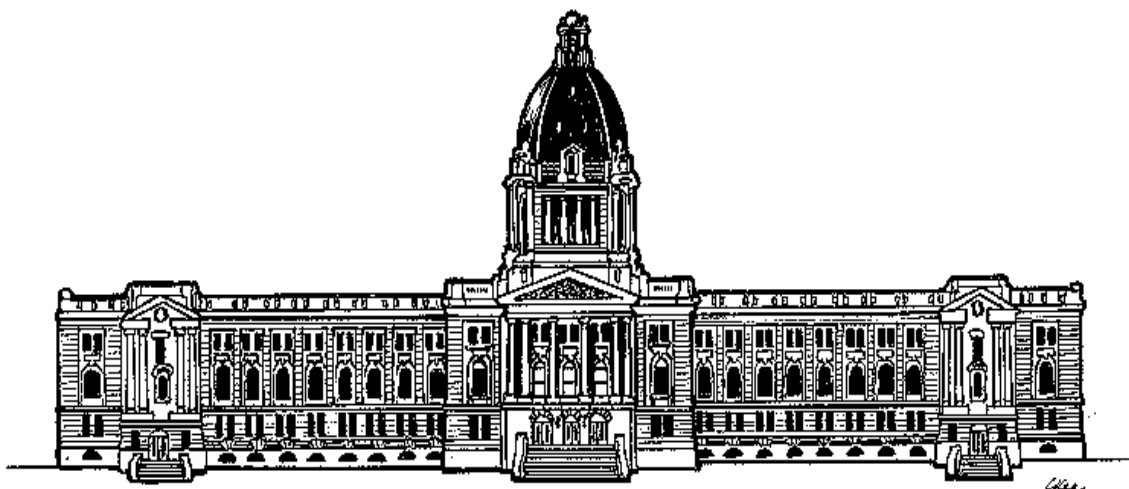




# **STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND INFRASTRUCTURE**

## **Hansard Verbatim Report**

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**Legislative Assembly of Saskatchewan**

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**STANDING COMMITTEE ON INTERGOVERNMENTAL  
AFFAIRS AND INFRASTRUCTURE  
2007**

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

Mr. Andy Iwanchuk  
Saskatoon Fairview

Hon. Len Taylor  
The Battlefords

Mr. Kim Trew  
Regina Coronation Park

[The committee met at 15:00.]

**General Revenue Fund  
First Nations and Métis Relations  
Vote 25**

**Subvote (FN01)**

**The Chair:** — Well I'll try this again. We'll try to once again convene the Standing Committee on Intergovernmental Affairs and Infrastructure. The item of business before the committee this afternoon is the consideration of estimates for the First Nations and Métis Relations, vote 25, which can be found on page 75 of our Estimates book. Mr. Speaker, if you will please . . . Mr. Speaker. Mr. Minister, if you'll please introduce your officials.

**Hon. Mr. Sonntag:** — Thank you, Mr. Chair. I'd be most pleased to do that. Seated immediately to my right is Richard Gladue, the deputy minister; to his right, John Reid, acting assistant deputy minister. To my left is Laurier Donais, director, finance and corporate services. Behind me and to the right is Seonaid MacPherson, executive director of strategic initiatives. And to her left is Doreen Bradshaw, director, Aboriginal employment and development program. Behind me and to my right is Trisha Delormier-Hill, executive director of lands and resources. And off to the far left here is Jennifer Brass, executive assistant to the deputy minister.

**The Chair:** — Thank you, Mr. Minister. If you have any opening statements, we would take those now.

**Hon. Mr. Sonntag:** — I'd be very pleased to give the same one I had last time, but I know committee members have read and reread that a number of times since last time, and I'll dispense with that.

**The Chair:** — I'm sure you're right, Mr. Minister. I think that was a very riveting comments, whatever they were. Ms. Draude.

**Ms. Draude:** — Thank you very much. To the minister and to his officials, welcome. I have a number of questions again. I look forward to our discussion. And I want to start today by talking about the Métis Nation.

The last time we had an opportunity to speak was before their MNS [Métis Nation of Saskatchewan] meeting. I believe that was in April 21 in Saskatoon where the Métis Nation of Saskatchewan legislative and general assemblies met. And they approved a set of electoral reforms. Can you tell me — because of the approval, and I believe it was unanimous, that the election will go ahead; it looks like there hasn't been a date set yet, but somewhere before October — how much money has been budgeted for the election?

**Mr. Gladue:** — One point four.

**Ms. Draude:** — Thank you. This is above what is in the budget, I believe, and above projection. So is this going to be on top of the money that was originally put into the budget?

**Mr. Gladue:** — Originally the budget was estimated a little higher between the two governments. And based on the work plan that the independent IOC, independent oversight committee has put in place, we arrived at 1.4 million basically split over two fiscal years — 700,000 in last fiscal year and 700,000 this fiscal year. And it's 50 per cent cost shared with the federal government.

**Ms. Draude:** — So that was my next question, is how much of it's going to be put forward by the federal government. So last year there was actually an account left over from last year where there's \$350,000 provincial money in an account?

**Mr. Gladue:** — Yes. What we've done is we've basically flowed that to several contracts through the IOC from last fiscal year, and then also we're doing the same thing again this fiscal year.

**Ms. Draude:** — So the money was actually spent last year doing . . . What was the result of the money that was spent, or has it just been put aside for work that's going to be done this year?

**Mr. Gladue:** — Portions of it has been spent, and also portions of it has been put aside to complete the election this year.

**Ms. Draude:** — When you say a portion of it has been spent, does that mean it was spent on developing the registry, or what was it spent on?

**Mr. Gladue:** — It was basically spent on several of the meetings that the IOC has conducted with the PMC [Provincial Métis Council], also costs of the IOC to be able to do the work they've done to date prior to getting the amendments completed. There's work involved related to the amendments and also the regulated documents that are required to be approved that were approved at the April 21 assembly. So all that work was part of that portion of money that you're referring to from last year.

**Ms. Draude:** — So of the \$700,000 that was earmarked for the Métis election last year, how much of it has been spent?

**Mr. Gladue:** — To date we cannot specifically answer that. We know that we have the information, and we can certainly provide that for you in more detail.

**Ms. Draude:** — Has there been any money spent on developing the registry?

**Mr. Gladue:** — At this point in time, the approval was done at the assembly. The registry will be, I assume, is being developed as we speak to get it to a point where votes can happen when the election is called.

**Ms. Draude:** — So if there's \$1.4 million budgeted for the election and we've spent about half of it already and we haven't got a registry and we don't have the actual election process finalized, are we going to be short of money?

**Mr. Gladue:** — We have targeted 1.4 to finish the job, and the IOC is very much aware of that. And that is why that the

election, in terms of the call that's going to happen, has to happen based on the chief electoral officer's recommendations. And all the pieces related to the election — the voters list, all the hiring of the staff — the electoral officer has the approval of the assembly in terms of the terms and conditions that were set out for his duties to conduct the election.

All those costs have been costed in so the upper portion of that budget in the end, if the election is over, should be at least \$1.4 million when the full election is finished.

**Ms. Draude:** — So from the way you're speaking, cost overrides isn't an option.

**Mr. Gladue:** — Well I mean, you know, that is . . . We've never entertained that as an option. That's the position that has been agreed to by all parties. And if there are cost overruns, you know, that's something that will be dealt with.

We know that during that whole process when the budget was looked at, it is very, very clear that the federal government was not prepared to entertain any cost overruns. And so in the end, after the whole piece was put in place, 1.4 is the final figure that was recommended to the IOC.

**Hon. Mr. Sonntag:** — I'm just going to supplement that a little bit. Just to be clear, I think the point needs to be made this isn't . . . the IOC is not starting from square one. A lot of the . . . You reference the money that was spent; that is correct. But the IOC has been spending a lot of time putting together processes so that in the event the election was actually approved as it was, that they would not be starting from square one.

So they've developed a lot of the processes for actually doing the registry, the appeal mechanisms, all of those sorts of things. A lot of that work is now already done. No, they actually have to do the registry. But as I say, there's been a lot of groundwork leading up to that. So this isn't as if they've now sort of got this amount of money spent and they're now starting. A lot of work has been done already.

**Ms. Draude:** — Can you describe to me the registry process and how someone will receive a card to allow them to vote in the election, if there is going to be cards. And if not, how will people be identified as being eligible to vote in this election?

**Ms. MacPherson:** — I understand that the process will be one where the individual will have to declare before a commissioner of oaths that they indeed are Métis and eligible to vote in the election. So it puts the onus on the individual rather than the organization to determine whether they're eligible. And of course they will have their criteria, and I don't have those in front of me right now, but it would have to do with being recognized as a Métis in the community, of Aboriginal ancestry, and those kinds of criteria. And they will be doing that in the Métis offices throughout the province, as well as at the time of election.

**Ms. Draude:** — So starting at this time and forward to the election then, the Métis offices and the various locals will be being prepared to get a voters list ready? Is that correct?

**Ms. MacPherson:** — Yes. Yes. Through this affidavit process.

**Ms. Draude:** — So will anybody be able to come on election day and declare, or will they need to have been approved before?

**Ms. MacPherson:** — They'll be able to declare at the poll as well, is my understanding.

**Ms. Draude:** — Right now then, there must be monies being spent within the local offices to ensure that there are people there to allow people to be registered. How many offices are being set up at this time? How many people do you have, are being paid to get the election process under way?

**Ms. MacPherson:** — The chief electoral officer is running that process. I don't have those details, but we can get them for you.

**Ms. Draude:** — Thank you. I would appreciate it. My concern at the last two elections has been the actual . . . the discussion about whether people were eligible to vote or not. And that caused a lot of the controversy in the last elections. And unless people are aware now that they have to register and what the criteria is, I think we're going to have a similar problem.

So I would think that, I'm hoping that the criteria is set up. And if you don't have it now, can I get a copy of it? And how are you actually allowing people, the Métis people within Saskatchewan, whose numbers were significantly down from voting last time . . . how are they knowing that the process should be better this time?

**Hon. Mr. Sonntag:** — There's an extremely important second step to this which is that an appeal process that we are very familiar with, sort of in provincial and federal politics . . . elections, I should say. It will be an open and transparent process as well which I can't describe for you either. The IOC is setting that up as well.

But the second step is, obviously you can't just make a declaration. And if it's just simply declarations, there will obviously be people who won't agree with somebody who's registered or who has not been registered. So therefore the second and equally important process is the appeal process. And that's also being set up which will be — I mean we're assured through the IOC — independent and transparent.

**Ms. Draude:** — I know that those words are going to be very welcome to the Métis people in the province, and I'm hoping that we will get updated on the process.

Last time we also discussed the Métis hunting rights, and at that time you'd indicated that it was going to be a duly elected Métis Nation of Saskatchewan that would actually be bringing forward the issue. Do we have to wait till after the election before that is happening too? Or are there any elected people within the locals that are setting up the assembly that are discussing that at this time?

**Hon. Mr. Sonntag:** — I think the short answer is that it will have to wait till after the election because the . . . First of all, we don't flow the funds. The funds, most of the funds that will be used for the discussions, or the negotiations I should say, around that issue, will be federal dollars.

I think it's . . . If I'm not mistaken, I think it's 1.1 million if I'm not mistaken . . . [inaudible interjection] . . . Yes. And it's as a result of the Powley case, and Saskatchewan's allocation is just over \$1 million I think. As I say, I think it's 1.1. But those aren't our dollars; those are federal dollars. And that can't be negotiated unless there is an entity that can be negotiated with. And so I think the answer to your question is, essentially it will require a duly elected government within the Métis Nation before that can start to happen.

**Ms. MacPherson:** — Could I add to that? In terms of consultation, that doesn't mean we wouldn't be consulting with Métis people when government may be entertaining a permit or development or something like that. So we would be looking for legitimately elected Métis locals in the traditional territories. If there is no Métis local or if there's a view that it's not legitimate, then we would go to the community, community leaders in the Métis community to determine how to undertake a consultation process in that area with Métis people.

**Ms. Draude:** — It's kind of a Catch-22 because in many areas, because there is no funding available to them, it's difficult to have the locals ready and to get people organized. And more basically, it's difficult to get the word out about the election, the timing, and how they're going to register so I'm . . . Maybe if you can just give me an overview of how the province is going to be working before the election to ensure that we really have as few problems as possible when the election comes. Then we'll have . . . My further questions will have to wait till after the election in November.

**Hon. Mr. Sonntag:** — I'm not sure what I can add to what we've already said. The funding is in place from the federal government and the province, and the processes are now put in place. By the way, I don't know if it's not been said — it was in a press release — but we're still targeting for June 27, I think it is, for the election. I think we're still . . . June 27 I think it is. That was the target date in the release by the IOC I think. And that's not yet confirmed because there's a fair bit of work that yet needs to be done, but everyone was aware that that was the date they were targeting for.

Having said that, the funds are in place from the federal and the provincial governments, and everybody's just working towards that date now.

**Ms. Draude:** — Thank you. I guess I was only going from the information I read in the newspaper after the meeting on April 21 where they talked about unanimous support. And it says that the election will happen before October, so I didn't realize that we were as close as we are to having the election. So if that's the case, the province will be just basically watching, and they're on the outside watching to see what will happen. Is that . . .

**Hon. Mr. Sonntag:** — Yes. We've handed this over. The federal government and the province have handed this over entirely to the independent oversight committee. And it needs to be independent, and so it's running the election now. And that was approved at the general assembly — ratified at the general assembly, I should say. And so now the province is just sitting back and hoping that this will move forward.

**Ms. Draude:** — Thank you very much. And I know not just the Métis people in the province but most of the province is going to be interested in seeing the results of the election and ensuring that it happens in a way that everybody feels they have a true voice and that we can go forward with Métis people having an elected assembly.

I'm going to move on to another area that you may say is not within your jurisdiction, but it is a health issue, and it's been brought to my attention a number of times — of Muskeg Lake First Nation and their care home. I believe it was back as early as March. The chief from Muskeg Lake was concerned that they had built, they'd raised \$2.5 million to build a 30-bed facility, and he believes that there has been no decision as to whether the federal and provincial government will help fund the home.

The reserve . . . There's a care facility six kilometres away at Leask, and they receive between 52,000 and \$79,000 for each bed occupied by a Muskeg band member. And Indian and Northern Affairs Canada provides an additional \$924. But if those individuals are transferred to the Muskeg facility, none of the funding will follow. And the minister at that time, Minister of Health, indicated that they hadn't made a final decision as to whether the special care home on Muskeg Lake will be funded. Can you give me an update on this?

**Hon. Mr. Sonntag:** — I can't really. All I can tell you is that the chief and council have made that same issue and their concern very apparent to myself as the Minister of First Nations and Métis Relations, and we've simply afforded them the opportunity to deal through the Department of Health. So I think their first approach actually was through our office some time ago, and the issue's been raised a number of times. And they've been dealing directly with the Department of Health ever since.

**Ms. Draude:** — I received a copy of a letter the chief received from the Minister of Health dated on April 4 where it basically says that Sask Health does not provide funding to individuals or organizations to operate a subsidized special care home facility. So it looks to me like the department has deemed this as a facility that will not receive funding from the government.

And yet I believe your department would recognize that there are a number of concerns that First Nations people have that are not on the reserve . . . or not being placed in a facility where people speak their language, for one thing, and having to move out of their home area. It also would employ about 50 people on-reserve.

From our conversations a number of times, I've learned from you that you see your department as a large MLA [Member of the Legislative Assembly] office, so functioning with the Department of Health would be something that you would be doing. So can you tell me how you have been working with the Department of Health to encourage them to see this as a facility that is essential to helping develop the . . . not only improve the health of First Nations people, but get them involved in the health system?

**Hon. Mr. Sonntag:** — Well first of all, let me just speak generally to the issues because I won't be able to be specific on

it. But the province has, I think, acknowledged that all residents of Saskatchewan are residents of Saskatchewan. And within the capacity that we have, we've initiated a number of different programs that have, in my view, made the lives of people on First Nations better. And I don't want to go through the list necessarily, but the obvious ones are some of the access to roads and the economic development and things like that right on the First Nation. And it will be impossible for the province to fill in where the federal government is not fulfilling its role.

Having said that, on this specific issue as it relates to our role, our role is simply being at the onset . . . I may be wrong on this, but my view was that the chief had contacted our office first on this issue. We put them in contact with the Department of Health, and since that time they've been dealing with the Department of Health. I believe we received one update as to how that was progressing, but I had not seen this most recent letter.

**Ms. Draude:** — I can give you a copy, or I'm sure you can get a copy from the minister, whatever you prefer. But we're very concerned that it's not something that's seen as a real, legitimate, and positive step for First Nations when it comes to ensuring that First Nations people have health care in a facility that they feel very comfortable in. And not only that, it would employ people within the area. So I have a hard time understanding why this isn't something that your department would see as a real priority. So I'm hoping that perhaps you'll go back to the minister and see if the . . . hopefully the final decision has not been made and that there will be some input saying that this is something that will be benefit to everybody.

**Hon. Mr. Sonntag:** — I well recognize the importance of the issue, and just as an outsider looking in, it would seem obvious what needs to be done. But having said that, I mean, there are limits to what the province is able to do on behalf of the federal government. I mean, there are obviously priorities related to all kinds of issues — infrastructure; housing; as I said, water and sewer which is part of infrastructure obviously. But you could pick any one of those and describe them as an extremely high priority, and in a number of those areas, we've tried to provide support where we could. As relates to this issue, I know they're dealing, as I said, directly with the department.

**Ms. Draude:** — Mr. Minister, I understand from this news article — and you may know about this better than I — but a First Nations that is occupying a bed in, say, in a facility that's not on-reserve, the provincial government does put some money into it. They do help support the individuals that are in one of these homes. Why wouldn't it be seen as just as advantageous to put the money into a facility that's on-reserve?

**Hon. Mr. Sonntag:** — There would be some, I think, some difficult jurisdictional issues that we need to sort out over the next number of years. And I mean, this is one that is clearly one that appears obvious that we need to try to sort through. And I mean beyond that, I'm not in a position to commit to anything on the department or on behalf of government other than to say that we have as a government gone into areas that we've not historically provided funding in the past.

It would be my view that, in the years to come, governments will I think be more and more in a position of recognizing that

everybody is part of their province, and we'll need to sort out these delicate and difficult and sometimes confrontational jurisdictional issues. But as it stands right now, all I am aware is that the First Nation is working with the department to try and sort this through.

**Ms. Draude:** — So is your department encouraging the Department of Health to look at this as a first step in changing what has been the way we fund health care for First Nations people?

**Hon. Mr. Sonntag:** — I don't think it's fair to say that we would be a lobbyist on behalf of anybody. I mean the way it works is a First Nation or Métis community or individual would come to our department and raise the issue, and we would work with them and with the respective department or departments to try and sort through the issue. And in this case, it was simply to bring in the Department of Health to meet with them and to try and sort it through.

**Ms. Draude:** — Thank you. I'm going to move to another issue, and that's a newspaper article I read with interest back in February. And it's entitled, "Suit filed in fight for FAS sufferers." And it was a La Ronge lawyer filed a suit against the provincial and federal governments complaining they should be responsible, or claiming they should be held responsible for the evil effects of alcohol. Can you give me some updated information on the status of this lawsuit?

**Hon. Mr. Sonntag:** — Yes again I mean that wouldn't be . . . It's not our department. That would be, I believe, probably under the jurisdiction of Healthy Living Services. The minister responsible would be dealing with that if in fact it is actually . . . if what you're talking about is off-reserve.

**Ms. Draude:** — I'm not sure that it's off-reserve. I believe that they're just talking about a lawsuit for . . . it was Treaty 6 members. They're indicating that there was a responsibility held by government because the terms of Treaty 6 were not upheld. And I would think that the department of First Nation and Métis affairs should have looked into this at some point. Your Justice officials probably have looked at it, and I'm wondering what the status of it is.

**Hon. Mr. Sonntag:** — You're right. I'm sorry; I misunderstood your question at the start. Clearly it's the Department of Justice that would have been dealing with that. But as it relates to our department, I mean, I'm obviously aware of the bigger issue. But in terms of the specific case, I am not aware that we would have been provided explicit detail about it.

**Ms. Draude:** — Ron.

**The Chair:** — Mr. Allchurch.

**Mr. Allchurch:** — Thank you, Mr. Chair. Mr. Minister, welcome to your officials here today. Pardon my voice; it's a little hoarse today. I have somewhat of a cold from the weekend.

But in your answers today given to my colleague regarding Métis relations and the election, can you identify what you mean by traditional territories when it comes to hunting?

**Ms. MacPherson:** — We can try. It is our understanding, and some of the court decisions that have come down have spoken to the issue or the matter of traditional territories being lands that Métis or First Nations communities used to pursue their traditional activities — hunting, fishing, trapping, spiritual use, cultural, ceremonial, that kind of thing — from the time, and this is the legal sense, but from the time of contact in the case of First Nations or in the case of Métis from the time of effective control. And so that, you know, is debatable what effective control means, but generally it's thought when the Hudson's Bay Company transferred land to Canada.

And so it's a geographical area. It can span over provincial boundaries or up into the territories in the case of the Dene. There's lots of overlapping traditional territories where First Nations and Métis traditional territory overlaps, or various First Nations own traditional territory overlaps. It's not necessarily confined to treaty areas. For example, Cypress Hills — I think we might have mentioned this before — is used by many First Nations from throughout Saskatchewan, Alberta, and the States, and so they travelled a long way to use the hunting grounds there or cultural sites and that sort of thing.

But we do not have a map. We're working with some First Nations to develop those maps. Some First Nations have their own maps that they've researched through discussions and research with elders and through the oral history to understand where the hunting and fishing and the use of the land took place. And so some First Nations do have these maps, but there are issues around proprietary information. How much do they want to share the information, and how can we agree to use that in a way that's non-threatening to their interests? I don't know if that answers your question.

**Mr. Allchurch:** — Well thank you for that answer. As a Métis myself, I know that my ancestors have used a lot of areas in Saskatchewan which we feel is traditional lands. So I guess my question is, how can you just identify certain areas within the province of Saskatchewan — and I think this is where the problem lies with Alberta and Manitoba — when they used the whole province because there are certain areas in the province of Saskatchewan that were not used, and you're so right. But how many of those areas can you identify? Are you going to have little patches here and there that won't be utilized for traditional territories?

**Ms. MacPherson:** — I would say first of all that we don't feel as government it's up to us to identify these lands. We would prefer to have the community identify the lands and the uses that took place on those lands because they're the ones who can do it in a legitimate way, although I mean we want to make sure it's done according to whatever legitimate mapping, traditional mapping criteria there are. Yes, there may be gaps. We don't know for sure. We haven't been told by any specific group, I don't believe, that they feel they have the whole province as their traditional territories. Most of what we hear, it's bits and pieces, patches of areas of land. So yes, there may be gaps, but we aren't aware of them.

**Mr. Allchurch:** — I guess my line of questioning is in regard to when you were saying you were going to look at where the First Nations have their lands and their traditional territories. If you utilize that, that just for the First Nations . . . But you also

got to remember that the Métis did not just use that land. The Métis were spread out all over Saskatchewan. So how can you define or say that area there is not part of traditional lands for the Métis?

**Ms. MacPherson:** — You can't. I think what I was saying is that we have to go to the Métis community to get a better understanding from them as to what the area of land is that they feel is their traditional land. So that's . . .

**Mr. Allchurch:** — I guess the answer I'm looking for is basically all of Saskatchewan will be what they call traditional territories to the Métis, not just certain specific lands. You're not just talking about a few acres.

**Ms. MacPherson:** — And so far Justice has been providing some guidance on this. In terms of northern Saskatchewan, the view is that that is covered by Métis traditional use. It's still yet to be decided. And most of it's going to happen through the courts, and I would think through some consultation, if you will, with Métis organizations as to what these lands are in the South. So we're just starting to work through that.

**Mr. Allchurch:** — One more final question on that. If we're going to use traditional lands that have been travelled or utilized by the Métis, what about Highway 11 going all the way down to Regina? Is that going to be traditional lands but utilized for Métis for hunting on both sides of that highway?

**Ms. MacPherson:** — Well I mean, there's a whole other set of issues there in terms of the availability of hunting along that corridor. Most of it's private land, and so access is restricted. And you can't of course hunt in the ditches. So there will be some exemptions for safety and conservation reasons.

**Mr. Allchurch:** — But you also got to remember they can go to the landowner and get permission. They could still hunt.

**Ms. MacPherson:** — Yes.

**Mr. Allchurch:** — Okay. If that area is designated traditional lands which, according to your version of traditional lands, it falls under . . . And that's only one just small area in the province of Saskatchewan that could be classified as traditional lands. So I guess my whole point is to hold up the process because you don't know which is the traditional lands because it hasn't been surveyed yet. That's pretty hard to say when the whole province has basically been utilized by the Métis for generations and generations and generations. So how can you come up with just a partial plan in the province of Saskatchewan?

**Ms. MacPherson:** — That remains to be seen. I don't think we're saying that we have a specific policy one way or another. I'm just saying that we still have some work to do in that area, and the courts will probably have some decisions to be made too based on specific cases.

**Mr. Allchurch:** — Okay thank you for those answers. I also want to ask some questions in regard to the election coming up as my colleague has talked about.

When I went to renew my card, I was told I had to renew it if

... In next time around there was going to be election, you'd have to have a card to be a voter. That was one of the designations. That's three years ago now or four years ago — three years ago I think it was — that they were going to use that process to be ... a person that was allowed to vote in the Métis election. From what I've gathered from now from my colleague asking questions, that has changed somewhat, and the process is still someone can go to that election that day and still vote which was the whole problem in the first place. Why are they not going, or at least trying to go, to the card system which that's what it was designated for in the first place?

**Hon. Mr. Sonntag:** — I think the independent oversight committee has determined that that was also fraught with problems, and they needed to make sure that they had a process that ... And in the end of the day, maybe in the future some time, they will go back to a card. I'm not sure. But they felt that they had to keep it open so that people who were clearly Métis had some mechanism to be able to vote.

Now I think they would prefer that as many people as possible actually swore an affidavit and were registered as registered voters before the election took place just for simplicity reasons. It would make it much easier. But they couldn't restrict access to voting and therefore had to have a process that would allow people to simply swear an affidavit on election day, much like we do in a provincial election.

But there are pros and cons. But the IOC felt for it to be open and fair and transparent, everybody who felt they were a Métis had to have the opportunity to vote, and the declaration — the swearing of an affidavit — would be that process. Now they'll obviously have to come there with identification. One of those pieces of identification could clearly be the Métis card that they have.

And as I've said to your colleague, the second part of that though — that's in my view equally as important — is the transparent appeal process so that if somebody came and swore an affidavit that they were a Métis member and voted and somebody disputed that they actually were Métis from that particular local or region, there's a process that they would have to go through.

**The Chair:** — Ms. Draude.

**Ms. Draude:** — Thank you very much. Mr. Minister, last time we were together, I had an opportunity to ask you questions about the duty to consult. And I've had calls from different groups who are asking if they were going to be eligible for part of the \$2 million, and I do have a copy of the criteria for the Aboriginal consultation funding.

Can you tell me at this time how many applications you have from First Nations who are interested in receiving money?

**Ms. MacPherson:** — We haven't had any applications. We're still looking at the screening process, so we haven't quite ... I mean we have the criteria at large, but we haven't actually developed the screen through which we determine eligibility of individual groups. But we do want to keep it tied to the priorities around where developments are taking place in the province and the fact that the money would be used for capacity

to actually participate in these more complex kinds of consultations.

One of the options that we're looking at is that it is the land disposing department — such as Environment or Agriculture and Food who, through their discussions with the First Nations or Métis group that's being consulted — that would then come back to our department with a funding proposal that's jointly developed, because consultation of course is a two-way process. And we have had letters where First Nations are looking for dollars, and generally those are in areas where developments are taking place and there's ongoing discussion. And so we expect then to have proposals come back to us from those discussions.

**Ms. Draude:** — Thank you. Just to clarify then, most of the applications or most of the money will be spent in areas where another department has indicated to First Nations, to your department, the department of First Nations and Métis affairs, that there needs to be work done in that area. So they'll be more apt to be ... The request will be coming from another government department, rather than from a First Nations.

**Ms. MacPherson:** — That's one way. I'm sure we will continue to get requests from individual First Nations or Métis communities, in which case we will consult with our departments in terms of what is the consultation that they're working on or that they're engaged in that needs ... they need capacity to be engaged in.

**Ms. Draude:** — So is your department then taking the lead from another department, or will there, can there be a First Nation that makes a good argument, saying that we need help and we need some of the funding?

**Ms. MacPherson:** — I think that could be the case, yes.

**Ms. Draude:** — So I do know, with the information that you gave me the last time we had to speak, that first of all there was going to be three people hired, I believe, to be on a committee to make this decision. Has that decision been made yet?

**Ms. MacPherson:** — Well those won't be the decision makers. Those will be government employees who will assist departments in various ways in terms of the duty to consult. Decisions will be made by an interdepartmental committee of senior officials from Industry and Resources, Environment, Ag and Food, Northern Affairs, First Nations and Métis Relations. And you know, there will be some discussion, and our department will chair that committee. And there will be a — we're hoping — a consensus decision made on who is eligible for funding and how much funding and what it would be used for. But ideally we'd do that also through agreement with the Aboriginal group that we're talking about.

**Ms. Draude:** — Is there any decision made to date on any of the \$2 million? Has any of it been spent this year?

**Ms. MacPherson:** — No.

**Ms. Draude:** — I know that the department's having discussions, trying to have discussions with Muskoday. I'm wondering if that, where your department is on the work with Muskoday reserve.



**Mr. Reid:** — Like I indicated last time, our department itself hasn't had any discussion with Muskoday. We're certainly open to those discussions. Most of that dialogue, I understand, has been involving Sask Environment with Muskoday. Not ourselves, but we're certainly open to that discussion. We haven't been contacted by them directly that I'm aware of, not our department. Most of our discussion has been with James Smith Cree Nation.

**Ms. Draude:** — I'm continuing to hear concerns from Muskoday saying that the whole issue has not been dealt with by, has not been dealt in a respectful manner because discussions that should be going with the chief and council — and directly with the chief because he is responsible to the band members — hasn't happened. I have contacted the Minister of the Environment, and I was hopeful that he would contact the minister directly. As of today, I still haven't heard that he has contacted him. I also know that there's been, twice has been a discussion about a meeting, and that hasn't taken place. Can you tell me when this department is going to be meeting with this band?

**Mr. Reid:** — I'll have to contact the department to find that information out for you, member. But as I said before, we as a department have been very open to discussion with any chief in council or the representatives on this duty, and we've had a number of discussions with a number of chiefs in councils including the James Smith Tri-Nations and their three chiefs. But we have had no contact directly from the Muskoday chief in council at this point in time. We're certainly open to that dialogue, but we haven't been contacted by them.

**Ms. Draude:** — So then the word that should go back to the chief in council is that they're supposed to be trying to contact you.

**Mr. Reid:** — Well we're certainly open to that. And I think, I mean, the information is out there that we're certainly a contact point with a legal duty and as for their guidelines are . . . And we've sent that to all the chiefs in councils, the guidelines with that information in there. And so certainly that's nothing secretive about that. We're very transparent about it. And we'll certainly be very open to any dialogue with any chief in council on the issues, including Muskoday.

**Ms. Draude:** — The last time we also talked about the guidelines and the fact that probably they weren't, maybe not clear. And I, after reviewing *Hansard*, I understand that your department has been talking to other provinces — specifically Alberta — and learning from them. And then they're going to be going back and training some of the people within the various departments. The original discussions that caused or that allowed the whole duty to consult happened seven or eight years ago, and it's only now that the department is actually working on training people or learning about it enough to actually train people.

Can you give me some kind of idea of where the department is going in ensuring that the people within the various departments have knowledge about this issue?

**Ms. MacPherson:** — I can perhaps address that. Government, at least the Department of the Environment that I was with a

number of years ago, has been aware of the duty to consult for some time since the original decision, the Sparrow decision. And they've had guidelines in Environment since 2000, their own internal guidelines. It was around 2003 or '04 that government decided that this was a pan-government issue. It's not just one department. There are other land disposing departments, and it was more complex than just the one department.

So Environment indeed has had its own guidelines, internal guidelines, I believe since 2000. I could be off by a year or two there. And we started to develop government guidelines in 2005. And it did take some time in order to do the research and develop guidelines that were applicable in Saskatchewan.

**Mr. Reid:** — I just have one comment and that is the, as my colleague indicated, right through Sparrow decision through Haida to Mikisew Cree, Taku River, obviously the province and the Department of Justice have been studying these decisions from day one and of course working with the department since they went on this issue. So the departments have not been asleep at the switch in this by any means.

What's happened in '95 is that the Department of Justice and ourselves and other departments decided to make an articulation of these guidelines properly available. The Department of Justice from day one has been providing advice to departments like Sask Environment and Agriculture about their legal duties. So it's something we've been very much aware of. It's just the guidelines that we follow have been made public.

**Ms. Draude:** — Thank you. There's also been some discussions from various bands and then RMs [rural municipality] as well who are concerned about the TLE [treaty land entitlement] settlement and how the land is actually going to be, how the government is going to determine whether successor rights are grandfathered to, say, ranchers who have had leased property in their names for a number of years. And if a First Nation has requested that it becomes TLE land, it's causing some disputes. Can you tell me where your department is with this situation?

**Hon. Mr. Sonntag:** — Thank you. I'll just make a general statement first. The policy has been fairly clearly laid out through the treaty land entitlement framework agreement, and we've been following the same process all the way through as it relates to leased land or any other third party interests. It's not changed, and it's not anticipated that that policy would change.

**Ms. Draude:** — Can you describe that policy to me?

**Hon. Mr. Sonntag:** — Well I can get . . . Trisha would do a lot better job than I probably can. But generally it is willing buyer, willing seller, and requires all third party interests to be extinguished before the land can be transferred.

**Ms. Draude:** — The minister had indicated one of his officials would probably do some more following up. Can you tell me if there are actual disputes going on right now and which areas you're working in?

**Ms. Delormier-Hill:** — I'm not aware of any disputes at the moment. If you're speaking to actual ranchers or leaseholders in

the South, those leases are issued through the Department of Agriculture and Food. And where there are TLE selections, we also, you know, meet our obligations to those First Nations to process those selections. And I'm not aware of any sort of disputes over those types of issues at this point in time.

**Ms. Draude:** — I noticed when we looked at the budget this year that there was considerably less money going to be spent on TLE payments this year or monies this year. And I know it's because there's fewer . . . that there's a lot of settlements been made. I guess this year, what bands are still in the process of receiving their settlements this year?

**Ms. Delormier-Hill:** — There are I think at least a couple. There's Carry the Kettle First Nation who's still receiving payments, and as well Kawacatoose First Nation.

**Ms. Draude:** — Can you tell me how many acres you're expecting will be involved in those settlements?

**Ms. Delormier-Hill:** — Those settlements were completed a number of years ago. I don't have the amounts of acreage. You're talking about shortfall or the maximum amount under the agreements?

**Ms. Draude:** — I was talking about the maximum amount. I'm wondering if this year there's going to be any settlements. Are you expecting there will be any agreements signed this year that will involve the maximum acres? I understand that there are still some bands that are needing to have their TLE signed, and I'm wondering which ones that'll be this year.

**Ms. Delormier-Hill:** — There's a number of agreements that are in the process of being negotiated with the Government of Canada, as well as Saskatchewan, and those ones have not been completed. So I can't really say exactly the time frame, but probably anticipating in this fiscal year if there are no other issues that come up.

**Ms. Draude:** — There was a couple of news releases this year that were interesting. One of them was March 6; the government signed a partnership agreement to increase job opportunities for First Nations and Métis people. And I think it was Keewatin — and I can't say that — Yatthé Regional Health Authority. Can you give me the background on this and what you feel the employment numbers are going to be and what the actual dollar value of this project will be?

**Ms. Bradshaw:** — We had previously signed a partnership agreement with Keewatin Yatthé. And then this current agreement brought the unions to the table as well as the Association of Health Organizations so that everybody now are equal partners in that process . . . is the reason behind signing the second partnership agreement. The reason that we are signing with them is they want to enter into a number of training programs and make sure that their workplace is well prepared for Aboriginal people. And the training programs take place that will . . . it would be things like career pathing that we do under a representative workforce.

**Ms. Draude:** — So this isn't an exact spending of money then; it's an agreement to ensure that people are within a union. Is that what you're saying?

**Ms. Bradshaw:** — That the unions are participating fully with the development of the strategy for Aboriginal people. But one of the things that in that area where training programs that were lacking, so how do we work together to ensure that appropriate training programs are taking place and that Aboriginal people get the K to 12 [kindergarten to grade 12] education necessary to ensure that they can enter into the health sciences.

**Ms. Draude:** — Are you working with specific bands or with the FSIN [Federation of Saskatchewan Indian Nations] or tribal councils? How are you getting the message out?

**Ms. Bradshaw:** — What it is, is more the Keewatin Yatthé Health Region will let the training institutions be aware of the kinds of needs they have. And then through our strategy, we work together to ensure that those training programs can take place.

One of them, for example, would be Gabriel Dumont Technical Institute, have been training licensed practical nurses in Prince Albert to ensure that they have adequate licensed practical nurses in their area.

**Ms. Draude:** — Thank you. I had a question on that facility last session, last time we were up, and I understand that that's not something that falls under the jurisdiction of your department, and so I do look forward to it. But when I hear you talking about this, it makes me think of the press release that was sent out by the Muskeg Lake saying that they, you know, that they'd like to work with the government, with the department, to ensure that they have their facility on-reserve. And we're working on one hand to ensure that we have First Nations members who are trained and ready to work on the reserve, and yet there seems to be a disconnect when somebody puts a proposal forward that would allow this to happen.

So to me there seems to be a break here in what the two desires are. I'm happy to hear that this program is happening, and I'm happy to hear there's First Nations trained. And yet there seems to be a lack. And I know this isn't a question for the official; it's probably for the minister. I need to know why is there a disconnect.

**Hon. Mr. Sonntag:** — You're right. That's why the minister's leaning forward here. Well it was the point I tried to make at the start of the presentation, that there are many areas have historically not been the responsibility of the provincial government. We as a government decided that we had to start to cross some of these jurisdictional barriers.

There are many, many priorities of many, many people and of governments, but we can't do everything. And we've made decisions as relates to some infrastructure. We made decisions as relates to education and training. It's a bit indirect through AEDP [Aboriginal employment development program] but nonetheless training. But we can't do everything.

You identified earlier on a health issue that's very legitimate, but the province can't provide funding for everything. So we'll keep moving along and doing our best.

**Ms. Draude:** — Thank you. Another one of the press releases that came out this year . . . and there's been quite a number of

them. We talked about affordable housing projects in Regina, and the federal and provincial government announced two new affordable housing projects. It may not be under your department, but it looks to me like it's something that is a new initiative. Does Métis affairs, First Nations and Métis affairs have any input in this decision, in this project?

**Hon. Mr. Sonntag:** — No we didn't, really. I mean it's obviously very supportive of this because this benefits lots of individuals who might approach our department from time to time. But no, our department wouldn't be directly involved in it. Is that right? Yes.

**Ms. Draude:** — I notice that a lot of the press releases that do come out that are involving First Nations do come from the various departments, and your department doesn't have any say in it. Or am I correct in saying, no say in it? Or do you have input? Or is it something where you recommend that money be spent from various departments in it from another department?

**Hon. Mr. Sonntag:** — It's not a perfect science yet, but one of the things that the Premier wanted to happen — and is the case more and more now — when he created this department was that in decisions that government made that might affect the lives of First Nations or Métis people and/or their communities, that this department would have the opportunity to look at and offer input. And even if we weren't directly involved — and very often we are not directly involved and more and more that is the circumstance where, as I say, where there is a major decision by government or where sometimes where there's a release going out — the department would have an opportunity to have look at it before it went out. But that's not 100 per cent of the times, but more and more that's the case.

**Ms. Draude:** — There was also a discussion or. . . On March 1 there was a partnership signed dealing with First Nations and the Kawacatoose First Nations through the Aboriginal employment development program. Can you outline that one for me?

**Hon. Mr. Sonntag:** — Well again I was actually at that, personally at that signing with Kawacatoose. It would be much the same as Ms. Bradshaw just described earlier on. It is an opportunity for First Nations people, primarily youth, at Kawacatoose to access every training opportunity that is possible. And they felt by signing this agreement with ourselves and the federal government that it would afford better opportunities for First Nations youth on the reserve.

You may or may not be aware, Kawacatoose actually has a fairly, I guess advanced . . . They've done a lot of very, very good work as it relates to training already, and they have a number of training initiatives right on the First Nation that probably is quite a ways ahead of what other communities have in the province. So they just want to make sure that they're continuing to do that. The day we actually signed the agreement there was a career day on at the school there, so they've done a lot of good work there.

**Ms. Draude:** — So then this First Nations then, can you tell me how much funding the First Nations received because of this signing?

**Hon. Mr. Sonntag:** — Apparently there's 50,000 coming, cost shared between ourselves and the federal government equally — cost shared 50/50.

**Ms. Draude:** — How specifically will that money be spent? Will it be given to the band, and they'll determine who gets the money? Or is there an application that goes through both levels of government?

**Ms. Bradshaw:** — There's an application that goes to First Nations and Métis Relations and also one to Indian and Northern Affairs Canada. We have established a committee where we sit down together. That's Indian and Northern Affairs Canada, First Nations and Métis Relations, as well as Kawacatoose First Nation. And we will work together to develop the strategy that will . . . and the money that they will receive is for a coordinator position who will carry out the work.

**Ms. Draude:** — So the \$50,000 is actually earmarked for the coordinator. So what other monies are you working with that you would need this relationship between the two levels of government to work on a consultation?

**Ms. Bradshaw:** — I think it's first of all to develop a strategy of how we're going to work together. And then if other monies is required, then we would consider it at that time. But I think it will take, you know, this year to really develop a strategy where we're all working together to ensure that First Nations find out about all the jobs and choose careers and get the necessary training. So it's a way of working together collaboratively to include them in the jobs of our partners.

**Ms. Draude:** — So if other reserves are interested in receiving this funding, do they apply to your department, or they just contact your department and tell them that they're interested in a like program? Or how does this knowledge become evident to the rest of them?

**Ms. Bradshaw:** — Yes. They did come to see us, that they were interested in a partnership agreement, and so we had several discussions. And we brought Indian and Northern Affairs Canada in to actually discuss this with us as well, and we felt there was a potential to work together. And so we agreed to a partnership agreement.

**The Chair:** — Mr. Hart.

**Mr. Hart:** — Thank you, Mr. Chair. Just on another topic, what is the status of highways and municipal grid roads that pass through First Nations communities? Who actually owns the right-of-way, and what are the responsibilities of the owners? I know I've received a number of inquiries and some complaints from First Nations leaders dealing with those issues, and I wonder if you could clarify that whole issue for me, please.

**Hon. Mr. Sonntag:** — This is essentially a question for the Department of Highways. But having held that portfolio several times and having been fairly intimately involved, I'll do my best to answer the question.

It will vary from community to community. In some places, the main road through the First Nation is entirely owned by that

First Nation and no rights-of-way have been yielded. In some communities, it is a provincial road that goes right through where rights-of-way have been provided to the province. And in some communities, it in fact is my understanding that the RM has actually even received some rights-of-way to go right through the different First Nations. So I think those are the three different scenarios.

**Mr. Hart:** — So what you're describing, Minister, is sort of a patchwork of arrangements throughout the province. Is there any movement or things happening to sort of standardize this? Or is there any requests on behalf of First Nations? Or is this issue just sort of a patchwork arrangement which will continue in the future, and it doesn't appear to be a large issue with many First Nations communities? Is there anything happening to sort of standardize these arrangements at all?

**Hon. Mr. Sonntag:** — I think the standard is that the individual First Nation has the right to make that decision for their own community. And I don't think it's a big impediment once we've decided to provide better access to the communities. Obviously there's more complexity when you're dealing with different levels of government. But I don't believe it can be more complicated — I don't say this in the wrong way — it can't be more complicated than it currently is. And we're sorting those different projects through right now, I think, without too much difficulty.

**Mr. Hart:** — I guess another issue that was been raised with me very recently is jurisdiction on First Nations communities and particularly provincial jurisdiction with regards to Child and Family Services and the right of provincial bureaucrats to perform their duties with regards to that whole area.

What is the legal status of provincial employees making inspections of facilities and dealing with those types of issues on First Nations communities? As I said, this is an issue that has been raised with me in the recent past, and I really didn't have an answer. All I could say is I'm not a constitutional expert. And I wonder if you could clarify that whole area.

**Hon. Mr. Sonntag:** — And you think I am apparently.

**Mr. Gladue:** — I'll try and maybe elaborate a little more there, member, around child welfare since I've had fairly extensive experience in Meadow Lake. But I think most of the, you know, most of the work that's been done mostly in child welfare and the agencies that have been developed across this province try and work closely with the province in doing certain things in First Nations communities. And most of the ICFS [Indian Child and Family Services] agencies have developed certain systems internally to try and manoeuvre that in there. And basically when their services for the province are required, a call is put forward to try and do that, and hopefully we have a protocol arrangement with that.

In terms of provincial licensing and inspections, obviously the legislation dictates that piece because, in a lot of areas, there are gaps around, you know, how you acquire a licence, how you do inspections, and those type of things. And right at this point in time, a lot of the inspections on reserve, depending what it is, certain arrangements are put in place to monitor and inspect their facilities. There's a certain standard that's followed under

the federal. When it comes to water, for example, that is mandatory that you have to have certain amount of water testing that's required. And those water testing are sent into provincial labs that are monitored jointly through a series of arrangements with particular First Nations. So there's just one example.

In child welfare, it's basically the agency that looks after, that's set in that particular area. And if there is any need for provincial interaction, there is an arrangement or a protocol that is followed by the agencies, along with the province.

**Mr. Hart:** — Just for clarification, you said there is a protocol between the province and all First Nations, or is it on a First-Nation-by-First-Nation basis or agency-by-agency basis?

**Mr. Gladue:** — Agency by agency.

**Mr. Hart:** — Agency by agency. Good. Thank you.

**Ms. Draude:** — Thank you. Mr. Minister, I want to go . . .

**The Chair:** — Ms. Draude.

**Ms. Draude:** — Thank you, Mr. Chair. I'd like to ask a couple of questions about the casinos and the gaming agreements. I see that there is an increase expected under the gaming agreements, and I would imagine that some of that has got to do with the opening of Dakota Dunes this year. Is that correct?

**Mr. Gladue:** — No. It's projected. If there's an increase in spending, you're talking probably a projection in the profits is what you're referring to. And, Laurier, maybe you can elaborate on that because there is a projection that at probably towards, say, October when projections are made, and there is an increase in terms of just how much profits the casinos are going to be making.

And that is what is targeted for year-end, to be able to flow that money through to the CDCs [community development corporation] and through the First Nations Trust. So every year we make that calculation every year. So for example, this year there's a projected increase of, I think it's 37 million. Originally when it was, I think it was 32.

**Mr. Donais:** — Yes. The budget that's in our department for the gaming agreements is based on the formulas under the gaming framework agreement which you're probably familiar with. And it's based on the budgeted net incomes of both the SIGA [Saskatchewan Indian Gaming Authority Inc.] run casinos as well as the Saskatchewan Gaming Corporation. And our funding this year is up compared to last year, primarily because of higher budgeted net incomes for the SIGA casinos.

**Ms. Draude:** — When do you expect the Dakota Dunes to come online? When's it going to open?

**Mr. Donais:** — I think they had indicated September as an opening date. They may be pushing that up into August. I'm not exactly sure the exact date there. But once the Dakota Dunes Casino comes online, SIGA will be revising their forecasted net incomes, and of course that will flow through Saskatchewan Liquor and Gaming Authority. And then once that's reviewed

and receives their okay, then that would affect our budget. And so then we'd likely go forward for special warrant funding in the fall or in the last quarter there.

**Ms. Draude:** — So then to clarify, this increase is not based on any of the new money as it may come in. You're just expecting to receive more funding from the existing casinos, and that is a considerable amount of money . . . increase. How do you base these projections?

**Mr. Donais:** — Well actually I think over the last couple of years, the budgets have been fairly conservative primarily for the SIGA-run casinos because, if you recall, the last couple of years we have gone forward for special warrant funding in both the third and fourth quarters for the increased net incomes of SIGA. So the budget this year is more reflective of what the actuals have been of the past two years.

**Ms. Draude:** — It's not beyond the realm of possibilities that this could be another 4, \$5 million higher, which would mean an increase to the CDCs. And again if that's the case, is there any specific changes to some of these agreements that your department is considering?

**Hon. Mr. Sonntag:** — I think I'm supposed to take that one. Just let me, first of all, just say as it relates to the budgeting, we just simply take the information that's provided to us from SIGA and from the Saskatchewan Gaming Corporation and plug those numbers in. So they're actually the two bodies that do the budgeting and do the projections, and we just plug them in because it's just a flow-through of funds.

As it relates to the gaming agreement, you'll know that that's up for review right now, and the two bodies or organizations are in those discussions right now, and the decision will be forthcoming.

**Ms. Draude:** — The amount of money that's been given to the Métis Development Fund hasn't changed for a number of years, I believe. Has it been \$2 million for the last three or four years?

**Hon. Mr. Sonntag:** — Yes, 2 million.

**Ms. Draude:** — Pardon me?

**Hon. Mr. Sonntag:** — It's 2 million, I think. Yes.

**Ms. Draude:** — I'm wondering why, with the increase in the money that's been received through gaming agreements, there hasn't been any increase to the Métis Development Fund.

**Mr. Donais:** — Yes, there's in our budget, there's the 2 million for the Métis Development Fund. And my understanding is, well the 2 million is provided for under legislation and the Saskatchewan Gaming Corporation legislation. So it's a flat amount.

Now my understanding was when the negotiations were being made, because the SIGA-run casinos, they were actually taking on more risk because they were putting the money in to build the casinos, they negotiated for the revenue, a share of the revenues. And because there are no Métis casinos, there was no, really any Métis money at risk. And so that's why there was a

flat amount that was provided for the Métis Development Fund.

**Ms. Draude:** — The casinos that are not operated by the First Nations, like the government casinos, there could be increased money from them?

**Mr. Donais:** — There could be, but again it's tied back to the legislation, and so I guess until the negotiations happen and the legislation changes, that's the amount that we provide for.

**Ms. Draude:** — So again that's probably tied to the results of the election and having a body that's going to come to the government and ask for a change in agreements.

**Hon. Mr. Sonntag:** — I think I would have just made that observation.

**Ms. Draude:** — Okay. I think my colleague has one other. . .

**The Chair:** — Mr. Allchurch.

**Mr. Allchurch:** — Thank you, Mr. Chair. Mr. Minister, just a couple follow-up questions on a couple things that my colleague has raised, and that's then to do with treaty land claims. I believe the year 2002 was when all the land claims that were presented at that time, that was the final end of all TLE claims. Am I correct in that?

**Hon. Mr. Sonntag:** — Well let me try, and then Trisha can supplement if I'm gone astray here. The agreement was a 12-year agreement, and so the final payment was made in '03, to the end of '03, so that's 2003 being the 12th payment. But in terms of treaty land entitlement, there's no . . . it doesn't really end. I mean as long as there are shortfall acres outstanding, First Nations can continue to come forward and go through the processes.

**Mr. Allchurch:** — Well thank you, Mr. Minister. In that regards then, are there any First Nation that are out there that still require land to fulfill their TLE needs to date?

**Hon. Mr. Sonntag:** — I think the answer is, well I know the answer is yes. You're going to ask for detail. Go ahead.

**Mr. Gladue:** — In terms of just a current TLE First Nations that are in the system, there's actually five at this point in time, and that's Sturgeon Lake, Muskoday, Gordon, Pasqua, and Sakimay, who just came on just recently

**Mr. Allchurch:** — Of those five, Deputy Minister, then how many acres are still needed to be allotted to them to fulfill their TLE needs?

**Ms. Delormier-Hill:** — If I may just clarify. The ones that were just previously identified are ones that are in the process of negotiations or initial discussions, so they have not been resolved claims to date. The ones that are currently existing, we have 29 First Nations, and of those we have 21 who have completed their shortfall, like they've achieved the purchase and transfer to reserve status of their shortfall acreage. However there are others who haven't, and there still remains the possibility for TLE First Nations to continue to acquire lands up to their maximum amount under their TLE agreement. And that,

you know, remains outstanding for all of the First Nations because they haven't reached their equity — what we call their equity acreage — which is the maximum they're entitled to under their agreement.

**Mr. Allchurch:** — So basically what you're saying then of the 29, there's still a few that are still in the process of getting more land, but all the First Nations still, after they've filled their needs with TLE land, they still can ask for more land to come?

**Ms. Delormier-Hill:** — No, just whatever's available under that agreement. Yes.

**Hon. Mr. Sonntag:** — It's just the TLE bands.

**Mr. Allchurch:** — The second part of that is there's also another process of getting claims, and that is through specific land claims. How does that process work?

**Ms. Delormier-Hill:** — Yes. Specific claim settlements are negotiated between Canada and First Nations. They usually arise under circumstances by which the federal government, in managing lands with First Nations, there has been some unlawful surrender or other situation that requires correction. So those agreements or claims are brought forward by the First Nations and resolved between the First Nations and Canada.

**Mr. Allchurch:** — In regards to those lands then, if the specific land claim takes place on property, can that land then be changed over to TLE status, or is specific land claims TLE status right from the start?

**Ms. Delormier-Hill:** — There's a difference between TLE settlement agreements and the lands that are required to be, I guess, added to reserve under treaty land entitlement which is a form of specific claim. But it's a very specific form with a separate agreement between Canada, First Nations and Saskatchewan. However there are other land claims that arise historically that are resolved between First Nations and Canada, and those lands are subject to whatever agreements are reached between Canada and the First Nations. And they are lands that are dealt with under those agreements, and you wouldn't consider those to be treaty land entitlement.

**Mr. Allchurch:** — Thank you for that because it just piggybacks off of the question my colleague was asking regarding certain farm land or, I guess, leases where the minister said willing buyer, willing seller which will . . . If the First Nations has their lot of the land through TLE, they're getting the land through specific land claims. But if that's the case, then is it turned over to TLE status?

**Ms. Delormier-Hill:** — You know, I'm not sure if I'm explaining correctly, but treaty land entitlement is a specific type of settlement that requires an agreement between Canada, First Nations, and Saskatchewan. And those are what we refer to as lands that need to be added to reserve because First Nations didn't receive all the lands they were entitled to under treaty by Canada initially. So that's a specific category of land claim. And that's very different from other types of land issues that arise between Canada and First Nations that we refer to as specific claims.

**Hon. Mr. Sonntag:** — If I could help just a little, I think what you're asking is whether or not it would be returned, whether it could return to reserve status as opposed to TLE status. Is that what you mean? To reserve status?

**Mr. Allchurch:** — Yes.

**Hon. Mr. Sonntag:** — I thought that's what you meant. Okay.

**Ms. Delormier-Hill:** — Some specific claims agreements provide for both monetary compensation and/or land acreage that can be purchased with those compensation dollars. But not all specific claims have an acreage amount identified. But where they do, yes, that's, I guess, the objective of that agreement would be to . . . for the First Nation, if they chose to purchase those lands, that they would be transferred to reserve status. But Canada carries that out.

**Mr. Allchurch:** — Okay. Canada carries that out, but they still can then put that land through the TLE status though.

**Hon. Mr. Sonntag:** — Not through TLE status. It's was a specific process that, in the end of the day if it's proven to be successful, indeed can become part of the reserve.

**Mr. Allchurch:** — Okay. Thank you for that. Another couple questions I have and that's in regard to, under duty to consult and accommodate. I received a letter that went from the deputy minister to the Meadow Lake Tribal Council in regards to financial assistance. Now the sum that was granted to the MLTC [Meadow Lake Tribal Council] was \$165,000. Is this form of financial assistance offered to all First Nations?

**Mr. Gladue:** — No.

**Mr. Allchurch:** — How does the department pick and choose who is offered assistance and who is not offered assistance?

**Mr. Gladue:** — Basically the initial process that we went through on . . . And that money is actually resources that was identified from a previous year. We have half a million, 500 K, and that was carried forward from last fiscal year that was identified specifically to start the process.

How we initially went through that process is we looked at it in terms of just where the priority areas would be. And we have a list that I think we provided to the question from the last time we were here. And at this point in time, those are the particular areas that we identified that were important areas that we had to concentrate on because, prior to this fiscal year, certain dialogues were happening with several First Nations in those particular areas. And the pressure points were there already. And so we thought that at this point in time, just decided by our internal process to concentrate on the two northern tribal councils and particularly this one — Meadow Lake is one of them — because of the oil and gas industry on the west side.

And initially the dialogue continues to happen with that tribal council to move forward and be able to at least resource the initial steps of a consultation process with that particular area. And as I speak as of . . . In fact since last week and today, there's certain discussions happening around how to move those resources forward, so we can start to dialogue with

Meadow Lake in the areas of not only oil and gas — and I've indicated oil and gas as a primary area. But also each First Nation has specific insurance and particularly their areas, and they have an opportunity to participate through the tribal council to get those first initial steps actually designed in the way that would be beneficial to them, but also to have a dialogue around specific concerns that they have that relates to each First Nation area.

So Meadow Lake — and the particular tribal councils we saw — was an advantage because of the regional geographic area before we entered into individual First Nations duty to consult agreements.

**Mr. Allchurch:** — Thank you, Mr. Deputy Minister. I noticed that on the final paragraph of that document, says that this offer, financial assistance, is open for acceptance only until March 30. Why a specific date?

**Mr. Gladue:** — Because that is the end of our fiscal year, and we used that so we can at least allocate the resources to that specific area. Obviously it's clearly been indicated by those parties that they have more discussion that has to happen in regards to how they accept that particular resource. And that's an ongoing thing that we're working on at this day.

**Mr. Allchurch:** — Is this process going to be available in this year now to other First Nation reserves?

**Mr. MacPherson:** — That's the objective of the \$2 million that is allocated for this year. And I think we talked about that a little earlier this afternoon, that through a process of work between the departments, the land permitting departments and the First Nations or Métis groups that need to be consulted, they would determine what kind of capacity is required at the community level. Do they need money for meetings? Do they need money to do more traditional land use mapping or territory mapping? Do they need money to get outside expert advice on a complex issue such as, let's say, uranium exploration or something like that? So that then we find the appropriate amount and provide it to the First Nation or Métis community.

**Mr. Allchurch:** — Okay just to follow up with that, it's open to resource. Would gravel fall under this category? And the reason I bring that up is because Ahtahkakoop First Nations has been wanting to explore the gravel operations from that First Nations, and they've been in consultation with the Minister of Highways in regards to this. If that falls under that, what is the process that the First Nations reserve have to go through in order to take advantage of these dollars?

**Ms. MacPherson:** — The dollars are specifically for the duty of the Crown to consult with First Nations or Métis communities when an action that it is contemplating may impact on their treaty or Aboriginal rights to hunt, fish, and trap for food. I think what you're describing is more of an economic development opportunity which would not be within the criteria for these dollars. That would fall perhaps within another program.

**Mr. Allchurch:** — Thank you for that. That's all the questions I have.

**The Chair:** — Yes, Mr. Minister.

**Hon. Mr. Sonntag:** — I wanted to just make one point I think that we didn't make on the treaty land entitlement. We talked about the 29 bands, and I was sort of waiting for the question, but it didn't come. That still does not specifically exclude any First Nation in the future from claiming that they were a TLE band, and they'd have to go through the processes of proving they were a TLE band. And I know there are several where there's research taking place right now, so it's not absolute that 29 is the complete number. It's not likely there would be many more, but just for clarification.

**The Chair:** — Thank you. Do you have any further questions?

**Ms. Draude:** — Yes, I have a couple further . . .

**The Chair:** — Ms. Draude.

**Ms. Draude:** — Thank you. I would imagine that the bands that you're talking about are the Dakota, Lakota bands that are under negotiations right now with consideration for TLE.

**Hon. Mr. Sonntag:** — I guess the answer is that it could include those. There's research being done by the specific First Nations right now.

**Ms. Draude:** — Thank you. I have a question; I guess it's a follow-up to a question a few minutes ago where it was determined that a band had come to the First Nations and Métis affairs department and were given some money to work on their union or their employees' situation.

What happens if a band would come to the department and ask for help to develop a cultural centre? And I'm following this up because of the Bill that was brought forward a week ago by the minister of youth, culture and recreation to extend the museums to include First Nations artifacts. But I'm also understanding that there are groups and bands who would be interested in maintaining their own artifacts and history on the reserve. Has there been any indication or applications or even requests from bands to look at helping them build or keep their First Nations culture within the reserve?

**Mr. Gladue:** — Well I mean we've had, I think the recent one, I think there was one small . . . There was a request related to an artifact. And obviously when you have . . . This particular artifact is located in the US [United States], and it takes a tremendous amount of resourcing to be able to bring it back to a facility in Canada. It takes more than one department to collaborate to be able to make that happen. Obviously we contributed in a bit of that, and that's where the collaboration happens through CYR [Culture, Youth and Recreation] and various other departments to move that particular piece forward.

As far as any other requests that come in under a cultural component, we use the Aboriginal initiatives program to be able to contribute as much as we can from our department to support the particular applicant that comes to our department to be able to do that.

As far as museums are concerned in terms of just First Nations requesting those, obviously depending on a case-by-case basis,

we've managed to move — or at least we could move forward depending on the business case — a portion of the research that's required if we did get an application like that. But obviously they would have to seek other permanent, sustainable funding beyond that to build and make that move forward. But certainly our initial support would be there to look at it, since one of our sectors is tourism in our major economic development pieces.

So in the end, there's two things we can do. We could give the grants to our Aboriginal initiatives program. And also if it was done on a business case, depending on the case-by-case basis, we can certainly participate in doing a business plan research project under the tourism sector of our program in our department.

**Mr. Reid:** — Just to add to my deputy's comments. Last year we gave 40 grants — small grants — under the Aboriginal cultural type of initiatives under that special program totalling \$100,000.

**Ms. Draude:** — Thank you. Then to the band that has been asking me this specific question, I can refer them to your department and tell them there's at least two or probably two programs that they may be able to apply for and receive some help for their project. Thank you.

I know that this is going to be sad information to the minister and to the officials, but I have no further questions of the department. So before we vote it off, I wanted to thank the minister for his help and specifically thank the officials . . . probably frustrations at times if you have to answer questions more than once, but I do thank you for your commitment to the First Nations and Métis people. It's obvious that there's a lot of people who care about this aspect of Saskatchewan and the fact that it is very important in our future. And thank you very much for your work.

**Hon. Mr. Sonntag:** — I as well would like to thank the opposition members for their very good questions and thank my officials for all of the good work they've done in providing me with the information. Ms. Draude sent me a note that said if she were to vote this off, I had to declare that she was my favourite MLA. If she gives me . . . I will say you're my second favourite MLA. You'll be disappointed to hear that everybody on our side of the House is tied for first.

**Ms. Draude:** — I did say opposition.

**Hon. Mr. Sonntag:** — Okay, opposition. Thank you.

**The Chair:** — Thank you, Mr. Minister. Not seeing any further questions on this particular issue, we will go ahead with proceeding with the vote. The vote is vote no. 25 which can be found on page 75 of the Estimates book.

The first category is central management and services (FN01) in the amount of 1,997,000. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — (FN02) in the amount of 8,155,000, is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — (FN03) in the amount of 36,882,000, is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — (FN04) in the amount of 4,660,000, is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** —

Resolved that there be granted to Her Majesty for the 12 months ending March 31, 2008, the following sums for First Nations and Métis Relations, 51,694,000.

Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — I will invite a member to move such.

**Mr. Trew:** — Mr. Chairman, I move that we accept that amount.

**The Chair:** — Thank you. Moved by Mr. Trew that the amounts for First Nations and Métis Relations be 51,694,000. Is that agreed?

**Some Hon. Members:** — Agreed.

[Vote 25 agreed to.]

**The Chair:** — Carried. That then concludes the business before the committee for this afternoon, so I'd like to thank the minister and his officials for being here and thank the committee members for their due diligence. And the committee will now stand recessed, I should say, until 7 o'clock this evening. Thank you.

[The committee recessed for a period of time.]

### General Revenue Fund Justice Vote 3

#### Subvote (JU01)

**The Chair:** — Good evening ladies and gentlemen. We'll now reconvene the Standing Committee of Intergovernmental Affairs and Infrastructure.

The item of business before the committee this evening is the estimates for the Department of Justice, vote 3, which can be found on page 107 in our Estimates book. Mr. Minister, if you'd kindly introduce your officials please.

**Hon. Mr. Quennell:** — Thank you, Mr. Chair. To my left is Doug Moen, deputy minister and deputy attorney general. And further to my left, to his left, is Kylie Head, executive assistant to the deputy minister of Justice. Seated behind me are Keith



Laxdal, associate deputy minister of Finance, administration division; Rod Crook, assistant deputy minister of courts and civil justice; Susan Amrud, executive director, public law division; Murray Brown, executive director of public prosecutions; Betty Ann Pottruff, executive director of policy and planning evaluation; Gerald Tegart, executive director, civil law division; Jan Turner, executive director, community justice division; Murray Sawatsky, executive director, law enforcement services; Linda Bogard, executive director, court services; Don McKillop, Crown counsel, civil law; and Gord Sisson, director, administrative services.

**The Chair:** — Thank you, Mr. Minister. If you have a brief opening statement now we would . . . Not seeing one. And you probably take up most of your time introducing all your officials anyway. Mr. Morgan.

**Mr. Morgan:** — Thank you. Minister, just so that you are aware where we're . . . process. I have some questions that have been provided to me by some of our other members and some of them, some of it an overlap of where we were last time. So if your answers are repetitive, that's fine. It wasn't done deliberately.

First question, how much in total is being spent in Saskatchewan on Internet crime, and how much of that is directed towards crime where children would be the victims?

**Hon. Mr. Quennell:** — And I appreciate Mr. Morgan's recognition that some of this ground will have been covered I think last time we were here.

The continued implementation of the child exploitation strategy which began last November — and these are numbers for 2008 budget year — \$550,000 for a full year funding for five municipal police officers to deal with street-level sexual exploitation of children; \$350,000 to strengthen the use of the national flagging system by means of two specialized prosecutors and assistant to the coordinator, and one RCMP [Royal Canadian Mounted Police] investigator to identify long-term offenders who . . . dangerous offender cases; and \$150,000 for public education campaign aimed at prevention of child sexual exploitation.

Expansion this year is \$250,000 for the RCMP to expand the crimes unit to support investigations of crimes such as Internet luring and the distribution of child pornography and \$370,000 to enhance and expand the children who witness domestic violence program within Saskatchewan to ensure that a range of services are available to community organizations to meet the needs of children who witness a violence in their home.

**Mr. Morgan:** — Does Saskatchewan use a bait car auto theft prevention system or something similar to that? Is there one in use anywhere?

**Hon. Mr. Quennell:** — Mr. Chair, to clarify Mr. Morgan's question: the question is bait car around prostitution?

**Mr. Morgan:** — No. Auto theft prevention.

**Hon. Mr. Quennell:** — Yes. There is a bait car used in respect to the Regina auto theft reduction strategy.

**Mr. Morgan:** — Okay. Is that paid for solely by the city of Regina?

**Hon. Mr. Quennell:** — The bait car has been provided by Saskatchewan Government Insurance.

**Mr. Morgan:** — Is it used only in Regina?

**Hon. Mr. Quennell:** — I believe so. Yes.

**Mr. Morgan:** — Okay. Other than through SGI [Saskatchewan Government Insurance], the province has no financial input or input into that program?

**Hon. Mr. Quennell:** — The auto theft strategy which is, I suppose, the pioneer of the crime reduction strategies that are now working in a number of communities — including Saskatoon and specifically around break and enter — are partnerships. And the relevant municipality is certainly a partner. But the Department of Justice — through serious habitual offenders policing, community policing — and the Department of Corrections and Public Safety around probation resources are our key partners in all the crime reduction strategies. So there is certainly involvement by the provincial government in all the crime reduction strategies including the auto theft reduction strategy.

**Mr. Morgan:** — With regard to revenue from what's loosely described as traffic fines — excluding the Criminal Code convictions such as dangerous driving or drive well over .08 — how much is generated on an annual basis for traffic fines?

While Mr. Crook is looking up the answer, my next question will be, what portion of that revenue goes to the municipalities?

**Mr. Crook:** — The total amount of fines payable to the province for traffic matters and for non-traffic matters are not broken down for statistical purposes, so we do not have that information. We may be able to get it, but it would require special queries on our computer system that we would have to work with our developers to run that, develop that type of special query.

In terms of the amount of fines owing to municipalities, again in terms of the total amount for municipalities, we would have to . . . that is potentially available, but it would require a special query on our computer system, which again would require work with our developers.

**Mr. Morgan:** — Okay. So in summary, it's not readily available and may be time consuming and expensive to get. Is that . . . And it's not information that's used obviously if it's not part of your statistical record keeping now.

**Mr. Crook:** — I can give you the total amounts for '06-07 fine revenue that would be payable to the province. That is 7.414 million. That is not however, as I indicated, split between the portion that would be attributable to traffic fines and the portion attributable to non-traffic fines. That's all fines owing to the province. In terms of fines owing to municipalities, the total amount that was collected in 2006-07, on behalf of municipalities, was 8.464 million.

**Mr. Morgan:** — I think Mr. Elhard has a question. I'll let him . . .

**The Chair:** — Go ahead.

**Mr. Elhard:** — Thank you, Mr. Chair, and good evening, gentlemen and ladies. I have an issue here that just came to my office in the last few days, and I need some clarification concerning the way the corporations branch requires reporting to be done by non-profit organizations.

My understanding is that there must have been a rule change recently or previously existing rules were not being enforced to the level they are now. We had a non-profit organization that submitted their annual statement as per requirements, but the statement was refused or rejected by the corporations branch because it did not meet a couple of criteria.

First off, the statement had been prepared by a person who was not a certified CGA [certified general accountant] or other professional designation, and I also assume that the person was not an approved person, somebody approved by the director of the corporations branch. And secondly, the request was that the statement be include a full detailing of assets and liabilities for the non-profit corporation in the form of a balance sheet.

Now this causes some considerable concern for the organization that referenced this concern to my office. Since they are a cash organization, they don't have a balance sheet of assets and liabilities. They are strictly a non-profit organization that operates on a cash basis.

So I guess the question is as follows: are the requirements being imposed on the organization now new, or are they just now being enforced? And if they are new, when did they come into effect?

**Hon. Mr. Quennell:** — Mr. Chair, there were changes made, I believe, in this term of the legislature around who can prepare these reports. And I don't have the legislation with me, but we can advise Mr. Elhard's . . . Well we can advise Mr. Elhard directly. I was going to say his office, but we can advise Mr. Elhard of what those changes were around the reporting requirements and when they were made. But I believe they were made within this term in the legislature to changes to The Crown Corporations Act.

**Mr. Elhard:** — By this term of the legislature, the minister is referring to last fall's session?

**Hon. Mr. Quennell:** — I'd say since 2003.

**Mr. Elhard:** — Since 2003. If that in fact is the case, and I believe it may be in discussion with my colleague here, is there any effort undertaken by the branch to publicize this? Or would there, in a case like this particular situation, be any opportunity for a grace period?

**The Chair:** — Order. Order. Mr. Minister, if I could just please have your officials please identify themselves when they first start answering the questions, it would help Hansard tremendously. Thank you.

**Hon. Mr. Quennell:** — Thank you, Mr. Chair. And now I'll apologize because you advised that at the very beginning, and I have forgotten to remind them as we've gone along. So I'll take responsibility for that. My department would be pleased to, and/or my office, would be pleased to discuss with Mr. Elhard the impact it has had, any changes have had on this particular non-profit corporation, and how we might work around those. And if there is a provision for a person to be approved by the director of corporations branch for example, that might provide a solution. Okay?

**Mr. Elhard:** — The other element of course is the fact that this club, and I'm assuming many organizations of similar ilk, don't have assets and liabilities and operate on a cash basis. Was that ever considered as part of the legislation do you recall, Mr. Minister?

**Hon. Mr. Quennell:** — If there is such a requirement in legislation as opposed to policy it's certainly . . . if there's a policy problem, that's a lot easier to address. But if there is a legislative requirement, it's probably in the regulations, which again is a little easier to address than amending the Act.

But again as with my previous response, whether it's policy or regulations, we'll take a look at what the situation is and the impact on Mr. Elhard's constituent or whoever's brought this to Mr. Elhard's attention and see what we can do to address it in the easiest and most straight forward fashion possible.

I will say that of course in preparing the legislation, which of course went to a committee of the legislature and in preparation of regulations, there would have been consultations of the voluntary sector which probably would have given rise to concerns of this nature if there were any at the time. But that's not to say that there's not going to be a difficulty now. And there as we see the difficulty at least with one non-profit corporation, we'll be glad to take a look at.

**Mr. Elhard:** — Mr. Chair, I will accept gladly the offer of the minister to look into this. I think it might be an issue for a considerable number of organizations. The individual who contacted my office said that his organization was one of several in the community that had received similar letters. So I'm assuming that the minister's office might be hearing about this kind of issue at a considerable number of times in the future too.

But I appreciate the offer, and we'll deal with this one-on-one in the days ahead. Thank you.

**The Chair:** — Mr. Morgan.

**Mr. Morgan:** — Thank you. I'd like to inquire about the amendments to The Safer Communities and Neighbourhoods Act dealing with wearing gang colours and paraphernalia in licensed establishments. I'm wondering whether there's been any challenges to that portion of the Act and whether there's been enforcement issues and whether the courts have made any rulings on it at all or whether the police have used that portion of the Act.

**Hon. Mr. Quennell:** — We're not aware of any constitutional challenges. There are enforcement issues. The nature of the

information that the police have to prepare is a long form. The police have asked that there be changes to the summary offence regulation so that this can be a ticket offence and be easier to enforce that way. The government will be doing that, and we expect that it will be enforced, and it will be a tool that will be used by the police more often following that change.

**Mr. Morgan:** — Has it been used at all so far?

**Hon. Mr. Quennell:** — No, and we believe that's the reason the police have asked for that change, and we'll be making it.

**Mr. Morgan:** — So at this point there's been no applications made pursuant . . . The police position, if I'm understanding you correctly, is that the paperwork is too complex and unwieldy and they're saying change it.

**Hon. Mr. Quennell:** — Yes, or asking us to change it and we are going to do that. And of course if it's not being used by the police, then that would explain why there are no constitutional challenges. That would . . . [inaudible] . . . be one major reason.

**Mr. Morgan:** — Will that require a legislative change?

**Hon. Mr. Quennell:** — That would require a change to regulations.

**Mr. Morgan:** — What would the timeline be for that to be brought in?

**Hon. Mr. Quennell:** — I think the Lieutenant Governor in Council looked at these regulations within the last week or two or three weeks, so it has now been done. The regulatory change has been made.

**Mr. Morgan:** — The regulations, the amended . . . are now in force?

**Mr. Moen:** — Doug Moen. That's our information, Mr. Morgan, that it's been passed. It's just going through the implementation process of advising people and so on.

**Mr. Morgan:** — At this point if the regulations are in place, the police officers either will have heard about it or are in the process of hearing about it. Is that correct? And I presume that there would have been consultations with the police forces prior to making the change?

**Mr. Moen:** — It's been raised by the Federation of Police Officers and so yes it's . . . I mean clearly there was consultation. There was discussion about it.

**Mr. Morgan:** — So we should expect to see some applications being made in the near future?

**Mr. Moen:** — I think so, yes. So say, Mr. Morgan, that it is something that . . . While I think it'll be primarily dealt with by the police, it's also conceivable that SCAN [safer communities and neighbourhoods] officers may be able to use these provisions as well.

**Mr. Morgan:** — But at present nobody's used it yet, so we're still in a wait-and-see mode?

**Mr. Moen:** — Well yes. I mean it hasn't been used to date, but it should be used very shortly.

**Mr. Morgan:** — What was the total revenue received by the department from proceeds of crime during the previous fiscal year?

**Hon. Mr. Quennell:** — Mr. Chair, the most recent numbers we'll have for receipts and proceeds of crime will be for 2005-2006. We don't have those here, but we can get those for the committee in pretty short order.

**Mr. Morgan:** — Can one of your officials give us some sort of sense of the order of magnitude? Are we talking in the hundreds or tens of thousands?

**Hon. Mr. Quennell:** — Mr. Chair, the number varies from year to year. It can be in some years in the tens of thousands and some years in the hundreds of thousands — in the low hundreds of thousands, I would think, as a rule.

I've been advised that the money that comes to the province is net the cost of holding the property in some cases and that sometimes we don't expect Saskatchewan is going to be in this situation for example, but that Alberta and BC [British Columbia] might now be in the situation where they are in a negative position, where it costs more to administer the program than the value of the property. So there can be quite a variance.

**Mr. Morgan:** — Once the money has been collected, the net amount, where does it go? It forms part of General Revenue Fund; is that correct?

**Hon. Mr. Quennell:** — The money that comes from federal collections is pursuant to the agreement that we have with the federal government . . . goes to police operations, but 25 per cent of that money can go to crime prevention. Oh excuse me up to 25,000, that's not a percentage. Up to \$25,000 can go to crime prevention. The provincial funds go to the Victim Services Fund.

**Mr. Morgan:** — That would be the remaining . . . any portion over 75 . . . over \$25,000?

**Hon. Mr. Quennell:** — It depends where the money is coming from.

**Mr. Moen:** — The federal side is money that's raised through federal enforcement — drug-related activity — and those funds are, as the minister refers to, on the federal side. And those monies are used for police operations and crime prevention. The provincial side is enforcement on criminal matters other than drugs, you know, the usual criminal matters.

**Mr. Morgan:** — And there's two separate sources of revenue. Of the federal money, is that where the first \$25,000 goes to victims?

**Hon. Mr. Quennell:** — The first \$25,000 goes to . . . or up to \$25,000 can go to crime prevention. The rest goes to police operations. A different decision — and that's pursuant to an agreement with the federal government — a different decision

was made by the provincial government. When the money that's raised by other criminal offences and the proceeds from those crimes . . . it's the decision of the provincial government that that money would go to the Victim Services Fund, not to general revenue.

**Mr. Morgan:** — All of the provincial money goes to victim services?

**Hon. Mr. Quennell:** — Yes.

**Mr. Morgan:** — And just so that we're clear, how does a person know which pool of revenue money goes into . . . or how it's brought about? What's the difference between the two funds?

**Hon. Mr. Quennell:** — Mr. Chair, as the deputy minister explained, the money that's the proceeds of crime from drug offences are part of the federal pocket that goes to police operations with some money going to crime prevention. The money that comes from other criminal prosecutions goes to victims services, and that's not subject to an agreement with the federal government.

The way I suppose to determine for a lawyer who's familiar with criminal prosecutions and prosecutions in provincial court, for example to determine which way the money will go, if there's proceeds from the crime, is that where the federal government prosecutes, where federal prosecutors prosecute — which includes all their controlled drug substances offences — then that's the money that is subject to the federal agreement. And where provincial Crown prosecutors prosecute — which is most criminal offences — then that's the money that's subject to the province's determination . . . will go to the victims services fund.

**Mr. Morgan:** — I'd like to ask you a little bit about the victim impact surcharge. How much money is raised through the victim impact surcharge and what offences are covered by it and how much is raised in a year?

**Hon. Mr. Quennell:** — All criminal and provincial offences are eligible. The surcharge is only going to be ordered where the fine forms part of a sentence of a sentence. And a surcharge is a surcharge on the fine. So in some of the most serious cases, of course there won't be a fine. There'll be a term of imprisonment and there won't be a surcharge.

\$4,371,535 was ordered in victim surcharges in 2006-2007. Seventy-five per cent of that, \$3,925,937, was collected by the end of 2006-2007. Data shows that payments increased 84 per cent after two years, 86 per cent after three years, 87 per cent after four years, and 88 per cent after five years.

**Mr. Morgan:** — This money all goes to the Victims' Fund. Is that correct?

**Hon. Mr. Quennell:** — Yes.

**Mr. Morgan:** — Is there any other source of revenue for Victims' Fund?

**Hon. Mr. Quennell:** — Mr. Chair, the revenue of the victim

services fund is comprised of the proceeds of crime, victim surcharge, and interest earned on the money in the fund. In addition \$600,000 is provided annually out of the General Revenue Fund to cover the Aboriginal victims and Aboriginal family violence initiatives so this victims programming that is funded over and above the victim services fund, the victim services fund receives its funding from those three sources.

**Mr. Morgan:** — Is there a separate financial statement done for that program?

**Hon. Mr. Quennell:** — Yes, there's a separate financial statement for the fund.

**Mr. Morgan:** — Is that when it's made available to the public, and can we receive a copy of that?

**Hon. Mr. Quennell:** — It's part of the annual report of the department. It's posted on the website for the department, and we can certainly provide a copy.

**Mr. Morgan:** — If you provide a copy, then I don't have to worry about where I would break it down or whether it would deal with that fund, and I suspect that it'll probably include the answers to other related questions I have for that.

Minister, the next question I have I'm going to sort of try and put it all in at once so that it may make it easier for you to answer so that you can see where I'm going with the question. Can the minister break down the targeted initiatives and total resources by way of funding new officers, prosecutors allocated in this budget for each of the four major new initiatives? How much would we have spent on gang strategy, Project Hope, protecting children from Internet predators — and you've already answered the one for Internet predators — and the auto theft strategy?

So how many dollars for each of the other three? And what's included whether it's for police officer, prosecutors, or what other resources are there? So . . .

**Hon. Mr. Quennell:** — Mr. Chair, my officials would have to take some time to pull all the numbers together. We might have some of the numbers. We might have police numbers for a couple of them, but we wouldn't have everything for all of them. But just to clarify for when we do do this, so we can provide an answer for the question that's being asked, if Mr. Morgan can advise or confirm that when he speaks of Project Hope he's talking about the Justice component of Project Hope — drug enforcement officers?

**Mr. Morgan:** — Yes, I realize there may be other funding going into that from other departments that would be beyond the scope of this. And then I'll just sort of go on with the other things that are there so that it may make it easier, and we can just deal with that in the next hour.

We are looking for an outline for how the department undertakes the initiatives. And were these undertakings the request of local police forces, or where they initiated by the department? Maybe that's something you can answer now, or maybe it's something you want to . . .

**Hon. Mr. Quennell:** — I can make this general comment about how the programs are initiated. Of course the auto theft strategy goes back to the period of time when Minister Chris Axworthy was minister of Justice and was a strategy worked out in co-operation — conjunction — with the city of Regina. And I think some of us can remember the circumstances of the time and what both the city and the province wanted to accomplish — and actually, despite some scepticism, have managed to accomplish — in part, in large part, what the goal and vision of the program was.

The gang strategy and the drug enforcement, drug education component of that came out of discussions between my department and myself and the police services and the police leadership in Saskatchewan. And the gang strategy, the organized crime strategy has had a number of successes publicly reported in the last few weeks and has proven its worth as well.

But these are strategies that are worked out in conjunction with police and then involving other partners, particularly whether centred in particular communities, those communities and organizations with those communities. In the case of anti-gang strategy in Saskatoon, for example, Saskatoon Tribal Council is a very important partner as well.

**Mr. Morgan:** — Okay. Think I would transfer over to Ms. Draude. Ms. Draude has a question.

**The Chair:** — Ms. Draude.

**Ms. Draude:** — Thank you very much, Mr. Chair. And to the minister, I appreciate the opportunity to add some questions . . . and to your officials.

Rural Saskatchewan likes to . . . we have a good reputation as being a great place to live with wonderful people. But sometimes there was frustrations and right now in some of my areas because of the number of crimes that there are. An article in *The Wadena News* lately talks about the frustrations because of the number of break-ins and thefts that's been occurring there.

And my first question to you . . . and it may be better placed to the minister in charge of SGI. But I have one person who has had their vehicle stolen three times in the last year. And they've paid the \$750 each time for the deductible, and the cost of owning that vehicle is way beyond the value of the vehicle. Is that something that is looked at by government as a whole, as something that's definitely the impairment to wanting to own a vehicle in not just rural Saskatchewan. But owning it . . . it's costing a lot of money. Is it something that's discussed by your government?

**Hon. Mr. Quennell:** — Mr. Chair, first of all I can imagine the frustration that somebody must feel after having their car stolen three times and paying the deductible \$750 each time. Depending on the value of the car, you'd almost have bought a fourth car, and that would be very extremely frustrating. We don't pay, out of the victims services fund, deductibles. So we don't provide assistance in that way. And maybe that's just something that we wouldn't be able to afford to do.

We have clearly spared a lot of people the frustration and expense and the economic cost of car theft by successfully driving down car theft. Not only in Regina, but it appears that the break-and-enter strategy in Saskatoon has not only driven down break and enters in Saskatoon but has driven down auto thefts as well. I believe the reason why that is the case is because there is not an exclusive guild of break and enter artists and an exclusive guild of auto thieves, that the same people are committing both crimes — and that when you focus on chronic property criminals, you affect all property crime in a positive way.

The issue in rural Saskatchewan is a little bit more difficult. The local police service is the RCMP. I encourage communities, through the means that we have in place, to make sure that the local RCMP service is aware of the community's policing priorities. And we've had this type of arrangement in the North for a long time, but within the last couple of years have established this sort of arrangement in the South as well, that communities have a formal way of meeting with their RCMP police services and making sure that the priorities of the community in respect to what the community sees as the major crime problems are also the priorities of the police service to the extent that that can be done.

But finally I would say that we in the Department of Justice would certainly be willing to look at the local issue — I think Ms. Draude said it was Wadena — and have our own conversation with the RCMP as to whether there is a particular problem in that community that needs to be addressed in a different way.

**Ms. Draude:** — Thank you, Mr. Minister. I do know that the RCMP are working very hard with the towns, and it isn't just Wadena because there is an influx of crimes in other areas. And I appreciate what you said about the government not being able to afford to pay the deductibles, but this particular individual I was talking about was a senior, and he can't afford it either. And it's going to get to the point where if you can't afford to own a vehicle in rural Saskatchewan as a senior, then how are you going to get to your doctors appointments and that type of thing? So I think it's something that needs to be addressed.

And I know that there isn't an answer, but I also know that there are a number of people that are listening and some of the issues that are talked about by local people . . . And I'm just going to quote some of their statements. One individual says that:

"Either way we end up paying," one individual told [the paper]. She explained by stating that if it isn't paying for the deductible or the repairs, Canadians are being forced to pay for repeat court appearances while people who have broken the law do their best to craft a way to escape jail time . . .

One of my local car dealerships had \$20,000 worth of vehicles stolen, and they "... were all ... below their \$5,000 deductible." So that was all cash out of their pocket. That also means that their insurance rates go up as well, so they are paying again.

So this particular article just picks out a few of the people who were victims in the last little while. And I guess my point is I

would like to encourage the minister and the department to realize that there are issues that have to be looked at in rural Saskatchewan that are different than the ones in Saskatoon and Regina by the geography. But the actual fact of the matter is the same people are being victimized, and I would encourage that a strategy be developed. You talk about the ones that were worked on in the urban centres, which is working. I think the same thing has to be happening in the rest of the province because as we grow the province, we have to ensure that there are services for everyone.

So if you would like a copy of this, I can sure give it to you, but there is a lot of frustration. Thank you.

**Hon. Mr. Quennell:** — Mr. Chair, I appreciate that that wasn't formally a question. And if there's any material that Ms. Draude wants to provide me with, I'm certainly glad to receive it.

There has been a reduction in crime in the last . . . well I believe that the statistics, when they come out in July, will show the last three years in the province of Saskatchewan. Now the last year, that is for 2005, that — which information we would've received in 2006 — there was a 12 per cent reduction in property crime in the province of Saskatchewan. So we are making progress. We have a lot of progress to make.

The challenges are different in rural areas, but the type of crime reduction strategy that was started in Regina with the auto theft strategy is being used in North Battleford, in Saskatoon, and Prince Albert. It's now been expanded to Meadow Lake and La Ronge. Meadow Lake is a community of just over 5,000 people. So we are adapting these strategies for smaller communities.

**The Chair:** — Mr. Morgan.

**Mr. Morgan:** — Thank you I'm sure, Mr. Chair. I've been asking questions on those variety of new initiatives. And I'm just wanting to sort of follow up on that. Are there any further initiatives that have been recommended to the government by local police forces that the government plans to undertake this year or that have been recommended and that the government does not intend to follow up on?

**Hon. Mr. Quennell:** — The one program that mention is made of in the budget — and I have mentioned again tonight in response to an earlier question — is the funding to enhance and expand the children who witness domestic violence program, at an X cost of \$370,000 in this budget year.

As to what the government has decided not to proceed on, I think that in our discussions with the police, that it's more a matter of scale than an inability to look at an initiative in its entirety.

**Mr. Morgan:** — So if I understand you correctly — and I don't want to put words in your mouth — you're saying that there's no specific request that was turned down. It was a matter of you saying you're prepared to give funding for so many police officers and they wanted so many more. Would that . . .

**Hon. Mr. Quennell:** — Well . . .

**Mr. Morgan:** — And I don't want to get . . . And I don't want use the example of police officers getting into that. I mean we'll certainly get into police officers or anything . . . but that type of thing, you said scale, and I just was talking about number of police officers or number of dollars of resources.

**Hon. Mr. Quennell:** — And I think that's another fair way to characterize it. Justice, like every other department, would have brought forward a number of potential initiatives to Treasury Board, some of which were accepted and ultimately accepted by the government as a whole and some of which were not. I cannot recollect a specific, distinct program that was rejected in respect to policing.

Now we have put a quarter of a million dollars into expanding the tech crimes unit to support investigations of crimes such as Internet luring and distribution of child pornography. The government could have put in less to that program, or the government could have put more into that program if it had put less money somewhere else. And that's what I mean when I'm just referring to scale.

**Mr. Morgan:** — That's fine. I just wanted to know whether there was any that were turned down completely so that we're there. If they're there and it's a matter of scale, we can certainly debate the scale at another time.

I know we're running out of time this evening. The last time we were doing estimates, I had raised a matter of fraud that was perpetrated several years ago on Wheatland Regional Library, and I'm wondering whether the officials have had a chance to provide some information as to the status of that investigation.

**Hon. Mr. Quennell:** — Mr. Chair, the commercial crime section of the RCMP advised that the Wheatland Regional Library file's about a month away from completion. The investigation is complete, and they are presently assembling a file to send to the Public Prosecution Service for an opinion.

Files for investigation are prioritized on the basis of the number of criteria, one of which is the stability of the potential evidence. With files such as this complaint that Mr. Morgan is referring to, where most of the evidence is contained in paper records secured almost as soon as the investigation began, the investigative priority is lower than for cases where the police have to move quickly to locate and record evidence.

**Mr. Morgan:** — I'm pleased to see that it is progressing. I'm wondering if the minister can advise us as to the date the initial complaint was made to the RCMP.

**Hon. Mr. Quennell:** — We can attempt to obtain that.

**Mr. Morgan:** — My concern is, my understanding is that this was well before 2003, before either you or I were elected. My concern is and will be, is it an acceptable length of time for this type of prosecution to take place — upwards of three years? I don't know all the details of the alleged offence, but I would find it troubling, where there is paper records as the minister had indicated, when an investigation goes on for several years.

And I guess my question to you, as the Attorney General, is this satisfactory? Is this a systemic problem? Is this a resource

problem? And what can be done to try and address the needs of the public because I don't think, for most members of the public, to know that investigations, time lines, are measured in years and years, is acceptable any more.

**Hon. Mr. Quennell:** — Mr. Chair, and this is going to be a continuation and hopefully not too much of a — or I hope not too much — of a repetition of a discussion we had earlier in estimates on the same subject. The police have to set their priorities, and they have to do that on a couple of criteria. One would be the seriousness of the crime, keeping in mind that all crimes are serious, but some are more serious than others, and these matters are relative. And secondly the ability in this case, as I understand it and have now reported to the committee, that the records were secured and it's a matter of reviewing them, and other matters have clearly taken priority.

I would say — and I'll be briefer than I was last time we were in estimates on the subject — but across the country, I sense from ministers of Justice for various jurisdictions that there is a belief that commercial crime has not received the priority that it should and that I tend to believe as well that that opinion is shared by some police leadership as well.

**Mr. Morgan:** — Minister, it gives me no comfort to know that it's a problem that's occurring in other jurisdictions as well. You are the highest ranking Justice official in this province, and my question to you is, if you were answering questions from the complainant, from the victim, would this be a satisfactory answer to give to them that well, it's happening in other things as well? And my question is, what are we, as a province of Saskatchewan, going to do about it? It's not acceptable to go on year after year after year on a single investigation.

**Hon. Mr. Quennell:** — There have been new federal resources put into the province, and some of them will assist in putting more emphasis on commercial crime. I guess to answer the question, the more general question as well as I can, is I am comfortable that locally the RCMP within the province of Saskatchewan set their priorities well and do not set as a low priority criminal investigations that should have a higher priority, that I am comfortable that they are serving us well in that respect.

**Mr. Morgan:** — Minister, I don't share your comfort, and I don't think most members of the public do as well. We have the indication that you received from the RCMP that the investigation will conclude within the next month. And it would be my hope and my expectation that the matter wouldn't be decided, that they wouldn't decide to shelve it because too much time has passed, that whatever their decision is, is based on . . . is it in the public interest? Do they have a strong case, and the usual types of things they would consider, rather than there has been too much pre-charge delay. But I guess that's something we'll deal with at that point in time.

I see that our allotted time has passed for this evening. So with that, Mr. Chair, if you're looking for a brief adjournment . . .

**The Chair:** — Thank you, Mr. Morgan. Mr. Minister, do you have any closing comments? With that, I thank you, Mr. Minister, and your officials for being with us this evening. We will soon be going on to another item of business, but in the

meanwhile we'll take a brief recess to allow the officials to take their positions.

[The committee recessed for a period of time.]

### General Revenue Fund Northern Affairs Vote 75

#### Subvote (NA01)

**The Chair:** — Good evening. The next item of business before the committee is the consideration of estimates for the Department of Northern Affairs, vote 75. It can be found on page 123 of the Estimates book. Madam Minister, if you'd please introduce your officials.

**Hon. Ms. Beatty:** — Thank you. Good evening. To the left of me is Al Hilton, the deputy minister. And further to the left of him is Gerald DesRoches, senior account manager of the Northern Development Fund. And to the right of me is Anita Jones, executive director of planning and financial management. And behind us is Richard Turkheim, executive director of industry and resource development.

**The Chair:** — Thank you, Madam Minister. Mr. Allchurch.

**Mr. Allchurch:** — Thank you, Mr. Chair. Welcome minister and your colleagues today especially, I believe, a couple are from the North again — from La Ronge. So welcome here to Regina and to the Legislative Assembly.

I just want to ask a couple questions on the estimates that I raised questions on April 16 and that's in regards to . . . The northern development approved 10 commercial loans during the 2006-2007 year which you had given me the following breakdown. There was two for construction, four for forestry, and four for labour. Under construction, which projects was that?

**Hon. Ms. Beatty:** — Mr. Chair, what we can do is provide more information about the nature of the funding that was provided. We cannot speak to the specifics or give specific names because of the confidentiality issue.

**Mr. Allchurch:** — Okay. Thank you, Madam Minister. Okay. In regards to the two construction contracts, was like the road to Fort McMurray to La Loche, was that one of them?

**Hon. Ms. Beatty:** — The answer is no.

**Mr. Allchurch:** — Okay. Can I . . . I'll ask about the forestry and related services. There was four projects there. Do you have the information on that?

**Hon. Ms. Beatty:** — Mr. Chair, the funding provided was for equipment purchases.

**Mr. Allchurch:** — Okay, the equipment purchases. Can you tell what company is purchasing the equipment?

**Hon. Ms. Beatty:** — Mr. Chair, we cannot provide that information.

**Mr. Allchurch:** — Okay. Can you give me somewhat of a minor breakdown of what the four commercial loans for transportation were for?

**Hon. Ms. Beatty:** — Mr. Chair, the funding was for basically transportation equipment or trucks to haul fuel.

**Mr. Allchurch:** — Thank you, Madam Minister. I guess because you can't reveal a lot of information regarding these loans, I'm kind of baffled because these loans are commercial loans. If it was private loans, I definitely can see it, but is there a difference between the private and commercial loans that more information can't be given?

**Hon. Ms. Beatty:** — Mr. Chair, I am told that all the commercial loans that are provided are to private individuals. They're not publicly traded companies.

**Mr. Allchurch:** — Okay, Madam Minister. I'll accept that answer. If there is any information that you want to send over, I would appreciate it in regards to that because I don't want to get into private life. I understand that.

I'd like to just ask a couple of questions in regard to the mine clean ups around Uranium City. I understand that there was an announcement federally that they were going to put — I believe it was — \$12 million into the decommissioning and reclaiming of uranium mines, and also the province was going to put money in also. Were they putting in 12 million also?

**Hon. Ms. Beatty:** — Mr. Chair, the total amount between the federal and provincial government was 24.6 million, and that's to be divided equally.

**Mr. Allchurch:** — So it's roughly 12 million each. When will they start the project in the North decommissioning the mines?

**Hon. Ms. Beatty:** — Mr. Chair, there has been some preliminary work done already in terms of right on the site, site clarification. There has been some data collected. I believe it's the Saskatchewan Research Council that's done a lot of the preliminary work, and that's estimated to take about two years. So it will probably be at least three years before the actual remedial work will start or removal of, you know, stuff from the actual mine site. So there is need for ... environmental approvals as well are required, but the work has already started in terms of the initial site work that needs to be done.

**Mr. Allchurch:** — So this \$24.6 million, split between the province and the federal government, that is the money that will be utilized for environmental studies and stuff? There'll actually be no dollars put aside for actually work to be done because this won't be started for approximately two to three years; am I reading this wrong?

**Hon. Ms. Beatty:** — The 24.6 million is for the whole cleanup work, including the site work that's happening now. But it also includes the cleaning up of the mine sites themselves.

**Mr. Allchurch:** — But I think in your statement before you said it would be two or three years before they do all the studies that need to be done?

**Hon. Ms. Beatty:** — I'm going to ask the deputy to be more specific.

**Mr. Hilton:** — The \$24.6 million is the budget for the project in its totality. It will be spent over the course of the life of the project. So at the moment, the project manager is doing sort of site, what we call site characterization work which is just basic research to determine what the level of radioactive activity is throughout the site, as well as sampling of fauna and animals and things like that.

After all that work, that data is collected, we'll have to go through the regulatory process which as you can imagine is fairly involved. It involves a lot of provincial and federal regulators. And then after all those approvals have been received, based on all the applications that the government will have to make, or SRC [Saskatchewan Research Council] will have to make as the project manager, then we can get busy doing the actual taking down of buildings and reclamation of the site.

All of that is estimated to cost \$24.6 million which is shared equally between the province and the federal government.

**Mr. Allchurch:** — And that is based over the time period whenever it will be completed. So this year they may only spend 2 million of it, but as time goes on that 24.6 million will be spent to clean up this project.

**Mr. Hilton:** — That is correct, sir.

**Mr. Allchurch:** — Thank you. Just a few questions on the Athabasca Economic Development and Training Corporation. I noticed in their newsletter that satellite phone service is causing major issues in the North. There's a high use of satellite phones in the area by companies, and they're having difficulties providing adequate service to the customers in the Athabasca region. Apparently there are several satellites that are no longer operational, and they need to be replaced. Has Northern Affairs looked at doing something to help out in regards to the satellite phone services?

**Hon. Ms. Beatty:** — Mr. Chair, the issue with the satellite phones has not been raised with Northern Affairs specifically, and it is a SaskTel matter. But if you would like, you know, for us to follow up with it, we can do that.

**Mr. Allchurch:** — Thank you, Madam Minister. I would appreciate that. I've had a couple of phone calls from the North, from contractors up there. And with their business, they have no alternative but to use satellite phones, and it is causing mega, mega problems. So I'll wait for that follow-up from you, Madam Minister.

In regards to another issue, it's regarding the all-weather road between, I guess, Points North and Stony Rapids, Black Lake. And maybe, Madam Minister, you may think that it's a Highway issue, but I'm just wondering what are your comments in regards to the problems that arises in the North regarding the all-weather road, and what and if your department is doing to assist in getting this up and going.

**Hon. Ms. Beatty:** — Mr. Chair, with the all-weather road to



Stony Rapids, is that the one that you were referring to?

**Mr. Allchurch:** — Yes, Points North to Stony Rapids, Black Lake.

**Hon. Ms. Beatty:** — Mr. Chair, according to the officials here, what's happening right now is that we're getting the environmental approvals and also discussing with the community the various ways, I guess, they can be part of the construction. It's scheduled to be completed by 2010. And also this is subject to federal cost sharing, and that hasn't happened as yet.

**Mr. Allchurch:** — Well thank you, Madam Minister. That was actually leading into my next question regarding federal funding. I know couple years ago I was asking questions on this, and there was a formula where it was one-third, one-third, one-third, where the federal government had committed one-third of the dollars, the provincial government at that time had not, I believe, but they're also going to try and get the resource companies to put one-third in. Mind you that's two or three years ago now.

What is the formula now that they are looking at in order for the federal government to participate in this project?

**Hon. Ms. Beatty:** — Mr. Chair, I'm going to ask the deputy to respond to that.

**Mr. Hilton:** — Yes, Mr. Chair. There is no fixed formula between the federal government, the provincial government, and industry. Certainly it's the provincial government's view — and what we've been attempting to discuss with Ottawa — the possibility that they would share equally, at a minimum, in the Athabasca Basin roads, and there's more than just this one. And we are also in discussions through the Department of Highways with industry trying to determine what their interests are and how they might be willing to participate.

But there is no ... Beyond the expressed desire by the provincial government of having the federal government participate on a 50/50 basis, there has been no sort of formula agreed to by the three parties.

**Mr. Allchurch:** — Well thank you, Mr. Deputy Minister. I just noticed that up in the northwest part of ... Well actually not really northwest, the central west around Lloydminster and areas, the resource companies there, the oil companies, they participate in helping building roads there. So that's ... I was wondering if there's more of a push to get the resource companies from the North to participate in building roads because they are a great user of the roads in that area. And if not, why have they not come to the table?

**Mr. Hilton:** — Mr. Chair, the mining companies in the North have contributed significant financial dollars to the construction of northern roads, and they pay for the maintenance of a lot of those roads. So there is a relationship between the companies and the government through Highways and Transportation.

The issue here is this is a fairly sort of discreet set of projects. So the question becomes one of to what extent everybody's interests are being reflected in the construction plan and what

kind of cost sharing or financial arrangement might be struck with industry that is sort of fair to all parties. And I might also say that industry's participation will, I think, depend to some significant extent on the willingness of the federal government to come to the table as well, because that will help define the size, the quantum of the project.

So all those things are at play as we discuss both with industry and with the federal government how to move forward on this.

**Mr. Allchurch:** — Well thank you, Mr. Minister. Well in that regard then, with the mining companies or whatever that they are coming to the table with dollars to help out, so actually a true formula ... And I guess you could put any numbers down for a formula. Then the formula 50/50 is really not a formula that you could go by because the mining companies put in a fair amount of dollars which would come off the top. Then you could probably go with a lower value rather than 50 per cent; and still get the projects done.

By this way here, having the mining companies and the resource companies up there contributing to the maintenance after, there's still a cost to that. So if the federal government came to the table as before with a one-third share already, why would we need to go to a 50 per cent share now?

**Mr. Hilton:** — These kinds of questions might be better answered by the minister or deputy minister of Highways and Transportation. But what I can say is that it's not quite as straight forward as that. The mining companies may have an interest in different road routes than what is proposed under the NEIS [northern economic infrastructure strategy]. And if they bring money to the table, then we can negotiate additions to the quantum, if I can put it that way. And the mining companies may also want to introduce into the negotiations changes to current arrangements that they have with Highways and Transportation around the maintenance of existing routes. So it all becomes part of a larger package, and it's hard to discern at this point in the discussions what the outcome might be in terms of who pays what share.

What I can say is that the Athabasca portion of the NEIS was predicated initially on the federal government coming to the table with 50 per cent of the work that was defined in the NEIS. And I would also point out that, previous to the provincial government coming to the table with the money, the federal government was always saying, well if the province would show us the money, then we would be there. Well the province, in fairness I think, has shown the money. And we continue to be challenged to get the federal government to come to the table with the kind of contribution that they would have talked about previously. And here I'm not trying to bash the federal government. I'm just trying to explain what the facts of the matter are.

**Mr. Allchurch:** — Thank you, Deputy Minister. Well I know these roads in the North, as I witnessed last year when I went up to Points North and then up to Stony Rapids with my colleague, the member from Last Mountain-Touchwood, we took a drive down that road and, like I say before, I've got goat trails at home that are in better shape than what that road was. I don't know how the people even drive on that road. So any time you could see improvement in that road for the people from the

North, it'll be greatly appreciated.

And I know that the questions I'd ask in regarding to the roads, it is more or less a highway issue. But because the roads are in the North and you have a ministry regarding the Northern Affairs, I just hope that you're fighting on the same table as what the minister is for federal dollars.

My next line of questioning, and that's in regards to a package that I received, and it's from the Office of the Information and Privacy Commissioner, and it's regarding questions asked and the problems that we obtained getting an FOI [freedom of information]. And on March 22, the Office of the Information and Privacy Commissioner report F2072007-001 made five recommendations with respect to a fee apparel by an applicant. What is the status of these recommendations?

**Hon. Ms. Beatty:** — Mr. Chair, department officials have received the report and have responded to the recommendations and observations made by the commissioner.

**Mr. Allchurch:** — Okay, has the department developed a policy to deal with fee waiver request? And if not, when do you project that policy will be completed?

**Hon. Ms. Beatty:** — I'm going to get the deputy to respond specifically.

**Mr. Hilton:** — Mr. Chair, we will be developing a policy as soon as we can. The other recommendations made by the Privacy Commissioner — and I can't recall them off the top of my head — but have been implemented. This goes back to I think a request that was received maybe two or three years ago that was just brought to my attention recently, before the Privacy Commissioner's report came out. And we're dealing with all the observations and recommendations in the report.

**Mr. Allchurch:** — Well thank you, Minister and Deputy Minister. It just came to my attention too today. So it happened on July 19, 2005, when a request was put in. And on August 3, 2005, a fee estimate from Northern Affairs totalling \$960 for 32 hours was provided to the applicant for the documents requested, and I think that's when it was sent to the Privacy Commissioner, and that's when he ruled, and it's exactly what you said. It just came through because I just got it today.

Why was there not a designated employee to handle freedom of information requests before this report from the commissioner was issued? Is that something that your policy had never allowed for and it's just something that you will be looking at?

**Mr. Hilton:** — Mr. Chair, again, this happened awhile ago; I wasn't there. Circumstances at the time were such that things like this were handled by more than one person, and for whatever reason, that created some confusion. That is not the case now, and nor will it be the case in the future.

**Mr. Allchurch:** — The report states that a number of factors resulted in a cumbersome and inefficient freedom of information process and that the department did not meet its statutory requirements. What will . . . Or can the minister provide information as what will the department do, or it has done to resolve these problems?

**Mr. Hilton:** — The department has implemented procedures and policies to make sure that the kinds of observations and recommendations that were made by the Privacy Commissioner, which showed that the department had not met its statutory obligations . . . policies and procedures in that regard have been put in place. And the deputy minister will be reviewing and responding to all further such freedom of information requests to ensure that it's followed properly.

**Mr. Allchurch:** — Thank you, Mr. Deputy Minister. Being I just got that, I don't have a whole lot of questions in regard to that, but you seem to have answered all the questions I have.

I want to turn now to last year in Northern Affairs questions. I questioned the minister, sometime lengthy, in regards to the situation at Beauval with the saw mill and the post mill. At that time, I think when I did my addition, that was approximately \$3.62 million had gone into that project. Can the minister outline what is still operational at Beauval and what has taken place from last year in regards to the saw mill and the post mill at Beauval?

**Hon. Ms. Beatty:** — Mr. Chair, the latest information that we have is that it still has its logging and fence post operation production in Beauval and providing local opportunities to individuals and businesses. And also, we've also received information that it's in the process of purchasing L & M Wood Products located in Glaslyn. That's the latest information we've received.

**Mr. Allchurch:** — Thank you, Madam Minister. Last year when I was asking questions at that time, I don't believe the saw mill was in operation, but the post mill operation was. And at that time, I think that there was seven jobs coming out of that operation which raised a lot of concerns regarding that. I took a drive up there last year in the fall to have a look and I can see that there's potential there, but there wasn't a whole lot going on. That raised concerns with regarding the amount of money gone into it, and yet nothing coming out of it.

I know that Northwest Communities Holdings is looking at purchasing L & M Wood Products out of Glaslyn. That's only a half-hour drive from my home. Has there been any money allocated for the purchase of L & M Wood Products through Northern Affairs?

**Hon. Ms. Beatty:** — Mr. Chair, the answer is no.

**Mr. Allchurch:** — Has there been any money added to the money that was put in last year where there was \$3.62 million?

**Hon. Ms. Beatty:** — Mr. Chair, Northern Affairs has not put any money during the last fiscal year or this fiscal year.

**Mr. Allchurch:** — In a question that my colleague, Ms. Harpauer, asked the government and that's in regards to . . . Mr. Cline answered actually:

To the Minister Responsible for Investment Saskatchewan Incorporated: to date how much money has Investment Saskatchewan invested in Beauval Forest Industries?.

Does the minister know how much money was given to

Northwest Community Holdings Ltd., which owns Beauval Forest Industries?

**Hon. Ms. Beatty:** — Mr. Chair, the details of the financial arrangements between Investment Saskatchewan and Northwest Community Wood Products or Beauval is between those two, and we are not in a position to provide those kinds of details, and I would direct the member to direct those questions to the Minister of Investment Saskatchewan.

**Mr. Allchurch:** — Well thank you, Madam Minister. Actually the answer that . . . the Minister for Investment Saskatchewan said that Investment Saskatchewan has a \$2 million loan to Northwest Community Holdings which owns Beauval Forest Industries.

I know that by asking your department here what that \$2 million loan would be for, you would probably not answer because it's in the wrong department. But when I look at questions I raised last year regarding the 3.62 million . . . and at that time there was only a post operation going which employed seven people. Where is the Beauval Forest Industries going to get their dollars to buy out L & M Wood Products unless it comes from the government? If Beauval Industries is having difficulty getting their operation up and going . . . In other words, the saw mill is not going, to my knowledge, unless the minister wants to correct me. That is just the post operation going now. When you take another loan of 2 million going into it plus the 6 or 3.62 million, that's a lot of dollars.

So I guess my question to the minister: is there anything happening at Beauval other than just the post industry going to date, as it is today right now?

**Hon. Ms. Beatty:** — Mr. Chair, I'm going to get the deputy to respond further.

**Mr. Hilton:** — Mr. Chair, we haven't been briefed on the go-forward business plans. What I can say is I understand that Beauval Forest Industries was looking at setting up a second fence post cutting operation alongside the one that's there now. That would — if they were able to do that — would significantly increase their capacity to meet, what I understand to be, unmet market demand for their product. It would also increase the number of employees working directly for the firm, as well as a number of contractors actually out in the bush cutting the trees.

Also I've been told that the northwest community forest products in Beauval are doing what we might call all the due diligence work on the potential purchase of L & M Wood Products. And I don't know what conclusion that's going to lead to. Obviously they've announced that they're going to buy. Beyond that we really don't have a direct involvement in the kind of day-to-day or business decisions of the company, nor do we have a direct involvement in the strategic or business planning of the company.

**Mr. Allchurch:** — Well thank you, Deputy Minister, for that. But you can understand where I'm going with my line of questioning in regards to Beauval. It seems like a lot of dollars going into that community, but there has been little returns in regards to it.

In regards to the saw mill that was supposed to be operational a couple of years ago — with the problems we're having in our forestry industry right now — there's a huge problem even getting the saw mill up and running. And to date I don't believe the saw mill is running, unless I am wrong on that. If the minister wants to comment, she can.

**Hon. Ms. Beatty:** — Mr. Chair, as we've indicated earlier, we don't have the specific details as to the day-to-day operations of the Northwest Communities Wood Products. But I do want to say — I think I said this last year as well — that it was a matter of government policy wanting to ensure that First Nations and Métis people were engaged, you know they were part of northern forestry development because they didn't have that opportunity before.

You know it was multinationals that had total access to the northern forests. So as part of government policy of the day, to my understanding you know this was one way of ensuring, you know, when it comes to Northwest Communities Wood Products, that the Métis also had access to some of the forests so that they could develop local businesses. And even today, you know, the government is still committed to ensuring that northerners continue to have the opportunity to be part of northern development — whether that's forestry, whether that's mining, whatever that is — because we have to do that.

And this government continues to be committed to that, you know. And given the challenges with the forest industry, you know I don't think it's surprising you know with the difficulties that the Northwest Community Wood Products have experienced, you know, but they're continuing to work hard and do the best they can and looking at opportunities. And when it comes to, you know, areas like getting a \$2 million loan, you know, it's not easy getting a loan through Investment Saskatchewan. They have to have a good business plan, and that's what they've done. That's what I know from sort of afar.

But in terms of the overall government commitment to promote northern development for northerners and by northerners, you know, this government is still committed to doing that.

**Mr. Allchurch:** — Thank you, Madam Minister. And I agree with you that Métis and First Nations in the North want opportunity. And if there's opportunity there, yes they want to go forward.

I guess my question is, the post operation is somewhat working, but what about the saw mill at Beauval? Is the saw mill up and running as we speak right now?

**Hon. Ms. Beatty:** — Mr. Chair, we don't have the information as to the status of the saw mill today. But if you would like, we could get that information.

**Mr. Allchurch:** — I would appreciate that, Madam Minister, because to my knowledge it's not up and running. All that's up there running is just a post plant. And as I said before, there's a fair amount of dollars gone into that operation, and there doesn't seem to be a whole lot of jobs and equity coming out of it. And when people hear that there's more dollars going into buying out another company, then it raises a red flag.

I can see that if Beauval industries were able to purchase Glaslyn L & M Wood Products, it would definitely help them as far as the post operation because Glaslyn alone can't keep up to the demands of the post and rail operation. Last year in my area alone, they couldn't even get posts or rails from Glaslyn because they were sold out. Every rail and post that came in was sold before it even got made. The problem there, in Glaslyn, is they couldn't get enough workers to carry on the services needed for production. And I think they're probably in the same predicament right now because I have coffee with many people that work there right now, and there's not enough hands or bodies to do the job that is required. So I definitely think it's going to help in some ways to have the opportunity to purchase L & M Wood Products because it would increase the sales.

One of the problems I've heard from Beauval is the fact that they don't really have an FMA [forest management agreement] to purchase timber in order to utilize not only their post operation but also their saw mill. And that was one of the deficiencies in having the saw mill up and running was they had no FMA or wood allotment. Is this correct, and has there been changes made in that regards?

**Hon. Ms. Beatty:** — Mr. Chair, from our understanding, you know, they have a term supply license right now. And as far as a forest management agreement, that would be with Environment, and we don't know the specifics of, you know, the negotiation as far as that is concerned.

The other comment that I wanted to make regarding your comments as far as the L & M Wood Products, what I have seen in northern Saskatchewan and other areas as well when it comes to First Nations and Métis businesses, I have seen the emergence of partnerships with southern-based companies or companies that have the expertise. And you know, when you talk about L & M Wood Products, I'm quite familiar with L & M Wood Products too because I used to go to school in Glaslyn, and my brother-in-law worked there. You know, I think for me — this is my view — that Northwest Community Wood Products is continuing to do its due diligence and, you know, to look at ways and opportunities of growing their business. And I think they're leveraging additional dollars. I'm not sure of the specifics but I . . . you know, just looking from the outside, that's what I see happening, and I think it's a good thing. You know, they continue to use the base dollars that were provided and through sound business planning and outside expertise, I think, they'll continue to grow. You know, that is our hope.

But as far as your second part of the question, you know, in terms of the FMA, that would be an issue perhaps that you could raise with the Minister of Environment.

**Mr. Allchurch:** — Thank you, Madam Minister. In regards to a saw mill, there also was a saw mill that the Métis Nation owned in Green Lake. Do you know if that saw mill is up and running? And if it is, how many people does it employ?

**Hon. Ms. Beatty:** — Mr. Chair, the officials tell me that as far as they're aware it is not operating.

**Mr. Allchurch:** — Thank you, Madam Minister. And he's right that the one at Green Lake is not operational; it's been down for

a couple of years.

So this poses a bigger problem. I think one of the reasons why Beauval had difficulty with their saw mill was the fact that there were saw mills in the area, and there wasn't a big enough area with any timber agreements to utilize all the mills running at the same time. But being Green Lake is not up and operational, there was a real thought last year that Beauval would be up and running, but to date, as far as I know, it's not unless the minister wants to correct me. So there is a huge, huge problem.

Even if the deal goes through for Northwest Wood Products and L & M out of Glaslyn, that will only suffice the post and the rail operation at Beauval. What about the bigger operation at Beauval which is the saw mill? Can the minister foresee any future in regarding the saw mill at Beauval even if the deal goes through with Glaslyn and L & M as how it's going to benefit that area and also that community?

**Hon. Ms. Beatty:** — Mr. Chair, you know what we can say is that I think everyone is quite aware, including yourself, the uncertainty within the whole forestry sector. And everything is dependent on market conditions. And whether it's Beauval or any other forestry company, there's huge challenges and we hope that things turn around. But when it comes to again the specifics of the whole forestry sector, that falls more under the mandate of Environment if you have more detailed questions.

**Mr. Allchurch:** — Thank you, Madam Minister. We know that the forestry sector is not good, and it really puts a tremendous effect on jobs and people's lives, especially in the North because that's where the forest is. And the people in the North depend on the forestry to be up and running to suffice their living. But when you look at the Beauval situation, and I guess I reiterate the fact that there is a fair amount of dollars gone into that operation, but we don't see a whole lot coming out of it.

Does the minister think in order to get the operation at Beauval with the saw mill up and running, which was supposed to be the biggest portion of that operation and not the post operation, does the minister think that we need to pump more money into the Beauval industries in order to suffice an operation that will be great for not only the community, but will suffice jobs for the future?

**Hon. Ms. Beatty:** — Mr. Chair, we are not aware of any government department committing to invest more dollars to Northwest Community Wood Products at this time.

**The Chair:** — Ms. Draude.

**Ms. Draude:** — Thank you very much. Thank you, Madam Minister, and to your officials. I appreciate the opportunity to ask a couple of questions tonight.

My colleague had asked questions about the Northern Development Fund and the . . . I'm wondering if you could tell me what the interest rate is on that, on the loans from that fund.

**Hon. Ms. Beatty:** — Mr. Chair, the rate is 10 per cent.

**Ms. Draude:** — Okay. I also read your opening remarks, and it talked about the Northern Development Fund having spent 14.6

million out of the \$20 million Northern Development Agreement and that this year the province's budget has been 23.1 million under the northern economic infrastructure strategy or the NEIS. But I don't see under . . . The total budgeted is just over \$2 million.

**Hon. Ms. Beatty:** — Mr. Chair, perhaps the member could be a little bit more specific. There are two separate budgets — the Northern Development Fund and the Northern Development Agreement.

**Ms. Draude:** — Yes, but I'm looking under the budgets for this year. There was, under the Northern Development Agreement, there's \$300,000 budgeted for this year. Is that correct? And in your opening remarks, it says that there has been \$14.6 million for programs that have been announced under the \$20 million program. So does that mean that this year it only went up \$300,000?

**Hon. Ms. Beatty:** — The figure remains unchanged from last year at 300.

**Ms. Draude:** — Okay I see that. But my question is, in the opening remarks from the last opportunity we had to get together, you had indicated that to date there was 46 projects valued at more than \$14.6 million . . . had been announced under this \$20 million Northern Development Agreement. So my question is, was the \$300,000 that you're talking about this year, is that added to this number to come up to the 14.6?

**Hon. Ms. Beatty:** — Mr. Chair, the amount that we spoke about at 14.6 included the amount from last year, last fiscal year.

**Ms. Draude:** — So it must have been from a number of years back because that . . . even last year's and this year together would be 600,000 and we've got 14.6 million.

**Hon. Ms. Beatty:** — Mr. Chair, I'm going to get the deputy to answer.

**Mr. Hilton:** — Yes, Mr. Chair, the Northern Development Agreement — which is a five-year, \$20 million agreement contributed 10 million by the province and 10 million by the feds — to date has approved a total of \$14.6 million worth of projects. The provincial funding comes from five departments. So Northern Affairs as well as our four partners in the agreement would have, over the last five years, contributed X amount of money to projects — I can give you a specific number; it's in my book, if you like — together with the federal money to lead to that commitment. So the 300,000 in Northern Affairs budget last year and this year is just one component of the total commitment.

**Ms. Draude:** — Thank you. I appreciate that. I had a comment from someone who was reading *Hansard* and saw that the total Northern Affairs budget is somewhere around \$6 million, and yet we've announced in two different . . . in the northern development program itself, as talking about 14.6 million. And then we're looking under NEIS, where they have 23.1 million. So it definitely looks like the question was, where's the money coming from? So when in the next program, I think . . . is it called NEIS, or how do you explain that? How do you say it?

**Mr. Hilton:** — Mr. Chair, it's called the northern economic infrastructure strategy, so the acronym is NEIS.

**Ms. Draude:** — Okay under NEIS, it says the province, this year the province has budgeted to spend 23.1 million under NEIS, and so that is including all the various departments within government that's putting money into the northern economic project then. Is that correct?

**Mr. Hilton:** — Mr. Chair, the money budgeted under the northern economic infrastructure strategy is all in the Department of Highways and Transportation. It's part of the \$65 million that was announced by the Premier about a year and a half ago.

**Ms. Draude:** — So then it was put into the minister's opening statement to talk about the North although it didn't necessarily have anything to do with this budget?

**Mr. Hilton:** — That's correct. I think the observations or comments you're referring to spoke to the impact of the government's budget overall in the North and not specifically about Northern Affairs's budget.

**Ms. Draude:** — And when I look at some of the other monies that were spent then, the money that was spent in Highways and in Environment and so on, is not necessarily all shown in the northern budget. I appreciate that.

The other question that I had is the minister talked about the focus on uranium. And I know my colleague asked the last time we were together about the government's priorities and their interest in uranium. Can you tell me if this focus on uranium means that the government has a policy on uranium that they're willing to share with the public about their interests and what the impact is going to be within their budget because of the uranium industry?

**Hon. Ms. Beatty:** — Mr. Chair, the government continues to be committed to, you know, the exploration of the uranium industry. That is clearly visible and is benefiting a lot of northerners, northern companies. This government continues to be very committed to maintaining and implementing sound environmental practices. And we talked a little bit earlier about our commitment to ensure that the cleanup of old uranium mines happens.

So I was at a gathering of the far northern communities; that was last week. And there they talked about, you know, the kind of opportunities, you know, that are benefiting their communities as a result of the uranium mining, including business opportunities and jobs and so on. So you know, we are committed to continuing to go that direction.

**Ms. Draude:** — And may I suggest, for clarification, I know you indicated your government is committed to the exploration. Are you committed to refining?

**Hon. Ms. Beatty:** — I've said this before, last time I was here, that as a government, you know, that is something that we will continue to look at. And I cannot speak on behalf of the whole government today, you know, but we continue to look at the opportunities that are there as far as exploration, environment,

and all those areas that I've outlined this evening.

**Ms. Draude:** — What is your government's stance on uranium waste disposal?

**Hon. Ms. Beatty:** — I cannot speak on behalf of the government at this point in time. You know, I am quite aware that there's been a lot of talk, especially from Alberta, wanting to locate a waste disposal site in Saskatchewan, in northern Saskatchewan. I'm also quite aware of a study that was done by northwest side where . . . included elders being approached as to what they thought of that, you know, storing uranium wastes in their backyards. And you know, if I recall correctly, you know, they weren't too optimistic about it.

So I think, from my personal point of view, there still has to be a lot of research done as to the pros and cons of having a storage . . . uranium waste stored, you know, your own backyard. You know, as a northerner, that's what I would like to see. So the discussion continues. But as of now I am speaking as a northerner, not as a government policy.

**Ms. Draude:** — Can you tell me what the bands and the First Nations and the Métis people in the North, what have they been telling you about the opportunities that are there for uranium when it comes to refining? Do they have a stand on it?

**Hon. Ms. Beatty:** — I, as a northern person talking to, you know, First Nations and Métis people as much as you do probably, you know, those comments, you know, I'm not really prepared to share at this point. What I will say is that there is a lot of fear, a lot of concern as to the impact on the environment. There is even concern right now as to the impact on some of the environment from the tar, you know, the tar sand development in Alberta when it comes to, for example, northern lakes.

So there is some concern, a lot of uncertainty from some of the northern residents that I talk to.

**Ms. Draude:** — Are any of the companies or individuals that have come to your department through some of the program and asked for funding through the Northern Development Fund or the Northern Development Agreement, have they been asking for funds to work on feasibility studies or plans to do with uranium or the oil sands?

**Hon. Ms. Beatty:** — Mr. Chair, at this point in time, the officials tell me that they're not aware and I'm not aware of any such proposals.

**Ms. Draude:** — Okay. I was just wondering, when northern people are looking at some of the opportunities for the economy if that's something that they're . . . if they've asked for funding to look at some of the environmental impact studies or the work that may be done before the decision can be made.

So I would have wondered if that would have been one of the types of programs that could have been funded under the Northern Development Agreement or the Northern Development Fund. Would those programs be available if people wanted to start looking at the impact of developing resources further in areas of uranium or oil and gas?

**Hon. Ms. Beatty:** — Mr. Chair, I'm going to ask the deputy to respond.

**Mr. Hilton:** — Yes, there's certainly nothing that would preclude somebody from making an application either to the Northern Development Agreement or to the Northern Development Fund to study the feasibility of additional opportunities in the nuclear cycle. But you know, the criteria that one would use in terms of deciding whether or not to fund that would challenge most communities and most business people from a technical point of view.

And the enormity of the money involved in studying the feasibility of, for example, processing uranium may be so expensive that it really wouldn't fit within the financial parameters of a Northern Development Agreement or a Northern Development Fund. But certainly there's nothing in the programs themselves that would make a project like that, by virtue of what it is, ineligible. But it's extremely complicated stuff as you can appreciate.

**Ms. Draude:** — Yes I can. Another one of the issues that's important to First Nations and Métis people is the duty to consult. And I've spoken to the minister of First Nations and Métis affairs about this issue. How is this department involved in the duty to consult and accommodate?

**Hon. Ms. Beatty:** — Mr. Chair, I guess first of all I want to say that, you know, the province, the government recognizes the importance of ensuring that First Nations and Métis people are aware and are part of what's happening in their own backyards, and as a department we continue to be part of an interdepartmental committee that ensures that happens. And we also ensure that, you know, that that's part of the surface lease agreements that are unnegotiated as well, and also if there is business practices. Like I've said, we want to make sure that northerners are benefiting from northern development as well.

But I don't think there is any question that, you know, this is important. I think for too long when it came to northern development, northerners, you know, First Nations and Métis people were bypassed. And a lot of times, you know, all of a sudden there was development happening in your own backyard, and that is no longer acceptable. Whether you're a company or whoever you are, you know, you have to realise that First Nations and Métis people have lived there for hundreds of years and whatever happens in northern Saskatchewan, they too must be part of it — whether it's through direct involvement, partnerships — to benefit. So this is an important area for sure.

**Ms. Draude:** — That's exactly right, Madam Minister, and that's why I was so very surprised when the government released the guidelines on duty to consult and accommodate and we learn that First Nations and Métis people hadn't been consulted when it came to drawing up the guidelines. Did your department have a voice in the guidelines that were drawn up and presented by the department of First Nations and Métis affairs?

**Hon. Ms. Beatty:** — I want to make a few comments, and maybe the deputy can add to it. From my understanding, you know, the guidelines were prepared by Justice as a preliminary

guideline to describe the minimum of what needs to be done. As a government I think in a lot of areas we've ensured that northern communities, First Nations and Métis communities, are aware and are part of northern development. And a lot of time it's beyond, you know, what was written up as the guidelines. This was just the first stage, and there needs to be more work done to, you know, together with the First Nations and Métis communities as to what you know the duty to consult means.

You know I understand that there's legal definitions, but at the same times I think it, you know as far as this government is concerned, it's more than just legal definitions. It's a relationship and an issue of trust that has to be clarified and enhanced when it comes to First Nations and Métis people and northern development. I don't know whether the deputy wants to add to that.

**Mr. Hilton:** — No, not at this time, Mr. Minister.

**Ms. Draude:** — Thank you, Madam Minister. And I'm not disagreeing with you, but my frustration is that duty to consult and accommodate isn't something that just flew out of the air yesterday. It's been something that's been coming from the Sparrow, right from the Sparrow ruling a number of years ago, and the last five or six years especially with the Haida report ruling.

The government has had a number of years to be working on it, and I understand that even right now they're still going out of province to get expertise mostly from Alberta, and then they're planning on coming back here to train individuals. And to me that is wrong. We should be leading the issue. Our province, with the number of First Nations and Métis people we have, should have had the opportunity to be in the forefront and teaching other people about the issue. And this is one area showing that we actually believe in the rights of the First Nations and Métis people and the respect they should be given because of those rights. I think we undermined a lot of the work that could have been done.

So I was hopeful that there would have been more of a leadership role and more of an idea that the plan that the government put forward actually was more solid. And to hear the department say, this department and the minister of First Nations and Métis affairs say a number of times, it's a beginning, I don't think that that's enough. And it's not what people needed to hear in the North if we're really going to get the economy moving and the First Nations and Métis people involved in the economy.

So that is my frustration, my personal frustration. I heard you mention that you spoke on behalf of yourself and I just did the same thing. I think that we missed an opportunity here to show who the province is. So I don't have any further questions at this time.

**The Chair:** — Mr. Allchurch.

**Mr. Allchurch:** — Thank you, Mr. Chair. In light of the time, Mr. Chair, I would like to take this time and opportunity to thank the minister and her officials for being here tonight. In light of the questioning I had tonight, and some of the answers

that's forthcoming from the minister and her department, also in regards to the report that I just got from the Information and Privacy Commissioner, I would like to not vote it off today and review the questions and get back to the minister.

**The Chair:** — Thank you, Mr. Allchurch. I too would like to thank the minister and her officials for being here this evening. This pretty well concludes the time allotted for the estimates for the Department of Northern Affairs. So with that, the committee will now stand adjourned.

[The committee adjourned at 21:26.]