act, 2005 is essentially The Saskatchewan Watershed Authority Act amended with a few policy changes and reorganization of the provisions as well as modernizing and housekeeping measures.

The amendments are presented as a new Act rather than amendments to the existing statute primarily because that was the simplest way of drafting of the reorganization of the provisions.

The policy amendments to the Act include requiring that some fees be established in regulations, enabling the limited and conditional disposition of portions of beds and shores of water bodies to the federal government — this will allow Saskatchewan's commercial fishery to access certain national programs to build wharfs and other infrastructure — amending to approve the effectiveness of the programs for dealing with complaints against drainage works, enabling the registration of water well drillers, streamlining measures to include the repeal of The Ground Water Conservation Act and incorporation of its provisions in the new Act.

Consultations beyond government agencies were held to address specific changes to policy issues, specifically the proposed changes to the drainage complaint process, the

changes to allow Canada to build wharfs for the commercial fishery, and amendments that will allow certification of water well drillers as opposed to registration to water well drilling equipment.

For the drainage complaints process, we consulted four groups, each of which indicated their support for the amendments we have put forward in this Bill — the Saskatchewan Association of Rural Municipalities, the Saskatchewan Conservation and Development Association, the Agricultural Producers Association of Saskatchewan, and Ducks Unlimited.

For the registration of well drillers, we of course consulted the Saskatchewan Ground Water Association who also support the proposal.

The Saskatchewan co-operative commercial fisheries have indicated strong support for the amendment to allow Canada to build wharfs.

So we have also identified one area, Mr. Chair, where we propose to introduce a House amendment. This amendment will ensure that the powers of inspection in relation to groundwater and wells are the same as those for all other purposes in this Act.

Mr. Chair, we'd be happy to address any questions now. Thank you.

The Chair: — Thank you, Mr. Forbes. Mr. Hart.

Mr. Hart: — Thank you, Mr. Chair. Minister, I spent some time drafting questions and I must say you did answer the first one at least as to why a new Act rather than amendments. I believe you touched on that. I guess maybe I'll touch on some of the things you mentioned in your opening comments. You talked about fees that will now be set by regulations. I wonder if you could explain what fees the Watershed Authority sets and how were they set prior to the implementation of this Act.

Hon. Mr. Forbes: — I'll ask Mr. Dybvig to give you a specific answer to that question.

Mr. Dybvig: — Some of the specific examples of fees. We charge a water power rental which originally was ... this is a charge that is levied to the power producer, in this case SaskPower, and this is a fee paid on how much power is generated through hydro power facilities. That was set under regulations previously under The Water Power Act, but example of one of the fees.

Another fee is the industrial water use charge, where we charge all industrial water users a fee for ... an annual fee for how much water they use on an annual basis. Now that is an example of one that will now be set by regulation, whereas previously that was set by SaskWater ... [inaudible] ... legislation could have been set by policy by the Watershed Authority. But in any time that changes to those fees were undertaken for the industrial water use charge, for example, those proposals would go to Treasury Board for review and consideration.

And I guess the other couple of fees are the fees that we charge

for water approvals. So everyone that applies for an approval for construction operation of works and a water rights licence pays a fee. And there's a schedule of fees that are also approved by regulation.

Mr. Hart: — Thank you for that. Could you give us an idea of what type of charges SaskWater levies SaskPower for hydro generation? Just as an example, the Gardiner dam location and perhaps the hydro station, both of them in the Nipawin area.

Mr. Dybvig: — Yes. The hydro power facilities that SaskPower has — they have one at Gardiner dam and there's Nipawin and Tobin Lake. They also have Island Falls and some smaller ones up north on the Tazin River. So every megawatt hour of electricity that is generated by hydro power, they are charged a fee, and that is about, right now it's about \$2.88 a megawatt hour of generation.

Mr. Hart: — Good. Thank you. Minister, you talked about shore beds and the need to give the federal government some conditional authority to . . . involved with a small area and a number of lakes I believe for various capital projects. Could you expand on that whole area? What I'm looking for is where will these, you know, what lakes are affected and perhaps there may be some riverbanks, I'm not sure, and what type of structures will be going in place and those sorts, that sort of detail.

Hon. Mr. Forbes: — This of course is . . . the province has constitutional jurisdiction over the lands forming the beds and shores of the water bodies including rivers and lakes. And so Fisheries and Oceans Canada is offering a capital works program providing wharfs for commercial fishermen.

To this point, this is the start of the process, I would say. And so I'll ask Wayne to see if there's any specific ones. I know when I was up visiting the commercial fishers a couple weeks ago with their annual meeting in Prince Albert, they're all very excited that we move forward with this. There are funds available. Of course there are conditions attached to them getting the funding in terms of maintenance and that type of, those questions. So in terms of specific ones, I'll ask Wayne to answer that.

Mr. Dybvig: — At the time of discussion there was not a lot of specifics given as to what the anticipated developments would be. We understand that there's three under consideration actively right now — I believe one at Pelican Narrows — and I think at one time there was talk of about up to 18 ultimately being constructed over a period of time.

Mr. Hart: — So I understood you to say that there is one project that's under active consideration but there will be more over a period of time. What type of time frame are we looking at? What type of federal dollars are we looking at with this provision of the Bill?

Mr. Gobert: — There have been three projects announced in the media so far — one at Wollaston Lake, one at Kinoosao and Reindeer Lake, and one at Pelican Narrows. In terms of dollars, the money announced for two of them amounted to \$205,000, I believe. Whether that varies a lot from project to project, I'm not sure.

Mr. Hart: — Now this undertaking that you have with the federal government, there's no defined start time and no defined end time. It's a program that the feds have in place, and by these changes the province of Saskatchewan is able to utilize that particular program. Would that be a fair assessment of that program and these changes that we're now working on?

Mr. Gobert: — I think what we're doing right now is just enabling the thing to happen because it's prohibited by a statute right now.

Mr. Hart: — Okay, good. Thank you. Minister, you talked about collection of groundwater data and licensing of water well drillers and that whole area. And those are some of the changes that, I take from your comments, are incorporated in the new Act.

I guess perhaps my first question is, I'd like to get a sense of how comprehensive the groundwater data that the Watershed Authority has. I'll give you an example. I've got a group of individuals in a small community in my constituency who are beyond the reach of the village's water and sewer infrastructure. And this small community is struggling just to maintain its existence. It is financially not feasible for the community to extend their water lines to these individuals. They live sort of within the village limits but more in an acreage setting. There's a highway and a main rural road and those sorts of things.

But they asked me . . . They believe that their area, they sit on a water aquifer. And we've been attempting to determine whether that in fact is correct because, you know, the individuals would then act on that. And we've been having a bit of a problem getting that information. Like do you have that type of extensive information that you could say within this, you know, half a mile radius or generally through this area, there is an aquifer at a certain depth and the water quality is whatever? I mean, what type of ability as far as the data that the authority has, as far as answering that question?

Hon. Mr. Forbes: — Good question. And I'll ask Mr. Dybvig to talk about our data set that we have.

Mr. Dybvig: — Thank you. Yes. We have, under the legislation, there's a requirement for drillers to submit a driller's log of all the wells that they drill. And we have on file about, over 100,000 of these well logs that have been compiled over the past 50 years. And we have them all computerized.

And we handle hundreds of inquiries a year from well drillers that will phone us and we have staff that will try and provide them assistance in terms of where they're looking for water. And we'll bring up the nearest wells that have been drilled in the area and provide them whatever information we can as to what was encountered in those wells and provide advice. So there is advice provided to drillers on the basis of that data to the best that we have.

We also, in addition to that, have undertaken groundwater mapping in conjunction with the Research Council. Over the past 10 years, we've compiled a set of maps for the southern part of the province that also has identified the major aquifers in the province and these maps can be used as well. So certainly, if the town has a driller or if there's someone working on it there,

they can contact our agency and staff can provide them some information.

Mr. Hart: — Another provision of the Bill and, Minister, you touched on that, is the licensing of water well contractors versus licensing of the equipment. I'm looking at your comments during second reading of the Bill. And you mentioned you did consult with the industry on this and this change as a result of the recommendation. Is that correct?

Hon. Mr. Forbes: — Yes. What I would say . . . Yes. We have consulted with them and they're supportive of this and they'd like to see this direction. Now we know that our goal is compliance with the Act and not all are necessarily in a position. But when given time, that they'll all be there.

Mr. Hart: — You mentioned your goal is compliance with the Act. What are the requirements of a driller under the Act?

Hon. Mr. Forbes: — I'll get Mr. Dybvig to be very specific about that and the feedback that we've got.

Mr. Dybvig: — Yes. Currently the change in the legislation really makes a change from a requirement for licensing of drilling machines to allowing us to license drillers themselves. We have not yet developed regulations related to the licensing of drillers. That's under development. So currently the legislation just allows us to proceed in that direction, and we'll be working with the Ground Water Association to develop those regulations over the next number of months.

Mr. Hart: — Sorry, I have to apologize. I missed part of your comment. So it is not mandatory for a driller to submit an e-log now when they put in a new well or is it?

Mr. Dybvig: — Right now it's a requirement to submit a driller's log, and an e-log is not required. Not all drillers have the capacity to do e-logs, so some are submitted and some are not.

Mr. Hart: — What type of information would a driller's log contain versus an e-log?

Mr. Dybvig: — A driller's log would be the driller's interpretation of what stratigraphy, what strat landforms he's gone through, his interpretation of what the aquifer is, and what he thinks the name of the aquifer is.

An electric log gives you quite a precise definition of the changes in strata and allows you to re-identify the characteristics of the aquifer much more accurately.

Mr. Hart: — Thank you for that. I have had some experience in the past with drillers, but I wasn't quite sure as far as, you know, the difference between the driller's log and the e-log.

An e-log is, I found, very useful and quite precise in what's below ground level. And when you're into water bearing formations and when you're into a dry formation which the driller thinks it may be water bearing . . . And I've had both good and bad experiences personally. And so therefore, you know, if we can encourage the industry to move that way so that they can provide better services to their customers, I think

we're moving in the right direction.

Minister, we have a number of questions around the whole dispute resolution process that you've incorporated into your Bill. I wonder if you could provide a very brief overview of what's new as compared to the current provisions, and then I believe there's one or two of my colleagues that may have a question for you.

Hon. Mr. Forbes: — Well this is a critical piece I think for the people of Saskatchewan. Water, as many of us have said, is a valuable thing and people have concerns, and so our dispute resolution is important. So I'll talk about a first couple of steps, but then I'll ask the officials to give a more specific outline and what's new.

But what we're really trying to do is identify a process where we can simplify the methods, be a little quicker, and have more of a win-win situation. But we want to make sure that people have access to a formal route if they do as well.

But you start out with of course a written request, and it can be from only one person. And then the authority will begin its investigation. And then the authority as a second step will do a written recommendation how best to resolve this issue and what the . . . including the potential of how the matter might be resolved.

But I'll ask Mr. Dybvig or Susan Ross if either one wish to articulate the full process here.

Mr. Dybvig: — I'll add a few details and perhaps ask Susan to do some more. Yes, I think the real change in what we've proposed here now, compared to previously was that we've . . . First of all, a number of the complaints we've historically had we would classify as vexatious or sort of non-water-related complaints. They quite often involved neighbours in disputes, and we wanted . . . and quite often if water isn't really the root of the problem, these things can go on for some period of time. We wanted to be in a better position to be able to evaluate really how the complaint relates to a water management issue; so a greater ability to dismiss some complaints that we don't think are related specifically to water.

And then also historically, we've had good experience with an informal process where we just try to do a quick evaluation, work with the complainant and the respondent and propose what we see as what might be the best solution, and see if they can work it out from that. And there's been hundreds of complaints solved through that informal process quite effectively.

So what we've done is we've brought that informal process into the legislation as the first step in the complaint process. So now there's a requirement that when a complaint arises that we look at it in this informal capacity first of all, provide our quick evaluation and overview and provide recommendations. If the recommendations are not acceptable, then we have the complainant or the respondent . . . the complainant proceed on with a formal written complaint.

And from there I guess a change in the process, one of the other changes we've introduced is that we will put notice — once it's

formally applied for — we will put notice on title of the land where that was not in place before. And we have eliminated the hearing process. Previously complaints with the hearing . . . formal process of a hearing established under the old process which was a quasi-legal forum for the complainant, the respondent to be heard. We now want to involve more directly in investigation, find out the information without involving this quasi-legal process.

The Chair: — Mr. Bjornerud.

Mr. Bjornerud: — Thank you, Mr. Chair. Just interested, Mr. Minister, in some of the responses you were giving and, I guess, as you're fully aware and I know your officials are of the court case that the RM [rural municipality] of Churchbridge is . . . In fact the appeals were just going on here not long ago. Any of the changes that you've made in the Bill that we're talking about today, have they come about to try and divert or head off problems like we had with the RM of Churchbridge? How will parts of what the Bill is doing here do away with some of those problems or will it?

Hon. Mr. Forbes: — Well as I said, this process as we . . . and it has good support from SARM [Saskatchewan Association of Rural Municipalities] and APAS [Agricultural Producers Association of Saskatchewan]. But we wanted to make sure we kept both processes, the formal and the informal. But in the terms of Churchbridge, I may ask Ms. Ross or Mr. Dybvig to comment on that specific one in terms of this issue here.

Mr. Dybvig: — Yes. I believe in the case of the RM of Churchbridge, what actually drew them into court was not our complaint process, but I think it was The Wildlife Act under Environment that actually took them there. So the changes we're talking about in our complaint process would not have really any bearing on any different kind of outcome with respect to that particular situation.

Mr. Bjornerud: — Thank you for that. And, I guess, as we all know, one department of government or another had to deal with this, and it was a problem that I think we all would have liked to have seen diverted. And I think, Mr. Minister, as I talked to you before about, we've had occasion where one farmer will complain about the neighbour draining, and if he looked in the rear-view mirror of his truck while he was driving over to the neighbours to look at it, he'd see his own equipment out there draining.

And I guess it's frustrating for me as an elected MLA [Member of the Legislative Assembly] out there to have to deal with both sides of this when as SaskWater's called or SERM [Saskatchewan Environment and Resource Management] is called or someone is . . . Quite often SaskWater is asked to come out and referee this situation, take a look at it.

And I guess where I come from sometimes, I would hope common sense would prevail even before looking at the Act and saying, well you specifically have this right or you don't have that right because it's caused a lot of problems out in our area. It's drew farmer against farmer.

And you know as we've said in the past, we live very close to the Assiniboia river . A lot of the organized drainage that we

had dealt with years ago, three or four years ago, whether it was the Smith Creek project or a number of the other projects that were organized drainage, I think, possibly were handled maybe improperly by all — or poorly, let me put it that way — to let what happened in the RM of Churchbridge where farmers get their backs up and need every acre of land they can possibly get, especially on that side of the province now assessments are going up. So I think we're going to see, whether we like it or not, even more of this where farmers are going to try and gain every little ounce of land they can because their assessment has already gone up again. Their taxes are very high, and they need every acre of land out there.

So I guess my concern . . . and it not always directly affects what you're doing in the Bill here, but may in some respects with the authority that SaskWater will have. And I guess my concern is that I would hope that in the future we try and divert these problems, stop the problem before they get as far as they did in that case because everyone loses. And I think as we know, the RM of Churchbridge I believe spent in excess of \$100,000 in legal fees. Whether right or wrong or which side you're on or not, the taxpayer of the province one way or the other is picking up the costs.

So I wonder if you'd maybe comment on that, Mr. Minister.

Hon. Mr. Forbes: — Well I think that's a fair observation. And, you know, especially in terms of water and your comments over the past decades, and of course it will continue into the future as well as water issues become more and more predominant.

And so we hopefully learn. But the trick I think and what this Act does is it doesn't move too fast. We want to have a more informal method, one that's more of a mediation type of style, more of an education process, one that doesn't necessarily assign the blame right off the bat. But I think we also, and this is where SARM came in, but we still need to have that formal process. We can't move too fast. We can't leave that alone, just because if you do, then people will feel that we don't really care either.

So I think your observations are pretty good on that. And we hopefully will see if we can resolve things quickly before they get . . . and if they're not too big of a show so people aren't willing to be part of it. But how can we resolve this and have neighbours working together and doing the right things, as opposed to blowing it up right . . . you know, too soon and having a formal thing. But it's there to protect people as well, and we want to make sure that it's there. So hopefully this Act meets that, all those needs.

Mr. Bjornerud: — Thank you, Mr. Minister. Just one further question then to that and that would be that in an organized drainage system with the approval and, you know, gone through all the hoops that they need to go with SaskWater, but is there anything to deal with where one particular landowner that is part of the project, can one particular landowner stop the whole project at this point?

Because I think we saw out in my area where possibly in the past two or three have held up a whole project that was really good for the whole area. And yet naturally, we have to respect

their rights. But in having said that, I think what's good for the entire area probably would have or should have come into play in that situation.

Is there anything in this Bill or is there anything in the Act anywhere that would . . . I'm not saying override the landowner's rights that is protesting what is happening out there. But is there anything to deal with that in that situation, where possibly one landowner, ratepayer in that area could block a whole drainage system?

Hon. Mr. Forbes: — Well I would think that . . . Well there's been some real good signs over the last couple of years since the Watershed Authority came into place in terms of the local watershed advisory committees and looking at how can we make that happen.

But again I'll ask Mr. Dybvig to respond in terms of . . . is there a spot for one person holding up the work of the community there so . . .

Mr. Dybvig: — Actually under The Conservation and Development Act . . . that's the Act that re-establishes how landowners can organize into a conservation and development authority. And under that Act, that legislation requires only two-thirds of the landowners within an affected area as the majority to decide to go ahead and proceed to establish a conservation area. And so once that happens, then a conservation area is established based on the two-thirds support of landowners. And then a board is put in place. And really it's up to the board then to establish the rules by which they will operate in terms of how they will establish levies and how the project should go.

So I think after that, individual landowners, it's really up to the normal laws at their disposal which would be outside of our Act to have any kind of impact, influence on a project.

The Chair: — Mr. Hart.

Mr. Hart: — Thank you, Mr. Chair. Minister, I had the privilege of attending an official opening of a boat launch on Last Mountain Lake at Saskatchewan Beach. And I was told that that area will be used in the upcoming summer games, and the people of that community were very proud too of their new facility and so on.

But I was also made aware on that occasion that there is a stewardship group organized. They call themselves the Last Mountain Lake Stewardship Group. And they tell me that their purpose is to monitor the water quality. They have volunteers that take samples at a number of locations around the lake and have the water tested and that sort of thing.

How closely is your department working with groups like this in maintaining and monitoring water quality in our watersheds?

Hon. Mr. Forbes: — Now I would say that quite extensively through the watershed advisory committee groups, I understand there's about 400 people involved throughout that. Now I will just ask Mr. Dybvig to comment on the Last Mountain group because I'm not specifically familiar with that group. But I know that within each of their . . . I believe that there's seven

advisory groups, and one for the Yorkton aquifer area that's been established and then one larger one for the province. And then it breaks down into smaller watersheds from there. But I'm not quite familiar with the Last Mountain group and so . . . But I know that it's actually quite a . . . When you have 400 people out there on a volunteer basis doing this kind of work, it's really encouraging. But, Mr. Dybvig, Last Mountain Lake?

Mr. Dybvig: — We have quite an active stewardship program where we're working with groups that want to form themselves into lake stewardship groups. There's at least half a dozen quite active ones, and I think there's about nearly a dozen that are maybe under development, six more under development. So we have one at Jackfish Lake and there's one . . . [inaudible] . . . for a number of years, since 1997. One's at Shell Lake, Big Shell Lake since that time as well. The one at Last Mountain Lake is more recent. So we have a group that works actively with these local groups.

We actually in some cases, and it varies with each group, but we pay for some of the water quality analyses to be done. And we provide them assistance in interpreting the data and providing them advice on what some of their situations are that . . . trying to improve their understanding of some of the things that are happening in their lakes and things they might be able to do to improve the water quality.

Mr. Hart: — Thank you for that. Minister, does your department provide any financial assistance to these volunteer groups that are helping monitor the quality of water in our watersheds?

Mr. Dybvig: — Yes, we provide direct financial assistance in some cases to pay for the water quality analyses that are done.

Mr. Hart: — Mr. Chair, I believe that would conclude all the questions we have with regards to Bill 118.

The Chair: — Thank you very much, Mr. Hart. I would ask if the committee would be willing to vote on this Bill on a part-by-part as opposed to a clause-by-clause basis. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Okay. Part I then, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 49 inclusive agreed to.]

The Chair: — Part VII, is that agreed? I'm sorry, Mr. Yates.

Mr. Yates: — Thank you, Mr. Chair. I'd like to move an amendment to clause 76:

Strike out Clause 76 of the printed Bill and substitute the following:

“Powers of inspection

76 For the purpose of conducting an inspection of wells or

of records that relate to the drilling and operation of wells that are required to be kept by this Act or the regulations, the corporation, or any person authorized by the corporation, has those powers set out in section 89”.

The Chair: — It has been moved . . . But before we do that we could move up to the specific clause, and if I would ask members if they would agree with division 1. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Okay. Division 2, is that agreed?

Some Hon. Members: — Agreed.

[Clauses 50 to 70 inclusive agreed to.]

The Chair: — Okay, this then takes us to division 3, under which there is an amendment. So we could go clause by clause to that. Clause 71, is that agreed?

Some Hon. Members: — Agreed.

[Clauses 71 to 75 inclusive agreed to.]

Clause 76

The Chair: — Okay. Mr. Yates, seconded by . . . [inaudible interjection] . . . Oh, okay. Mr. Yates has moved an amendment on clause 76, that the:

Strike out Clause 76 . . . and substitute the following:

“Powers of inspection

76 For the purpose of conducting and inspection of wells or of records that relate to the drilling and operation of wells and that are required to be kept by this Act or the regulations, the corporation, or any person authorized by the corporation, has those powers set out in section 89”.

Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That’s carried. And we’ll vote on the clause as amended. Clause 76 as amended, is that agreed?

Some Hon. Members: — Agreed.

[Clause 76 as amended agreed to.]

[Clauses 77 to 123 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Saskatchewan Watershed Authority Act, 2005. Is that agreed?

Some Hon. Members: — Agreed.

Mr. Yates: — Mr. Chair, I move to report the Bill as amended.

The Chair: — Mr. Yates has moved that the Bill be reported as

amended. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Thank you very much.

Bill No. 123 — The Wildlife Habitat Protection Amendment Act, 2005

Clause 1

The Chair: — The next item before the committee is Bill No. 123, The Wildlife Habitat Protection Act, 2005. Mr. Forbes. Maybe, Minister Forbes, if you’re prepared to do your opening statements. Or do you want to wait for your officials? Okay. Why don’t we recess for a couple of minutes while your officials take their place then.

Thank you very much. I see, Minister, that you have your officials gathered around you. If you would care to make a short statement and introduce your officials, then we’ll proceed to the discussion on the Bill.

Hon. Mr. Forbes: — Okay. Thank you very much, Mr. Chair. I’d like to introduce Hugh Hunt, on my right, executive director . . . Oh, you’re back there. Hugh Hunt, executive director, resource stewardship, resource and environmental stewardship. As well, Bob Ruggles, my assistant deputy minister from Environment. And on my far left, Nancy Cherney, director of ecosystem management, resource stewardship. And as well, we have from Saskatchewan Agriculture and Food, Greg Haase, director of lands administration.

So I have a few comments I want to make. The Wildlife Habitat Protection Act protects 1.4 million hectares of natural upland and natural wetland in the agricultural areas while continuing to support some agricultural uses and oil and gas activities.

Now the philosophy of The Wildlife Habitat Protection Act is to conserve wildlife habitat while allowing traditional uses. As a matter of fact, much of the land under The Wildlife Habitat Protection Act is leased to cattle producers who use it for grazing and haying. Cattle as grazers play much the same role as bison used to. Agricultural producers who lease land included in The Wildlife Habitat Protection Act have proven to be good stewards and wildlife is benefiting.

Now sometimes maintaining an equitable balance between environmental stewardship objectives and other values warrant removal of certain lands from the protection of the Act. This is the case today as we recommend removing 2,223 hectares of land. The largest area is 2,013 hectares near Shell Lake that relates to a specific land claim settlement by the Mistawasis First Nation. The First Nation has met all conditions related to the purchase of these Crown lands and, if this amendment is approved, Saskatchewan Agriculture and Food will conclude the sale of the land to Mistawasis First Nation at fair market value.

Other parcels to be withdrawn include 130 hectares, a half section near Hudson Bay; and 65 hectares, a quarter section near Endeavour. Each of these parcels will be protected through conservation easements before being traded to local area

landowners in return for equivalent land parcels that will become the property of the Crown. Once these trade transactions are complete, we intend to add the new lands under The Wildlife Habitat Protection Act. This action allows the landowners to consolidate farming operations while enabling the province to continue to maintain wildlife habitat values.

The last parcel, a 16-hectare site near Shell Lake, will continue to be leased by an existing commercial lessee but removal from the Act will better accommodate business plans for seasonal camping use on a portion of that site.

The proposed removal of these lands is mitigated by actions taken during the past two years which protected approximately 51,800 hectares of ecologically important Crown land. This, Mr. Chair, reflects the no-net-loss policy of the province. So with that, Mr. Chair, I will take questions.

The Chair: — Thank you. Mr. Allchurch.

Mr. Allchurch: — Thank you, Mr. Minister, and welcome to your officials today. We don't have a lot of time to discuss some of the questions I want to ask regarding this Bill. The reason for the questioning is because the biggest portion of this Bill relates to my constituency and land within that constituency.

I just want to make mention, Mr. Minister, that today's May 24 and this Bill came in on May 9 which is not even two weeks ago.

In regards to this Bill, I would like to relay to you, Mr. Minister, and also constituents of mine that I'm not responsible for this Bill not going through the first day. On the weekend when I went home, I had a number of phone calls, some from constituents that were upset with this and some from constituents that are asking why am I holding it up. And I'm not. I believe, Mr. Minister, if the information that should have been given out relating to this Bill was given out in a timely fashion, it probably could have been passed last week.

As you know, Mr. Minister, I finally got a map on Wednesday, the day the Queen came, and when I read the map and seen what was taking place, I can understand why both parties — whether it's the Mistawasis Reserve people or constituents around the reserve — have questions.

One of the things I found out regarding this land, that this land, all of this land going in to the Mistawasis First Nation, is unoccupied Crown land which no one has a third party interest regarding it. That makes a huge difference when you're trying to relate to people why the TLE [treaty land entitlement] process is like it is. If the TLE process has a third party interest, then it takes longer to deal with those issues before it's passed on. This here had no third interest, therefore it could be put through at any time. But there still is some concerns.

Some of the concerns raised to me in the fact is, what is called a conservation easement?

Hon. Mr. Forbes: — Now thank you for those comments. When I look through this — and I appreciate that the member points out when the Bill was introduced and what day it is today

— but I do look through the Act and I do see that you have land descriptions and I did provide maps to the fellows there. And so I'm not clear what his point is in terms of saying he didn't have enough information or that there was some delay to this. You know, knowing his riding, knowing the interests of the Mistawasis group — the band — to move this forward in a timely fashion, I'm not sure why he's sensitive towards that.

Mr. Allchurch: — Well thank you, Mr. Minister. Well, Mr. Minister, you know that the first map I got basically shows an area of a quarter of Saskatchewan. There's a square on it and it shows this is where the land is, where the Mistawasis Reserve is which, if you look at the map — which I have a copy of it here — shows virtually nothing. On Wednesday is when we got the real map which, had that been given to us at a timely fashion, there's a possibility this Act could have went through before. But nevertheless we have the information now and now we can proceed. Mind you, we don't have a lot of time.

But in regards to my question regarding conservation easements, what is a conservation easement regarding this land?

Hon. Mr. Forbes: — I'll ask Mr. Ruggles to give a full definition of a conservation easement in a minute.

But I want to be clear that the Bill that was presented on May 9 had the details there. And with that research I think the member opposite could have completed his research. And while I provided two maps, one was showing that clearly this was near Mistawasis in his riding so that should not come as a surprise. And the Act is very clear in terms of what was being repealed, what was being taken out of the wildlife habitat protected areas.

And so I'm, you know, I think that while I provided a map later with this specific, I think that clearly the opposition has some responsibility for good research here as well. So with that, Mr. Ruggles, if you'll . . . [inaudible interjection] . . . I'll ask Nancy to give a definition there.

Ms. Cherney: — Sure. I will just explain. A conservation easement is a tool that we use to make sure that the wildlife habitat values continue to be protected. It's an easement that goes with the title on the land when you're in a private land situation primarily.

The intention for these lands that Mistawasis First Nation is wanting to acquire is that they would go to reserve status. That's our understanding, that they would become reserve. Therefore a conservation easement can't be applied to those lands because they will actually be . . . the title will be transferred to Canada. And it's not like a private land situation so there will not be a conservation easement applied to these lands. But we have understanding that, you know, the First Nations will look after those wildlife values in the same way that we would have.

Mr. Allchurch: — Well thank you for the answer. I'm quite aware that in regards to a conservation easement, when you're dealing with TLE land — which is subject to this case here — and Mistawasis First Nation has jurisdiction over that land, it becomes federal government land and therefore the province has absolutely no jurisdiction whatsoever on that land. So basically, it is land that will become Mistawasis First Nations

and they will have all the control over it. We have no problem with that.

In regards to . . . Saskatchewan Agriculture and Food will sell the land to the Mistawasis First Nation at fair market value. If it's going into a TLE process, why does there have to be a sale of the land?

Hon. Mr. Forbes: — Now I should be clear because the member has used the word TLE and while it's part of treaties, it's not the treaty land entitlements. It's a specific land claim.

So maybe we'll get, who? Nancy, would you better or Greg to answer this? It's not quite the same as a treaty land entitlement which we'll get that specific.

Mr. Haase: — The specific lands and land claims and even TLE for that matter, the First Nations get money which they go out and purchase land for. So any Crown land that's made available, they do pay the bare market value for that land.

Mr. Allchurch: — Thank you for the answer. This land then is going to be dealt with through specific land claims which is different than TLE.

I know we're running short of time and I could probably ask questions regarding this in Environment, but I was asking the Minister of Aboriginal Affairs regarding specific land claims. And I point-blank asked the minister, are there any specific land claims in Saskatchewan and he said no. That's why I'm kind of wondering why this is going through a specific land claim when there are none in Saskatchewan.

Hon. Mr. Forbes: — Now you were talking with the . . . Mr. Chair, the member was talking with the Minister of First Nations. I'm not . . . I can't comment on what he said, but this is the process here. And I don't know if the official from Agriculture has any more information, if there are other examples similar to this in terms of this type of land claim. This is the only one we're aware of.

Mr. Hart: — Mr. Chair, I guess I just have one final question for the minister. Minister, are you aware that our delaying the passage of this Bill by one week to get the full complement of information associated with the Bill as far as land description, where the land is located, has this one-week delay in any way impeded the process of moving the land to the Mistawasis First Nation?

Hon. Mr. Forbes: — I would say this, Mr. Chair, that when we . . . And I have worked, and I think it's been appreciated by the members opposite in providing information. But when the member first asked for a map, I provided a map that we have used. I wasn't trying to do anything untoward there.

But the only time I heard that map wasn't satisfactory was during a speech in the House, and I think I would have appreciated hearing that if that map wasn't satisfactory, that I should have heard right away as opposed to hearing about it in the House. So I was a little shocked. So I didn't know what that really meant. And so in terms of providing information that was adequate, to hear about it that way was a bit of a surprise.

So in terms of . . . Mistawasis wants to move relatively quickly. As with any group who's buying or acquiring land, they don't want to see delays. They want this to happen in a relatively rapid fashion. So to answer the member's question, was there any indication to me that there was going to be a delay? No. But was this going to be straightforward? I'd have to say I was taken back by that one speech because I didn't know what that meant. Were opposition going to delay this and communicate via speeches? I wasn't sure.

The Chair: — Item 1, is that agreed?

[Clause 1 agreed to.]

[Clauses 2 and 3 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Wildlife Habitat Protection Amendment Act, 2005. Is that agreed?

Some Hon. Members: — Agreed.

Mr. Yates: — I move we report the Bill without amendment.

The Chair: — Mr. Yates has moved that the Bill be reported without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Thank you. It now being past 5 o'clock this committee stands recessed until 7 p.m.

[The committee recessed for a period of time.]

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

Clause 1

The Chair: — I think we'll call the meeting to order and the item before the Assembly . . . before the committee is Bill No. 87. Madam Minister, if you would introduce your officials, and if you have opening comments to make it would be appropriate I think to make them now and then we'll go on with the questioning.

Hon. Ms. Higgins: — Thank you very much, Mr. Chair. I'm very pleased to introduce the officials here with me this evening. To my right is Bill Craik, deputy minister of Labour; to my left is Melanie Baldwin, board registrar from the Labour Relations Board; and to my far left is Mary Ellen Wellsch, the manager of legal policy and legislation. Sitting behind us is John Boyd, the executive director of planning and policy division; and also Pat Parenteau, senior policy analyst; and off a little bit to the left is Eric Greene, the director of labour standards.

Mr. Chair, I really made opening remarks at the beginning of our last session. We made it about halfway through the proposed changes to The Trade Union Act and we should probably just carry on with questions.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you very much, Mr. Chair. As we agreed back last week on May 16, we would continue with questions. And I was hopeful that we would have some extra information which I understand is going to be coming shortly, and will probably answer some of my questions. So I apologize for maybe repeating things that you have already answered, Madam Minister.

But I believe that my questions ended with the new section 18, clauses (a) to (x) and I think we had concluded with clause no. (n). So I guess my next question would relate to clause (o), which is “to summarily refuse to hear a matter that is not within the jurisdiction of the board.”

And I’d ask for clarification as to where that particular clause has been cited before.

Hon. Ms. Higgins: — That is 16(o.1) in the Canada Labour Code.

Mr. Krawetz: — So with that clause coming from the Canada Labour Code then, does the next clause (p) as identified, would that also be from the Canada Labour Code?

Hon. Ms. Higgins: — Yes. It would be the same section from the Canada Labour Code, 16(o.1).

Mr. Krawetz: — Thank you, Madam Minister. Madam Minister, (q) and (r), we’ll deal with these two at a time if we could. That might speed things up. Could you explain the new sections (q) and (r) which were not previously contained in clause no. 18, section 18?

Hon. Ms. Higgins: — They are found in the Canada Labour Code, 16.1 and 16(p). And (q) was added to the Canada Labour Code in 1998 and it’s been . . . the parties in all the information that we have are quite happy not to be required to attend at a hearing when there is evidence to be presented and no arguments to be made. So it is, it’s from the Labour Code of Canada or Canada Labour Code.

Mr. Krawetz: — Madam Minister, thank you for that. And with regards to clause (q), when it states that to “decide any matter before it without holding an oral hearing,” I heard you say that that has been possibly working. What if there is disagreement between the parties, one or the other, if they don’t agree with holding the oral hearing? Is it mandatory that it proceeds in that fashion or will that be still a decision made by the board itself?

Hon. Ms. Higgins: — I’ll turn this over to Ms. Baldwin.

Ms. Baldwin: — Mr. Chair, when I look at the wording of the proposed 18(q), it gives the board the power to “decide any matter before it without holding an oral hearing,” which would suggest to me that it places that decision of whether to hold an oral hearing or not within the board’s discretion.

Mr. Krawetz: — So, Ms. Baldwin, then could you clarify if there is one part or . . . one of the parties or both of the parties do not consent to that, is it then not to be proceeded with?

Ms. Baldwin: — I think that that would likely — and again

we’re speculating about what might happen in future cases — but I think that it would likely depend on the reason for not having consent.

For example if there was controverted evidence that was required, if there was a situation where one party said one thing and another party said something else on the same issue, obviously that sort of thing needs to be tested in oral evidence so that the board can assess the credibility of those witnesses and determine which evidence is the evidence that it will accept. So if there was a complaint about not holding an oral hearing in that type of situation, the principles of natural justice would require the board to hold a hearing in that kind of case.

If it was a situation where there wasn’t controverted evidence, where the facts were not really in dispute and it was a matter for argument only and the board invited the parties to make written arguments, you may still have a party who would rather have an oral hearing, but in that case I think that natural justice would not require it, and the board in that case might use its discretion to hold a hearing on paper only, and we have done this in the past.

Mr. Krawetz: — Thank you, Ms. Baldwin. And Madam Minister, as you’re aware, I have suggested some amendments and, as you’ve stated, your attempt with Bill 87 and the revisions to The Trade Union Act is to clarify and improve on certain things. And as you are aware, we have indicated that this particular section (q) I think leaves a little bit of discretion there that maybe is not what should be and we have proposed an amendment that I hope that you’ll look at when we get to that specific clause during clause-by-clause debate.

Madam Minister, if we could move then to section (v), which I believe is the next new section that was not contained in the previous Bill. Would you indicate . . . I guess let’s deal with all three. There are three clauses remaining in this Bill that are new . . . two that I believe are new, whereas I think you’ve already made a comment on section (x) where you have indicated that that was a direct relation to, I believe it was clause (h), but you can correct that if that’s true.

So could you make comment on the reasons for sections or clauses (v), (w), and (x)?

Hon. Ms. Higgins: — When you’re looking at 18(b), the board already has the power in sections 6 to 8 and 10.1 to order a representation vote, and those sections do not specifically refer to an additional representation vote but that power is implied already.

Generally speaking, employers and unions will voluntarily produce records and/or employees for questioning and will voluntarily permit a board agent to conduct a vote, and it would be the investigating officer of the board that would conduct the vote. But the board does contract with other agents, maybe with the department labour relations and mediation division, with respect to votes so it might also involve a contracted board agent.

In 18(w) the power:

(w) to enter on the premises of an employer for the

purpose of conducting a vote during working hours, and to give any directions in connection with the vote that it considers necessary;

Normally a vote is taken on the employer premises but in some situations where it would upset the employer's operation the vote can be take elsewhere. But normally it is done on the employer's premises.

So I guess just as a quick example, you know, if you were in maybe the health care sector and you may be looking at a nursing home or something where it may cause some disruption within the workplace, it would be held elsewhere.

18(x), the powers that can be delegated do not involve any decision making. They're either administrative or investigative. For example the registrar may be delegated the power to set up a hearing by teleconference under clause 18(j). The investigating officer will be delegated the authority to conduct a vote on the employer's premises pursuant to clause 18(w). Or the investigating officer position was created in 2000 when the amendments were made to The Construction Industry Labour Relations Act.

So those are, well I guess the investigating officer presently has statutory duties under The Construction Industry Labour Relations Act, 1992 as well as duties delegated by the board to investigate applications under The Trade Union Act. So the investigating officer would be the first choice of the . . . to act as a board agent on votes and on first collective agreement applications.

Mr. Krawetz: — Thank you for that explanation, Madam Minister.

Back to (v), when you talk about the ability to conduct a vote or for that matter in (w) the ability to enter on to the premises of an employer during working hours — are these sections new to the current procedures? What guidelines were in place before? Were these not something that were clear and that you have now put them into The Trade Union Act for clarity purposes or were there different practices that were in place before that?

Could you indicate where . . . your explanation by the way, Madam Minister, I received the copy of all of the material and thank you for that. But it doesn't state what the position was in Saskatchewan before you've put these clauses in.

Ms. Baldwin: — The Trade Union Act as it presently stands, in the regulations to the Act do address votes but not in the kind of detail that's contained in terms of where they will be held.

For example, in the regulations to The Trade Union Act, it talks about the board agent determining a list of employees eligible to vote, determining a form of the ballot — this is in section 26 of the current regulations to The Trade Union Act — determine the date or dates for taking the vote, determine the number and location of the polling places, preparing notices, acting as returning officer, that sort of thing.

But it doesn't talk about where the vote will be held although the practice currently is to hold it on the employer's premises unless that's going to cause difficulty because of the type of

work the employer does or because of lack of an appropriate space on the employer's premises in which case it will be held somewhere else.

Mr. Krawetz: — Thank you. With clarification on (w), when you talk about the fact that the vote must be conducted during working hours, is that the current practice within the regulation, that it states that it be working hours or is this something that further defines the actual timing of that vote that it must be during working hours?

Ms. Baldwin: — I don't believe that it actually says in the regulations that it should be done within working hours, but in practice the board agent does attempt as much as possible to hold the vote when as many employees as possible are at work.

So for example, in a workplace where there may be several shifts reporting for work, the vote may be held at three different times during a day to try to catch the most employees at the workplace so they're not required to come in on a day when they're not actually working to vote.

Mr. Krawetz: — Thank you. Madam Minister, where you have in the preparing of this document that identifies the different clauses, the new clauses that you've introduced and it makes reference to clauses of current statutes in other provinces, is each of these clauses word for word from those provinces?

Or is it . . . when you reference, just for simplicity's sake, when you reference on this clause (w) there are . . . BC [British Columbia] is referenced, Manitoba, Ontario, New Brunswick, and Newfoundland. Are these clauses word for word as what is now in the Saskatchewan Act or is it just sort of a comparison that's similar?

Ms. Wellsch: — They're similar but they're not necessarily identical. And what we did, we took all of the various clauses from the various jurisdictions, came up with the concept that mostly came from the Canada Labour Code but handed it over to the legislative drafter and said, you know, essentially do it in whatever your preferred form is for legislative drafting in Saskatchewan.

So sometimes, I mean, sometimes they changed it, tweaked it a little bit. Sometimes they used it word for word, and sometimes there are some clauses from other provinces. And they are, specifically I think it's (n) . . . (m) and (n) that were contained in one clause in Ontario, and they had been split into two for clarity. So they took a few liberties, but the concept remains the same.

Mr. Krawetz: — Thank you very much for clarifying that. Madam Minister, my final question regarding the whole new section 18 that we see before us now is . . . to a degree I think I've heard positive things about most of these sections in comparison to the original Act that was introduced. And my question then is, what's precipitated you to introduce this new section 18 now instead of last year when you were preparing the first Bill 87?

Hon. Ms. Higgins: — Well in the beginning I think being tied to the Labour Code of Canada seemed like an appropriate way to do it, and that's the way we introduced the initial Bill. But

after having discussions and getting comments from a variety of stakeholders, they weren't comfortable with the idea of that tie being there and that connection, for a variety of reasons. And they varied in many cases. But the general feel was that they would prefer that it be laid out within the Act, that it would be clearer and easier to access and provide better clarity for the board and for anyone that was accessing the services of the board. It was a better way to do it.

Mr. Krawetz: — Thank you, Madam Minister. Madam Minister, then would your officials, your deputy minister and your other staff, would they have expressed a concern about the original Bill 87 that said it wasn't workable? How did you receive input that said that your original concept of introducing Bill 87 tied to the Canada Labour Code was not the correct way to go? Was this from union groups, from workers, from employers, from businesses? Or was this from Justice officials within your own department that said, we need to clarify this?

Hon. Ms. Higgins: — We had a bit of a debate when the Bill was first drafted and tabled last November. But since then from . . . I mean it was from the legal community, and it was from people that would be considered employer lawyers that looked at that side of it. Also unions, labour lawyers from both sides expressed concerns about the reference to the Canada Labour Code. So the decision was that we needed to lay it out and be very clear about it because that is the intent of this . . . is to be clear about what the powers of the board are and to take away any confusion that may be out there.

Mr. Krawetz: — Thank you, Madam Minister. As I've heard from labour lawyers since you've introduced the new section 18 and removed this reference to the Canada Labour Code, I think there's a sigh of relief because I think clearly when you look at the implications of the Canada Labour Code and the cases, the precedent-setting cases on all of the implications, I think it may have created much more confusion. So in that respect I'm glad that you and your staff have listened to the input of others, and within your own department obviously you've looked the situation over and decided that it needed clarification. I guess that would end my questions on the new section 18.

So with that I'd like to move to section 18.1 of the old Act, I guess, the clause that remained as 18.1 where you have indicated that the members of the board shall have the same privileges and immunities as a judge of the Court of Queen's Bench. And I know I've asked for clarification of this section from you before, and I'm not clear on why you reference the Court of Queen's Bench, a judge in the Court of Queen's Bench, and the privileges and immunities that are granted to the members of the board. Could you clarify again why this particular section is needed and if it is a section that is found in other provinces as well.

Ms. Wellsch: — Actually the existing section 18 refers to The Public Inquiries Act. The Public Inquiries Act was amended last year to say the commissioners engaged pursuant to section 5 shall have the same privileges and immunities as a judge of the Court of Queen's Bench. So it was directly plucked out of The Public Inquiries Act and put straight into The Trade Union Act. They actually already have those privileges and immunities; it's just now it will be listed in The Trade Union Act instead of having to refer over to The Public Inquiries Act.

Mr. Krawetz: — So then to clarify for anyone who's wanting to have a better understanding of The Trade Union Act, you have now moved a section into The Trade Union Act to ensure that there's no conflict or there's no interpretation of something that's coming from The Public Inquiries Act.

Ms. Wellsch: — That's right.

Mr. Krawetz: — Thank you very much.

Madam Minister, in section no. 7, the amendment to section 26.5, as I indicated to you in comments that I've made here in the House, I've been involved in the negotiation of a first contract with a new union group back in the days when I wore another hat and was chairman of a school division board.

And I recall the time that it took us to complete an agreement. We had a negotiator for the union coming from Saskatoon, and of course our board of education was in Canora, and it took us a number of months. I haven't checked for sure as to the time that it took us, but clearly there were situations, I think, for both sides where we thought that maybe we had reached an impasse, but we didn't. And we kept plugging away at it and plugging away at it.

And now in your section 7 you're suggesting that after the trade union is created, that within 20 days after the order is made, bargaining must start, which seems relatively short because like that's less than three weeks from the creation of the union. And then you're suggesting that within 90 days, if no collective agreement is reached, then either party may apply for assistance. Is that not just too short a period of time?

Hon. Ms. Higgins: — That is a concern that we have heard, questioning whether the 20 and the 90 days are doable numbers. But when you're looking at this, when you say, you know, it's less than three weeks after a certification order, a unionization drive is not going to be a surprise to anyone. You're going to know well before the certification order that this is in the works. So it's not going to be a surprise if the campaign is successful.

When we put the 20 days in the legislation, I don't believe anyone realistically thinks you're going to be into full blown contract bargaining within 20 days. But it really sets down a target saying that we expect this to be taken seriously. We expect that there be a beginning, whether it's contact, whether it is some dates being set.

And with the 90 days also, I think there needs to be a knowledge that this is a very serious issue. I'll tell you, to put the 90 days in there has raised some comments, but it's not to say that hard and fast 90 days this has to be over and done and finished. If bargaining is continuing on, if both parties are involved in the process and things are moving along, there's nothing to say that it can't go on as long as the parties need to, to reach an agreement that's suitable. But if there is delay tactics, if there is issues that are causing problems, then there is that opportunity to request some type of assistance from the board.

When you look at this whole process, one thing that I will say to you and one thing that's a concern for me is the employees in the workplace because it is a big step once you have

certification of a workplace. And to have contract negotiations drag on — and especially in the first agreement — can cause problems. I think the ability to have access to support from the board, whether it be conciliation, whatever the steps the board feels is appropriate, I think it is worthwhile to have that opportunity there so that there isn't a dragged, drawn-out process that can cause some lasting problems within a workplace. That's more of a concern for me.

Mr. Krawetz: — Thank you, Madam Minister, for that very, very clear answer. Madam Minister, as you note — and I was discussing amendments — as you are aware, I'm looking at proposing an amendment to this because clearly when you talk about 20 days and if you were looking at an order that is made at the end of June, July and August are a very difficult time to bring people together to negotiate a contract. I'm sure you would agree with that.

And when you look at 20 days, and you've created a situation where there is an order that has been given in June sometimes, it's going to be very difficult for bargaining to begin in the months of July and August. I mean, that's a given. So I've proposed a 60-day change there, and we'll get to discussing that when we get to this clause.

And also the fact that in light of negotiations and the fact that a first contract is a very . . . not always a difficult thing, but it's a very necessary thing where you need to get together to ensure that a first contract is put in place. It's a contract that the workers want to ensure that they have the correct clauses. That takes a while to get it hammered out. And I'm looking at proposing an amendment there as well that we'll get to when we discuss it.

Now, Madam Minister, my final question is regarding the procedure that we have before us today, and my discussions with the Clerk, and the kinds of things that we want to propose regarding amendments that cover all — not all sections — but different sections of the Bill, including your new section 18.

And my understanding is that we will have to look at section 18, the new section 18 as you've proposed, in the way of an amendment to the old one, and getting it put in place first, before we can look at an amendment to any of the clauses that have to go. And you know, I guess we'll have to rely on the Clerks to ensure that we've followed proper procedure, but I think that's the order that's going to have to happen because it's an amendment that you've proposed to the existing Bill.

So with that, Madam Minister, I want to thank you for clarifying some of the questions that we have before us. And we would now want to move to clause-by-clause discussion of each of the clauses in Bill No. 87.

Hon. Ms. Higgins: — Mr. Chair, just a little bit of clarification for part of the comments that the member just made. At the end of the first clause, 26.5(1), on first collective agreement, and it talks about the 20 days. . . . unless the parties agree otherwise" is at the end of that clause, so there is that opportunity that if they agree there is opportunity to make the changes and adjust that time schedule as they see fit.

So thank you very much for your comments.

The Chair: — Thank you very much. Item 1, is that agreed?

[Clause 1 agreed to.]

[Clause 2 agreed to.]

Clause 3

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Under item 3, which is section 4 as amended, I'm proposing a couple of amendments. And we've broken them up or separated them, where . . . And I'll give the rationale for the reason for proposing these clauses to the term of the member.

As you've indicated that members can continue to serve and reach a decision after their terms have expired . . . And there I think is a concern that you may see a delay in how the reviews or the hearings are dealt with. So, Madam Minister, as I've indicated, and I'll read it to get it into the record, I'm moving that:

Clause 3(1) of the printed Bill is struck out and the following substituted:

'(1.2) Subject to subsections (1.3) and (1.4), if the term of a member of the board expires after the member has begun hearing a matter before the board but before the proceeding is completed, the member may continue as if his or her term had not expired for the purpose of completing the proceeding.

'(1.3) In cases involving a member whose term has expired, the cases must be scheduled so that the cases are completed expeditiously and the Board must render a decision within 60 days after the completion of the hearing of a case.

'(1.4) Unless agreed to by the parties, member's term that has expired will not be extended for more than 4 months.

'(1.5) If a member continues to serve pursuant to subsection (1.2), he or she shall not begin to hear any additional matters before the board'.

Now what this has done, Madam Minister, is the first clause (1.2) is the same as the clause that's in the current Bill, and (1.5) is the same as clause (1.3) of the current Bill. And the two new added clauses are (1.3) and (1.4) which talk about ensuring that a member whose term has expired on the board has . . . you know, the cases before him or her are expeditiously dealt with and that they must reach or render a decision. So that is the reason for putting those two sections before you. And I would so move.

The Chair: — Mr. Krawetz has moved an amendment to clause 3 of the printed Bill. Can we take the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — It's taken as read. All those in favour of the

amendment?

Some Members: — Agreed.

The Chair: — All those opposed?

Some Hon. Members: — No.

The Chair: — I believe the nos have it on division.

Mr. Krawetz: — Mr. Chair, continuing with clause no. 3, which is the section 4, Madam Minister, there is a second amendment before you which talks now about section (4.2). And I move that:

Subsection 4(2.2) as being enacted by Clause 3(2) of the Printed Bill is struck out and the following substituted:

‘(2.2) With the consent of the applicant and the respondent, the chairperson may designate himself or herself or a vice-chairperson to hear a matter alone for proceedings related to section 25.1 or 36.1.

(2.3) If either party withholds the consent mentioned in subsection (2.2), the matter must be heard by a panel consisting of three members’.

Madam Minister, what this amendment proposes is that the chairperson or vice-chairperson may hear the matter that’s before them with the consent of both the applicant and the respondent. So if there is consensus between both of the parties, then the Chair or the Vice-Chair may decide to hear any of the proceedings related to 25.1 or 36.1, as what you have proposed in your amendment, except that we are saying that it must be clear that it be the consent of both parties wish to go that way.

In the second part we are mentioning that if one of the parties says no, I don’t want this to be a individual hearing my case, then it goes back to the panel consisting of three members which I understand is the practice of today.

My question, Madam Minister, before we look at . . . and any further debate, is that the practice that is currently followed? That it is a panel of three members that would hear that?

Hon. Ms. Higgins: — Yes, it is. Yes. It’s currently a panel of three.

Mr. Krawetz: — Thank you, Madam Minister. I would so move, Mr. Chair.

The Chair: — Mr. Krawetz has proposed an amendment to clause 3 of the printed Bill. Can we take the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — We will take the amendment as read. All those in favour of the amendment?

Some Hon. Members: — Agreed.

The Chair: — All those opposed?

Some Hon. Members: — No.

The Chair: — The amendment is defeated.

An Hon. Member: — On division again, Mr. Chair.

The Chair: — On division.

Clause 3, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 3 agreed to.]

Clause 4

The Chair: — Clause 4, is that agreed? Mr. Yates.

Mr. Yates: — Thank you, Mr. Chair. I would like to propose an amendment by:

Strike out Clause 4 of the printed Bill and substitute the following:

“Section 17 amended

4 The following subsection is added after subsection 17(1):

‘(1.1) The chairperson of the board may make regulations prescribing rules of procedure for matters before the board, including preliminary procedures, and prescribing forms that are consistent with this Act and any other regulations made pursuant to this Act’.

I so move.

The Chair: — Clause 4 of the printed Bill has been amended by Mr. Yates. Can we take the amendment as read? Mr. Krawetz.

Mr. Krawetz: — Question, Mr. Chair. Madam Minister, could you clarify that the wording that has been introduced in the amendment is the exact wording that is contained in (1.1) of the current printed Bill?

Hon. Ms. Higgins: — Yes, it is. I’m told it’s exactly the same as what’s contained in there now.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Mr. Chair, as I indicated, we have proposed an amendment to this amendment, so I think we have to deal with the first amendment or is it proper to introduce the amendment to this before it’s accepted? I look for clarification.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair, and I’m sorry for the confusion. But because there is an amendment to the existing Act that is being proposed by yourself, Madam Minister, I am

now told that my amendment has to read, instead of clause 4 of the printed Bill, it's clause 4 as proposed by the amendment, which is your amendment.

And what I'm proposing, Madam Minister, that in that section (1.1) that you've just identified as being word for word from the original printed Bill, I'm suggesting that there needs to be some checks and balances on the people that are involved, the chairperson. So the amendment is saying this, that:

Subsection 17(1.1) as being enacted by clause 4 of the Printed Bill [amended Bill, I'm not sure which is the words that need to be put in there] is amended by striking out "The" and substituting "Subject to the approval of the Lieutenant Governor in Council, the".

And then it says the "chairperson of the board."

So what it's doing is putting in place in front of section (1.1), your total words that you have proposed in your amendment, but by saying that "Subject to the approval of the Lieutenant Governor in Council." In other words, then cabinet is still responsible for what the chairperson may do in making new regulations that are prescribing rules of procedure. So that there is a check and balance.

So I hope that you understand the reasoning for what I'm hearing about a problem to this. It's clear that the chairperson has become, by the amendment that you've proposed, the chairperson has become fairly powerful in terms of prescribing rules of procedure for matters before the board. So what we're suggesting is that yes, that person is understanding of the rules and procedures, but there should be somebody that is responsible for the decisions of that chairperson, and in this case it's the Lieutenant Governor in Council.

So, I so move.

The Chair: — Madam Minister.

Hon. Ms. Higgins: — I guess I would disagree with your comments. When we talk about the regulations prescribing rules of procedure, I mean it's respecting process and forms only and is not substantive in any way. And it's fairly common for administrative tribunals to have the power to control their own processes so this is processes of the board. And I mean to put higher requirements on the Labour Relations Board than what we do other administrative tribunals is really unnecessary.

It requires that the rules are subject to The Regulations Act and provides a formality to the process, and this will eliminate opportunities for abuses such as rewriting the rules in the middle of a case to favour one side or another. I mean, it eliminates those opportunities and it provides for the opportunity for the rules to be drafted by professional drafters. So any of these are publicly available and as I say again, it's common for administrative tribunals to have the ability to direct processes and forms or rules respecting processes and forms.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Madam Minister, I don't argue with why you've . . . I indicated that rules and

procedures must be set up by someone. It's clear that you have the ability to rely on professionals that will be able to understand those regulations and draw up correct regulations.

But should there not still be a mechanism where someone at the government level says yes to those procedures, and the rules of procedure that you've put in place are approved by Lieutenant Governor in Council? Is that . . . That, I don't think is being, you know, somewhat onerous. I think it just clarifies that the rules of procedure that you want the chairperson to put in place using all of the technical support that you've talked about, are put forward as a draft to the minister and to the council and — to cabinet, I should say — and then approved. Is that not, is that not realistic and doable?

Hon. Ms. Higgins: — When you look at the amount of boards there are and administrative tribunals that would fall into this category, and the processes that they currently will abide by, when it's common for these boards to have the power to establish the process and forms that they use and require in their cases. I'm not sure the number, if you would expect to reroute them in a different way, make them go through an order in council and have the Lieutenant Governor have the final sign-off on them, but it could be a fair number. I actually have names of boards going through my head. I'm trying to give you a rough calculation and I can't even do that. But it would be an unusual step.

The Chair: — Question? I'm going to read the subamendment into the record again as we attempt to clarify the process here, and that is that:

Clause 4 of the printed Bill as proposed by the amendment be amended that:

Subsection 17(1.1) as being enacted by clause 4 of the Printed Bill is amended by striking out "The" and substituting "Subject to the approval of the Lieutenant Governor in Council, the".

Those in favour of the subamendment?

Those opposed?

It was on the subamendment. It was your subamendment. I'm going to do this again. Those in favour of the subamendment?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — The subamendment is defeated.

All right, now we're back to the amendment. Do members of the committee want to take the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — That's agreed. Those in favour of the amendment?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

An Hon. Member: — Agreed.

The Chair: — The amendment is carried.

An Hon. Member: — On division.

The Chair: — On division. Those in favour of clause 4 as amended?

Some Hon. Members: — Agreed.

The Chair: — Those opposed? That's carried.

[Clause 4 as amended agreed to.]

Clause 5

The Chair: — Clause 5, is that agreed?

Mr. Yates: — I wish to move an amendment. The amendment is very long in nature, Mr. Speaker. It totally replaces 18, so I will move the amendment as tabled, and all the members I know have already had the amendment. So I move that new clause 18 be substituted. Mr. Chair, may I have leave to move the amendment as tabled?

The Chair: — Is leave granted?

Some Hon. Members: — Agreed.

The Chair: — That's agreed. The amendment to clause 5 of the printed Bill. Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Madam Minister, if we're following the procedure that we did on the previous clause, clause 4, that would mean then at this time I would like to propose amendments to each of the sections.

Now, Mr. Chair, for clarification, are you going to deal with section 18 as an entire section from (a) to (x)? That would be the procedure that would be followed, so therefore then I would like to move the amendments. And I am not sure, do we deal with each amendment one at a time . . . [inaudible interjection] . . . Okay so subamendments, Madam Minister, are coming at you, which you have copies of, but now we have to change the wording and I would move that:

Clause 5 of the proposed amendment [be changed in such that]

Clause 18(m) as proposed by the amendment to Clause 5 of the Printed Bill is amended by striking out "dismissed" and substituting "filed".

I so move.

The Chair: — We have a subamendment then to clause 5. Will the committee take that as being read? Mr. Krawetz.

Mr. Krawetz: — To clarify, Madam Minister, I think it's clear that the procedures that you have outlined in section (m) talk about the procedures that will occur once the Bill is . . . or sorry, once the case or hearing has been dismissed. And what . . . there is a concern because the dismissal may take a period of time. And what we are looking at doing is saying when that is filed, that will be much more tighter. It will allow for the Labour Relations Board to be able to deal with that case within a year after it's filed, not when it's dismissed.

I think it tightens things up so that then you have the ability to look at this within the year. That is not being changed. The only change is that the word dismissed is replaced by the word filed. I think it would improve the Bill. And that's why the amendment is being proposed.

Hon. Ms. Higgins: — Now part of the problem here is, I think some, when some read this, they looked at this as being applicable to certifications and decertifications. And it would not be because those are contained in another section of the Act.

What we are looking at here is what would be classed as a frivolous complaint. So it's felt that from dismissal would be a more appropriate time span to use.

When you look at from filed, it may be . . . I mean it may conceivably be six to eight months before the case is heard, depending on time of year, how busy the board is, and the priority of the case. And if you're talking about a year from when the case is filed, then you're talking . . . you know, if it's eight months before a case is heard and a decision is rendered, it may only be another four months before there may be another application filed.

So the main focus of this is for, as I say, what would be termed a frivolous case before the board. And that's what it's for. It would not pertain to decerts or certification orders. That's contained in another section.

So I would prefer that we stick with the dismissed, that that would be a more appropriate time frame.

The Chair: — Then the subamendment reads:

Clause 18(m) as proposed by the amendment to Clause 5 of the Printed Bill is amended by striking out "dismissed" and substituting "filed".

Those who support the subclause?

Some Hon. Members: — Agreed.

The Chair: — Those opposed? It is defeated. Defeated on division. Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Madam Minister, then moving to the next clause that has an amendment before you, and it is affecting clause 5 of the proposed amendment. I move that:

Clause 18(n) as proposed by the amendment to Clause 5 of the Printed Bill be amended by striking out "dismissed" and substituting "filed".

The Chair: — The subamendment has been taken as read. All those in favour of the subamendment . . . [inaudible interjection] . . . I think we'll wait until the consultations take place.

The subamendment has been read into the record. All those in favour of the subamendment?

Some Hon. Members: — Agreed.

The Chair: — All those opposed?

Some Hon. Members: — No.

The Chair: — The subamendment is defeated on division. Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Madam Minister, clause 18(q) is before you, and it's affecting clause 5 of the proposed amendment and I move that:

Clause 18(q) as proposed by the amendment to Clause 5 of the Printed Bill be struck out and the following substituted:

'(q) to decide any matter before it without holding an oral hearing where both parties consent and there are no issues in dispute;'

I so move. Madam Minister, as I questioned you earlier tonight, I think the explanation for that has already been put on the record by myself, where I think that there is a need to have both parties wanting to move the direction that you have indicated. And if that's in place and there are no issues of dispute, then it should move forward with an oral hearing. However if one of the parties is not wanting to move to that oral hearing, then we should be moving back to a procedure that is in place currently. And that's the reason for that amendment.

Hon. Ms. Higgins: — When I do a quick read over of this, where both parties consent, currently if both parties consent, I mean, that's how these are held currently — where the parties are consenting. But where there are no issues in dispute, if there were no issues in dispute, they wouldn't be before the board.

But also part of the whole rationale for doing these changes to The Trade Union Act is to clarify the powers of the board and be able to deal in an appropriate manner expeditiously with the cases that are there. And there needs to be the ability that if . . . I mean if all the evidence is paper, there are no witnesses, everything is contained in the documents that are there before the Labour Relations Board, it really serves no purpose to constitute the board and have a full-fledged hearing to deal with paper. That can be done in a more appropriate manner, and that's the whole purpose of this.

Where parties consent, I mean, that's fine, and it can continue on that way. But there needs to be the ability for the board to make the decisions that are before it, and this is part of the rationale for this one here.

Mr. Krawetz: — Thank you, Madam Minister. I think, Madam Minister, I want to clarify first of all of course that the issues in

dispute are not relevant to the case. I think they're the information that is regarding the hearing. Whether it's calling the witnesses or what is the procedure — that's the issue that I think is referred to there.

What I'm still looking at though, Madam Minister, is that what you're saying . . . and I think the answer is that your individuals that are with you today, and I can't remember who supplied that answer. I believe it was Ms. Baldwin. When you talked about the fact that if one party wants to go to an oral hearing and the other party does not, that the Labour Relations Board may decide to go one way, or it may decide to go another way. I think that's ambiguous, and that's leaving a decision to go one way or the other depending upon the case, depending upon what the Labour Relations Board wants to do.

But I think clearly if there is a reason why one of the parties does not want to deal with the paper — as you have referred to it — by way of an oral hearing, then immediately that privilege or that right has been taken away from them by the fact that you're saying that the oral hearing shall take place. So I'm wondering why you would want to be so ambiguous in terms of not clarifying this section when that was sort of the purpose I think that you've identified in many of the sections you wanted to have clarity, whereas I think this one doesn't.

Hon. Ms. Higgins: — Well you're right. At the very beginning of your comments, you made the comment that, you know, the board has the ability. You look at the evidence. You look at the requirements. Is there a need for a hearing? Is there a need to make . . . or is there the ability to make the decision if the evidence is on paper and it's there before you?

I mean Ms. Baldwin can give you a more detailed explanation using more legalese than I will ever use. But the board needs to have that ability to make those decisions. It's one of the reasons these boards are in place, is to make decisions in particular areas. It's the areas where they hold expertise, and they do a very good service here in the province of Saskatchewan and have for many years and will continue to do so.

Anything you want to add to that that's more . . .

Ms. Baldwin: — I think, you know, to clarify the comment that I made earlier in case it was misunderstood, the board is in all matters subject to the principles of natural justice. And so if the board is denying natural justice to a party by making a decision to hold a paper hearing as opposed to an oral hearing, that party would have recourse to the Court of Queen's Bench and an application for judicial review. And if the Court of Queen's Bench found that the board had denied the principles of natural justice, that decision of the board would be quashed, certainly.

Mr. Krawetz: — Thank you. Thank you, Ms. Baldwin. But that's the point exactly, Ms. Baldwin. If you are waiting for someone to say no, natural justice has been denied me, and therefore I'm going to apply to the judiciary to ensure that the individual's rights are being met, you're obviously causing some expenditure of time and money. And for what purpose? The amendment is suggesting that if a party does not agree to an oral hearing, for whatever circumstances, then they will not go through the . . . have to go through the procedure of applying to the judiciary to try to have their case heard. Is that how you

see it?

Ms. Baldwin: — Again, Mr. Chair, I'll have to apologize because I'm obviously not being clear. I don't think that the board . . . I mean certainly in our present practice it's not that we wait for a party to go to judicial review to raise these issues. The board would say, in this case we intend to hold a paper hearing. The parties would then send us numerous letters if they felt that that was not fair, explaining why they felt that was not fair.

If the board persisted in the decision to hold the paper hearing, that decision would be subject to judicial review. The board might after looking at those concerns raised by the parties say, you're right; an oral hearing is necessary. We will convene an oral hearing. The board would make that decision based on all of the information it had in front of it which would include what the parties had to say about the proposed paper hearing.

Mr. Krawetz: — Thank you for clarifying that, Ms. Baldwin. Ms. Baldwin, could you also indicate what other provinces currently follow the . . . if any follow the practice that I'm suggesting where both parties should consent to the oral hearing. Are there any, or is the position that is being put forward by your amendment would be similar to all other provinces?

Ms. Baldwin: — I don't know the answer to that. I know that the proposed amendment is the same as the language in the Canada Labour Code, not the proposed subamendment, but the proposed amendment. As to whether there are other jurisdictions that have the same language as the proposed subamendment, I'm not aware that that's the case, but it may well be. You may know the answer to that.

The Chair: — The question before the House is the subamendment to 18(q). Those in favour?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — The subamendment is defeated on division. Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Madam Minister, there is one more amendment before you, and it doesn't deal with an existing section or subsection within your proposed amendment. It is the creation of a new section. So I would move that we:

Amend Section 18 as proposed by the amendment to Clause 5 of the Printed Bill by adding the following after clause 18(x):

[And this is (y), "y" meaning the letter "y"] '(y) to provide for an appeal to be heard by a panel of the board by any party that is affected by anything done pursuant to clause (x).'

I so move.

And, Madam Minister, the reason for this amendment is to have a process of some appeal to any of the subclauses that you've identified in (x), and you've identified a number of procedures that refer to the different sections within section 18.

What I think this puts in place is that there is the ability to have some appeal for either party who says, no, we're not happy with the decision. Therefore there should be a right of appeal somewhere. I don't see that in your current legislation, and I'm wondering if this doesn't help both workers and employers to ensure then that there is fairness to both sides.

Hon. Ms. Higgins: — The person that would be authorized by the board in (x) to do, I mean, whatever the board deems it needs to be done, that person has to report back to the board on anything that is done.

And also when we were looking at this amendment, there is powers of the executive officer in four twelve that would cover off any of this issue. But this person is not acting on their own. That's laid out in (x). They would have to report back to the board. So that would be their process back to the board.

Mr. Krawetz: — Madam Minister, I understand that the board has selected a person. It says . . . you have used the words, any person. So I guess that could be a variety of different people who may be authorized by that board to do something on their behalf. And they would then be required to submit a report back to the board.

What I'm saying in the amendment is that now there needs to be some mechanism that either party, after hearing the report of this person, should have some right of appeal. And that's what I'm proposing.

I'm saying . . . I'm not stopping the fact that the board has the ability to authorize a person to go ahead and deal with the various subclauses as you've identified. And the board will set the terms and conditions, and then that person is required to submit a report to the board. That's what your amendment is saying. What I'm saying then is once that report has been given, either party, if they don't agree with that report, should have some right of appeal.

And what the amendment is saying, that that right of appeal should come back to a panel of the board should either party not have the right to be able to come back to a panel of the board to question the report that has been put forward by this so-called any person.

Hon. Ms. Higgins: — When this person is . . . This person is acting on the direction of the board to gather information or to perform a certain task, reports back to the board. So I'm not sure what you would appeal because this person is not making any decisions. So I'm not sure what you would appeal. The report that that person did would go to the board. So when you appeared in front of the board for your case that was before the board, you would have an opportunity then to make comment on the report or to make comment on whatever process had been used to gather the information. But I'm not sure what you would appeal when that person is not making any decisions.

Mr. Krawetz: — Mr. Chair, the person who has been

authorized to do something as you've identified in the subsections and . . . I'm just trying to get . . . The sections are many — (a), (b), (d), (e), etc. When that person does some collection of data through asking questions of a particular union group and then submits that information in the way of a report, and there's believed to be some information that's not correct, something's missing, should not then the party from which this information came have the right to go to a panel of the board and say, something's wrong with this?

And that's all we're suggesting. We're suggesting that either party has the ability then to appeal to someone about the report that has been put forward by this authorized person.

Hon. Ms. Higgins: — Well absolutely you would. When your case was being heard in front of the board, you would have ample opportunity to clarify or question the information that was put forward in the report.

Mr. Krawetz: — Yes, well okay, Madam Minister. But my position still is that there has to be a mechanism where a panel of the board, separate from the hearing, has the ability to hear either party. Say there's something wrong with the information that this authorized person is putting forward or, you know, just hasn't got all the facts before the hearing actually takes place . . . because then you're into a hearing situation where, I mean, you want to have the correct information.

So the appeal mechanism is something that would help, you know, both the employee or the union that represents that employee or the employer deal with that issue before it becomes part of the hearing.

Ms. Baldwin: — Mr. Chair, maybe I can shed some light on what happens at the present time in this type of situation.

So for example, you might have an application for certification where the board, by order, sends a board agent out to compile a statement of employment, a list of employees. The board orders the board agent to do that. Generally speaking, that order will also include the report back and usually also includes the time period after the report is made in which the parties can indicate whether they agree with it or disagree with it. So the practice would then be, the board agent would go out, would do what was necessary to make the report, would send copies of the report to the parties who would then within that time period indicate whether they agreed or disagreed with the report.

If they agreed with the report, there may not be a need to have a further hearing in front of the board. That may dispose of all of the contentious issues in the case. If they didn't agree with the report, it would then come back before the board where the parties would have the opportunity to lead evidence to contradict the board agent's report or to clarify the board agent's report. And the board would then make its decision on who the employees were in that bargaining unit.

So again it's a natural justice issue. That recourse to the board after the report is made is something that's necessary as a matter of natural justice, and it's something that's presently done.

The Chair: — The subamendment then, will members take it

as read?

Some Hon. Members: — Agreed.

The Chair: — All those in favour?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — The subamendment is defeated on division.

The question then before the committee is the amendment to clause 5 which in essence substitutes the new section 18. Will members of the committee take it as read?

Some Hon. Members: — Agreed.

The Chair: — It's been agreed to as read. All those in favour?

Some Hon. Members: — Agreed.

The Chair: — All those opposed.

Some Hon. Members: — No.

The Chair: — The amendment is carried on division. Okay now the clause is amended. Okay. The item of business then is clause 5 as amended. Is that clause agreed?

Some Hon. Members: — Agreed.

The Chair: — All those in favour? All those opposed? It's carried.

[Clause 5 as amended agreed to.]

[Clause 6 agreed to.]

Clause 7

The Chair: — Clause 7. Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. I would move that clause 7 of the printed Bill be amended whereby:

Subsection 26.5(1) as being enacted by clause 7(1) of the Printed Bill is amended by striking out '20' and substituting '60'.

I so move.

The Chair: — The amendment then to clause 7, will members take that amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Okay. All those in favour?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — It's defeated. Is that on division?

Mr. Krawetz: — Yes sir.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. Further to Clause 7, this will affect section 1.1(4), by amending

Subsection 26.5(1)(c)(iv) as being enacted by clause 7(1) of the Printed Bill is amended by striking out '90 days' and substituting '12 months'.

I so move.

The Chair: — Take it as read. All those in favour?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — The amendment is defeated.

An Hon. Member: — On division.

The Chair: — On division. Clause 7, is that agreed?

[Clause 7 agreed to.]

[Clauses 8 and 9 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Trade Union Amendment Act, 2004.

An Hon. Member: — On division, sir.

Mr. Yates: — Mr. Chair, I report the Bill as amended.

The Chair: — It's been moved that the Bill be reported as amended, is that agreed?

Some Hon. Members: — Agreed.

An Hon. Member: — On division.

The Chair: — Carried.

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

Clause 1

The Chair: — Before we proceed, Madam Minister, do you have any comments to make?

Hon. Ms. Higgins: — Yes I do. Thank you very much, Mr.

Chair. My officials have basically stayed the same except I have been joined by Mr. Eric Greene who is the director of labour standards.

And I would like to make a couple of comments. There has been a fair bit of discussion in the legislature about Bill 86 providing extensive powers to the director of labour standards, and I would like to begin just by setting the record straight.

First the director already has the power under section 74 to investigate whether or not an employer has fired or otherwise discriminated against an employee for blowing the whistle. This amendment does not change that power. The purpose of the amendment to section 74 is to clarify for the employee to who at work they can report a violation of the law. It provides additional protection to employees by ensuring that if they do report suspected wrongdoing to their supervisor, they cannot be fired for it.

Secondly nothing in this Act or the amendments gives the director the power to investigate the allegation of wrongdoing at the work place that lead to the blowing of the whistle. That would indeed be beyond the scope of The Labour Standards Act. The director is only mandated to investigate whether the employee has been discriminated against by their employer for reporting the wrongdoing.

The amendment to section 62.4 allowing the director to issue a decision respecting a whistle-blower's complaint of wrongful dismissal or discrimination is important because currently the only remedy for an employee who has been wrongfully dismissed is to take the employer to court. This amendment provides the director of labour standards with the authority to effect an efficient remedy, an authority the director already has for other matters involving the non-payment of wages.

As well the amendment providing the ability to appeal the director's decision to an adjudicator protects employers and employees from possible abuse of authority. That protection is further guaranteed because an adjudicator's decision can be appealed to the Court of Queen's Bench. Thank you very much, Mr. Chair.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Madam Minister, Mr. Chair, a few questions on this Bill before we proceed to the clause-by-clause discussion.

Madam Minister, while this is whistle-blower protection and you've clarified the need ... or not the need but the circumstances that the current director of labour standards find themselves, and you're indicating that this is clarification, that it's not enhancing the powers of the director. Madam Minister, the concern I guess that has been expressed by some is that the whistle-blower amendments may cause some confusion in that there is whistle-blower protection Act in place already. And you make reference to the federal Acts, to law enforcement agencies. Do you see that as a problem that this may confuse what is already in place?

Hon. Ms. Higgins: — There is something similar in the Criminal Code to this, but I don't believe that it is going to

cause any confusion. This section 74 has been in The Labour Standards Act for just about 10 years, since 1995. It's been there since '77, but it was amended in '95, I am informed.

So I don't believe that it will cause confusion. This is just clarifying lawful authority and to whom an employee should report. And that's something that's needed, and we know that from a case, a fairly well-publicized case here in Saskatchewan that — it is currently before the Supreme Court of Canada — that it needs better definition on the lawful authority.

Mr. Krawetz: — Thank you, Madam Minister. Madam Minister, as you have before yourself on your table, I believe, an amendment that we've suggested to clause (c) of that section 74 where it tries to clarify I think even more who's involved with supervision . . . because the clause that you've indicated there, it says, "any person directly or indirectly responsible for supervising the employee."

There needs to be clarification I think for purposes of understanding who that might be because it might not be someone who is directly responsible or indirectly responsible for supervising the employee, yet they may have the ability to instruct that person in terms of the work that that person would do because of a multitude of sectors within a particular organization. So I would hope that you would look at the amendment that we have proposed for section 8 as being something that would enhance the Bill already and would allow clarification for that.

Madam Minister, one further question. In comments that I believe the press indicated that the minister had stated certain things — and I believe that they were referring to you — when you make reference to complaints that the Department of Labour would now accept that would not just be from an employee but could be anonymous and third party complaints. Could you clarify what you meant by those words, if indeed those were your words, as to why the Department of Labour would entertain anonymous and third party complaints.

Now you've justified, I think in your explanatory notes, what might be third party complaints. Were you talking about a parent of a particular individual, a youngster who's employed somewhere and there is some problems with, you know, a wage payment I think is the example you used. So I understand third party, but I'm wondering about anonymous. Can you see anonymous complaints as being someone who might be wanting to jeopardize a business, someone who might be holding a grudge against an individual as putting forward a complaint that now the Department of Labour will look at and institute a hearing into an anonymous complaint? Could you clarify what you meant by anonymous?

Hon. Ms. Higgins: — I'm not quite sure how this has got tangled into the pieces of legislation that are currently in the House, but when I have . . . and I have talked about third party complaints probably over the last year and a half. It's something that the department has always had the ability to do I think since about 1969, '70. And what we're talking about is labour standards, basic minimum standards that cover workplaces in Saskatchewan. And you will find many times more vulnerable workers will not have the ability to put forward a complaint where they feel like they have not been treated fairly or been

treated by labour standards.

Since I have been appointed minister, I think that has to be one of the biggest complaints that I have heard is when we talk to parents whose teenagers may be new into the workforce, questions about holiday pay, questions about stat pay, questions about, you know, hours of work, those kind of things, where these workers may not have the ability — whether it's the confidence, whether it's security, whether it's concern for losing their job — to make a complaint. They may phone and inquire, but they may on fear of losing their job or, you know, other circumstances won't file a complaint and, you know, we won't be able to send someone out to investigate.

And what we've started doing is if there is something to back up the concern whether it be a pay stub, some other piece of evidence that substantiates the complaint, we will do an anonymous investigation. And not to say that employers are blatantly not following the laws. Sometimes it's just not an understanding of the laws that are in place or that may cover those certain types of workplaces or hours of work. You know there can be any number of things.

But we have started accepting complaints where there is something to substantiate the complaint. So that has to be there. It's not just, you know, if I'm annoyed with, you know, my employer that I can start phoning and making all kinds of complaints. There has to be something to substantiate it. Now this has been in place for a while, has only been used on, well very seldomly. It has very seldomly been used, but it does alleviate some of the pressures on some of those in the workplace that are the most vulnerable. And that's why it is in place.

Now I may have spoke about it in comments, in a speech. A couple of times I have mentioned the fact we are looking at the third party complaints. So somehow it has got tied into the whole debate over the labour legislation that's currently in the House, where in fact it has nothing to do with whistle-blowers . It has nothing to do with The Trade Union Act. It's more something that we are doing within the department to build the confidence and security for workers in the province.

Mr. Krawetz: — Thank you, Madam Minister, for that explanation. I think you may have alleviated the fears of what the word anonymous means. And I think . . . my question, Madam Minister, though would be is, who at the Department of Labour would interpret whether or not the — I think you used the word evidence — the evidence or the information that has been presented is substantial and that then an anonymous investigation would take place? Who would make that decision as to what they see before them as being sufficient enough to proceed with this anonymous investigation?

Hon. Ms. Higgins: — I'll turn this over to Mr. Greene to give you a more complete answer.

Mr. Greene: — The employee who feels aggrieved can make an anonymous complaint to what's known as the compliance review unit. The compliance review unit is staffed by a manager out of Saskatoon, and he in consultation with my assistant director and myself will determine whether or not there is supporting evidence to cause an investigation to be initiated.

This anonymous complaint is made to this unit called the compliance review unit within the labour standards branch.

Mr. Krawetz: — Mr. Greene, could you clarify then, did you say that within this compliance unit there is one individual who then would review this information and determine whether or not to proceed with this investigation? Or when you said unit, did you refer that there is a group of people that would assess this? Or is it one individual?

Mr. Greene: — Currently it's one individual, but it could be in the future more than one. But currently it is only one.

Mr. Krawetz: — Go ahead, Mr. Chair.

The Chair: — Clause 1, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 7 inclusive agreed to.]

Clause 8

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Mr. Chair. I would move that:

Clause 8 of the Printed Bill be amended by striking out clause 74(3)(c) as being enacted by clause 8(2) of the Printed Bill and substitute the following:

(c) any person directly or indirectly responsible for supervising the employee or any manager, director, owner, or person with authority to direct the employment activities of the employee, or in the case of a person employed in the public service, an elected official or senior administrator”.

I so move.

The Chair: — Will the committee accept the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — That's been agreed. All those in favour?

Some Hon. Members: — Agreed.

The Chair: — Those opposed?

Some Hon. Members: — No.

The Chair: — The amendment is defeated on division. Clause 8, is that agreed?

Some Hon. Members: — Agreed.

[Clause 8 agreed to.]

[Clause 9 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Labour Standards Amendment Act, 2004 (No 2).

Mr. Yates: — Mr. Chair, I move to report the Bill without amendment.

The Chair: — Mr. Yates has moved that the Bill be reported without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 122 — The Miscellaneous Labour Statutes Amendment Act, 2005

Clause 1

The Chair: — The next item before the House is Bill No. 122, The Miscellaneous Labour Statutes Amendment Act, 2005. Madam Minister, we'll give you a couple of seconds to change officials if you choose, and when you're ready if you would care to make some brief opening comments.

Hon. Ms. Higgins: — Thank you very much, Mr. Chair. Same officials, we've shuffled seats a wee bit, but otherwise it's the same officials.

Bill 122 I think is self-explanatory, has been the topic of much discussion over the past number of months. And what we have done, in this Bill we have also tied in some housekeeping amendments, correcting some titles where legislation has changed and also doing a bit of clarification in language. But I believe that it's fairly straightforward and to the point, and we're here to answer questions on it.

The Chair: — Thank you, Madam Minister. Clause 1, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 7 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and the consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Miscellaneous Labour Statutes Amendment Act, 2005. Would a member choose to move this without amendment?

Mr. Yates: — Mr. Chair, I move to report the Bill without amendment.

The Chair: — Mr. Yates has moved that we report the Bill without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

The Chair: — The next item of business before the committee

is the consideration of estimates for the Department of the Environment. The committee will take a short recess. It's getting late, Madam Minister. I would ask you, on behalf of the committee, to thank your officials for their diligence this evening.

Hon. Ms. Higgins: — Thank you very much, Mr. Chair. I would like to thank my officials for the advice and support and all the work that they have put into the number of Bills that we have before this legislature. And I would like to again thank them for the support that they give throughout the year and also thank the committee for their questions.

The Chair: — Thank you.

COMMITTEE OF FINANCE

General Revenue Fund Environment Vote 26

Subvote (ER01)

The Acting Chair (Mr. Yates): — Thank you. Mr. Minister, it's time to proceed. Would you please introduce your officials.

Hon. Mr. Forbes: — Thank you, Mr. Chair. On my right is Lily Stonehouse, deputy minister of Environment. On my left, Alan Parkinson, associate deputy minister, compliance, fire and forests. And on my far left is Bob Ruggles, assistant deputy minister, planning and risk analysis.

Behind us is Donna Johnson, director of finance and administration. Hugh Hunt is also here, executive director, resource stewardship, resource and environmental stewardship. Joe Muldoon, executive director of environmental protection; as well as Ken Lozinsky, assistant director of the parks branch. As well we have Wayne Dybvig, vice president of operations with the Saskatchewan Watershed Authority. And so we're ready to answer any questions people may have about the estimates.

The Acting Chair (Mr. Yates): — Thank you, Mr. Minister. The business before us is the estimates for the Department of Environment (ER01). I recognize the member from Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Chair. I just have a couple questions. I believe the member from Last Mountain-Touchwood asked the same questions back on May 16, the last Environment estimates were up, but it's regarding the Qu'Appelle Valley. I heard on the news probably around 4, 5 o'clock that there has been an agreement reached. Could you give me just a quick overview? I heard it was a two-year agreement, an interim agreement. Could you just give me a quick review of that?

Hon. Mr. Forbes: — Yes, we were delighted that we could reach another agreement. It's an interim agreement; we've made further progress. It is for two years. And so logs were put into place on the 21st, and we think that the water levels should be up at towards the end of May. I'll ask Wayne Dybvig to speak a little bit more about the specifics. Of course Indian and Northern Affairs Canada had worked with this and this is an

important agreement. So Wayne, would you speak to some of the specifics on that agreement?

Mr. Dybvig: — As the minister mentioned, it's an agreement for two years and with separate agreements between Canada, Saskatchewan, and each of the Pasqua and the Muscowpetung First Nations. And this will provide for the operation of the Echo Lake structure for the next two years. So the structure was actually operated on Saturday, and the lake should be back up to its normal operating level within the matter of a few days.

The agreements were similar to the one last year. There is a financial component, an amount paid on a similar basis as was paid last year. And there's also some additional provisions for the hiring of a summer student for one of the First Nations. And also one of them is availing themselves of the federal program that PFRA [Prairie Farm Rehabilitation Administration] offers to investigate groundwater supplies for some of the band members on the reserve.

Mr. McMorris: — Would it be safe to say that the stumbling block for a long-term agreement is environmental issues, that the First Nations want to be involved in some sort of say as to the water quality of the lakes? Is that the major stumbling block for a long-term agreement?

Mr. Dybvig: — The two components that are on going here . . . one is there's been negotiations under way on the interim agreements, and then there's the long-term negotiations. The interim agreements have actually laid out a process for the long-term negotiations.

One of the interim agreements, the other aspect to them is that a number of studies have been identified to be completed that will support the negotiations. These studies deal with determination of what the loss of use has been for the First Nations due to the flooding. And then when these studies are expected to be completed — and have been underway since late last summer, they're expected to be completed this summer — and they will form the basis for the negotiations.

The environmental issues have been of concern to the First Nations. They have a strong desire to see sound environmental management in the valley, and they will probably be wanting some assurances in the long-term resolution agreement that is reached that some of these environmental issues will be addressed.

Mr. McMorris: — Just one last question, and it's again regarding the Qu'Appelle Valley, but it's on the end of Katepwa Lake and the weir there. I was reading in the estimates, again back on May 16, and that work is going to be done on that weir this summer. Has it started, and when is the completion date? It will be done by the end of this summer; is that correct?

Mr. Dybvig: — Yes, the work will be initiated later, later this summer, and it will be completed by early fall.

Mr. McMorris: — I guess I do have one other question then. And we've talked about the agreement for the Echo and Pasqua Lake area and the operation of the water structure at Fort Qu'Appelle for Echo Lake and Pasqua Lake. Has there . . . and

you'd call those I guess the upper lake and the lower lake chains of Round Lake and Crooked Lake. How are negotiations proceeding there?

Hon. Mr. Forbes: — As we said last week when we were in estimates, there was a good sign that they've got Si Halyk working on this, and I understand that they are making some movement here. So things do look encouraging there. It's not quite in the same situation where the history that we had an interim agreement last year, but I don't know — Mr. Dybvig, if you want to speak — what's the latest there, but we are encouraged there as well.

Mr. Dybvig: — I guess the most recent events around the negotiations in the lower lakes is that the federal government announced last week that Si Halyk from Saskatoon had been hired as the negotiator, and he'll be working with the three First Nations that are on Crooked and Round lakes. He has had some preliminary discussions with them, and he is in the process now of trying to set up meetings over the next few weeks to try and first of all talk about an interim agreement for the operation of the lakes and then also to establish a process for negotiation of a long-term settlement.

Mr. McMorris: — So the optimism is simply that there is a negotiator hired, but there really has been not a lot of progress made. I mean, they really suffer from the low water levels. It's been going on for two years, I believe, and so they . . . Really I guess if we were to talk to our constituents that are around those lakes, we should probably be saying, don't expect anything this year.

Hon. Mr. Forbes: — I would say that when we want to resolve these issues, we want to have a long, solid, long, enduring, enduring settlement. And I think the fact that there's been some changes, some fresh eyes brought to the table, some different processes . . . We've seen the interim agreements have worked in the valley, so we want to try that. The federal government wants to give that a shot. So we can't give any false hope over the summer, but the long-term picture is more promising than before.

Mr. McMorris: — I guess, you know, we certainly receive phone calls. There's a number of our MLAs that represent cottage owners and residents on each side of the lake, whether it's on the north side, the south side, but represent all of those. And we receive letters every day. We just received one from a cottage owner from Grenfell.

We receive phone calls and letters almost on a daily basis as summer is closely approaching. We are getting nearing the end of May, and I think normally if those structures aren't operated by the end of May, early June, really by operating them in July doesn't benefit anybody a whole lot.

And, you know, it's interesting you say, well, you know, you can't give them too much optimism through the summer months. Well if they don't see any progress in the next two weeks, I think it's fair to say that they are going to be facing low water levels again. Is that accurate?

Hon. Mr. Forbes: — Well in many ways it is. But I also want to not close any doors in terms of the long term. And I think

that's where we should be looking at, is the long term. The short term is we know the lower lakes, it's more difficult. And we've got . . . there's more work to be done there for sure.

The Acting Chair (Mr. Yates): — Thank you. I'll . . . the member from Moosomin, pardon me.

Mr. Toth: — Mr. Minister, just . . . sorry, one quick question. Mr. Minister, if this issue was a major issue, say along Wascana Lake, would that issue be resolved today, or would people around Wascana Lake be facing the same challenge that people are facing in rural Saskatchewan?

Hon. Mr. Forbes: — I think that we see issues that affect land claims or long-term outstanding First Nations issues. We need to address them in an appropriate manner that makes sure that they're enduring and fair settlements. And I think it's not on to say where it happens. What we've got to make sure is that we take the time to make sure it's done right. And sometimes these are difficult, and we have to work hard to make sure we get the best solutions.

But I think it's not good to say or helpful to say it depends where it is, whether people would be more interested. We know the people in Qu'Appelle Valley felt very strongly. We know the Government of Saskatchewan feels very strongly about this, but we've got to make sure we get the right solution to the problem.

Mr. Toth: — Mr. Minister, one further question. So what I'm hearing you saying is that your department and, as minister, you are accepting the challenge, and you are doing everything you can. As we see the Premier, in his negotiations with the federal government for a fairer equalization formula for the province of Saskatchewan, you're carrying the same willingness and desire and thrust to get the federal government to get down to address this issue in co-operation with the First Nations and the Saskatchewan government so that the cottage owners along all these lakes will finally have a reasonable water level.

And at the same time, what I find amazing is that a lot of the First Nations communities are not recognizing the economic potential and loss that they are facing with these low water levels as well. Thank you.

Hon. Mr. Forbes: — I think you said it well. Yes.

The Acting Chair (Mr. Yates): — I recognize the member from Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Chair. Mr. Minister, and to your officials, I have one issue that I would like to discuss with you this evening, and that is the Crown land on the southwest fifteen, forty-one, thirteen, W2, which is known as Revoy's Marina. And I know your department, as of January, has written a letter to Mr. Revoy.

Just as a background, this piece of property was developed in 1985, and at that time the adjoining property belonged to Sask Ag. And the owners of the property — they were developing the resort — were very concerned about the danger of fire on the property because to the north of it is a lot of trees, tall, dry grass, and a lot of dead willows.

Sask Ag in Tisdale at that time and there was a George Obertis in charge, asked if it was . . . visited it. And they asked him if he'd maintain a fireguard on the property. They said they wouldn't want to assume the expense of maintaining a fireguard but gave the owners permission to clear off a spot big enough for a fireguard. Now this is in 1985.

They did this by bringing in two feet of fill, and a spot big enough for a fire truck and other fire equipment to turn around. When they left their office they had a verbal agreement they could use the property. The only stipulation was that they would keep it clean.

And then in 1990 the adjoining resort owner reported them to SERM who had control over the property at that time. And they received a phone call, and again the property owners explained the circumstances to SERM, and they said they had no problem with the arrangement.

Now this year the owners were still concerned about the fire hazard, and they asked for some sort of an assurance. They were looking for either a trade or a buy or a lease so that they could maintain this property and ensure that there wouldn't be danger to the 300 cabins and trailers that are in their own area. And SERM wrote a letter. Your department wrote a letter to him saying that they wanted to have the recreation trailers removed by the area by May 31 and discontinue other activities on this site.

Now, Mr. Minister, if they do this, first of all if the trailers are moved off and it's going to be turning probably into just a party place, there is no other access to the property but through the swamp and very steep terrain. If they close it, if your department takes it over it will create a traffic and parking nightmare, and it will block off owners' and leaseholders' driveways.

And most importantly, it's going to be a bad fire hazard. The owner at this time is doing everything he can, for the last 20 years, to ensure that it's possible to get into that property if a fire does come in that area.

Now, Mr. Minister, I know you're aware that a couple of years ago there was a huge fire in the Archerwill area, and if that same thing happened at this time in that area it would wipe out all, it would wipe out those cabins and trailers. For SERM not to allow this landowner to be able to keep access in that area and to be able to maintain it, we are very afraid of what will happen.

So my question is to you as minister: will you consider either meeting with them and talking about trading a piece of land or leasing it or, if nothing else, at least at this time leave it for this year so that you can work on some kind of an agreement, a long-term agreement?

Hon. Mr. Forbes: — Well I want to thank the member for the question, and I'm not familiar right now with all the details. I'm glad you gave a pretty full description of that. So I will follow up with this, and it sounds like there is something we should be looking at for sure. So I can't right now say whether we'll have a meeting or what, but I'll get back to you as soon as I can in the next day or two. I'll ask the department to follow up, get the

details on what our plan is to do to help this fellow here, so . . .

Ms. Draude: — Mr. Minister, before you decide what the plan is, that's what I'm scared of, is a decision will be made before you have a chance to talk to the owner and before you get all the details. I was out there this morning at 6:30 myself and looked at this area. And I know that from being out in the Archerwill area a couple of years ago when the fire did occur that there is a large number of tall spruce trees. The fire would just woof down there like it did in the Archerwill area and it would cause a huge problem, plus it's going to virtually ruin the man's business and it's going to be a danger for not just the wildlife, but for that property.

So I've got a lot of information that I want to give to you and meet with you as soon as possible. But also I would like some sort of commitment that he's not going to be forced to have to move out by May 31 because he was only let . . . he hasn't known about this for a long time because when he met with one official in your department not too long ago, they said they were working on some kind of an agreement, and then he found out that somebody . . . this gentleman is ill until the middle of August so somebody else has sort of made . . . has taken over the issue. So he feels really left out in the lurch. We are in the middle of May and a week away from him losing his business if a decision is made that would detrimentally affect him.

So I guess I need a commitment from you that we'll at least have an extension until we can do something and look at the big picture.

Hon. Mr. Forbes: — I will make this commitment that we'll take the information, we will talk with the fellow, we'll follow up. And I appreciate that May 31 is coming — right, it's the 24th today — so we've got only a few days, and see what the details are. But it sounds like we need to do something. So if that's acceptable. Now I'm not sure about the May 31 because I haven't seen the letter and I don't know what it says. But I'm very open to an extension on that too so.

Ms. Draude: — Okay, I guess that is what I need to hear you say is that there can be an extension till you guys have a chance to talk to them and make some kind of an agreement that isn't going to affect not just your property but his property as well.

Hon. Mr. Forbes: — Yes, yes. And I would say that when . . . especially issues around fire like this, it's very important that we work together to solve that issue because that can be quite a problem.

Ms. Draude: — I'll take you at your word because I know he's watching tonight and waiting to hear what you say. So we'll talk.

Hon. Mr. Forbes: — Good. Well thank you very much. Good.

The Acting Chair (Mr. Yates): — I recognize the member for Redberry Lake.

Mr. Weekes: — Biggar. Thank you, Mr. Acting Chair. Mr. Minister, I have a few questions concerning the North. The one issue that has been brought to attention by a letter concerning an unauthorized land use and development activities occurring at

Black Birch Lake, and, Mr. Minister, it's according to this gentleman there's been a winter road pushed in from Roe Lake camp to Black Birch Lake.

And if you could, Mr. Minister, could you tell us what is being done concerning this infraction and what steps are being taken against this particular individual that's doing this unauthorized development in that area.

Hon. Mr. Forbes: — Now I think I'm familiar with this issue. I know the fellow's connected; he actually lives in your riding, doesn't he, in the winter in Biggar?

Mr. Weekes: — That's right.

Hon. Mr. Forbes: — That's right. Okay, so I've got the right person. In fact he's got a very interesting last name, I think, if I'm not mistaken. Is that Jack Forbes? No?

Mr. Weekes: — No, O'Brien.

Hon. Mr. Forbes: — O'Brien, right. But at any rate. So I appreciate the questions around that and we . . . I mean it's a difficult one in terms of land allocations in the North and so we've been communicating with Mr. O'Brien and we take it very seriously. I don't know if you have the details on this particular case?

I think that this, you know, and I know that actually Mr. O'Brien has been in communications with the fellows in Meadow Lake I believe as well, our office in Meadow Lake. It is a complicated situation and so we'll continue to work at this one and I know that there are questions and Mr. O'Brien feels that we should be taking a close look at this.

We appreciate his input because he has a connection with Black Birch Lake. He's an outfitter there I believe and so we'll continue to work that through.

Mr. Weekes: — Thank you. Well this gentleman certainly has an interest, and he's been in that area, I believe, for 45 years as an outfitter, a fly-in fish camp and outfitter, and certainly has concerns about the management of the North and the management of the wildlife in that area and certainly concerns about which . . . has another concern which I'll bring up that he has spoken to me about.

This particular case, can you shed some light on this particular case? Is there charges being laid against this individual, or what is being done concerning unauthorized road building and things like that in the North?

Hon. Mr. Forbes: — Sure. I'll ask Mr. Hunt to give some details on this.

Mr. Hunt: — Yes, the circumstance you described, the individual who is in trespass and in violation of not having a permit for his structure or for having constructed the road, he has been instructed by the local conservation officers to remove his structure and repair the environmental damage. And as to what actions have been taken in recent weeks, I am not aware of the details.

Mr. Weekes: — Thank you. I understand that this individual has applied for an outfitting licence, I believe, as well. Can you confirm that, and what is the status of that application?

Mr. Hunt: — The application on Black Birch Lake or on the lake adjacent to it or in a general sense?

Mr. Weekes: — On Black Birch Lake. He's applied for a lease, I believe, would be the proper word.

Mr. Hunt: — He's applied for a lease, and we have not granted the lease.

Mr. Weekes: — There's an added issue around . . . What are the rules concerning First Nations people applying and receiving a lease — which they would be welcome to do — but then basically spinning this lease and this licence off to allow a third party to come in and basically do the projects? What is the rules around that, and is there any infractions in doing so?

Mr. Hunt: — The circumstance you describe is one that is rather complex because it does involve, as I recall, a First Nations individual as part of it, but that First Nations individual has not been granted a lease for any structure in the area. And as far as I am aware, the removal of structure and repair of the damage continues to be the instruction from the department to the person who is intruding onto Black Birch Lake.

Mr. Weekes: — What do you mean by reconstruction and repair? There's been trees been pushed out of road, developed, and also basically a beachfront has been constructed. Is reconstruction meaning put back to its natural state, and what terms and conditions are there?

Mr. Hunt: — As best as is possible, yes.

Mr. Weekes: — Is there a timeline when this needs to be done? Of course I assume a lot of this work would have to be done in the wintertime because of the need for frozen ground to get the equipment across. So is there a timeline that this person's been given to complete this reconstruction?

Mr. Hunt: — I'm not aware of the timelines the local officers have imposed on this person.

Mr. Weekes: — If reconstruction isn't done or isn't adequate, what types of fines and liability would be imposed on this individual?

Mr. Hunt: — I believe the department can effectively record alterations and then seek civil damages from the person.

Mr. Weekes: — Thank you. Same area. I'd like to ask some questions about Crean Lake.

I understand that there's two commercial leases been granted on Crean Lake, and there's been an application for a third. And this gentleman has written your department and the, I guess the response that you gave this gentleman was that it's not an added . . . It's an application but it's being converted from a commercial fishing harvest quota converted to an angling quota for outfitting purposes is your response.

There's concerns around that because there's actually a third competitor on the Crean Lake, given the application being approved. And the people involved just wonder why — there's so many lakes in the North — why would there be a third one approved on that particular lake, rather than approving it on another lake which is in another area and not in direct competition to the existing outfitters in that, on Crean Lake.

Mr. Hunt: — The circumstance you describe is one where a local commercial fisherman expressed interest in the commercial opportunity an outfitting business would present for him, to him a better opportunity to utilize the resource for his purposes. And he then . . . As we have as a department created a policy that says there are no new outfitters unless an allocation of commercial fishing is available to be converted, the impact on the resource would be essentially the same. And the fisherman wants to make a business as an outfitter and one would assume that competition is good for the outfitters on the lake and those that are already established will maintain their business as they have. The resource is to be used in a way that is sustainable and this conversion is one that is sought by, approved by the commercial fishermen in general and by the fisherman himself.

Mr. Weekes: — Well, that brings up a question of are the . . . were the existing outfitters consulted concerning an application by a third outfitter?

Mr. Hunt: — They were not consulted.

Mr. Weekes: — Is there any regulation that says that they should be? Or I guess what I'm getting at is they feel they should have been consulted and they feel quite upset that this has all happened basically without their knowledge. And I guess the question I'm asking is: is it not the practice of the department to consult with people concerning added outfitting license in a particular area or lake?

Mr. Hunt: — If the impact was greater on the resource, consultation would have been something that certainly should have been done. As this was simply a utilization of the resource change from one to another, consultation was judged not to be a requirement.

Mr. Weekes: — I guess another issue comes up and it's happened in other lakes and other areas where First Nations develop an outfitting business. I am assuming they have to apply for an outfitting license as well, whether First Nations or non-northerners. Is that correct?

Hon. Mr. Forbes: — They do unless it's on a reserve and on their area.

Mr. Weekes: — Yes. And the issue is that after a certain while they get it up and going and then basically put it up for sale, and that allows another competitor into the area. And I have correspondence from a number of outfitters in the North. They say they feel that they have to buy out this new outfitting business in order to save their own business in the area.

And so what are the rules and regulations around purchasing and sales of outfitting . . . well I guess not outfitting licence, but leases concerning outfitting businesses?

Hon. Mr. Forbes: — Well I'll ask Mr. Hunt to give more specific details in the processes there. But we have a good working relationship with the outfitters and have a sense of how to manage their businesses in the North or in Saskatchewan. And of course being in the business climate, there is competition.

We want to make sure though, our interest first is ensuring we don't overextend the allocation of the resources. And that's really, really important. Our primary interest is making sure that the fish stocks are thriving and doing well, and to that end we do a lot of work with them. But in terms of the specifics of the process, Hugh . . .

Mr. Hunt: — Except for a situation where a commercial quota is converted to an outfitting business, there have been rare circumstances where additional outfitting opportunities are allowed in most of the lakes in northern Saskatchewan. So new outfitting businesses are a rare opportunity in recent years.

When a business is sold, the transaction takes place between the seller who sells his or her outfitting business and whatever is attached to that business to a new purchaser. The existing outfitter surrenders their licence to the minister, and the minister considers issuing a new licence to the purchaser. The purchaser must meet certain requirements under the outfitter and guide regulations for that purchase, but in a general sense there are no new allocations. And this is a business transaction that if the person meets the requirements, a new licence is issued.

Mr. Weekes: — So you're saying it's rarely any new licence, outfitting licence, being approved to date. What are the rules around getting a new outfitting licence in another northern lake where there's no outfitter?

Mr. Hunt: — We judge the capacity of the fishery in the lake to support a new outfitting business. And in most cases those lakes that are attractive to outfitters are already fully allocated to either outfitters or commercial fishers or a combination of both. Or in some circumstances close to communities, they're important for subsistence fishers.

So there are, in recent memory, no new allocations for angling outfitting opportunities on lakes for which there is not an available quota already.

Mr. Weekes: — Thank you very much.

The Acting Chair (Mr. Yates): — Thank you, Mr. Chair. I recognize the member from Rosthern-Shellbrook.

Mr. Allchurch: — Thank you, Mr. Chair, Mr. Minister, and welcome to your officials again this evening. Regards to outfitting, north of the forest fringe, outfitters have to remove their tree stands — whether they are permanent or moveable tree stands — at the end of the hunting season. I believe it's a week or 10 days or something to that effect.

What about south of the forest fringe on private land? If a farmer on private land has a stand up, whether he uses it for filming or whatever, does he have to remove that stand?

Hon. Mr. Forbes: — No, he doesn't. No, he does not.

Mr. Allchurch: — If the landowner is a lessee of occupied Crown land and he has a stand on it, does he have to remove that?

Hon. Mr. Forbes: — Just to clarify, in the South or the North? In the South or in the North?

Mr. Allchurch: — In the middle, forest fringe.

Hon. Mr. Forbes: — In the forest fringe?

Mr. Allchurch: — Yes. It could be anywhere because it's occupied Crown land.

Hon. Mr. Forbes: — I guess the reason would be is because if it's in the South then they would be leasing it from Ag for agriculture purposes. And if it's in the North, most likely it wouldn't be leased unless it was in the same sense. So that's why we're talking about south and north.

Mr. Allchurch: — What I'm asking is for the forest fringe south then.

Hon. Mr. Forbes: — Yes, so that would be leased with Ag no doubt, yes. We're looking for the regulations right now, but we don't believe so. But we're going to determine that for sure.

Mr. Allchurch: — The reason I ask is because I've had a couple of phone calls from people around my area that were told that they had to remove their tree stand off of occupied Crown-leased land, and I'm wondering if that is true.

Hon. Mr. Forbes: — And was it their lease? It was on their . . . what they use typically?

Mr. Allchurch: — Yes, it's their leased land that they use.

Hon. Mr. Forbes: — Okay. We believe that they don't have to. But we will determine that for sure and get back to you right away sometime tomorrow, okay?

Mr. Allchurch: — Okay, I appreciate that, Mr. Minister. In regards to the area just south of Spiritwood — I believe it's zone 47 — last year there was 25 elk tags issued which was the first time in many, many years. There is a large elk herd in that area, some in the neighbourhood of 250 to 350 elk. Is the department looking at increasing the licences for that zone this next year? And if so, by how many?

Hon. Mr. Forbes: — You're talking zone 47?

Mr. Allchurch: — Yes I am.

Hon. Mr. Forbes: — At this point we're still looking into that. I can't give you an indication one way or the other.

Mr. Allchurch: — What is left to determine the number of licences issue because the licenses are already out I believe, and the people can apply for those zones. And the reason I'm going down this road is because there's many people in that area who had a lot of wildlife damage last year strictly because of elk.

In fact in one area a couple of gentlemen sat and watched the elk cross a short field, and they counted 117 alone in one area. They know for a fact that there's probably 250 to 350 elk in that area, and it used to be a safe haven for them in the . . . [inaudible] . . . pasture and now because of TLE and hunting pressure put on in that pasture, the elk have to come out of that pasture and where do they go? They go to this specific farm land and they do mega, mega damage.

Now I've asked questions last year in regards to this, and the minister said we're going to give out 25 tags. Twenty-five tags to a herd of 350 is not near enough. That's why I'm asking, is the department looking at increasing those elk tags from 25 to even 100 because the amount of animals in that area is extravagant.

Hon. Mr. Forbes: — The member makes a really good point. I'm going to ask Mr. Hunt to comment on this.

Mr. Hunt: — That portion of zone 47 located north of Highway No. 3 and north of Highway No. 26 has an open season for elk this year.

Mr. Allchurch: — Pardon me?

Mr. Hunt: — That portion of zone 47 located north of Highway No. 3 and north of Highway No. 26 has an open season for elk in it this year.

Mr. Allchurch: — The season is south of Highway 3, south of Spiritwood?

Mr. Hunt: — Zone 47 located north of Highway No. 3. I'm not absolutely certain exactly where it is.

Mr. Allchurch: — Okay. Maybe I got the wrong zone, maybe it's 53. What is the zone just south of Spiritwood?

Mr. Hunt: — The zone just south of Spiritwood, zone 54. Are you south and east of Spiritwood or . . .

Mr. Allchurch: — Straight south of Spiritwood.

Mr. Hunt: — Straight south. So that's zone 54. So elk, zone 54. Zone 54 is split into two pieces: one east, one west — total quota of 100 licences this year.

Mr. Allchurch: — For elk?

Mr. Hunt: — For elk.

Mr. Allchurch: — Thank you. That's what I was asking for.

Another question I got is . . . in *The Western Producer* there was a farmer that floated the idea of deer hunts, and they floated this idea to the Saskatchewan government. In other words, a gentleman from Yorkton wants the area south of the forest fringe in Saskatchewan open to outfitting for big game, not only bear and bird but also big game. What is the opinion of the provincial government, Environment department, as of right now?

Mr. Hunt: — That request has reached the government, and the

understanding is that the market for those hunts is largely non-residents of the country, and at this point in time non-resident hunting is not allowed. Like, non-residents of Canada are not allowed to hunt in that area. That is an area of . . . or that is a question of significant interest to local sportsmen in Saskatchewan. And we believe that consultations in and around the green strategy may give an opportunity for items like that to be raised and a full debate had with a variety of stakeholders at the forum.

And that request from the Yorkton area has had that response given to the person who raised the suggestion.

Mr. Allchurch: — Well thank you for the answer. I don't believe you're quite correct in regarding the area south of the forest fringe not open for big game hunting to out-of-province hunters because on First Nations land they can outfit, and they can outfit big game. So you're not correct in what you just mentioned. There is an excellent amount of animals in that area. The farmers are having a tough time. They're feeding these deer, yet they can't take any revenue.

I believe this is where this gentleman from Yorkton is going. There's got to be something to allow the farmer to make some revenue. Outfitting for big game on the land they own and they pay taxes on is good revenue for them. And I believe that what this gentleman is saying in regards to the tags, and the system would be great if the government would sit down and look at it.

Hon. Mr. Forbes: — Well I appreciate the question too because . . . And we've had a few letters, quite a few letters about this. But the question is just around, you know, the private ownership, the land, that type of thing. And the point is well made in terms of the amount of wildlife that is there, the opportunities to make some money. That's important in rural Saskatchewan. So obviously we're thinking and taking a look at it, but it's a big picture issue that we have in front of us, you know, in terms of where does this take us. So I appreciate the question very much.

Mr. Allchurch: — Well thank you, Mr. Minister. To date what is holding back the government to look at this and bring forth outfitting in the South for big game? What is the big reason why it's not being allowed?

Hon. Mr. Forbes: — I would say the number one is the impact on the local hunters, resident hunters. I think that there would have to be an awful lot of consultation, what this means. You know, when we take a look at what's happening in the North, and just as we had questions about outfitters in the North, around fishing, we would have the same questions in the South. And so the point really needs to be made that consultation is very, very important because if we go down that road there will be . . . it would be different than what people have traditionally thought of in terms of hunting.

The Acting Chair (Mr. Yates): — Thank you. I recognize the member from Cannington.

Mr. D'Autremont: — Thank you, Mr. Chairman. Mr. Minister, officials, since we're on the hunting question, I have a couple more questions on hunting that I didn't get in last week. Moose hunting up in zones 60 to 62, this year I don't believe

there's any regular moose season in those zones. I wonder if you could indicate why that is. But I do note that in zones 60 to 62 there is guided moose. So why is there no moose hunting allowed for regular moose, and yet there is guided moose only?

Hon. Mr. Forbes: — I'll ask Mr. Hunt to answer that question. He's got information here . . .

Mr. Hunt: — This is the Cumberland delta area, and the moose population in zones 61 and 62 is below what those folks that live in the area — and those folks that hold the area near and dear to their hearts but don't live in the area — believe it should be. And the Cumberland moose management committee which involves a variety of stakeholders, First Nations, sport hunters as represented by the Saskatchewan Wildlife Federation, Manitoba Conservation, and First Nations from Manitoba, all have come together to talk about how best to recover the moose population.

The lack of a sport hunt, an open sport hunt in that area, is one of the management techniques that is being continued from previous years, and there is a draw season for residents in those zones. And the protection of a component of the commercial operation, which is largely operated by folks from the Cumberland House and adjacent areas in the outfitting business, is being maintained as important to the community of Cumberland House and the communities around the delta.

This is all in balance with where the herd is at this point in time and is part of a strategy to rebuild that moose population.

Mr. D'Autremont: — What do you estimate the reason for the . . . There must obviously be a decline in the moose population in that area. So what do you attribute that decline to?

Mr. Hunt: — There's a variety of factors that are impacting the Cumberland delta moose population, but probably the principal one is a change in the ecology of the Cumberland delta as it matures. As you know, river deltas go through a series of . . . or floods, and those have been less frequent since the water levels have been managed in the Cumberland delta. And the delta is maturing, and the moose habitat is less attractive perhaps to moose than it was in the past.

We are contemplating things such as controlled burns to rejuvenate the Cumberland delta. It's part of the thinking that the moose management committee is doing. And I believe that they've started a good process to begin rebuilding that moose population.

Mr. D'Autremont: — Okay. Thank you. In fact as I was going to mention, is there a need for burns in that area? I know that the Tobin Lake fire burned possibly some of that area in the very south, and that will certainly help rejuvenate that population. So thank you to that.

I'd like to move on to another issue that was raised with me, and that is e-waste. What is the department doing about e-waste, which is discarded monitors and computers, things to do with the computer industry? Are you looking at any efforts by the department in this area? Are you looking at any stand-alone efforts, like with partners, or is SARCAN in some way going to be involved in this as they are in other areas of

recycling and in the waste collection industry?

Hon. Mr. Forbes: — Okay. Well we're really excited about this initiative around e-waste. And it is one that I think is important in terms of toxic waste in our landfills. The stats are significant in terms of how much we throw out as a society in that area. But there are toxic elements in computers and screens and that type of thing. So it's an important area, so thank you for the question.

We've been working on this for some time and making good progress. We're working with EPS, the Electronics Product Stewardship Canada because we want to work with industry. We're taking a stewardship model approach to this. This sector is responsible for the life cycle of its products and the industry has responded well to it.

So we're excited about this. We want to move into computers, that type of thing first. SARCAN has done an excellent job in terms of piloting some work so we can learn more about how to create . . . how to solve the issues here in Saskatchewan and also create work here in Saskatchewan. SARCAN has a phenomenal track record in this area of waste management and recycling, and as well they have some 70 depots throughout the province. So they're situated well for this situation.

But again what we'd like to do is see a model set up similar to the scrap tires situation, where it's an arm's-length organization that runs this. And when they do that type of thing, they look after the situation I think in a very efficient, effective manner and industry would be in charge of that.

Now how do they then arrange to contract out the service? That's something we'll work with them. We think SARCAN is positioned well to provide that service, but we're working that through right now.

Mr. D'Autremont: — Thank you. I believe that SARCAN is well positioned to be able to carry out a role in that, particularly in the area of gathering and collection, as disposal sites, not in the sense of elimination but as collection sites for the e-waste.

And I think it's something that we need to move ahead with fairly quickly. I mean, computers have been around for 20 years, and people have been throwing them in the dump when they expire. I think we need to start moving quickly on disposing of these properly because there are heavy metals, etc., in that waste, and it's time that we do start recognizing the dangers that they can pose in our landfill. So I think it's something that we need to move quickly on.

It's not something that we need to take a long time to study. And I mean by a long time, I mean year after year after year. I think it's something that we need to do in the near future, you know, within a year or so. And I would certainly hope that the department is preparing to move quickly on that and that SARCAN would be an integral part of that operation.

Hon. Mr. Forbes: — Yes, well I appreciate the questions and the encouragement. I agree this is something we need to move on. As you know, we've issued press releases, and I'll ask Mr. Muldoon to speak to this in a minute.

But I would say that Saskatchewan is positioned well to provide a leadership role in Canada. We would be one of the first, if not the first, provinces to work with EPS Canada here. Alberta has gone ahead and done some things at a provincial level, but we think this is actually a national issue as well.

So we're positioned well to move ahead. We're working on some of those details with the industry sector. And I think that this is very exciting, some exciting work here to be done. But I'll ask Mr. Muldoon if there are some comments, any parts that he would like to add anything.

Mr. Muldoon: — Sure. We have been in touch with EPS Canada over the last number of months. They have also been in touch with SARCAN, and I know that they're using SARCAN as a contract agency that's under serious consideration by EPS Canada.

Alberta came up with a program, as the minister mentioned, over the last year. Industry is wanting to develop a model for the rest of the provinces as this program unfolds nationally that's more in line with the stewardship program, which is where the industry . . . We think that the efficiencies can be found if we let industry run the program and that we work with industry.

We have had a number of the companies come out through EPS, and companies on their own as well, come out and chat with Saskatchewan, and they're very interested in moving forward and developing a model here that we'll be able to apply right across the country if we can get it right. And we're quite confident we can move down in that direction in a reasonable time frame as well.

Mr. D'Autremont: — Thank you very much.

The Chair: — Yes, Mr. Hart.

Mr. Hart: — Thank you, Mr. Chair. Minister, last round of estimates with your department we concluded our discussions by having a discussion surrounding agroforestry. And just to sort of summarize, I believe what we discussed was that back in the late '98-99 the federal government and ministers of Environment met and agreed to a national forest goal, and it was called Forest 20/20 and that I believe the Department of Environment and officials from the Department of Environment were the lead officials and departments as far as representation from Saskatchewan. Would you agree with that summarization?

Hon. Mr. Forbes: — Yes. I believe so. And at that time Mr. Ruggles wasn't at that last estimates — and he could share some light — but we're prepared to answer more questions on that topic for sure tonight.

Mr. Hart: — Thanks for that, Minister, because since our last discussion I have come across further information on that whole area, and I would like to discuss that this evening with you and your officials.

Just again to summarize, at that time the federal minister of Natural Resources was Minister Goodale from Saskatchewan. And I believe the plan envisioned some 2 million hectares of marginal land being planted to trees, and this would be outside

of woodlots. It would be on marginal farm land. And the goal was a couple of things: farm diversification and also of course the carbon issue. And I believe Saskatchewan had agreed to take a lead role in that plan. Would that fairly summarize what happened then?

Hon. Mr. Forbes: — I'll ask Mr. Ruggles to take some of these questions here.

Mr. Ruggles: — The program was initiated in 1999 through the Council of Forest Ministers, so our department was represented along with all other provinces with the federal government. And the announcement about Forest 20/20 was made at that time, and the expectation was that provinces would choose or select to participate in the program as it started to unfold over the next few years.

In Saskatchewan's case a decision was made to have the Saskatchewan Forest Centre, based in Prince Albert, lead the agroforestry initiative under Forest 20/20 on behalf of the province. Our department was a technical adviser to the Forest Centre. A small program was initiated at the end of 2003 — again in Saskatchewan it was administered by the Saskatchewan Forest Centre — but it was just a pilot program. We were one of, I think, four or five provinces that participated. And roughly 1,000 acres of Saskatchewan acreage was included in the program. But again I would emphasize it was strictly a pilot program offered, with funding offered by Natural Resources Canada.

The program ended last year, and we have no indication of any continuing elements of that program. We've got no indication at all.

Mr. Hart: — Thank you. When was that decision made by the provincial government to have the Forest Centre be the lead agency on this Forest 20/20 project?

Mr. Ruggles: — I believe it was in late 2002, shortly after the Saskatchewan Forest Centre was created. It was considered within their realm of expertise to provide that coordination service for agroforestry initiatives.

Mr. Hart: — Okay. I've been told that there was substantive discussions held with the University of Saskatchewan around developing a centre of excellence in agroforestry at the university. Now why would the federal government and provincial officials be in discussions with the University of Saskatchewan to establish an agroforest centre if we were just doing a small pilot project?

Mr. Ruggles: — What I would observe is, as the Forest 20/20 program was created and the pilot component of it was unfolded in 2003 and 2004, there was potential seen for an agroforestry industry. And I think that's what encouraged the university to look at developing scientific expertise to potentially support a growing industry. But so far it has only reached the pilot stage, and as I said earlier, there's been no indication to our department from Natural Resources Canada that they want to continue or expand the program. So the potential was seen and there still is potential.

Mr. Hart: — So what you're saying then, Mr. Ruggles, is that

it was the university that initiated discussions with two levels of government to look at the possibilities of developing an agroforestry centre at the university as a result of the decision to go ahead with some pilot projects? Is that what you're saying?

Mr. Ruggles: — I'm not exactly sure whether it was totally related to the 20/20 program. I think the university was interested in building that expertise on their own anyway.

Mr. Hart: — So if we were just looking at a pilot project of . . . Perhaps maybe you could give me an indication of the size of this pilot project and then I'll follow up with another question.

Mr. Ruggles: — The total program for the country is about \$3 million, and of that amount I believe that Saskatchewan received about 300,000. And that enabled us to, working through the Forest Centre, to deliver about 1,000 acres.

Mr. Hart: — So then with a pilot project of 1,000 acres, the university took it upon itself to look at this whole issue and say, well maybe we should develop a centre of excellence centring on agroforestry in the hopes that commercial industry will eventually evolve out of this pilot project. Is that what you're saying?

Mr. Ruggles: — Well the university recognized the potential for growth in that, in the agroforestry sector, and I think that's what they built their case on.

Mr. Hart: — Well the information that I've been given by officials with . . . The federal people and the university people suggest that the initial scope of this, of the Forest 20/20 project as envisioned by Minister Goodale, dealt with some 2 million hectares of marginal land being planted to trees, 80 per cent of that being planted here in Saskatchewan and that the federal government was prepared to be a major player in seeing that this industry gets off the ground in committing . . . and were willing to commit some \$60 million in administrative and support money to the national project and would also work with private industry to see that the job got done which could have meant some \$2 billion of investment into our province.

Are you aware that those discussions took place at that time?

Mr. Ruggles: — What I am aware of is that work was done to look at the potential for the industry and not only in Saskatchewan but across the country. And certainly evaluations, very cursory evaluations were done on lands that might be or there would be appropriate for agroforestry activity. But that's as far that it's gone. And we've had, as I said earlier, no additional indication from the federal government they want to continue to pursue the program here.

Mr. Hart: — I believe that the vision at that time, at least I am led to believe that Mr. Goodale's vision was that Saskatchewan would be the centrepiece of this program, and hence that's why the university got involved in this project and looked very seriously at the potential of establishing an agroforest centre.

I've seen documents prepared by faculty members within various colleges at the university who did some analysis on this work. I would suggest that perhaps the discussions were more than of a preliminary nature. It would seem to me that there was

some very serious intentions at least on behalf of the federal government, and I believe at that time, I am told by various sources, that the provincial government was also very interested in seeing this megaproject move forward. Are you saying that that is not the case?

Mr. Ruggles: — Well the discussions only went as far as the conceptual stage in terms of identifying a possibility for a significant industry, but it didn't and since that time has not proceeded beyond the conceptual stage. It's only proceeded to the pilot stage. So there were no commitments to a larger project.

Mr. Hart: — There were no commitments on behalf of the province of Saskatchewan?

Mr. Ruggles: — Not to the larger project. It was starting with the concept of pilot projects. That was our commitment.

Mr. Hart: — So I believe in some earlier discussions, one of your department officials had indicated — I believe it was Mr. Willcocks that had indicated — that Saskatchewan was very enthusiastic about this project, was the main cheerleader. Then why didn't Saskatchewan pursue it? If you're saying it got to the conceptual stage and then it seems to have gone off the rails, why didn't it proceed here in Saskatchewan and nationally?

Mr. Ruggles: — Well there was no further indication of additional federal funding for the program beyond the pilot stage. And so that's where it sits.

Mr. Hart: — Well the information that I was given that the federal government was prepared to commit over \$60 million to assist with administrative, legislative, and regulatory development of the project, that information isn't correct then, is that what you're telling me?

Mr. Ruggles: — Well we have no firm indication of a commitment like that.

Mr. Hart: — Oh okay. Well then perhaps my sources, people that spoke to me about this, aren't as accurate as what they thought they were. But nonetheless I would like to pursue some of these issues. As a matter of interest, who was the lead individual as far as negotiations and who represented Saskatchewan at the table?

Mr. Ruggles: — On the Forest 20/20 project, the Saskatchewan Forest Centre represented the province in negotiating the arrangements for the pilot projects.

Mr. Hart: — So who represented the Department of Environment as a part of that group?

Mr. Ruggles: — Well at the Canadian Council of Forest Ministers, the minister of the day was at the table along with the deputy minister and myself and Mr. Willcocks. And in terms of getting and seeking endorsement of the forest ministers of the day, Mr. Willcocks and myself worked with the Canadian forest service to initiate discussions on the pilot projects. And when we received word that there would be federal funding for the pilot projects, the Saskatchewan Forest Centre actually put the program into place.

Mr. Hart: — So yourself and the Minister of Environment and Mr. Willcocks represented Saskatchewan during all the negotiations? When did the . . .

Mr. Ruggles: — Negotiations took place between department staff and the staff of the Canadian forest service after the federal government announced the 20/20 pilot projects.

Mr. Hart: — So the provinces weren't involved in any of the preliminary discussions prior to the announcement of the 20/20 project?

Mr. Ruggles: — Well we were involved as a member of the Canadian Council of Forest Ministers which meets on an annual basis, and that's where the program was announced by the federal minister of the day.

Mr. Hart: — Okay. So just once again just to review, then this whole concept of an agroforest industry which would be mostly centred in Saskatchewan because of its land base, because of its ability to provide the research and development and the academic power to solve problems associated with a new industry that would have been centred in Saskatoon — that was just merely a conceptual idea that really didn't go anywhere, and all that resulted was a pilot project. That's what you're telling me.

Mr. Ruggles: — That's what's been accomplished to date.

Mr. Hart: — So is there . . . are we looking at any further developments in this whole area then as far as agroforestry in the future?

Mr. Ruggles: — We'll certainly participate in a co-operative effort with the federal government when they signal us that they want to re-initiate the program.

Mr. Hart: — Are you aware of any discussions between the Department of Environment and the University of Saskatchewan officials in . . . more than discussions, but serious meetings and drawing up of proposals to develop this agroforestry centre? At any time did any serious discussions take place other than perhaps informal meetings and conceptualization?

Mr. Ruggles: — I do know there were regular meetings with . . . between the scientists in our department and the scientists in the university. They hold a common interest in looking at this industry and the potential. That dialogue is ongoing.

Mr. Hart: — Would you know who those officials were from the Department of Environment, and would you know who they met with, what members of the university did they meet with, what colleges, and those sorts of things?

Mr. Ruggles: — It would have been some of our foresters in our department, but I can't give you specific names. I'd have to check the records.

Mr. Hart: — Would have they been meeting with faculty and perhaps the Dean of Agriculture and would have there been any discussions . . . are you aware of any discussions that took place perhaps with senior administration at the university over this

issue?

Mr. Ruggles: — Not specifically, but I would say that we have a regular dialogue on a professional level with scientists at the University of Saskatchewan on matters related to forestry and forest harvesting and so on. In fact some of the university faculty are on our own advisory committee on forest monitoring.

Mr. Hart: — Just to get a sense of how far this conceptualization went, are you aware of any discussions ever taking place at the cabinet level over the Forest 20/20 project and developing a centre of excellence at the university in agroforestry?

Hon. Mr. Forbes: — I'll answer that. Not to my knowledge, no. But that's . . . Well that's what I'll say, during my period of time not.

Mr. Hart: — I guess because, with respect, Minister, I think some of this predates you. I would like to know if any discussions took place with former ministers of Environment at the cabinet level — taking this to cabinet for discussion?

Ms. Stonehouse: — What we can confirm is that our department did not develop a decision item to take to cabinet. So from our perspective, there was no impetus for a cabinet discussion from Environment.

Mr. Hart: — Are you aware of any other departments developing a cabinet decision item to take to cabinet on this issue?

Hon. Mr. Forbes: — No. No, we're not.

Mr. Hart: — Okay. Well it seems to me a bit confusing because we have federal officials saying that this project was considerably more than the conceptual idea. That we have Department of Environment officials saying tonight that it was merely a conceptual idea. It died in its infancy, and the result is the pilot project of some 1,000 acres of trees being planted in this province.

And I guess I would . . . From the evidence that I've been privileged to, it would appear that this whole project was somewhat more than a conceptual idea. I would wonder, Minister, if you would care to comment on that?

Hon. Mr. Forbes: — I would be . . . When you say the idea has died, it be very clear to say that particular idea is not alive or strong right now. But I know agroforestry is something that's of interest to the folks at the forestry centre, and they have a lot of hope that this will grow further. They see a lot of hope in that area.

But I would observe that, you know, when this idea was being launched in 2000 and '99 that a lot of things have changed since that time. Kyoto is coming on strong, and we've gone through some things with BSE. So it's a little bit of a different world.

And when the forestry ministers meet, I know that we can get enthused about a project and Saskatchewan, and with Minister Goodale being enthusiastic as the NRCan [Natural Resources

Canada] minister, he can promote ideas.

But there's some pretty major players in Canada that you have to bring along as well, like British Columbia and Quebec. How do they feel about these ideas and where do the resources go? And so I would observe that in government, our job is — and the federal government's job is as well — to be as proactive as you can be, but sometimes you float ideas. You have to be out there enthusiastically supporting those ideas, but you have to have cabinet approval both at the federal and provincial level to make sure they go beyond that initial stage.

So while I wasn't the minister at the time, I can understand how things do change. But I'm hopeful that agroforestry is not over, that it may come about again. I know the folks at the forestry centre are looking forward to this. And I think that as we think of how we can diversify agriculture, this is an important area. As well as when we talk about carbon sinks, this is very important. We know that in terms of some marginal farm land Saskatchewan has . . . well because of our land base, it's only natural that we have some marginal farm land that would be perfect for this type of thing.

So we hope that it will rise again and be prominent, but I think that particular chapter — you know the pilot and that type of thing — there's a whole host of things that make it very complicated. But I'm not familiar with all the ins and outs, and you've clearly done a lot of research here. But good that that's done.

Mr. Hart: — Thank you, Minister. I guess what I find hard to understand is that the picture I have is that we had a federal Minister of Natural Resources who was willing and actively promoting an agroforest industry, that being Mr. Goodale. He saw the huge potential it would have for the country, but primarily focused in Saskatchewan because of the uniqueness of Saskatchewan, as we discussed, you know — the marginal land, the excellent research capability at the University of Saskatchewan with all its various faculties that could draw on all those resources to see a major industry develop and grow in the province. And that minister, I understand, was willing to make some pretty major commitments in terms of funding.

And then we see this whole . . . and, Minister, you and your officials said in committee that Saskatchewan was a major cheerleader of this, thought it was a great idea when it was put forward. And then it just seems like the project has died, and what we've ended up with is small pilot project centred out of the Forest Centre. I believe, the minister's, Mr. Goodale's vision of the program was that this would be not a forestry project as much as a new development and also an agricultural project.

And, Minister, I wonder if you could just explain how we went from, it seems like, everybody being on board to get this major industry up and running with — like I said — major commitments from the federal government, to evolving into a Forest Centre building in Prince Albert with 1,000 acres of trees. How did we get from the golden ring to a building?

Hon. Mr. Forbes: — Well I know first of all, that building will serve an awful lot more other purposes and uses than just agroforestry. It's a very important centre for our forestry

industry, and it'll serve us well into the years ahead, and they'll be championing the cause of agroforestry along with many other applications and ideas around forestry.

But I would point out two things here. The first is that clearly this is an issue of a national government, a federal government first not securing federal money to put this forward, and that's where the real issue is. But the other one is as well at the national level. When they're talking about a national plan that clearly they needed to make sure they had some of the bigger players committed to this part of the plan. And they did not — and that's when I was talking about BC and Quebec.

As well I would say when, you know . . . Another example that we're working very hard to get Mr. Goodale to come forward on is the money around the abandoned mine cleanup which we see as a very important commitment that was made during his tenure as NRCan [Natural Resources Canada] minister. And we see that as a potential economic opportunity here not only in terms of cleaning up the mines, but also developing expertise on how to clean up mines that can be a skill that's exported.

And so these are the challenges that all governments face, but we're clearly . . . we would have loved to see more money in terms of agroforestry come our way. But that's a real question I think for the federal government.

Mr. Hart: — Well, Minister, I have to disagree with some of your statements. You'd indicated that they didn't get the major players involved in this project. Well my understanding of the proposed project is that Saskatchewan would have been the major player. We're talking about establishment of commercial forest outside of the traditional forest belt on farm land, and with Saskatchewan having 47 per cent of arable land in the country, you know, the proposal was and the feeling was that 80 per cent of this initiative would take place in Saskatchewan.

And I understand that at some point in time, Saskatchewan was very enthusiastic about this. Then something happened to derail the program. And that is something that I just cannot comprehend, why Saskatchewan would derail the program. And we ended up today with 1,000 acres of trees planted, no commercial viability, no research taking place to grow this industry, and a pilot project that ended last year.

Hon. Mr. Forbes: — Well I would say this, and it's to be very clear — that we were enthusiastic. We were ready to go, but it was federal government who weren't there with the money, and that's really important to understand. And it's not that we had decided to close up shop and move on to another idea. We were there. The provincial government was enthusiastic about the project. So was the forestry centre.

But I would ask Al here to speak a little bit because it's very important to understand that in terms of the national plan that was being put forward, agroforestry was a small part of that. And when I say was not a major player, there were other provinces that in terms of forestry that have pretty big stakes in this plan. And whether or not they were enthusiastic at the beginning, I understand that there was some reticence in terms of some of the larger provinces.

But this is very important when you've got a national plan, that

people can be supportive. And clearly, the federal government did not get a national consensus. This is the direction they wanted to go in terms of part of that plan. But Al, if you want to throw in . . .

Mr. Parkinson: — Actually I think you said everything I wanted to say.

Mr. Hart: — Okay. The comments are complete, I take it. In the discussions of this whole project, what was the federal government's feeling about having the Forest Centre involved in the project? Were they comfortable with that involvement from Saskatchewan, or did they perhaps feel that this project is outside the mandate of the Forest Centre?

Hon. Mr. Forbes: — Well I know they are joint funders of the forestry centre, so they support the forestry centre.

But in terms of this specific project, agroforestry, I'll see if . . . Bob, any comments? That was perhaps our selection; I'm not sure.

Mr. Ruggles: — Yes. The Forest Centre was selected by the government to deliver the program once the program had been decided on because that's where the expertise is located. And as the minister said, the Canadian forest service sits on the board of the Forest Centre as does our department.

Mr. Hart: — Well I guess we're looking at perhaps different time frames. I believe, Mr. Ruggles, your comments are probably more appropriate to the pilot project. And my question was to the agroforest industry that was conceptualized prior to the establishment of at least the Forest Centre as we know it in its current location.

And did the federal government feel that the Forest Centre — whether it was located in its new building or its previous location — was the appropriate provincial vehicle for provincial involvement in the megaproject that Minister Goodale had envisioned?

Hon. Mr. Forbes: — I couldn't answer that. Yes, I think that would be for Mr. Goodale to answer. But I don't think we have an answer to that.

Mr. Hart: — So as far as you know, Minister, and your officials would know, that there was never any communication between the two levels of government, that perhaps the Forest Centre and what it did wasn't the appropriate vehicle to deal with this megaproject?

Hon. Mr. Forbes: — Now I understand that we did not receive any objections from the federal government on the forestry centre delivering the program.

Mr. Hart: — Good. You mentioned, Minister, that the federal government is a funder of the Forest Centre. Now are we talking about Forest Centre as an administrative unit or the . . . because we also have a building in Prince Albert that's called the Forest Centre. Could you specify what the federal government is funding? Did the federal government put any funds toward the building itself?

Hon. Mr. Forbes: — I know that they do contribute to the operations side of it. I'm not sure in terms of the actual building. Not to the building, I understand. They did not make a contribution to the building.

Mr. Hart: — There was no cost, there's no federal dollars. Okay. Just as interest sake, what's the level of occupancy of the Forest Centre building in Prince Albert?

Hon. Mr. Forbes: — Now I know that this is, yes . . . The lead department on this is Industry and Resources or SPMC [Saskatchewan Property Management Corporation]. But I couldn't tell you the occupancy right now.

Mr. Hart: — So you don't know whether it's fully occupied, whether it's partly occupied, whether it's leased to other departments that have really no mandate in forestry. You wouldn't have any of that data with you?

Hon. Mr. Forbes: — I don't have the data with me. I know that it's a . . . There's good occupancy there. I've been in the building recently, so it's looking very good, but I couldn't tell you what the percentages were.

Mr. Hart: — Now just so that I understand completely where we are now, the pilot project is complete. Is that correct?

Hon. Mr. Forbes: — I believe the project is, pilot part is complete.

Mr. Hart: — Are there any plans for, in the immediate future, to expand another pilot project of a larger nature, anything new in that whole general area?

Hon. Mr. Forbes: — Well I would say that I know the forestry centre is enthusiastic about the project, about the concept, the idea of it, of agroforestry and in terms of climate change and that. I'd ask Al if he's got any further details.

Mr. Parkinson: — At the present time the Forest Centre is doing some extension work with landowners who wish to get involved in the agroforestry business . . .

They have held some things, like some workshops that was geared towards introducing agroforestry to the agricultural sector within the province. And within the provincial government itself, the Department of Industry and Resources is examining at the present time what some options may be for the province to enter into, or become more active in the agroforestry field.

They're at a very early stage, and the committee essentially is of an ad hoc nature, led by Industry and Resources with our department as well as Agriculture participating in that.

Mr. Hart: — So, Minister, other than the initiatives that were just outlined, there's no major . . . I take it that your government isn't looking at any major initiative in this area in the next year or two, anything of the magnitude that we have discussed here tonight.

Hon. Mr. Forbes: — No, not at this time.

Mr. Hart: — Okay. Is there . . . Minister, are you aware, or your officials, are you aware of any research and development work that is being done outside of government, perhaps in the private sector in this area?

Hon. Mr. Forbes: — Myself, I'm not aware of any, but would any of you folks?

Mr. Parkinson: — Not specific research. I'm not aware of any specific research, but then I haven't gone out and looked for any either. But I think that there probably is, you know, a wide array of research into agriculture or agroforestry being conducted. And if we did a literature review, we probably could come up with some. But at this point there's no reason for us to go ahead and do that.

Mr. Hart: — So what you're saying is that currently you're not aware of anything that's happening in the private sector. Was there any . . . Are you aware of any research and that sort of initiative that took place back when this whole idea of Forest 20/20 was conceptualized?

Mr. Ruggles: — When the Forest 20/20 program was first conceived, there was a significant amount of research on plantation forestry going on in the southern US and widespread developments in South America and also in New Zealand. And I think that's probably the source of most of the research . . . is these fast-growing plantations in warmer climates.

Mr. Hart: — I have document here — as soon as I pick it up off the floor — it's called "Hybrid poplar plantations as an alternative crop," and it was funded by the Agri-Food Innovation and SaskPower. Are you aware of . . . It's authored by John Kort of the shelterbelt here at Indian Head. I just actually just found this on the Internet just before I came into the House. Are you aware of this document, and are you aware of why this project would have been funded by the Agri-Food Innovation Fund?

Mr. Ruggles: — That project is being undertaken by PFRA at the tree nursery at Indian Head, and that nursery has been involved in looking at culturing hybrid poplars and other tree species for decades. That's what they do at that location. And so they have been involved in looking at possibilities for agroforestry, contributing their knowledge around tree stock selection and hybridization. So yes, we're aware of the work going on there.

Mr. Hart: — Well as I said I just came across this particular report just earlier this evening, but I am quite aware of the work that's being done out at the Shelterbelt Centre. In fact I was employed there for a number of years in my former life and so . . . Although I have to admit I haven't kept up with what's happening in the last year or two there.

But I guess I'm somewhat interested and find it intriguing that both levels of government would fund a report that deals specifically with hybrid poplar plantations. That suggests to me that this sort of ties in with this whole agroforestry thing, and I would suggest that it is more than just a whim of some researcher saying that yes, I think I've got a good idea. I would hope at least that the allocation of research dollars would be somewhat more judicious than just allocating them on a whim.

And I would suspect that this study and this report is perhaps one of the . . . or at least associated with the agroforestry project in somewhat in more than just 1,000 acres under a pilot program. Would that be in your estimation a correct assumption?

Hon. Mr. Forbes: — Well I want to be sure I understand your assumption. But I would say this, and I'll say it again. The forestry centre is interested in agroforestry, and they're interested in all aspects of potential applications in the forestry industry. But you know, so that's why research like that's very, very important. And while earlier we talked about just that one part may be dying, but I mean the idea, the concept of agroforestry is I think alive and well. There are many people out there advocating for this, and there's a lot of private people as well who are interested in this, and both levels of government. But within that one plan, the future's not that solid.

Mr. Hart: — Just a couple more questions dealing with this, Minister. The report doesn't have a date on it that I can see. I wonder if you or your officials would have any idea as to when the date, approximate date of this report . . . would you . . .

Hon. Mr. Forbes: — We could find that out, yes. Here, we don't know . . .

Mr. Hart: — Oh. Okay.

Hon. Mr. Forbes: — But we could definitely get that information for you.

Mr. Hart: — Well I guess just looking at it, I must admit I didn't have an opportunity to look at it earlier, but I do see the author talking about conditions in 2000 and 2001. Now I wonder if you could have your officials . . . or perhaps I could just call the individual. But it'd be interesting to know if this report happened to coincide with Mr. Goodale's vision of what could happen in this province.

Hon. Mr. Forbes: — We'll get that information for you.

Mr. Hart: — Okay. Well, Mr. Chair, I think that pretty well would conclude any questions I would have as far as this topic. And I think that between myself and my colleagues, I think we certainly explored a number, quite a number of issues that the minister and his officials are responsible for. And so at this point in time we would have no further questions.

The Chair: — Thank you. The vote then is the Department of Environment and that's on page 50 of your Estimates book. Central management and services (ER01), \$18,781,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Environment protection and water management (ER11), \$23,728,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Forestry services (ER09) in the amount of \$13,725,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Fire management and forest fire protection (ER10) in the amount of \$89,045,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Resource stewardship (ER15) in the amount of \$7,371,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Parks (ER04), \$13,661,000. Oh I'm sorry. That amount . . . The amount to be voted is not 13,661,000 because some of this is statutory. The amount to be voted is \$12,012,000, Parks (ER04). Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Fish and wildlife development fund (ER07), \$3,702,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Compliance and field services (ER08), \$13,367,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Planning and risk analysis (ER14). Is that agreed . . . Oh, \$5,336,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Amortization of capital assets \$4,085,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — If I could I'd like to clarify the last vote which is for information purposes. Amortization of capital assets; that is a non-voted and non-cash expense and it's here for members' information only.

For the Department of Environment then, \$187,067,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Mr. Yates, would you move that amount be voted?

Mr. Yates: — Yes, Mr. Chair. I would move 187 million . . .

The Chair: — 67,000.

Mr. Yates: — \$67,000 for Department of Environment.

The Chair: — It been moved, \$187,067,000. Is that agreed?

Some Hon. Members: — Agreed.

[Vote 26 agreed to.]

**General Revenue Fund
Finance
Vote 18**

The Chair: — The next vote that we have on our agenda is the Department of Finance, and that's found on page 59 of the Estimates.

We also have I believe some supplements to this vote as well. Central management and services (FI01), \$6,880,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And if I could — the hour is getting a little late — if I could just thank all of the officials for their attendance this evening and for their answers during deliberations. Thank you very much.

Treasury and debt management (FI04), \$2,607,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Provincial Comptroller (FI03), \$13,108,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Budget analysis (FI06), \$4,878,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Revenue (FI05), \$15,248,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Personnel policy secretariat (FI10), \$395,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Miscellaneous payments (FI08), \$94,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I am sorry. Again there's a subvote here that is statutory so the amount to be voted is not \$94,000, but the amount on (FI08) to be voted is \$69,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Pensions and benefits (FI09), \$213 million . . . I'm sorry. This again is statutory amounts. The amount to be voted is \$106,002,000. Is that agreed? (FI09) is that agreed?

Some Hon. Members: — Agreed.

The Chair: — And the last item on this vote is amortization of capital assets, for the information of members, \$1,937,000.

**General Revenue Fund
Finance — Servicing Government Debt
Vote 12**

The Chair: — And the next vote is vote 12, Finance — servicing the government debt. The amount is statutory, \$588,000. Is that agreed?

Some Hon. Members: — Agreed.

[Vote 12 — Statutory.]

**General Revenue Fund
Fiscal Stabilization Fund Transfer
Fiscal Stabilization Fund
Vote 71**

The Chair: — The next item is on page 153 and 154, the fiscal stabilization transfer (FS01). And this is for information purposes. This is a transfer of the money between the GRF, General Revenue Fund, and the Fiscal Stabilization Fund. This transfer is in the amount of \$145,000,000. Are there any questions on that? This is for information purposes for members I'm told by the Clerk.

**General Revenue Fund
Lending and Investing Activities
Crown Investments Corporation of Saskatchewan
Vote 165**

The Chair: — On page 156, Crown Investments Corporation of Saskatchewan, vote 165. There is no money vote. It's just a carry-over from last year. Do we need a vote on that? So that was for information I guess.

[Vote 165 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
Municipal Financing Corporation of Saskatchewan
Vote 151**

The Chair: — Municipal Financing Corporation of Saskatchewan, vote 151 in the amount of \$5,000,000, and that too is statutory.

[Vote 151 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
Saskatchewan Opportunities Corporation
Vote 154**

The Chair: — Saskatchewan Opportunities Corporation, vote 154 in the amount of \$1,700,000; that also is statutory.

[Vote 154 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
Saskatchewan Power Corporation
Vote 152**

The Chair: — Saskatchewan Power Corporation, vote 152 in the amount of \$236,500,000, again a statutory item. [Vote 71 agreed to.]

[Vote 152 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
Saskatchewan Telecommunications Holding Corporation
Vote 153**

The Chair: — Saskatchewan Telecommunications Holding Corporation, vote 153, in the amount of \$95,000,000, statutory.

[Vote 153 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
Saskatchewan Water Corporation
Vote 140**

The Chair: — SaskWater Corporation, vote 140, in the amount of \$13,000,000. That is statutory.

[Vote 140 — Statutory.]

**General Revenue Fund
Lending and Investing Activities
SaskEnergy Incorporated
Vote 150**

The Chair: — SaskEnergy Incorporated, vote 150, \$137,200,000, and that as well is statutory.

[Vote 150 — Statutory.]

**General Revenue Fund
Supplementary Estimates
Finance
Vote 18**

The Chair: — Okay. And in our supplementary estimates under Finance, vote 18, pensions and benefits (FI09) in the amount of \$4,500,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Vote 18 agreed to.]

**Further Estimates
Fiscal Stabilization Fund
Vote 71**

The Chair: — The next vote is further estimates, Fiscal Stabilization Fund, vote no. 71, \$174,455,000. Are there any questions on vote 71 . . . [inaudible interjection] . . . \$174,455,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried.

**General Revenue Fund
Finance**

The Chair: —

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following sum for the Department of Finance, \$149,187,000.

Mr. Yates: — I so move.

The Chair: — And it's moved by Mr. Yates. Is that agreed?

Some Hon. Members: — Agreed.

**General Revenue Fund
Supplementary Estimates
Finance
Vote 18**

The Chair: — And as well:

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2005, the following sums; these represent the supplementary estimates for the Department of Finance, \$4,500,000.

Mr. Yates: — I so move.

The Chair: — Moved by Mr. Yates. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Vote 18 agreed to.]

**General Revenue Fund
Industry and Resources
Vote 23**

The Chair: — All right the next vote before the committee is Industry and Resources, vote 23. And the first vote under 23, central management and services (IR01) in the amount of \$8,076,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Agreed. Carried. Investment programs (IR07), \$17,706,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Industry development (IR03) in the amount of \$7,520,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Mineral revenue (IR04) in the amount of \$2,231,000. Is that agreed?

Some Hon. Members: — Agreed.

[Vote 23 agreed to.]

The Chair: — Carried. Petroleum and natural gas (IR05), \$5,367,000. Is that agreed?

**General Revenue Fund
Supplementary Estimates
Industry and Resources
Vote 23**

Some Hon. Members: — Agreed.

The Chair: — Carried. Exploration and geological services (IR16) in the amount of \$4,642,000. Is that agreed?

The Chair: —

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2005 the following sums, \$4,509,000 for Industry and Resources.

Some Hon. Members: — Agreed.

The Chair: — Carried. Resource and economic policy (IR06), \$2,398,000. Is that agreed?

Is that . . . Moved by Ms. Hamilton. Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — Agreed.

The Chair: — Carried. Tourism Saskatchewan (IR09), \$7,892,000. Is that agreed?

The Chair: — Carried.

Some Hon. Members: — Agreed.

[Vote 23 agreed to.]

The Chair: — Carried. Saskatchewan Trade and Export Partnership Inc. (IR10), \$2,791,000. Is that agreed?

**General Revenue Fund
Debt Redemption, Sinking Fund and Interest Payments
Vote 175, Vote 176, Vote 177**

Some Hon. Members: — Agreed.

The Chair: — Members of the committee, there were some statutory votes under the Department of Finance which are on page 158 that I never brought to the attention of the committee. And I would like to do so now.

The Chair: — Carried. And this is for information of members, a non-voted item, amortization of capital assets, \$4,622,000.

Vote no. 175, in the amount of \$1,050,253.

**General Revenue Fund
Supplementary Estimates
Industry and Resources
Vote 23**

Sinking fund payments, government share — vote 176 — in the amount of \$61,615,000.

The Chair: — And the supplementary estimates for Industry and Resources, vote no. 23 (IR01), \$300,000. Is that agreed?

And under 177, there are no expenditures. Vote 177, there are no expenditures for this year. That's the bottom of that page.

Some Hon. Members: — Agreed.

Mr. Krawetz — I think, did you state for vote 175 . . . [inaudible] . . . Isn't that 1 billion?

The Chair: — Investment programs (IR07), \$2,200,000 and as well, \$4,009,000 for the Strategic Investment Fund, total of \$4,509,000 for (IR01) and (IR07). Is that agreed?

The Chair: — Did I not say 1 billion? I'm sorry; let me revert then. For members' information the vote 175, \$1,050,253,000. I do stand corrected. Thank you very much, Mr. Krawetz.

Some Hon. Members: — Agreed.

[Votes 175, 176, 177 — Statutory.]

The Chair: — Carried.

**General Revenue Fund
Industry and Resources
Vote 23**

**General Revenue Fund
Labour
Vote 20**

The Chair: —

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following sum \$58,623,000.

The Chair: — Okay the next estimates before the committee are on page 101, the Department of Labour. Central management and services (LA01), \$4,598,000. Is that agreed?

Some Hon. Members: — Agreed.

That's so moved, Ms. Higgins. Is that agreed?

The Chair: — Carried. Occupational health and safety (LA06) in the amount of \$5,977,000. Is that agreed?

Some Hon. Members: — Agreed.

Some Hon. Members: — Agreed.

The Chair: — Carried.

The Chair: — Carried. Labour Relations Board (LA04),

\$790,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Labour relations and mediation (LA07), \$511,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Labour standards (LA03), 1,947,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Worker's advocate (LA08), \$551,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Status of Women office (LA09), \$380,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. And for information amortization and capital assets, \$26,000.

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following amount for the Department of Labour, \$14,744,000.

Moved by Ms. Higgins. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Vote 20 agreed to.]

**General Revenue Fund
Saskatchewan Research Council
Vote 35**

The Chair: — The next vote is vote 35 which is on page 131 of your Estimates book. The Saskatchewan Research Council (SR01) in the amount of \$8,190,000. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Therefore be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following sum for the Saskatchewan Research Council, \$8,190,000.

Moved by Ms. Hamilton. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Vote 35 agreed to.]

The Chair: — We have distributed a draft copy of the report that will come to the Chamber if it's passed and if it's moved by a member. So if we have a member willing to move that motion? Mr. Yates.

Mr. Yates: — Mr. Chair, I move:

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2006, the following sums: for Environment, 187,067,000; for Finance, 149,187,000; for Industry and Resources, 58,623,000; for Labour, 14,744,000; and for the Saskatchewan Research Council, 8,190,000.

And be it resolved further that there be granted to Her Majesty for the 12 months ending March 31, 2005, the following sums: for Finance, 4,500,000; for Industry and Resources, 4,509,000.

The Chair: — Thank you very much. The member has moved the motion. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried.

Ladies and gentlemen, I do believe that the committee has finished its work that was forwarded to us by the members, by our colleagues, the members of the legislature. I think it's been a very interesting process, this new committee system, and from my experience, I would have to say, that it I believe has worked and served members of the . . . and will serve members of the legislature over the long haul. I think there was much less acrimony. I think there was a lot of work done in here that at other times, in other forums, became a little more busy than maybe members would have liked.

And I want to thank all members of the committee for their work. I want to thank my Deputy Chair, Mr. Weekes, for his involvement and his guidance and his leadership and members of the opposition. And I want to thank members of the government side for their diligence and their attendance and the work that they have done on behalf of the people of Saskatchewan as well. I recognize Mr. Weekes.

Mr. Weekes: — Thank you, Mr. Chair. I'd also like to thank the Chair and members of the committee for the work that we've done.

Certainly was . . . the attempt when we struck these committees is to get a forum that we could get better answers and more information for our constituents and the people of Saskatchewan. And I think it's been an improvement. And we'll certainly work to improve it in the future if we need to look at any things that need to be changed. And I'd just like to thank everyone.

The Chair: — Thank you very much. The work of this committee is now complete. Again thank you all. And we'll see you tomorrow. This meeting and this committee stands adjourned.

[The committee adjourned at 22:42.]