



STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND INFRASTRUCTURE

Hansard Verbatim Report

No. 19 – November 30, 2005



Legislative Assembly of Saskatchewan

Twenty-fifth Legislature

**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND INFRASTRUCTURE
2005**

Mr. Ron Harper, Chair
Regina Northeast

Ms. June Draude, Deputy Chair
Kelvington-Wadena

Mr. Denis Allchurch
Rosthern-Shellbrook

Mr. D.F. (Yogi) Huyghebaert
Wood River

Ms. Sandra Morin
Regina Walsh Acres

Hon. Maynard Sonntag
Meadow Lake

Mr. Kim Trew
Regina Coronation Park

[The committee met at 15:00.]

Bill No. 13 — The Archives Amendment Act, 2005

Clause 1

The Chair: — We will call to order now the Standing Committee on Intergovernmental Affairs and Infrastructure. The item of business before the committee today is a consideration of Bill No. 13, The Archives Amendment Act, 2005. I recognize the minister, and I ask the minister to introduce her officials please.

Hon. Ms. Beatty: — Good afternoon. With me this afternoon is Trevor Powell, the Provincial Archivist and Don Herperger, director of Saskatchewan Archives, government records branch.

The Chair: — Thank you. Madam Minister, do you have any opening remarks?

Hon. Ms. Beatty: — Basically, you know, we've made an earlier statement. But basically this Bill is to help with the scheduling and disposal of government records, that they're maintained and kept and preserved, and that there's a better management of information for all levels of government.

The Chair: — Ms. Draude.

Ms. Draude: — Thank you. I just have a couple of questions on this Bill. I know that there is going to be records now or it's going to be controls on how to dispose of records. Are the public made aware or do they know how long records are kept and if they are allowed to look at them before they're destroyed?

Hon. Ms. Beatty: — I will ask Mr. Powell to respond.

Mr. Powell: — The records are scheduled, and the schedule is approved by the public records committee. And what every department, agency, and government does is get a schedule approved which provides the authority to dispose of records.

We're looking at this from the archives point of view in this particular instance. At that point we make a decision as to what is to be kept in the archives — that is, preserved forever — and what is to be disposed of, when we're talking about operational records.

Routine administrative records, of which government creates about 60 per cent, are covered by a general schedule, and that process is a bit different.

But once they come to the archives, obviously there might be some restrictions on them depending on the type of record involved. But the whole idea of having records come to the archives is that the public will eventually gain access to them once they have been processed by the archives.

Ms. Draude: — Thank you. I know that a new part of the Act, a new part of the Act said that there will now be a Legislative Assembly Service, and officers of the Legislative Assembly will now have public records. Can you give me an idea of who

that will now, will now be under this legislative Act?

Mr. Powell: — Basically, it used to be the office of the Legislative Assembly. There's Office of the Clerk, Legislative Library, Hansard, the whole legislative, what is now called Legislative Assembly Service. Their records will be covered by this. They have already, they have had schedules in the past and have used them and have turned records over to the archives.

What we found, in looking at the regulations and just reviewing the Act again, that it looked like they create public records and they were being left out, and we wanted to ensure that the records of parliament are kept and preserved.

Ms. Draude: — And so that wouldn't include records such as in our offices.

Mr. Powell: — No. Those are party records.

Ms. Draude: — Okay. And the other question that I have is the cabinet records. They were omitted in the other Act. How long are they kept for, and when would the general public be allowed to see them?

Mr. Powell: — When they're turned over to the archives, they're kept for 25 years and then they are made available.

Ms. Draude: — Okay. I don't have any further questions, and I thank you for your help.

The Chair: — Mr. Hermanson.

Mr. Hermanson: — Thank you, Mr. Chair. Just a couple of questions. What are the criteria for determining what records will be kept and which ones should be destroyed? Are they in legislation? Are they in bylaws and regulations? And what process is used to change them?

Mr. Powell: — We look at basically four major areas in determining whether a record would come to the archives. We look at it from a legal point of view, if there's some long-term requirement that the government needs to keep these records. We look at it from an administrative point of view, the decision making, policy development, that kind of thing. And we look at it obviously from an historical point of view and to . . . are these records, will they help us to understand our past and how government works, how programs were developed, all that kind of thing, all the factors that lead to decision making in government.

Mr. Hermanson: — Thank you. Mr. Chair, would you describe then that it being subjective criteria or objective criteria? Are they pretty firm or are they pretty flexible?

Mr. Powell: — Some records, you know, will come to the archives right away — minutes of committees, records of deputy ministers, ministers' records, that kind of thing. There's no question they are involved with the development . . . cabinet records, they are involved with the development of policy in the government.

Other records, it's grey. And that's where you determine . . .

you have to look at various criteria, look what we have collected in the past, look what is being done elsewhere, look at research trends. What are academics looking at in the years to come? What are government civil servants looking at? What will help them to better understand not only how we develop but how can it help us in the future?

Mr. Hermanson: — And then just a final question. Once you receive documents into the archives are you permitted to . . . do you keep them for a certain time frame and then make a decision whether you want to keep them, say, on a permanent basis? Or once you accept them are they considered to be permanent records of the archives?

Mr. Powell: — Once we accept them it's generally considered permanent, yes. If we go through and find for example duplicate reports, that kind of thing, then we dispose of them. But for the most part when records come to the archives, the intention is that they will be preserved forever. And that's our mandate.

The Chair: — Thank you. Seeing no further questions we will do the clause by clause. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 8 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. 13 of 2005, the Act to amend The Archives Act, 2004. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I will invite Mr. Trew to move the motion that the Bill be reported without amendment.

Mr. Trew: — Mr. Chair, I move that the committee report this Bill without amendment.

The Chair: — Thank you. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 14 — The Provincial Emblems and Honours Amendment Act, 2005

Clause 1

The Chair: — The next item of business before the committee is the consideration of Bill No. 14, The Provincial Emblems and Honours Amendment Act, 2005. I recognize the minister, and once the officials take their place I'll ask the minister to introduce her officials. Madam Minister.

Hon. Ms. Beatty: — With me this afternoon is Dr. Michael Jackson, executive director of protocol and honours, and Debbie Saum, director, policy and honours. Thank you.

The Chair: — Do you have an opening statement, Madam Minister?

Hon. Ms. Beatty: — These amendments are being made to The Provincial Emblems and Honours Act. And basically what they are, they're emblems that reflect our heritage and identity and reflect our traditions, history, and resources of the province.

There are four amendments to the provincial legislation. And number one is to give status to the Fransaskois flag as a provincial emblem. Second, you adopt the walleye as Saskatchewan's fish emblem; to adopt the saskatoon berry as Saskatchewan's berry emblem; and also to describe the insignia of the newly designed Saskatchewan Order of Merit medal, the Saskatchewan Protective Services Medal, and the Saskatchewan Centennial Medal.

The Chair: — Thank you. Any questions? Ms. Draude.

Ms. Draude: — Thank you. Thank you, Mr. Chair. Two questions. Why did you decide this year is the year this should be done, and can you tell me if there was any cost involved in making this determination, especially on the berry and the fish?

Hon. Ms. Beatty: — I'm going to ask Dr. Jackson to give you that detailed information. He's the professional in this area.

Mr. Jackson: — Thanks, Minister. The timing was of course centennial year. These things have been thought about for some time. The last major amendments, I think, were 2001 when the Assembly adopted the provincial sport, the animal emblem, and the grass emblem. And there were thoughts there that eventually it would be good to see the saskatoon berry, which is internationally recognized as our fruit emblem.

And the fish emblem — well, which fish? And so it took some time to think that through, and Saskatchewan Environment did, as I think you're aware, a website survey. They delivered this to people getting fishing licences. And we were quite — all of us, and I think you too — intrigued by the overwhelming favourite which was the walleye, beat out all the other fish hands down. And the costs of that, I don't know. Environment would have done that on a website, and I shouldn't think there was any great cost.

We did learn one thing though, Ms. Draude, that the fish had been incorrectly called the pickerel. And it's not a pickerel; it's a walleye. It's a different fish family. So the research done by Environment really paid off.

The Chair: — Mr. Hermanson.

Mr. Hermanson: — Thank you, Mr. Chair. And the questions my colleague asked were a couple that I had as well. Obviously, given some of the problems the government has had with websites and polling, we're fortunate our provincial fish hasn't turned out to be the sucker.

That being said, how do we stack up against other provinces as far as emblems are concerned? Do we have more emblems, say, than Alberta and Nova Scotia and Prince Edward Island? Are all provinces more or less in the same area? Have we adopted emblems to approximately the same degree? I'm curious how

we rate amongst the 10 provinces.

Mr. Jackson: — We rate higher among the provinces. We don't have the most emblems. I think we're tied with another province, and I can certainly get you the information through the minister. We actually did a survey and we checked which ones had, which provinces had fish and fruit emblems. But I don't have the figures for you.

But of the provinces with emblems, we're certainly in the top two or three.

Mr. Hermanson: — Okay, thank you. And how would this affect ... Having provincial emblems, does that affect a company; say, if a company wanted to use the blueberry in its logo or if it wanted to use the walleye in its logo, does this now suddenly have some implications for them because it's a provincial emblem?

You know, is there some sort of copyright or some protocol involved or are these companies still — or individuals if they want to put it on a letterhead or something — still able to do that the way they would have been able to before this Bill comes into effect?

Mr. Jackson: — Thanks, Mr. Hermanson. That's a very good question. Under the legislation, only certain emblems are protected and have copyright status. And those emblems are the full coat of arms, the shield of arms, the flag, interesting enough, and the wheat sheaf logo. And permission is required from the Provincial Secretary for use outside the government of those emblems.

We are very cautious on authorizing the coat of arms and shield of arms. In fact, we almost never do considering this as an emblem of the province. The wheat sheaf logo is strictly limited to executive government. As you know, the Assembly uses the full coat of arms. The Archives Board, which was just here, uses the shield of arms. But executive government, you may use the wheat sheaf logo.

The flag, we are generally very generous with that. If an application comes which would seem to be in bad taste and bring dishonour on the flag, we would not approve it. And that very rarely happens.

All the other emblems are not copyright and may be freely used. Indeed when we get an organization saying, may we use the wheat sheaf or may we use the shield of arms, we say, sorry, we are not prepared to grant permission; you may wish to consider using the western red lily or the tree emblem or the mineral emblem or the animal emblem or the grass emblem and now, if this legislation is adopted, the fruit and fish emblems.

Mr. Hermanson: — Thank you very much. Thank you, Mr. Chair.

The Chair: — Thank you. Not seeing any further questions, we'll do the clause by clause.

Clause 1, short title. Is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 10 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. 14 of 2005, the Act to amend The Provincial Emblems and Honours Act. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I invite Ms. Morin to move that the Bill be reported without amendment.

Ms. Morin: — I so move, Mr. Chair, the Bill without amendment.

The Chair: — Thank you. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 8 — The Western Development Museum Amendment Act, 2005

Clause 1

The Chair: — The next item of business before the committee is consideration of Bill No. 8, The Western Development Museum Amendment Act, 2005.

Order, order. The next item of business before the committee is the consideration of Bill No. 8, The Western Development Museum Amendment Act, 2005. I recognize the minister, and I ask the minister to introduce her official.

Hon. Ms. Beatty: — With me this afternoon is Dawn Martin, executive director of culture and heritage.

The Chair: — Thank you. Madam Minister, do you have an opening statement?

Hon. Ms. Beatty: — Basically this change, this amendment, is designed to strengthen the Western Development Museum board and help reduce the administrative load for the museum and from constant board renewal. Currently each member of the board holds office for a term of one year until his or her successor is appointed. A three-year term would allow for more rigorous governance and for staggering of board members to ensure board continuity. The current cap on board member appointment of four consecutive years is also being removed, basically.

The Chair: — Thank you, Madam Minister. Ms. Draude.

Ms. Draude: — Just a couple of questions. And thank you to the minister and the opportunity to ask a couple of questions. Do the board members receive remuneration?

Ms. Martin: — I believe the board members are actually paid a per diem for their time served on the board in accordance with the financial administration policy of government.

Ms. Draude: — And how are they chosen or elected or appointed?

Ms. Martin: — The last round of board members, we actually spent quite a good deal of time discussing with the existing board members where they saw some gaps and some priorities in terms of what they needed. We generally try to find board members in and around the geographic areas of where the various Western Development Museum branches are located.

They also tend to be people who have had some involvement in heritage or museums locally. So for example the current Chair is from Cut Knife. She was the Chair of the Cut Knife museum board for a period of time, so she has museum experience.

Ms. Draude: — Basically then they are appointed?

Ms. Martin: — They are appointed by order in council.

Ms. Draude: — Okay. I believe there are three Western Development Museums in the province. Am I correct?

Ms. Martin: — There are four branches. There's one in Saskatoon, one in Moose Jaw, one in North Battleford, and one in Yorkton.

Ms. Draude: — Okay. So this Bill will affect all four of those museums?

Ms. Martin: — Yes. The entire museum is a single entity with . . . and so the governance system is for the entire organization, including all four branches.

Ms. Draude: — So will the appointment years be staggered so that all the board doesn't leave at one time?

Ms. Martin: — That's the intention. That's the intention.

Ms. Draude: — Okay. Well thank you very much.

The Chair: — Being no further questions we'll do the clause by clause. Clause 1, short title, is that agreed?

Some Hon. Members: — 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: Bill No. 8 of 2005, the Act to amend The Western Development Museum Act. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I invite Mr. Sonntag to move that the committee report the Bill without amendment.

Hon. Mr. Sonntag: — I'd be very pleased to move that Bill without amendment, Mr. Chair.

The Chair: — Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

That concludes the business before the committee. Could I have a member move the motion to adjourn? Mr. Trew, thank you very much. The committee now stands adjourned.

[The committee adjourned at 15:21.]