

The Assembly met at 1:30 p.m.

Prayers

## ROUTINE PROCEEDINGS

### STATEMENTS BY MEMBERS

#### International Day for the Elimination of Racial Discrimination

**Mr. Thompson:** — Mr. Speaker, today is International Day for the Elimination of Racial Discrimination. It was declared by the General Assembly of the United Nations in 1966 and introduced to Canada in 1988. Mr. Speaker, if ever there was a day of commemoration that should not have to exist, this is it. Racism is so obviously a poison to society, so apparently a deadly sin, that its existence should be a puzzle to us rather than a sad fact.

Unfortunately, racism does exist. Until it is gone, this day will be necessary to remind us that we all should consciously be on guard against acts of racial intolerance and prejudice.

I think we will eliminate intolerance bit by bit, step by step. When we think of racism we think of the big events that have marked our century: Hitler's plan, Sharpeville, Bosnia, and so on. And these big examples of our inhumanity to each other are staggering, but we all tell the jokes, we all use the unfortunate phrases, we all have the little traces of prejudice that added up and multiplied can lead to the big ones.

Perhaps on this day we should all pledge to take a small step against intolerance; then some day the big ones will be unnecessary. Thank you.

**Some Hon. Members:** Hear, hear!

#### Agriculture Week in Saskatchewan

**Mr. Jess:** — Mr. Speaker, this is a week with a heavy burden of responsibility. It has also been proclaimed by the Minister of Agriculture as Agriculture Week in Saskatchewan. It is an opportunity provided by the community-minded Saskatchewan weekly newspapers association for each of us to focus on how agriculture benefits all of us in Saskatchewan. Agricultural accounts directly for more than 10 per cent of the GDP (gross domestic product) of the provincial economy. There are thousands of direct and indirect jobs and economic spin-offs in both rural and urban communities, and in a very profound sense, Mr. Speaker, the social and cultural life of our province, the very fabric of our provincial existence, is tied to agriculture. If you meet a Saskatchewan person anywhere in the world, regardless of how long he's been away, the first question will always be, how are the crops?

The last decade the farmer has been under siege. We must take this week to renew our determination to strengthen and develop our agricultural sector.

Governments at all levels, agricultural organizations, and individuals are coming together in a spirit of cooperation to find ways to a bright and promising future.

I ask all members to join in saluting Saskatchewan farmers and farm families. They have been, are, and will continue to provide the backbone of the province.

**Some Hon. Members:** Hear, hear!

#### National Francophone Week

**Mr. Roy:** — Thank you, Mr. Speaker. In order to show Saskatchewan's support to the Fransaskois community, I'm pleased to announce that the provincial government will officially launch the National Francophone Week on March 21.

Merci, Monsieur le Président. Pour démontrer l'appui de la Saskatchewan envers les communautés fransaskoises, c'est avec plaisir que j'annonce que le gouvernement provincial lancera officiellement la Semaine Francophone Nationale en Saskatchewan le 21 mars.

Pour commémorer cette semaine importante, il y'aura un plein programme d'événements spéciales en travers la Saskatchewan toute la semaine. En plus le drapeau Fransaskois sera placé sur le balcon du bureau du premier ministre toute la semaine ainsi que sur plusieurs hôtels de ville en travers la Saskatchewan.

M. le Président, je pense qu'il est très important que notre province participe à cet événement national. Bien que la communauté francophone de la Saskatchewan soit petite, il est encore essentiel que nous faisons un effort pour comprendre la culture et la langue des canadiens français. Le français et l'anglais sont les deux langues officielles de tout le Canada et non seulement dans certaines régions désignées. Notre pays subit présentement une crise dû en partie à la question du français et de l'anglais. Je crois que plusieurs de ces problèmes pourront être résous plus facilement si les deux cultures et langues prennent le temps de se connaître.

En terminant, M. le Président, je veux encore une fois vous laisser savoir que le gouvernement annoncera officiellement le lancement de la Semaine Francophone Nationale en Saskatchewan le 21 mars. Merci.

(Translation: Thank you, Mr. Speaker. To demonstrate Saskatchewan's support for Fransaskois communities, it's with pleasure that I announce that the provincial government will officially launch National Francophone Week in Saskatchewan on March 21.

To commemorate this important week, there will be a full program of special events across Saskatchewan throughout the week. In addition, the Fransaskois flag will be placed on the balcony of the Premier's office

throughout the week as well as on several town halls across the province.

Mr. Speaker, I think it is very important that our province participate in this national event. Although the francophone community in Saskatchewan is small, it is still essential that we make an effort to understand the culture and the language of French Canadians. French and English are the two official languages of all of Canada, and not just certain designated regions. Our country is presently undergoing a crisis due in part to the question of French and English. I believe that several of these problems would be more easily resolved if the two cultures and languages took the time to get to know each other.

In conclusion, Mr. Speaker, I wish once more to let you know that the government will officially announce the launching of national Francophone Week in Saskatchewan on March 21. Thank you.

**Some Hon. Members:** Hear, hear!

### **National Senior Curling Championship**

**Mr. Hagel:** — Well thank you, Mr. Speaker. Mr. Speaker, 50 minutes from here, all this week, some of the best curling in Canada is taking place right smack dab in the middle of my constituency, Mr. Speaker, at the Hillcrest Sports Centre in Moose Jaw.

Canada's top 12 senior men's and top 12 senior women's curling teams are engaged in daily competition three times a day until the championship game on Saturday at 1 o'clock.

These teams are made up of curlers 50 years and older, but when I was at the official opening on Saturday, I was able to see enough curling to know for sure that there is nothing second rate about either their skill or their energy.

Spectators can come and see some of the best women's and men's curling in Canada and then relax at the gathering spot which is appropriately named "the Moose Patch."

Mr. Speaker, I ask all members to join in congratulating Moose Jaw organizers of this national senior curling championships and encouraging Saskatchewanians to take in this most important event and welcoming to Saskatchewan, Canada's best senior curlers.

**Some Hon. Members:** Hear, hear!

### **Multiculturalism in Prince Albert**

**Mr. Kowalsky:** — Mr. Speaker, today I would like the Legislative Assembly to recognize the work of three Prince Albert promoters of racial harmony — Marge Nainaar, Grant Nicklin, and Roberta Burns.

Marge Nainaar was the recent recipient of a certificate of commendation for her long-time work promoting

multiculturalism. This award was issued by the Baha'i community of Canada and it recognizes the selfless and determined work of Marge Nainaar and what she has contributed to multiculturalism.

Grant Nicklin and Roberta Burns, co-chairs of the race relations committee of Prince Albert, have been fighting racism and contributing greatly to the community.

Marge Nainaar is a long-time proponent of multiculturalism. She has worked at the local, provincial, and national levels in a continuous effort to keep Canada united. She is the designer of the multicoloured bow and a tireless promoter of multiculturalism. In Prince Albert she continually promotes interracial harmony in general and an understanding of the native community specifically. She's also well known for her innovative work within the P.A. (Prince Albert) penitentiary where she is responsible for creating the Phoenix Multicultural Council.

Grant Nicklin and Roberta Burns, along with the race relations committee, have many events planned for the elimination of racial discrimination this week. They kicked off the Baha'i new year and include many seminars and performances.

Mr. Speaker, it's through the efforts of people like Mrs. Nainaar, Grant Nicklin, and Roberta Burns that will lead to the eradication of all barriers to unity between peoples of the earth. Thank you.

**Some Hon. Members:** Hear, hear!

### **ORAL QUESTIONS**

#### **Education Bureaucracy**

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. We want to this afternoon continue, as has become our practice, to ask the government questions that come from the public. And I trust that the government will respond with the same good faith and sincerity with which the citizens of Saskatchewan have asked these questions, Mr. Speaker.

And the first question comes from Mr. Sam. J. Dyck from Warman, and he phrases his question like this. My question is addressed to the Minister of Education. As a school trustee, I am aware of the many layers of bureaucracy a student's concern has to go through to reach your attention — from the principal to the district board to the division board to the director of education to I don't know how many more layers before the issue reaches your desk.

Will the minister start to cut layers of bureaucracy instead of cutting the funding to the future of Saskatchewan, our students?

**Hon. Mr. Goulet:** — In response to the question on bureaucracy, most of the money that we spend in the province of Saskatchewan goes to third party. That's about 96 per cent. We were at approximately 4 per

cent therefore last year in regards to expenditure on the Department of Education. When you look at the overall costs, we made some savings again this year and it is approximately three and a half per cent. So indeed as a government we are doing our part and showing leadership in this area.

**Some Hon. Members:** Hear, hear!

### **Institutional Health Care**

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Premier as well. And the question comes from Mildred Norheim of Kyle.

Mr. Premier, why are there such severe cuts on the long-term institutions? These people are the most helpless and vulnerable of our society. They are also the people who worked all their lives to build this province. A majority of them even helped to bring about the formation of your party. We realize cuts must come, but not at their safety, comfort, care and expense.

**Hon. Mr. Romanow:** — Mr. Speaker, I thank the hon. member for the question and the person who wrote the letter to the hon. member of the basis of the question. I say in response two things.

Mr. Speaker, I'd like to think that if this government was flush with money we would be undertaking the renewal of the health care system roughly in the form and the fashion that we have undertaken. The health care situation has greatly changed in the 1990s from just a few years ago; increased medical costs, technology, means fewer stays in the hospital. We can only imagine what the next five years technological breakthrough in medicines will lead to. And we need therefore to restructure. And I'd like to think that we'd be doing that even if we were flush.

The second point that I'm getting at, and I'll take my chair on this point, is that we do have none the less a very serious fiscal problem. I'll spare the hon. member my speech, correct as it is, an inherited fiscal problem which necessitates new and innovative solutions to Saskatchewan's society. We think we're building for the 21st century and we're going to end up with a more caring, more responsive health care system, one which preserves the health care system and home care for future Saskatchewan people.

**Some Hon. Members:** Hear, hear!

### **SaskPower Pension Plan**

**Mr. Martens:** — Thank you, Mr. Speaker. My question is directed to you, Mr. Premier. Mr. Premier, I want to know . . . And Mr. Alan Brown from Regina here, 6010 Wadje Street, is asking this question.

Mr. Premier, I want to know what you intend to do with SPC (Saskatchewan Power Corporation) superannuation which now stands at 423 million. Mr. Premier, I want to know why we cannot get an increase to cover the inflation rate when our pension

is fully funded and does not require any monies taken out of general revenues. And, Mr. Premier, I want to know: when can we expect an honest answer from you?

**Hon. Ms. MacKinnon:** — Yes, Mr. Speaker, I'd be pleased to answer that question. When the public service pensions were put in place, they were not indexed. And most of the pensions that exist in Canada today are not indexed. Only 18 per cent of pensions are indexed.

So for us to index pensions to the rate of inflation would be conferring a new benefit on people. In order to do that, we'd have to do it fairly. We couldn't just do it to SPC employees; we would have to do it to employees across the government. And I've calculated the cost of doing that over the last 10 years. Let's say over the last 10 years our pensions had been indexed, the cost would be about \$150 million to taxpayers.

Our view is, we understand their concern; we're sympathetic to it. But we also have an obligation to protect other people such as people in Saskatchewan who don't even have the benefits of pensions.

**Some Hon. Members:** Hear, hear!

### **Middle Class Tax Burden**

**Mr. Swenson:** — Thank you, Mr. Speaker. My question today comes from Mrs. Heidelore Winkelmann of Regina. And she says: Mr. Premier, I want to know why do governments seem only to listen to the poor and the rich and ignore the taxpaying middle-class people? We as the middle-class people haven't got enough time to make ourselves heard because we are working our butts off just to pay our taxes.

**Hon. Ms. MacKinnon:** — Mr. Speaker, in dealing with our financial problems we took what we thought was a balanced approach. That is, some cuts, but also some tax increases. We've also been very honest with people. That is, we have called taxes, taxes.

You could compare us to Alberta where they do not call taxes, taxes. They do not. They say there are no tax increases in their recent budget. Well of course there are. People in Alberta have a 20 per cent increase in their health care premium, which means they'll be paying about \$800 per family per year for health care premiums. People in Alberta will now unfortunately have to pay to send their children to kindergarten.

A recent study out of Saskatoon points out that property taxes in Edmonton and Calgary are already higher than in Saskatoon. And because of the changes with respect to the cuts to cities, where cities will be cut right off of provincial funding, they can expect their property taxes to go up.

So we've had to face difficult decisions across the piece. What I'm proud of is that in Saskatchewan we have been upfront and we have called a tax a tax. We

haven't hidden tax increases in things like making people pay to send their children to kindergarten.

**Some Hon. Members:** Hear, hear!

### Tax on Child Support Payments

**Mr. Britton:** — Thank you, Mr. Speaker. I too, Mr. Speaker, have a question. These questions we received are essentially the same so we put two together. These are from two women, Ms. Bonnie Durette from Wilkie and Ms. Catherine Grayson from Prince Albert. And with their approval, Mr. Speaker, I am asking this question for both of these women.

Mr. Premier, why do mothers have to claim child support as an income on their income tax while a father gets to use it as a deduction?

**Hon. Ms. MacKinnon:** — Mr. Speaker, this raises a very good point. One of the disappointments I had with the federal Liberal budget was that while they were reviewing everything — in fact there are 26 different reviews, I believe, in that budget — the one thing they are not reviewing is the tax system. The only thing they've committed to is some kind of quick fix on the GST (goods and services tax).

We believe that you have to ask fundamental questions of the tax system. That is, is it fair, because we believe it isn't fair. We also know that it's only the federal government that can make the kinds of major changes in the tax system to make it a fair system.

So I can assure the women asking this question that we will continue to press the federal government for a thorough review of the tax system in which these kinds of individuals can have their point of view heard and we can come up with a fairer tax system all across Canada.

**Some Hon. Members:** Hear, hear!

### Expansion of Video Lottery Terminals

**Ms. Haverstock:** — Thank you, Mr. Speaker. My question is to the minister of Gaming. Mr. Minister, I don't know if you realize it but there is a ground swell of opposition mounting against your government's approach to gaming in Saskatchewan. And that's not against gaming itself but against the way in which your government is handling it.

Every day I get calls from another group or an individual who is losing money because of the lack of planning that's gone into the decisions that are being made. Bingo charities are upset, hospital foundations are concerned, and this time, Mr. Minister, it was a call from the Standardbred horsemen who race at Queensbury Downs in Regina.

In a CBC (Canadian Broadcasting Corporation) interview recently you said that there was absolutely not going to be VLTs (video lottery terminals) installed at race tracks. Will you confirm that there will not be video lottery terminals installed at Queensbury

Centre?

**Hon. Mr. Lautermilch:** — Yes.

**Ms. Haverstock:** — Thank you, Mr. Speaker. Mr. Minister, I understand that the expanded casino hours, in addition of 200 slot machines, will take place in Regina and Saskatoon after the Easter weekend.

Now if you visited the facilities at the Regina Exhibition you'll know that people walk from the casino directly into the main racetrack *pari-mutuel* betting area, which is simply through an open door. VLTs and horse-racing are going to be in exactly the same building, Mr. Minister. But you said no slot machines at the racetrack. So how do you explain the fact that there will indeed be 200 slot machines on location at Queensbury Centre, just a few feet from the *pari-mutuel* machines where people line up to bet on the horses?

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, let me clarify one thing. Indeed we are expanding VLTs into the existing casinos at the two exhibition sites; we intend to do that.

I want to say, Mr. Speaker, that she is correct in my comments that we were not going to be putting video lottery terminals in the areas where the *pari-mutuels* are taking place. In fact, Mr. Speaker, I am quite sure that the member is well aware of our casino policy and what we intend to do in that it has over the past number of months gained a lot of exposure in the province and in the media.

But I want to say, Mr. Speaker, given her vast knowledge and her background with respect to the horse-racing industry, I'm quite surprised that when we sent some months ago a paper, a discussion paper titled, *Encouraging Stability & Innovation*, that this member who is so intimately involved in this sector of gaming would not even choose to respond with some suggestions as to how we should handle changes, Mr. Speaker, to protect the industry.

So I say, Mr. Speaker, it's quite clear that the member opposite determined that there are good forms of gaming and that there are bad forms of gaming. It's not the principle, Mr. Speaker, that that member is interested in — it's the politics.

**Some Hon. Members:** Hear, hear!

**Ms. Haverstock:** — Thank you, Mr. Speaker. Mr. Minister, with all due respect, you really don't know what you're doing. For years, the exhibition boards have asked the Gaming Commission to allow for more days of casino gambling at the exhibition casinos. I mean for years and years and months and months they've been asking you to do this. And obviously you had some reason to say no because you repeatedly ended up refusing their requests.

Now suddenly, in your great haste to fill the provincial coffers with gambling money, your government has

flung open the doors of these casinos seven days a week up to 16 hours a day. Now, Mr. Minister, this decision is obviously part of your government's intention to proceed at some point with full-scale casinos for Regina and Saskatoon.

So will you tell us this today, please: who are the partners in these proposed ventures; have you tendered any plans for the design of the building; and will you table a copy of the partnership agreement today in this legislature?

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, as I've indicated, the member, if she isn't aware of the casino policy in Saskatchewan, she should be making herself aware. She stands in the House on a regular basis asking questions. And I'll send her again another copy of the casino policy that we've announced. But I ask the member of the third party to do some research.

The other day in the legislature, she is indicating that the video lottery terminal program has had a severe impact on bingo revenue in the province. Not once did she ask the Gaming Authority for any numbers or any figures. She just stands in the House and fearmongers and grandstands.

So let me say to the member opposite that from April 1 to February 28, the amount in bingo revenue was up some \$25 million to \$141 million. Last year it was in the neighbourhood of \$120 million. And so I say to the member opposite, instead of fearmongering and casting misinformation, what she might want to do is take some time to acquaint herself with the facts. And I want to tell you that the Authority and my office are more than willing to share with her information that seems to be maybe not a concern of principle but a concern of politics.

**Ms. Haverstock:** — Thank you, Mr. Speaker. Mr. Minister, people are not afraid of what I've been saying; they're afraid about what you've been doing, and they're completely two different things.

Mr. Minister, based on what you are telling me, I don't have a great deal of confidence that you have any plan at all, at least not a plan that anyone has agreed to willingly.

Mr. Minister, I'm very interested in knowing who gets the money from the slot machines and the extra days and hours of gambling at Queensbury Centre and the Saskatoon Prairieland Exhibition casinos. Can you tell us today whether all of the increased profits from the expanded casinos will indeed go to the exhibition boards, or is this money going to be held in trust for the partnership in the mega-casino projects in Regina and Saskatoon? What exactly are the details of the revenue sharing on the casino expansion?

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, in answer to the member's question, let me make this very clear. She may not be aware of government's plans on a day-to-day basis, and I think that's unfortunate, because I wish she would spend a little time acquainting herself with the facts.

So let me share with her, with respect to the expanded VLTs in the existing casinos, we've made a commitment to the exhibition associations that we would try and achieve maintaining the revenue that they already have in place. We have installed — we have installed, but they're not operating, they shall be shortly — some 200 video lottery terminals in each one of the exhibitions, as she will know if she takes some time to acquaint herself with the facts.

The exhibition associations, the aboriginal community, and the government are partnering in the expanded casinos, so let me say to her, if she has some concerns, that the money will be held in trust pending revenue-sharing discussions that will be completed we hope over the course of the next few weeks. So if that answers her question, I'm very pleased; and if it doesn't answer, I'm certainly willing to share more information with the member because I do think that she should be working from a position of knowledge as opposed to where she apparently is coming from.

**Some Hon. Members:** Hear, hear!

### Judges' Salaries Recommendation

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, my question today is to the Minister of Justice. Mr. Minister, today marks the fourth deadline you have set aside to announce a decision on the issue of judges' salaries.

Mr. Minister, if you have made this decision, can you tell us what your decision is, or are you going to continue to break your own law by extending this deadline yet again?

**Hon. Mr. Mitchell:** — Mr. Speaker, I want to say that this not a question of breaking our own law so much as it is extending or working . . . being past the deadline which we had included in the Bill for the . . . so that the judges would have some way of bringing this process to a conclusion within a reasonable time. And the judges have made no complaint about the fact that it's taking as long as it is.

In direct answer to the member's question, we are considering the matter at our regular cabinet meeting tomorrow morning and we expect to be in a position to announce the decision tomorrow.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Minister, we'll be looking forward to your response tomorrow — your answer tomorrow — or wondering whether there is another deadline that has been put forward and missed.

Another question, Mr. Speaker.

### White Bear Casino

**Mr. Toth:** — Mr. Minister, last week in Carlyle Provincial Court, Chief Bernie Shepherd testified that

high-ranking government officials, including yourself, assured him that the band would be allowed to open the casino without interference.

Mr. Minister, if you in fact did give this assurance, that's a very serious matter. That would mean, Mr. Minister, that you were encouraging people to break the law.

Mr. Minister, did you give Chief Shepherd the assurance that you would not interfere with the White Bear casino?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Mitchell:** — Mr. Speaker, the member knows perfectly well that I cannot answer that question considering this matter is before the courts right now.

And I just simply won't accept that kind of groaning from the opposition on a point which they know as well as anyone knows cannot be commented upon. How would it sound if evidence is happening in a courtroom in Carlyle and I'm in here giving evidence on the same point? That would be impossible and the member knows that.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Mr. Speaker, the minister may have a point in suggesting that that opposition doesn't have a right to bring up the questions, but it would seem to me that the real court in the land, the court that sets the laws, is right here and that it's appropriate for the opposition to be raising such questions.

Mr. Minister, Chief Shepherd believes he received that assurance from you and the deputy minister of Indian and Metis affairs. . .

**The Speaker:** — Order, order. Order. The Speaker has no way of knowing whether this is before the courts but I heard the minister say that this is before the courts. And I think all members know if it is before the courts — order — if it is before the courts, questions on a matter that is before the courts are simply not allowed in this Chamber and never have been in any Chamber across Canada or the British domain.

So I will ask the members, if it is before the courts, to refrain from asking a question on a matter that is before the courts.

**Mr. Toth:** — Mr. Speaker, the question we're raising today was raised last week in one of our local papers. And it's a question of very serious concern that we are asking of the minister, bringing it to the minister's question. And, Mr. Speaker, it would seem that . . . is it appropriate for the opposition to be asking the minister questions when this is indeed the law-making body of the land? And we're asking the minister of a question, did he give the . . .

**The Speaker:** — Order, order.

**Mr. Toth:** — Mr. Speaker, did the minister give any assurances to Chief Shepherd? He laid those questions out in a court last week and that's a decision that's already been taken . . . or a court proceeding that's already taken place. Did the minister give those assurances?

**The Speaker:** — Order. I have no way of knowing whether it is before the courts or not. Order. If the minister knows it's before the courts, I assume he will not answer. He'll refrain from answering. Order.

**An Hon. Member:** — You're bailing him out.

**The Speaker:** — If the member from Arm River has anything further to say, I wish he would rise on a point of order after question period.

If the member from Moosomin is aware that this is before the courts, he knows that the question is out of order. I will have to take the word of the minister that it is before the courts and he is not answering the question. Next question.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, Mr. Shepherd brought a question to our matter and to our attention, and he assures us that . . . and we're assured by people in the area that when the casino was set up back, I believe it's a year ago, that the RCMP (Royal Canadian Mounted Police) were really involved with the security involved at that casino. He said arrangements were made with the RCMP to do security checks on everyone involved with the casino and to photograph and inspect the operation.

Mr. Minister, what he would like to know and what we would like to know — and maybe people across the province would like to know — was this encouraged by yourself and your department?

**Hon. Mr. Mitchell:** — Mr. Speaker, the member knows, probably better than anybody in this Chamber, that this matter is before the courts. I think it's in his constituency. I think it's in his constituency; if not it's very, very close to it.

And it's my understanding that all of the matters that he's raised have been the subject of evidence and are the subject of evidence in this court case. And whether or not the former premier recognizes it or not, it is not possible for a Minister of Justice to stand in this Chamber and comment upon evidence given in a court case that is going on while we speak.

**Some Hon. Members:** Hear, hear!

### Changes to Gross Revenue Insurance Program

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. In recognition of the fact that this Agriculture Week in Saskatchewan, I'm going to address a question to the Minister of Agriculture.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Furthermore, Mr. Minister, I want to

warn you ahead of time that my question deals around the topic of GRIP (gross revenue insurance program), and so that you may be able to abscond from the answer and just simply say it's before the courts, I'm not quite sure. But you can make that determination. Because, Mr. Minister, the concern that farmers are having right now is that they're going to have trouble putting their crops into the ground for lack of money.

We used to have a program called GRIP, and under the old GRIP those farmers would have had 43 extra million dollars of money in their pocket — 300 million extra for this year — had we had that GRIP. Now we are finding out now that they are going to be not receiving any of this money. You've got a windfall, Mr. Minister, in your government of 300-some-odd millions of dollars.

Are you now going to share that money legitimately with the farmers of this province so that indeed they will be able to put their crop into the ground?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Cunningham:** — Mr. Speaker, we do have a program called GRIP. There is a projected surplus in the program. That's the way the agreement reads, that we make pay-outs based on grain prices; grain prices having moved up, the pay-outs have dropped. Many farmers in Alberta and Manitoba are also not getting a pay-out out of this program. And we would never have had the same program that was in '91, because it was changed by the agreement that was set up at that time in any case.

If there is surplus left in this program when we're out of it in one year's time, this government will certainly commit to getting back the farmers' share of the premiums, out to the farmers. And we already are talking to the federal government with regards to this agreement and what would happen if there is a surplus at the time of the wind-down of the program. Again I would remind the member opposite that that is speculation. We could well have a deficit if grain prices were to drop next year, so that's certainly based on speculation.

**Some Hon. Members:** Hear, hear!

## MINISTERIAL STATEMENTS

### Agriculture Week in Saskatchewan

**Hon. Mr. Cunningham:** — Mr. Speaker, and Members of the Legislative Assembly, as members are aware, I have proclaimed this week as Agriculture Week in Saskatchewan. It is fitting therefore that today our government takes another step in following the road-map of *Agriculture 2000*, our industry's long-term strategic plan.

One component of that strategy, Mr. Speaker, is the review and updating of provincial legislation and regulations. In doing so, our goal is to help create an environment where diversification of our agricultural industry has government and community standards

and regulations that do not needlessly impede, but responsibly facilitate, growth in agriculture.

Mr. Speaker, the Government of Saskatchewan is considering the preparation of legislation that would provide protection to farmers from unwarranted nuisance lawsuits. Saskatchewan is one of the few jurisdictions in North America that does not have this type of legislation.

In the next few weeks the government will consult with producer organizations and other stakeholders to determine whether legislation is needed, and if so, what form it might take. Agriculture development and diversification are cornerstones of the recently released strategic direction, *Ag 2000*.

The proposed legislation may provide one of the necessary elements in creating a favourable climate for diversification. The proposed legislation would also establish a mechanism for resolving rural nuisance disputes.

A discussion paper has been prepared which outlines the issues and presents a possible framework for legislation. This document is now available for public review. The paper raises a number of questions that should create a thoughtful discussion and debate.

For example, the first question the paper asks is: is specific legislation required to protect Saskatchewan agricultural producers from nuisance lawsuits? Other questions that will be asked: what types of nuisance should be covered in the legislation? What types of agricultural production should be afforded coverage under the legislation? Primary production? On-farm processing? Other farm-based enterprises?

Will the legislation as proposed in the discussion paper aid in the further development and diversification of agriculture in Saskatchewan? Beyond nuisance complaints, what impediments to agricultural development could be resolved through changes to legislation and regulation?

Mr. Speaker, those questions are only a sample of the issues that should be considered by stakeholders in discussions prior to any development of this proposed legislation. The proposed legislation is for presentation at a future session of the Legislative Assembly, so there will be ample time for discussion and consultation.

Mr. Speaker, it is my sincere hope that all interested parties will obtain copies of the discussion paper and will let their opinions be known. All ideas are most welcome. Thank you.

**Some Hon. Members:** Hear, hear!

**Mr. Neudorf:** — Mr. Speaker, I'm not quite sure what the minister was saying. We had a very, very difficult time hearing him and I did not get a copy of his statement. So I will assume that he was talking about Saskatchewan Agriculture Week that we're embarking on from March 21 and some of the

wonderful things that you're proposing to do for the farmers of this province, Mr. Minister.

And simply, I think, a good demonstration of what you're doing for the farmers of this province was demonstrated during question period when a very legitimate question was asked of you: what are you going to be doing for farmers? And we find out that we're not quite sure what's going to happen for farmers.

Mr. Minister, tonight is Oscar night. And I say that to you simply because I very distinctly remember the act put on by the now Premier of this province prior to the last election when he went around beating his chest and saying, if you elect an NDP (New Democratic Party) government the farmers' problems are going to be solved, because I'm going to go to Ottawa and I'm going to come back with millions and millions and millions of dollars.

Well, Mr. Minister, he does not say that any more, because we have yet to see one shred of evidence of what your government is prepared to do in terms of going out and marketing Saskatchewan to the eastern government so that we indeed can gain the benefit of some of these programs — or for that matter, what you are able to do as the Minister of Agriculture in this province.

So, Mr. Minister, when you get up in a ministerial statement and start talking about Ag 2000, well pardon me, and excuse me, and I think the farmers of this province are echoing this word.

Because what is *Agriculture 2000* that you're getting up now and beating your chest about going to do for the farmers of this province? And the sorry side of this, Mr. Minister, is that if it doesn't do anything for agriculture in this province — we are primarily an agricultural province and as goes the economy of agriculture, so goes the economy in Regina and in Saskatoon and in the other urban centres, Mr. Minister. Ag 2000 doesn't do one thing, I submit to you, nothing.

Now you have a producer group that went around and they made recommendations to you. And do you know what, you will get up now in Ag estimates, when I ask you about Ag 2000, you will say those recommendations are going to form the basis for further discussion. That's what you're going to say — that they will form the basis for further discussion.

Mr. Minister, the farmers are telling us, we want now, we need something now; not a basis for further discussion.

And there is something that you can do for the farmers, Mr. Minister, and that is what I expect you to do and the farmers are expecting, for you to go and actually access that \$300 million, that \$300 million that is lying in your Premier's bank account that he could withdraw, which is legitimately the farmers', and present that to them so that in fact they will have the resources to put their crops in the ground.

**The Speaker:** — Order. The member has taken considerably more time than the minister had in his statement. Order.

**Ms. Haverstock:** — Thank you, Mr. Speaker. I too hope that what I was able to get in bits and pieces that the minister was saying in his ministerial statement is in fact . . . what I'm going to be saying is going to be reflective of some of what he was trying to say.

Unfortunately I too could not hear what the minister was saying specifically. I'm assuming in fact that much of it is related to the fact that we are acknowledging farm families this week with Agriculture Week, which has been sponsored throughout the province by the Saskatchewan Weekly Newspapers Association.

We know that our province is the fifth largest province in all of Canada and that our agriculture land base here exceeds 66 million acres, which is 41 per cent of our entire province. Saskatchewan farmers — farm families — actually cultivate 50 million acres, Mr. Speaker, which is 44 per cent of all the cultivated land in Canada.

We know what farm families have done to try to cope with the significant changes that they have been faced with, in part brought on by government policy and regulations, at both different levels of government, and most of them have turned to alternative and specialty crops to bolster their income. And more and more farmers are turning to changes as far as livestock as well, even game farming, for diversification.

Cottage industries have been developed, and it's been surprising the numbers of things that have taken place, including children's toys to jams and jellies and so forth. So we really do have a lot of credit to hand over to the people of this province for their innovation.

We've made extraordinary advances in biotechnology in this province, at developing micro-organisms that can serve as effective control agents as far as insect pests and so forth. Vaccines have been developed, that have never been developed anywhere else in the world, to combat diseases as far as cattle and swine. And these advancements in biotechnology are also helping plant breeders put new crop varieties into farmers' hands far more quickly. And this is something that we can look forward to, in fact, within a very short period of time in our province with canola.

The future competitiveness of our industry, Mr. Speaker, depends on our ability to be able to adapt to all the changing global economic environments. And I think what we need to be seeing is a way of promoting that, Mr. Speaker. And one can only hope that the government comes on side with this, rather than impeding through government regulation and policies, the ability of farm families in this province to actually make the changes that they are trying to make; that they are trying to take the initiative in doing. So . . .



**The Speaker:** — Order, order. I think the member has had sufficient time to respond.

**Mr. Toth:** — With leave, to introduce a guest.

Leave granted.

### INTRODUCTION OF GUESTS

**Mr. Toth:** — Mr. Speaker, I notice sitting in your gallery a gentleman from our community — he just walked in — Reverend Vic Greenlaw, a United Church pastor in the community of Kipling. He's just seated here; he came to observe what's taking place. I trust he's learned a little bit. He shared a tremendous message with us last night at Lent. I'm not sure if what he's seen so far would have added to that message or not, but I trust his time here is educational and informative. And I'd ask the members to welcome him to the Assembly today.

**Hon. Members:** Hear, hear!

(1415)

### ORDERS OF THE DAY

#### GOVERNMENT ORDERS

#### SECOND READINGS

##### **Bill No. 36 — An Act to amend The Environmental Management and Protection Act**

**Hon. Mr. Wiens:** — Thank you very much. Mr. Speaker, after my remarks I'll be moving second reading of The Environmental Management and Protection Amendment Act, 1994.

**An Hon. Member:** — You want me to keep up a running commentary on yours now?

**Hon. Mr. Wiens:** — Yes, I have a note for you, for the member from Rosthern.

Mr. Speaker, as we are all aware, a sustainable future for our province relies on a healthy environment, economy, and lifestyles. The Environmental Management and Protection Act is the primary piece of regulatory environmental legislation in the province. The amendment to this Act demonstrates the government's commitment to the principles of integrated resource management, stewardship, and public involvement in planning and decision making.

The amendment addresses two issues. It addresses the age-old problem of mines in our province being closed or abandoned without proper decommissioning or reclamation. This will enable us to develop regulations that will ensure financial assurances are in place prior to the start-up of a mine and sufficient resources are available to clean up the mine site at the end of its life.

We are working closely with the mining industry to

develop a regulatory framework that will put in place a mine reclamation policy that is acceptable and is effective. We will continue working with the industry in pursuit of our common goals. First, for the best possible environmental protection; and secondly, for ensuring environmental sustainability of our economic development.

The amendment also expands an existing permit-granting section of the Act. This allows for better regulations of our water and fisheries resources. It enables us to regulate the protection of fish habitat in fish-bearing waters. Previously, federal regulations which were administered by the province regulated these issues. The federal government has implemented changes to the federal fisheries regulations that have created the need for this amendment.

The amendment to this Act is a major step in harmonizing federal-provincial legislative responsibilities and eliminating any duplication or confusion. Mr. Speaker, I now move second reading of The Environmental Management and Protection Amendment Act, 1994.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, just a few comments before I would move to adjourn the debate on Bill No. 36.

Possibly one of the major concerns that we would have, that any organization would have, and even the mining association, Mr. Speaker, is that in knowing what the regulations are specifically going to set out. It's easy for us to sit here and discuss the specific piece of legislation, but if the legislation leaves the regulatory process a lot of latitude, then that creates some confusion not only in the industry but it certainly creates confusion for everyone involved.

And so we would trust that as we enter into the debate on this, and the minister has indicated that they've been talking to the mining association and there's . . . all the information we have is that the mining association themselves are willing to look at ways and means of protecting their industry and protecting the environment.

At the same time, they just want to know that they've got a level playing-field that they can work with; that at the end of the day the legislation will be passed and the legislation will look fairly healthy and harmless. And yet as the regulations start to come down all of a sudden we find everyone put in a very difficult and tenuous position.

So, Mr. Speaker, to allow for a little time, for more time of discussion, my colleague the opportunity to do some more research, I move to adjourn the debate.

Debate adjourned.

##### **Bill No. 37 — An Act to amend The State of the Environment Report Act**

**Hon. Mr. Wiens:** — A little enthusiasm, eh? Mr. Speaker, after my remarks I will be moving second reading of the amendment to The State of the Environment Report Act.

As you know, Mr. Speaker, the state of the environment report is like a report card indicating the health of Saskatchewan's environment. The report demonstrates the important linkages that exist between our activities and environmental conditions. This amendment will allow us to release a state of the environment report every two years instead of annually.

Most other provinces, Mr. Speaker, that prepare a state of the environment report allow between two to five years for research and report preparation. This change to a two-year cycle will help current efforts to harmonize data collection and reporting among provinces.

Many departments and agencies contribute material to the report. Issuing a report every two years provides the necessary time for extensive research and data collection, to prepare a comprehensive provincial report. Environmental trends generally do not change that much in one year. Trends can only be identified and studied based on longer time frames.

Preparing a report every two years will give us a clearer picture on the state of our environment as well as making us more consistent with other provinces. This change will give people a better informational tool to make decisions about the environment, understand environmental issues, and evaluate the impact of human activities. The next state of the environment report is expected to be released in 1995.

Mr. Speaker, I now move second reading of the amendment of The State of the Environment Report Act.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Again, Mr. Speaker, we on this side of the House would like to take a little more time to review the Bill somewhat more closely.

I find it interesting, Mr. Speaker, that the minister suggested that we move from a one-year report to a two-year annual report, a report on the state of the environment. And considering the fact that the members opposite when in opposition were quite emphatic about the fact that we should have a yearly review, one would begin to wonder, is why we're changing.

The minister would argue that he's changing this or brought this regulation in place or change in place to harmonize the environmental reporting with other jurisdictions across the country. Now if we're talking about harmonizing maybe there's another form of harmonization that he could bring forward to his colleagues and that's harmonizing the taxes. And

maybe we could lower them and simplify the whole process if we're indeed looking at simplifying environmental reporting for the benefit of the taxpayers and everyone involved.

Mr. Minister, as we have a number of questions and would like to review this a little more in depth before we get into the greater discussion, I move now to adjourn debate.

Debate adjourned.

#### **Bill No. 38 — An Act to amend The Parks Act**

**Hon. Mr. Wiens:** — Mr. Speaker, after my remarks I will be moving second reading of The Parks Amendment Act, 1994.

The purpose of these amendments is to better protect and represent important ecosystems within the province. The amendments will also introduce efficiencies in administration to reflect the changing needs within Saskatchewan's provincial parks system.

The Clarence-Steepbanks Recreation Reserve will be designated as a provincial wilderness park, adding an additional 17,500 hectares of land to the parks system. Public consultation has shown that there is strong support for this recognition. The provincial wilderness park designation will allow more effective management of this area for protection for present and future generations. A steering committee has been established to ensure the local community is involved in the management of the park. The government remains committed to respecting traditional rights on this land.

A new protected area will include water courses within lands acquired by Canada and the Grasslands National Park. The designation of this protected area is required under the 1988 Federal-Provincial Grasslands Agreement to ensure that the province retains control of the beds of water courses within the national park.

Several housekeeping provisions are included in the Bill. Cannington Manor and Fort Pitt Provincial Historic parks and Saskatchewan Landing Provincial Park are each being expanded on a small scale. Errors in existing legal descriptions will be corrected for Douglas and Makwa Lake provincial parks.

These amendments ensure that Saskatchewan's provincial parks provide a better representation of our natural ecosystems and heritage resources and they support the government's commitment to an enhanced park system.

Mr. Speaker, I now move second reading of The Parks Amendment Act, 1994.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, on the surface it would seem that Bill No. 38, The Parks Amendment Act really doesn't have anything that we

could really stand up here and oppose. I think some of the suggestions that were made by the minister certainly will be beneficial and the public in general will appreciate it.

I think it would be appropriate that we certainly review what the full intent of the Bill is to make sure that it's not just a wilderness area or wilderness park that really will not have a lot of access by the public. But I know that the minister mentioned a number of parks that are going to, if I understand it correctly, like Cannington Manor, is going to be expanded somewhat.

A number of these parks, certainly in our area, are used on a daily basis by the residents of our area and certainly people coming in from outside of our province, outside of our country. I think one of the most important things we can do is to promote the parks across Saskatchewan we do have. We do have some of the most picturesque and beautiful land and parks, certainly, from one side of the province to the other. And I think we need to do more to promote the use and let people know that there's more to Saskatchewan than what they see either side of either Highway No. 1 or Highway No. 16 as they go through the province.

So I think from what we see on the surface, the Act appears to have some very solid suggestions and affirmative action. We're going to want some more time to review it a little more in depth and therefore at this I move adjournment of debate.

Debate adjourned.

(1430)

## COMMITTEE OF THE WHOLE

### Bill No. 12 — An Act to amend The Ombudsman Act

**The Chair:** — Before we proceed to clause-by-clause consideration, I would ask the minister to introduce the officials who have joined us here this afternoon.

**Hon. Mr. Pringle:** — Thank you very much, Mr. Chairman. The officials, seated to my right, Neil Yeates, the associate deputy minister of Social Services; behind Neil, Bonnie Durnford, senior policy analyst; and behind me, Madeleine Robertson, Crown solicitor with Justice.

And, Mr. Chair, it was asked last day if I could table the list of consultations between the task force and the community groups. And I would be pleased to do that at this point and then take any further questions, if that's okay.

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Chairman, I'm just wondering if we could have a copy of that information — there might be some questions pertinent to it — before we finish our questions on the piece of legislation before us today.

Mr. Minister, your government appointed a task force to examine options for child and youth advocacy

about two years ago. I'm just wondering first of all, Mr. Minister, if you'd have a copy of that, if there was a report put out by the task force. Maybe you could fill us in as to who was part . . . or who the members were of the task force.

And what I'm basically doing I guess is giving you three or four questions at once. But maybe while you're discussing it you can get us the rest of the answers. And did you use many of the recommendations of this task force when writing this legislation? I'm wondering, Mr. Minister, did you use many of the recommendations of the task force when you were writing or preparing this legislation that we have before us?

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. I could go over the names individually on the task force or I could table or send them over to you, whichever you prefer.

**An Hon. Member:** — Table them.

**Hon. Mr. Pringle:** — Just send them to you? Okay. Be happy to do that, Mr. Chairman.

Secondly, the report was made public. If you'd like a copy, we could send one over to you. But it was a public report at the time and we'd be happy to send you a copy of that. We don't have one right now. We could send you one later today, if that's okay.

And with regard to whether we accepted the recommendations of the task force, I think it would be fair to say that the basis for the model that we've established, that is the child advocate, was the essence of the . . . the fundamental essence of . . . rather than the Ombudsman model, was one of the fundamental points made by the task force. And so we've adopted that approach.

The second major point they raised was to ensure there is independence from the minister. That's the second major, I guess, principle. And we've incorporated that into the Bill.

**Mr. Toth:** — Thank you, Mr. Minister. With regards to the report, the reason I'm asking for a copy is, I'm not exactly sure. Generally when reports are handed out, we usually receive one in our caucus office and we generally put it up so everyone has access to it. For some reason if one did come out, whether it got misplaced or not, I'm not sure. So we'd appreciate whatever you have regarding this report, and if you would submit it or send it to our office we'd appreciate that.

I'm wondering, Mr. Minister, if you could give us some detail as to what specific recommendations you have accepted, and if there are any recommendations made by the committee that you didn't accept, and why or why you may not have accepted a number of the recommendations.

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. Possibly several hundred copies were released, but

we will make sure you get one later today. All of the groups on that consultation list, and many others, received a copy of the report but we'll make sure you get one later today.

I guess the best way to answer your questions in terms of the recommendations — because there were a number of them — is I could give you some of the themes which were the basis for the recommendations and let you know what we've opted for if that's acceptable to you.

One of the themes was, as I said, a strong preference for a child and youth advocacy model over the Ombudsman's model. And of course what we've done is recommended the Children's Advocate model.

A second major recommendation was the need for a separate legislative mandate for child and youth advocacy. And we recommend here, and incorporated, amendments to The Ombudsman Act to establish the Children's Advocate, to define it in a proactive, preventive manner. We've outlined the duties in that way, which was a clear recommendation of the task force.

A third recommendation, the need for the advocacy process to be independent of the control executive branch of government, which we've done, as you know, by making that office accountable to the legislature here.

A fourth recommendation is creating a structure for the child and youth advocacy process that reflects a strong community base. And we've recommended an advocate that emphasizes the problem solving approach, that sort of model where it would be possible and desirable for the advocate to . . . in a proactive way, in an outreach way, to reach out to children and families in terms of advocacy; to be able to analyse the system's issues from their point of view directly from the people involved.

And the second thing I suppose with regard to that recommendation was to build the child advocate as one part of the child action plan, which is community based, preventive, and to sort of fit in with the integrative approach that is the thrust of the children's action plan.

Another recommendation: the utilization of youth and citizen volunteers to advise or participate where appropriate in the process of child and youth advocacy. And of course we have established a children's council which is a broad based group of citizens who have demonstrated some interest or concern on children's and family matters. The first meeting of that children's council will be held this coming Friday, I believe, in Saskatoon.

Another principle is an emphasis on public education as an essential component to advocacy. We've built that right into the Bill as an expectation of that individual.

And of course a final one that I'd comment on, the creation of a system that assures children and youth they'll be empowered to speak and that they will be heard. And again, I think we've done that by making the office independent. And as I said last time, a child from any one of our institutions could write to the child advocate and the letter would be forwarded immediately and unopened. And so that sort of access that the children in the system would have to that office as well.

So I think we've captured the model, the essence of the model, and the fundamental principles that were in the task force report. And as I said last time too, the chair of the task force I think is quite satisfied with this approach at this time. We'll be quite prepared to evaluate it over the course of the year and, you know, entertain recommendations as they may be made. Thank you.

**Mrs. Bergman:** — Greetings, Mr. Minister. Welcome to your officials today.

It's been a while since we spoke on this, but continuing the issue of why the child advocate is responsible to only certain segments of the population of the children of the province. You've stated that children who are serviced by non-government organizations are only covered by this legislation if those organizations receive grants or other funding from government departments.

Mr. Minister, since school boards receive grants and other monies from government departments, does that mean that the child advocate would be mandated by the legislation to be responsible to all children enrolled in Saskatchewan schools?

**Hon. Mr. Pringle:** — Thank you very much for the question. I guess I would say at this point is that we do view this as a starting point. I think you raise a question that's very legitimate. We wanted to expand it further than our neighbouring provinces in terms of the scope, which we have done, as you know. And we would be very open to any recommendations from this office or yourself over the course of the year. If we find that once we gain some experience with expanding it beyond what Alberta and Manitoba have done, we would be quite open to considering expanding it further.

But we want to make sure that this is successful. We believe that some of the children in care of the department and some people receiving . . . families, children receiving government services should ensure that there is somebody that can lobby on their behalf and play that advocacy role, whereas many of us are able to lobby for our own children.

And if we gain experience in this broader scope than our neighbouring provinces and we feel we can add another piece to it and . . . your school issue may very well be, you know, the basis for some expansion. But we feel we need to get some experience with it. I think that's about the only way I can answer your question at this point.

**Mrs. Bergman:** — I'm not sure here of what you're saying. If indeed it does apply to non-government organizations which get funding, does this legislation then apply to school children?

(1445)

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. I'll try and make myself clear here. What I was trying to say is that the jurisdiction extends into where there are any government services provided. Where we are funding specific NGOs (non-governmental organizations), we have a contract with them in terms of what the expectations are, including sort of what the funding is intended to cover. And as I tried to say last day, the child advocate has the jurisdiction to look at those contracts and the terms of those contracts.

With regard to the school system, as you would know, the current Ombudsman does not have jurisdiction in the school system either. Basically we're just keeping the jurisdiction the same way that the current Ombudsman Act provides for.

However, I would say that the schools and the principals and the staff and so on have some accountability to the school boards locally. And so there is an accountability there that isn't often or usually with government services. So that's the reasons I think that we've opted to limit it at this point, which doesn't mean to say we can't expand it in the future.

**Mrs. Bergman:** — Perhaps I'm just a little dense. I don't quite understand the difference between the funding to the school boards and how . . . is there another portion of The Ombudsman Act that limits it other than what we have in front of us?

**Hon. Mr. Pringle:** — Maybe I'll try and say it this way. The definition of an agency of the government in the Act includes departments and agencies like boards, NGO boards that may form a contract with to provide a certain set of services. And it excludes locally elected boards like the school boards.

Again, the child advocate will have the same jurisdiction as the current Ombudsman. So this is not a restriction from the traditional role that's been played by the Ombudsman. And I might say that it still is broader than the scope of the other provinces. But maybe in the next year or so we can look at whether it could be expanded or not.

We think that this is a pretty ambitious scope already and we want it to be successful and we want that office to have the resources to do the job in what is a pretty big area already.

**Mrs. Bergman:** — Some of what you're saying here about the limiting really has a lot to do with the budget constraints. You're saying that we're just unable to fulfil a bigger mandate, that this child advocate is really a child's ombudsman rather than advocate. My impression is that The Ombudsman Act itself

then tends to limit the role of this actor as an advocate.

**Hon. Mr. Pringle:** — Well first of all let me say that I don't want to get into . . . or I would hope not to get into a question of whether we're not prepared to put the resources there as required. I think we are. We're already making the jurisdiction of the child advocate broader than our counterpart provinces, substantially. So we want some experience with this.

There is a fundamental difference between the Ombudsman's office, which responds in a reactive way when people lodge complaints as you know, than an office that is proactive, has a community education role, has an advocacy role, and is clearly spelled in the legislation. We want it to be something quite different.

And I would go back to say that the chairman of the task force who met with all these groups where we just tabled a list of consultations is satisfied that this is a good starting point and that it is more than our neighbouring provinces.

And so I'm proud of that. This is not a budgetary consideration, although obviously we're trying to responsible and balance the need for advocacy and the direct service aspect to any consideration of services of children and families.

**Mrs. Bergman:** — Thank you, Mr. Chairman. Mr. Minister, wouldn't the functions of the advocate be in direct contradiction, as you said, to the functions of the Ombudsman?

If indeed the child advocate will have the power to advocate for children . . . The nature of advocacy work is in essence to lobby on behalf of a group of individuals with the express purpose of changing government's ways of doing things or delivering programs. While the Ombudsman mediates between individuals or groups as you were explaining, and the government, it as often as not takes a side of the government if all matters were handled within the context of the law.

What effect will sharing the office with the advocate, what effect will that have on his efforts or her efforts to change policy and what effect will that have on the respect for the neutral mediating nature of the Ombudsman office? You know, the vice versa effect of this advocate who is lobbying in an office which is not meant to do that sort of thing.

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. Let me say first of all, the reason that we have put the offices together is just for some administrative efficiencies. And secondly, a major part of that I think is to give the public sort of one point of access. Okay, so not to confuse where they would go.

With regard to a potential conflict that you raise, we believe that the child advocate role will dovetail nicely with the Ombudsman's role in that the child advocate, as you know, is responsible and accountable for looking after the best needs of

children, and their families obviously. Where the division of labour is that the Ombudsman's primary role will be dealing with adults and investigations around concerns by adults.

Now the Ombudsman of course has had a lot of experience in investigation, so obviously there will be a working together on that cumulated expertise which will benefit, I would suggest, the investigative work that could be done by the child advocate. So I don't see a problem there as you've identified. We think that those two roles will dovetail very nicely.

**Mrs. Bergman:** — Part of what I have some difficulty of understanding, I can understand the administrative efficiencies and using the expertise of the Ombudsman in investigating claims, but it almost sounds in your description like a child Ombudsman, rather than a child advocate.

My question is on the nature of what . . . and again I'd like to reiterate that I'm in no way opposed to a child advocate. Because having worked with young children and children of all ages for years, I know there is really an essential need for this office. But I would like for it to be as effective, as you would, as it possibly can.

And I'm concerned. I don't understand exactly why it needs to be under the Ombudsman office in order for administrative efficiencies. I understand there's already a model for the Conflict of Interest Commissioner who has separate legislation, works within another office, for administrative efficiency. And I'm wondering why it needs to be under The Ombudsman Act rather than standing on its own.

**Hon. Mr. Pringle:** — Well we might have gone different ways here but I think that the essence of it is that we've built into the legislation . . . it's an independent role, it's a proactive role, it is only housed with the Ombudsman's office. And there's some administrative efficiencies which make sense. I mean they may be physically separated in the same building. They will operate independently or cooperate where it's necessary and possible.

I would say that in drafting the legislation, this was done in consultation with the current Ombudsman's office, but it is clearly an outreach, proactive, advocacy position. And again, I don't foresee the concern personally that you have. And I fall back to the fact that the chair of the task force is satisfied with the arrangement and the model, and that it has the principles that he believes will make it work.

So I mean we're going on good faith that he has a sense of where everybody is coming from, and that this has the principles that need to be preserved and promoted and they're in the legislation. So I'm optimistic about how it will work; I'm not pessimistic at all.

**Mrs. Bergman:** — My concern is that the difficulty and the time consumed in drafting legislation, in bringing legislation forward, expands. And in terms of revising

this, should we want to expand the mandate of the child advocate, or if it's found that the Ombudsman's role in some sense limits what the advocate can do because it's under The Ombudsman Act, would involve drafting new legislation.

And given that we know that it takes time for legislation to come down into . . . I'm wondering why we aren't doing it first rather than working to build that legislation independently and with perhaps a delayed mandate, but a mandate none the less, to serve all the children and to really make that advocacy role strong.

(1500)

**Hon. Mr. Pringle:** — Well this is an area where we may have to agree to disagree because I'm already saying that the scope is broader than the scope of other jurisdictions. Now obviously you would see that as a good step because you're lobbying for a broader scope.

So we're broader already, but we want this to be successful. We want to make sure that this works. You have to give the advocate a set of legal requirements, which we've tried to do in the Act. You have to identify those, spell them out as clearly as you can.

The office is accountable to this Chamber. It would be quite a simple matter, in fact, to make any amendments down the road to this office. And I can give you the assurance that I would be quite open to your advice on that, the advice of the official opposition, and maybe especially the child advocate — him or herself — as to whether there should be some changes. We'd be very open to that.

**Mrs. Bergman:** — I in no way question your personal commitment to that. But given the role of advocacy, there may be someone in your position at another time, affected by this legislation, who does not have that same willingness and openness to dealing with what may be difficulty. Advocacy can stir up some devils. But it's a concern that I've been thinking about a lot.

The two offices would share administrative staff while having different mandates. If the advocate shares administration costs with the Ombudsman, does this mean that the advocate's funds, as you outlined in what your department is planning to put into the advocate's hands, does that mean that those funds appropriated by the legislature will be deposited to the account of the advocate or the Ombudsman? Who's in control of that budget?

**Hon. Mr. Pringle:** — Well let me assure you that the money designated in the budget will be used for children's advocacy services, for that office. The money allotted will be used for nothing else but that office. Okay?

The administrative head will be the Ombudsman but the money will be designated for the advocate. It'll be used . . . the advocate will have control over that amount of money, including who the staff will be and

so on, and what the priorities are going to be. So there will be no way of interfering there. So I hope that that gives you that assurance.

In terms of the advocacy role or the public accountability role or whatever you want to say, we have current watchdog agencies as you know, like the Ombudsman or the Provincial Auditor and so on, who are free to say what they want to this Chamber in their reports, as the child advocate will be. And I don't think we look at their budget in relation to what they say. I think that that's not been the experience and I don't anticipate that being a problem with the advocacy role.

I know your point, but I don't . . . like that's why we want that office to be accountable to the legislature as a whole, that independence, rather than to me as the minister. Because then your point, which is a point that lobby groups are making in Alberta and Manitoba, then of course if the minister is in charge of the advocate, then you run into the problem that you're identifying.

**Mrs. Bergman:** — Mr. Minister, the 1992 annual report of the Ombudsman noted some frailties or difficulties in their office. One was the inadequate staff and resources with a backlog of complaints and an inability to initiate systemic investigations into government departments. And it also commented on the limited jurisdiction of the Ombudsman office.

Have those frailties been addressed and how will these difficulties affect the functioning of the child advocate?

**Hon. Mr. Pringle:** — Well I guess a couple of points I would raise here is that keep in mind we are putting in 350,000 new dollars for advocacy accountability measures. So that's almost . . . in fact it's over a 50 per cent increase, or almost a 50 per cent increase to the current amount of money that goes to the Ombudsman. So we're enhancing quite substantially the new money that's available.

As you know, the current Ombudsman provides services to children too, does investigations regarding children. And as the advocate takes some pressure off that system — and more appropriately because it's a child advocate — then it may free the Ombudsman up to sort of provide service to some of the areas that he felt that he couldn't in the past.

So I'm hoping that we can reassess that along the way from both perspectives, both office perspectives, but we are putting in almost 50 per cent new money. And again we have to be open to recommendations by the advocate that the money's not enough or that the legislation is too restrictive. And we'll be open to doing that.

**Mrs. Bergman:** — How will the mandate of the advocate be affected by aboriginal jurisdiction over aboriginal children? And what about the repatriation of aboriginal children — how does that work into the mandate?

**Hon. Mr. Pringle:** — I know that you would appreciate the complexities here. I mean constitutionally it's our opinion that the child advocate will have jurisdiction on the reserves. And as you know, we're establishing the first nations' agreements in family and child welfare, a progressive step that I think most other provinces are involved in and most of us would support aboriginal people being responsible for their own children or their own families.

And so we're progressing down that path and it's new territory, so we're trying to manage it as best we can.

First nations people may not agree that there's some jurisdiction there. I don't know that. I think it would be important to say that the child advocate will need to establish a relationship there in a very sensitive way and work out some arrangements.

And in my experience as Minister of Social Services, having signed two of those agreements trying to manage this very complex jurisdictional question between the provinces and the federal government and the reserves, I found that the first nations people have been very receptive to our dilemmas, at the same time wanting to accomplish their own goals. And I think that . . . I'm confident that they would take the same position, because they want to ensure that the services they provide are in the best interests of their children and families as well.

**Mrs. Bergman:** — Under the task force there was a complaint that time constraints didn't allow consultation with FSIN (Federation of Saskatchewan Indian Nations) or the Metis Society, in quotes, which is unfortunate, given that the children represented by these two organizations are highly evident in case loads of the Department of Social Services, and both organizations are building parallel systems of child advocacy. How will that fit in with this legislated mandate of the child advocate?

**Hon. Mr. Pringle:** — Well in terms of that point, the task force did have five months. There were representatives, as you know from the list, from the first nations, the Metis Society, on the task force. How long is long enough? I don't know.

The federal income support reform, which your party is heading up — I don't mean to be political here and I hope you don't interpret it that way — but they're giving us two months basically — I was at the first meeting — two months basically to go back to Ottawa and redesign social security programs that took 20, 30, 40 years to build. Fundamental decisions have been made to the UIC (Unemployment Insurance Commission) program, which have implications for the social assistance program and so on, without any consultation.

So I think that five months for the magnitude of that issue relative to two months to redesign, across Canada, with all the jurisdictions, the income support system, is a much more fundamental issue that

Saskatchewan people would be concerned about.

So I take your point, but obviously the federal government, the federal Liberal government, thought that two months was long enough. We believe that five months was long enough for the task force to make their report. And again it doesn't matter what you and I believe, the task force chair is happy about this. It's a good starting point. So I don't minimize your concern, but I think that I'll fall back on that at this point.

**Mrs. Bergman:** — Thank you, Mr. Chairman. Mr. Minister, I'd never accuse you of making a political statement. I believe that the complaint of the task force was that its mandate was over the summertime and it was very difficult to get in touch with people.

But I am concerned about the level of consultation with the FSIN and the Metis Society because of the level of case-load. And the original mandate that we're suggesting for this advocate affects those children first. You know, the aim is to deal with the children most at risk, the children who need an advocate. And so I'm somewhat concerned just . . . There's nothing you can do about that, except I am concerned about how it will all fit together with the FSIN and those responsible for aboriginal affairs.

Another issue, on section 12.1, the task force recommended — and I refer back to the task force because it's the only template that I have for looking at this — the task force recommended a specific structure of the legislative committee; that is, three members of government and two members sitting in opposition, with one of those five members on this committee being a member who represented a northern constituency. And I assume that meant someone who represented a large aboriginal population. Not only that, but specific duties were defined. Can you tell me why the legislative committee was not better defined in the legislation?

**Hon. Mr. Pringle:** — I think the explanation to that is that, I guess, we felt that we wanted to review this as a watchdog agency. Like the information of privacy officer, the Provincial Auditor, the Ombudsman, and so on, we felt that they should all report in the same way to the legislature, have the same status, report the same way.

If we decide at some . . . this Chamber decides at some point to change the reporting format or the accountability format, then it's our view that it should be done for all the watchdog agencies. So that's the rationale.

I mean not that it isn't a good point, but we do have . . . It's consistent. We've made it consistent with the other watchdogs and how they report to the Assembly, and their accountability here. So I think that's the answer there.

(1515)

With regard to your preliminary comments before

your question and the number of aboriginal children who interface with, say, our department and governments, that is precisely the reason — I agree with your point — that is precisely the reason why we're working as hard as we can to transfer over child and family services to aboriginal people and the Metis Society for their children so that they can best manage their own affairs. They want their kids back to their families, back to their communities, and so that's why we're moving with that agenda there.

And it is our belief and interpretation that the child advocate will have, constitutionally, will have jurisdiction on reserves and . . . But that has to be managed. You can't prescribe that fully because that's been the nature of this new territory that we're trying to map out.

But it's been my experience, and I have frequent meetings with the FSIN and the Metis Society on these issues, that they have been . . . and our experience with them is that they've been very, very cooperative in pursuing their own objectives and to cooperating when it's required with the provincial systems in order to ensure that people get the services that they need.

**Mrs. Bergman:** — Thank you, Mr. Chairman. I think the reason that I press this issue is because having worked with children, I know that the children's perception and children's needs are different from most of what those other watchdog people are responsible for. And I would say that forming a particular committee that came to understand the needs of children through work with the advocate, would be beneficial to not only the legislature and the people of Saskatchewan and this body, but to children.

And so I ask that question because I think that may have been some of the intention behind the recommendation of a specific structure that is not at the . . . You're a very open minister and you're very willing, you express willingness, to consult and you do consult. But there's always the possibility there'd be another minister who was not that open. I think in some sense that would be a safety mechanism to provide a more balanced view to the advocate and interface with the legislature.

It was stated the advocate should not interfere with or replace the natural advocates but should supplement, empower, and support the efforts of those natural advocates. How do you envision the child and youth advocate being able to — or I should say the child advocate being able to — do this if the mandate only applies to those children affected by government agencies?

**Hon. Mr. Pringle:** — Well the advocate will of course have a public education role generally and has the ability to look at systemic systems issues, and I think that most children at risk and their families come to the attention of government anyway under the Act.

Now you may not agree with that but, you know, last year we conducted, 1993, something like 5,500



investigations across the province in our department. That's a pretty hectic workload, and I think that that's an indication likely that we get to our attention, we get most of the serious cases. And of course everybody is required under The Family Services Act to report issues of suspected abuse or neglect, as you know.

So we believe that the child advocate, by supporting other advocacy efforts, it just sort of adds another capacity to the systems to ensure that the advocacy overall is strengthened.

**Mrs. Bergman:** — I go back to the example I used the first time with the young man who was arrested and very traumatized by his experience with the police. And you spoke of the police commission. He has his natural advocates, his parents. But if that child does not get satisfaction through the police commission or whatever appeal procedure they have set up, and I've looked at that, why . . .

My concern is that this is just the tip of the iceberg — and I'm sure that's the overwhelming part of this — this is the tip of the iceberg of concerns of children that will not be met by this legislation. Because they are not covered under the mandate and their natural advocates aren't.

**Hon. Mr. Pringle:** — Well I get the sense that you're not going to give up until we expand it totally.

But I just want to reiterate that we . . . I mean we want this to be successful. We want to make sure that the scope is . . . We want to experiment, that it's broader than Manitoba and Alberta but yet it doesn't jump into every place, that it basically starts where there's a critical need, which we believe we've addressed — that is, any services by government.

We've already talked about the fact that there can be some jurisdiction extended to NGOs. You're concerned about the school; there's accountability to the school board; the parent can go to, or someone can go to.

With regard to the police and the example you used there, if any person feels that they've not been treated fairly by the police now, they have an appeal procedure in that system by going to the public investigator's office who can review that decision. Now since the provincial government appoints that individual, the advocate, I'm advised, the advocate could actually look at the basis upon which that decision was . . . (inaudible) . . . because we appoint those individuals.

So we're trying to start to make sure that all children who receive any government services have that protection as a starting point. And that includes a lot of children. So we want to be successful there, and I've said that we would welcome ideas around expansion, if that's felt necessary. And I think that any person following me would do that as well. The child advocate has the power and the authority to report to this legislature any time he or she wants to. And that's been done in the past on special occasions. And I

think that any government that would ignore that would be . . . it would not be a wise decision for any government to ignore that individual's report, which you would have an opportunity to speak to as well.

**Mrs. Bergman:** — Thank you, Mr. Chairman. A couple more points and I won't wear you down too much longer.

The task force emphasized the need for community guidance of the advocacy process — participation in the design, delivery, monitoring, support, and direction of the process. How will this legislation ensure this community guidance, or does the legislation lend itself to a top-down process, which means a tendency to minimize the community base?

**Hon. Mr. Pringle:** — Well if you're wondering about top down from that office to the community, I guess my response would be that we clearly would want to recruit someone who, first of all, has a strong interest and a recognized interest in the province on children's issues, and secondly, someone who has an interest and is recognized to be concerned and to have experience in community involvement. And I think that those would be sort of critical elements in any hiring process.

We certainly want this to be a community involvement kind of a role, and their public education, public advocacy and so on ensure that there is going to be that interaction with the community. So I think that the individual, like any office, to some degree the individual tailors how the office functions. Dave Tickell was a very proactive Ombudsman and in child matters, as you know; Mr. McLellan was more of a reactive Ombudsman. So those were just two different styles, two different interpretations of the office.

It is very clear in this Bill that this a proactive position and we would expect that to mean that the outreach, the education, and all of the things that we talked about. So again, I personally am not concerned that the child advocate will be a top-down kind of individual and that that office will be top down and it'll be very much connected to communities across the province.

**Mrs. Bergman:** — I hope that's how it works too. And I think my sense of what the task force was doing was trying to provide some structure such as the commission, such as the involvement of the youth, such as the involvement of volunteers in their proposed legislation to not only hope that it would happen, but to try to structure it into the legislation.

And I'm wondering why some of the structures they suggest . . . particularly the issue of community involvement. As you say, I mean different people have different styles of . . . Things can change but I feel it's critical to this that community involvement, individual . . . from the wide range of community involvement around the province is critical to this. And I think that's what the task force is trying to do in its recommendations, and I'm wondering why it was

simplified down to leave out many of these structures.

(1530)

**Hon. Mr. Pringle:** — I think one of the things that we're trying to do through the action plan for children is to empower families, to empower communities, to keep in the community the primary responsibility and interest for the best interests of children and families. We want healthy communities and healthy families so that they reinforce each other. And structures are evolving all the time.

I hope you're not suggesting that there are no structures that this office can relate to. We've established the Children's Council, which is a new initiative, at the first meeting this week. No doubt the child advocate will want to meet with that broad-based body where all the individuals have track records and interests in children's concerns.

Both these initiatives, the child advocate and the Children's Council, are initiatives of the child action plan. So we want to . . . the new family service and child agreements with aboriginal people, the negotiation with the Metis Society around their child welfare issues, those are new structures that are evolving all the time.

So some of the structures aren't even in place yet in the communities that will have to be related to. The child advocate may very well want to go and meet with the West Flats Community Association of Prince Albert, which would be a good idea. Because the West Flats group, as you know, has taken control pretty well of the development of their services in the best interests of their neighbourhoods and their community of P.A.

And so there are many forums at the grass-roots level open to the child advocate or structures, as you say, that will be accessible to that individual and to that office. And I would think that the child advocate would be most anxious to meet with people of those structures.

**Mrs. Bergman:** — I appreciate what you're saying. I mean the government is building the Children's Council, and there are other aspects of government which have children's interests at heart. Not all of them agree on the basic principles underlying children's needs, but in forming the advocate's office, indeed the advocate will want to consult with them but the advocate will also be responsible for keeping them accountable. So you know, there's a complexity of role there.

And I'm still somewhat concerned about accountability to the public. I'm not sure if I can explain it better than that, except to say that there is . . . somehow there's a lot of hope in this legislation. You know it's evident that this is what we'd like it to do. I'm concerned that at times it may not be able to accomplish that with how it's structured.

**Hon. Mr. Pringle:** — Again I don't mean to minimize your concern because I know it's a sincere concern.

All I can say is that that office will report to this Assembly. You will have the opportunity to review the report, like you've done with the current Ombudsman, and make comments, ask questions on that report.

The independence has been preserved unlike our neighbouring provinces. So we've learned from that; we've learned from those experiences. We've broadened the scope beyond our neighbouring provinces. And I'm not being critical of them; we've learned from them. We're broadening the scope beyond our neighbouring provinces.

And so the individual's accountable to us, to the people of Saskatchewan, in terms of the function of that office and, I would suggest, to individual youth and children on the casework problem-solving that's being satisfactorily done or not done.

So I would suggest that we set it up, we experiment with it, and then we be very open to meeting with the child advocate on how things are going and make adjustments if required.

**Mrs. Bergman:** — I appreciate the efforts that your officials and you have put into explaining and answering my questions on this. And I'd like to thank you for this afternoon.

Thank you, Mr. Chairman.

**Mr. Toth:** — Thank you, Mr. Chairman, Mr. Minister. Mr. Minister, in your second reading remarks you said that the child advocate would be appointed in the same manner as the provincial Ombudsman. And, Mr. Minister, this may or may not be a good thing.

But I'd just like to bring to your information some of the information we're receiving and get some responses. We've received a number of phone calls regarding the process of choosing the provincial Ombudsman. For instance one individual was one of four individuals short-listed for a similar position in Ontario with a budget of over \$200 million a year. He was short-listed out of approximately 240 applicants. Yet the same individual, qualified as he was, applied for the provincial Ombudsman in this province and wasn't even short-listed out of 70-some people applying. Obviously, Mr. Minister, this individual is questioning the method in which applicants were short-listed.

My question here would be, what is the use of holding a public competition for the office if you don't have a non-political, non-partisan selection committee in place to review applications?

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. I do not know of the circumstances you're talking about, but I would reiterate what I said the other day is still true. The process will be similar to the way in which the Ombudsman's position will be filled. In other words, there'll be a public competition. The Public Service Commission will be involved, the chair, as is the case now. I gave, I think, a commitment that I

would consult with you and with the member from the third party with regard to the process. I still make that commitment today, and you'll be consulted as to the outcome . . . or the candidates. So I hope that satisfies your question.

**Mr. Toth:** — Thank you, Mr. Minister. Just to clarify it, Mr. Minister, the process we're talking of is . . . Certainly the Minister of Justice had chatted and sent letters to the leaders of the two opposition parties regarding the official Ombudsman. The unfortunate part, the way the Minister of Justice laid out the criteria is that once the list had been short-listed, then the opposition party . . . or the opposition leader and third party leader would be consulted as to the final choice.

What we're saying, Mr. Minister, it would be appropriate I think that if there is going to be true consultation, that there be some involvement in the overall process. And you've indicated that you're more than willing to consult with us regarding the . . . Now I'm not sure if you're talking of the short-listing or just consulting with us prior to the final announcement of who the child advocate would be.

But if we're going to be really reforming the House and changing the House, it would seem to me . . . And I take from your comments, Mr. Minister, that you're suggesting, no, you're not just talking of just the final two or three individuals that may be short-listed, but there might be some involvement or input from the other parties in the House.

That's what I'm suggesting. If that process isn't there, then it would seem to me it would be appropriate for us to have reviewed the private members' Bill regarding a legislative review committee that would look at all these public appointments.

**Hon. Mr. Pringle:** — I want to be clear on what I'm saying here. I indicated that I would be willing to involve you in sort of how the competition will occur. It'll be a public competition. I'll share the proposed job description with you, ask for your feedback, your input.

In terms of the competition though, I won't be involved in it either. I won't be looking over the applications. It'll be, I assume, like the other process, it'll be chaired by the Public Service Commission chairperson. So I won't see the names either. I won't be looking at the 50 or 60 or whoever knows how many applications. So I will see the list that is prioritized around the criteria based on objective education, the experience background, and the interviews.

So I have no inside track here that you don't have. When I get a list I will share that with you and invite your input. So I'm not privy to anything that you're not, in terms of the actual screening out of people. I make that commitment to you.

**Mr. Toth:** — Mr. Minister, the point we're trying to make is, fine, and I appreciate the commitment you're making, but who specifically will be

committee? You mentioned the chair will be the Public Service Commission. Now who's going to appoint the other two individuals? Is it an order in council?

Just for example when we look at the commission that was reviewing the Ombudsman, one of the former assistants to the member from Regina Dewdney, Lois Thacyk, I believe is how you pronounce the name, was appointed to the committee, I believe, when the Clerk who was unable to fulfil her role on that committee.

And what we're saying, Mr. Minister, that's all fine and dandy. You're saying that you don't have privy to that information and I'm not saying you would or you wouldn't. In fact I'm not exactly sure you'd really have the time to go through that whole process. It's a matter of the committee that's put in place, who's on the committee that's bringing forward the recommendations, that at the end of the day you're going to seek some input from the other parties in the House. And that's the question we're raising, Mr. Minister.

**Hon. Mr. Pringle:** — Well let me say the process for the Ombudsman's competition, as I understand it, was that the chair of the Public Service Commission was involved, which I would view as an independent person. The Clerk of the Assembly was involved, which obviously is an independent person. And the process will, I assume, be the same — we haven't even got that far yet — but I assume it'll be the same process.

But while I appreciate your point, I won't review for you, because you remember — and I could name the positions if you want me to — where your administration before, appointed watchdog individuals without any competition or without any consultation with the opposition. So I'm not going to do that, but I could if you want me to.

I'm saying that we're going to go a public competition route and we're involving respected, recognized, independent people. Now you didn't do that in some of your appointments. Now I'm not saying they were bad appointments, but you didn't do that.

**Mr. Toth:** — I thank you, Mr. Minister, for the way you use "you" because it seems to me I never had any input in it neither.

But I would suggest, Mr. Minister, though, if we're really going to change the system, and if, as you've indicated to me, for some of these public appointees we're really going to be open with the public, there's another process. And maybe you need a process that expands beyond and possibly, I believe, there may even be a suggestion coming, an amendment coming forward, that is laying out a format which talks about men and women from this Assembly. Number one, you get away from additional salaries by appointing people to certain committees. But I think, Mr. Minister, the public in general are looking for something significantly different. They're looking for

changes.

(1545)

And I think I can stand here quite assuredly and let you know that you may look back at the former administration, but quite frankly I had very little input into it, and what took place in the '80s and what took place in the '70s and what took place in the '60s was strictly politics. And I think we want to move away from the politics *per se* and move into a more open and competitive format.

And I would ask the minister if he would give some serious consideration to supporting the private members' Bill before this Assembly that brings forward the make-up of legislative review committees, regarding the public appointment of such officials as possibly even the child's advocate.

**Hon. Mr. Pringle:** — Well I agree with making the process more objective and more fair. And I think that we've gone a long way to doing that. As I've indicated, the chair of the Public Service Commission and the Clerk are on that committee. Those are pretty independent people. I think it's unlike the previous situation, but we won't get into that.

So I agree with you; we're moving into a fairer process. I won't see the names; I don't know who the people are going to be. I'll get my list after the process has been worked through.

And I guess the other point I would add is that by introduction of the position itself and the new money and the principles that we've entrenched in the legislation, we want this person, this office, to have the independence and the objectivity and the freedom to do things that not even our counterpart provinces are allowing their child advocate to do. So again, it's a move in the direction that you're advocating, and that is a fairer process. So I think that we've made some strides on those two fronts with regard to your points.

**Mr. Toth:** — Well, Mr. Minister, we certainly could stand here and argue whether it is fair. Certainly I would have to say that the process I'll take for granted is somewhat more open and more available to the public.

And you mention the Clerk of the Assembly. Now I'm not sure the Clerk of the Assembly, aside from being involved in the appointment of the Ombudsman, whether it was . . . I don't remember the process, but there was an appointment of another individual — actually I've got them indicated — a staff person who used to work for the member for Regina Dewdney.

And what we're saying, if indeed they're public officials that are not . . . like the Clerk of the Assembly we wouldn't perceive as being a political appointee or the Public Service commissioner. And I just don't remember who the third person was on the other committee. But the more we can do to make it public and at the end of the day, Mr. Minister, when the breakdown comes and you want some input, I'm sure

that we'd be more than willing to offer our objective input and then as you say, as the legislation requires, comes before the Assembly for final approval.

Mr. Minister, I think the other day I asked about the budget allocated to the office of the child's advocate, and if I'm not mistaken you had responded there were five staff people at roughly \$250,000 with \$100,000 for administration. Just a couple of questions here. I'm wondering is . . . I take it that that's \$350,000 right now you're anticipating to the child advocate. Do you think that funding will be enough to address the needs of the five staff people, administration, when you realize that there will be annual reports and probably a number of other reports that will be coming to this Assembly? I just would like your comments on that, Mr. Minister.

**Hon. Mr. Pringle:** — Yes, you're correct. The 250,000 is for salaries and the 100,000 is for the administrative budget relating to public education, travel, preparation of reports, and so on. We've tried to cost that out, I'm advised, as best we can. If that proves to be insufficient, then we would have to be open to that consideration.

But based on the relative budgets of our counterparts, we feel that that's a good starting point, and that that should be able to handle the costs as anticipated at this point.

**Mr. Toth:** — Mr. Minister, you also indicated that the child ombudsman would be appointed for a five-year term with the possibility of reappointment for a second, I take it, for an additional term of five years — that's another five-year term. And unless that person resigns, dies, or is removed from office, who decides whether the person or the individual is reappointed for a second-year term?

**Hon. Mr. Pringle:** — On your first point, you're right. We're in a five-year appointment. In terms of any potential reappointment, we would obviously consult with you, with the official opposition, with the third party, to see whether we're satisfied with the performance of the individual. It would require, as you would know, the reappointment would require a resolution through the Assembly. And so that is the process that would be considered for any reappointment, as I understand it.

**Mr. Toth:** — Mr. Minister, you also pointed out that a child's advocate may have their position terminated for . . . and there were a number of reasons given. I believe as well . . . and that's by an order in council which would be, I would take it, the cabinet body.

However if a termination should take place outside of session, the sessional period, if I understand it correctly, the Lieutenant Governor through an order in council then would appoint someone to fill in for that until the next session before the Legislative Assembly then is reconvened to have a reappointment. Is that true?

And secondly, in that the appointment of a person that

would just be filling in a period of time, would there be the same consultation process you've given to us? Would you make that offer or what do you suspect or expect that as minister you would make a recommendation to the Lieutenant Governor in Council regarding that fact?

**Hon. Mr. Pringle:** — Well I think you raised a point that we did talk about and I think that we'd have to use our best judgement if the session was about to come in. That would be quite different than if we didn't anticipate coming in for three or four or five months.

But I think the basis . . . the spirit would be the basis of the appointment process would be that I would reach out and consult with you in the same way as we are proposing now or committing now on the short list. So I would say that if it were a three- or four-month period, just for example, that I would want your opinion on replacement on an acting basis, the acting basis, because we'd have to go through the same formal, independent advertising process again.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, there's no doubt in my mind that in your position I believe we can expect that what you've indicated to us, that you would make every effort to communicate. Should I ask what happens if for some reason someone else is put into the position of Minister of Social Services, do we get the same assurances? Can you make those for colleagues down the road? Or the someone else is . . . one of the other members of the Assembly is saying, or for another party. Now I guess that's maybe drawing a long bow. I'm not sure if they're anticipating that there may be a change come the next election. I don't know.

But, Mr. Minister, in 12.31(1) of the Bill, it states that:

The Children's Advocate may appoint the employees that are required in order to carry out the duties and responsibilities of the Children's Advocate effectively.

I would take from one of our previous questions we're talking of about five staff people. We're talking of about \$250,000 dollars. What I'm wondering is once this person is appointed you're saying, under the Bill then, that person then would appoint the individuals that would work in the office to be their support staff? And, Mr. Minister, does the Bill have a cap? You indicated there would be five staff employees. Is that what you're saying is roughly the cap or the staffing of the office, the number of people?

**Hon. Mr. Pringle:** — I think on your first question, I could give you assurances that . . . I mean whether it's me or somebody else that gets . . . If this place is going to work effectively, if the place is going to work effectively, you involve members of other parties, and I think that the vast majority of work that goes on in here is done by consensus and consultation through agreement. Just a few times that that isn't the case and they get all the attention. So I think that would be the general approach of likely any minister in a temporary replacement.

With regard to the five staff, we're just sort of basing the budget on our initial analysis that this would be the staffing complement required. If the child advocate decided to reorganize or rearrange the staff in some other complement — which may very well be possible; I don't know that — the individual would have to have the ability to manage that office and those employees in a way that makes sense along the way.

So I don't think we're committing there are going to be five staff; we just worked the budget out on that basis. And obviously the individual will have the freedom to manage that budget, that staffing budget, as he or she sees fit. But those are the amounts that we're allocating at this point in time.

**Mr. Toth:** — Thank you, Mr. Minister. If I could make one comment. One of the reasons for the question is the fact that you indicated that the child's advocate is going to have the ability and responsibility to staff their office and have a certain amount of money to work with. You've made the comment that if they needed more, then they would have that ability. I would think that possibly the Assembly should lay out some guidelines so that you're not left at the end of the day finding out that all of a sudden this bureaucracy has grown a little bit beyond what you originally intended.

I think we want to set some guidelines in place so that we don't have another bureaucracy and another administrative body growing to the point that it isn't really fulfilling the goals, the real goals that were laid out for the child's advocate. And I just toss that out as a suggestion, Mr. Minister.

Another question, Mr. Minister, in section 16, 31(1), I talked about the Assembly making rules for the guidance of the Ombudsman or Children's Advocate in the exercise of his or her powers on their performance, etc. Will these recommendations be made by an all-party committee, Mr. Minister?

(1600)

**Hon. Mr. Pringle:** — I just want to be clear on your first point. Just to make sure I'm clear here. I did not intend to say that the advocate, child advocate can expand the budget if the need arose. The budget is set in the Assembly. It'll be a prescribed budget and you will be able to speak to whether you think that's enough or it isn't enough.

So your concern about an expanding bureaucracy unbeknownst to the legislature wouldn't be possible because the budget is struck here and it'll be approved here, and I invite your support in the final vote on the budget because this is a key part of the budget.

The section you're talking about is already an existing section in The Ombudsman Act where we're just adding the advocate to that section as well. So this is not a new section that you're referring to.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, just before we move on to going clause by clause, I just wanted to make a comment that, as I've indicated earlier and my colleagues certainly have indicated, and my colleague, the member from Rosthern, on his position as being a former minister of Social Services had given us a lot of serious thought to, this position unfortunately didn't quite reach the point of being able to bring forward the type of legislation you're introducing today.

We believe it's appropriate and it's certainly good that there is a voice for children and youth in crisis. There's a role in the community for education, prevention, that it's . . . that we've got a voice, the child advocate that is, we hope at the end of the day, totally independent of control and influence of any government department or minister and is an agency that will be visible and accessible to the community. And I think at the end of the day, Mr. Minister, as we've indicated in our debate, whether in second reading and certainly in committee, in general we're quite in favour and . . . (inaudible) . . . we commend you for bringing forward this Bill to this Assembly.

The one thing that, as I've indicated earlier and I'll say again, is I think we need to be very careful that the child advocate is certainly an individual who's willing to listen, willing to sit down and assess the situation — the particular situations and cases that come before him — versus being an individual or body out there, that as soon as a suggestion of an accusation may come before them, that they're acting without really looking at the overall parameters.

Because I think it's important that we not only listen to the voices of children or teenagers or young adults that are facing some problems, but we listen to the other overall community, be it a parent, be it an educator or whoever in society that may face a situation where someone raises a concern about their conduct. I think it's most appropriate that we respect the rights of individuals, but as well, letting people know that with the rights they have, they have a responsibility to our society as well.

So I thank you, Mr. Minister. I think unless there are further questions, we're certainly prepared to move into clause-by-clause debate.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

## Clause 6

**Mrs. Bergman:** — Mr. Chairman, I move:

That clause 6 of the printed Bill be amended by:

- (a) by renumbering section 2 as being enacted therein as subsection 2(1);
- (b) by adding immediately after subsection 2(1) therein the following new subsection:

“(2) In performing the duties, discharging the responsibilities or exercising the powers set out in this Act, all persons, bodies or groups of persons upon whom those duties or responsibilities are imposed or in whom that power is entrusted shall aim to secure the objectives of this Act in the context of the recognition of the following rights and commitments:

(a) Children and youth have rights, notwithstanding their minority, including:

- (i) the right to be heard and participate, wherever possible, in the making of decisions that affect them;
- (ii) the right of access to information about them that is held by governmental or non-governmental organizations, agencies or departments;
- (iii) the right to be informed about legislation and government policies and procedures that affect them;
- (iv) the right to privacy and confidentiality in their dealings with governmental or non-governmental organizations, agencies and departments;
- (v) the right to maintain connections with their biological, cultural, religious and linguistic heritage; and
- (vi) the right to have society make every effort to provide them with continuity of relationships in a permanent setting;

(b) Children are the highest priority of a society and their needs and concerns must be addressed as a matter of priority;

(c) Children are entitled to an advocacy process that supplements the primary role played by parents, family members, teachers, social workers and others and that only supplants those persons when they are ineffective, neglectful or abusive; and

(d) Children are entitled to the development of preventative measures to protect individual children and classes of children.

I am proposing this amendment because I think it gives to this Bill a set of principles that underlie the interpretation of the Bill. And I'm pleased to move that amendment today.

**The Chair:** — The amendment to clause 6, as proposed by the hon. member for Regina North West, is out of order because it is beyond the scope of the Bill which is An Act to amend The Ombudsman Act. The purpose of the Act is to amend The Ombudsman Act in certain particulars, notably to provide for a

Children's Advocate. The amendment as presented seeks to amend the interpretation clause of the Act by providing for the rights of children and youth. I find such an amendment beyond the Bill's scope.

In support of this decision, I would refer members to Beauchesne's *Parliamentary Rules & Forms*, 6th Edition, citation 698(1):

An amendment (and I read it in part) is out of order if it is irrelevant to the bill, beyond its scope . . .

Further, I would add that an amendment is out of order . . . or that the amendment is out of order because it is a substantive amendment, introduced as a modification to the interpretation clause of the Bill. This is out of order, and I would cite paragraph 698(10), on page 208 in Beauchesne's, 6th Edition:

A substantive amendment may not be introduced by way of a modification to the interpretation clause of a Bill.

Clause 6 agreed to.

Clauses 7 to 11 inclusive agreed to.

## Clause 12

**Mrs. Bergman:** — I move:

That clause 12 of the printed Bill be amended by striking out the words "on the recommendation of the Assembly" where they occur in subsection 12.1(2) as being enacted at page 3 therein and substituting the following:

on the recommendation of the Special Committee of the Legislative Assembly on Children.

**The Chair:** — In looking at the amendment, the amendment makes reference to another amendment which is proposed to be also put by the member for Regina North West later on in this clause. As such though, this amendment is inadmissible, and I will refer members to Beauchesne's, paragraph 698(4)(a):

An amendment is inadmissible if it refers to, or is not intelligible without, subsequent amendments or schedules . . .

The way I propose that we proceed with this is that we have the agreement of the committee to deal with the subsequent amendment first and then go back to this one. If that's agreed then we'll take your later amendment, deal with that first. If that's carried, then this amendment would make sense. Is that agreed?

**An Hon. Member:** — Agreed.

**The Chair:** — You have the agreement of the committee to do that. So if you want to move your second amendment, we'll consider that at this point.

**Mrs. Bergman:** -

Amend clause 12 of the printed Bill by striking out 12.61 as being enacted at pages 6 and 7 therein and substituting the following therefor:

Special Committee of the Legislative Assembly on Children

"12.61(1) A Special Committee of the Legislative Assembly on Children is established and consists of:

(a) three members of the Legislative Assembly who are government members; and

(b) two members of the Legislative Assembly sitting in opposition to the government.

(2) One of the members of the Committee shall be a member of the Legislative Assembly representing a northern constituency.

(3) The Committee shall:

(a) make recommendations to the Legislative Assembly as the need arises concerning the appointment of persons as the Children's Advocate;

(b) review estimates and forecasts, analyses of revenues, expenditures, commitments, and other data pertaining to the operation of this Act, and assess the results of those reviews;

(c) advise upon in relation to any matter that the Committee considers necessary for the efficient and effective operation of this Act; and

(d) receive and review reports of the Children's Advocate.

**The Chair:** — I find the amendment in order. So at this point comments should be directed to the amendment that's before us.

**Hon. Mr. Pringle:** — Mr. Chairman, maybe just a couple of points. As you will know, we've talked about this and we probably agree to disagree on this point. I guess the couple of points I'd like to stress here is that we think we've demonstrated our commitment to democratic reforms by changing the way in which the Ombudsman is . . . the selection process to the Ombudsman in the current competition, namely the chair of the Public Service Commission; we had the Clerk in that competition. That is a significant improvement to the selection process, as the member from Moosomin has agreed to or acknowledged a few moments ago.

The advocate will be publicly advertised. I'll invite you to be consulted, to consult . . . to have input

into the job description; you'll have a chance to look at that. The process, you'll have the opportunity to look at the names that are brought forward. And I believe that, as we've said earlier, that is more independent than any other jurisdiction in Canada, including the independence to the legislature.

So I think that we've gone above and beyond what other jurisdictions have done in this appointment. So I do not support your amendment at this point.

**Mrs. Bergman:** — You speak of dealing with it now and dealing with hiring an advocate. But what the law does is go on in the future and it deals with the operation, the link between the legislature, the advocate, and the children. And I think the point of this is to give an ongoing structure for informed . . . an informed committee in the legislature to deal with the advocate both coming and going. And for that reason, that is why I propose the amendment.

**Hon. Mr. Pringle:** — Just one quick point here. I would say that we already are ensuring by this legislation that the advocate is accountable to the legislature. That is unlike Manitoba and Alberta. That's a strength that the task force appreciates of this particular legislation and this model, and so we're preserving that. So your concern about ongoing involvement, I think the ongoing involvement has got to be with the people out there in the communities because we want this to be a community-involved person and to support communities in the areas of advocacy and education that we talked about.

So I appreciate your point, but I think personally that we have safeguarded that by the independence of the position.

**Mrs. Bergman:** — I really don't argue with the steps you've made beyond the current models. But I would again argue that this amendment helps structure . . . strengthens the Bill in terms that it helps a committee be formed that deals with the fact that children are different from the population dealt with by the Ombudsman. It's a different orientation and I believe . . . and it's also non-partisan. The issue is the non-partisan nature and I recognize that you're very open to that. But the legislation goes on.

**Hon. Mr. Pringle:** — Well I would just say that of course the position is non-partisan. That's why the public competition; that's why the individual or the office reports to the Assembly. We've preserved that, unlike other jurisdictions. So it is an independent person.

So I agree with you, but all of the watchdog agencies deal with different spheres. And yes, the child advocate deals with children, which is very, very important. But we were keeping the same process in place for accountability of the watchdog agencies to the legislature. And we have not established a separate process or a separate accountability mechanism for this office because the Provincial Auditor's office is also very critical to the use of taxpayers' money.

So we're not defining how watchdogs report by what they do, but we're treating them all the same. And hopefully there's good accountability by reporting to the legislature, by being able to file a report at any time. We think that that's a significant safeguard in this case.

(1615)

The division bells rang from 4:18 p.m. until 4:24 p.m.

Amendment negated on the following recorded division.

#### Yeas — 9

Neudorf	D'Autremont
Martens	Goohsen
Boyd	Haverstock
Toth	Bergman
Britton	

#### Nays — 27

Thompson	Renaud
Simard	Murray
Lingenfelter	Hamilton
Shillington	Trew
Teichrob	Draper
Johnson	Whitmore
Goulet	Sonntag
Kowalsky	Roy
Mitchell	Cline
Cunningham	Scott
Hagel	Wormsbecker
Koenker	Kluz
Pringle	Jess
Lautermilch	

**The Chair:** — Are there any further amendments to clause 12? Yes, bring the officials back.

**Mrs. Bergman:** — Mr. Chairman, I'd like to:

Amend clause 12 of the printed Bill by striking out clause 12.6(2)(b) as being enacted at page 6 therein and substituting the following:

(b) receive, review and investigate any matter that comes to his or her attention from any source respecting a child;

The reason I'm moving this amendment, Mr. Chairman, is that I'm concerned that the mandate of the Children's Advocate is limited to a small portion of the children of Saskatchewan and I would like to see it extended for all children of Saskatchewan.

**The Chair:** — I might say that I find the amendment in order so that any debate at this point would be on the amendment.

**Hon. Mr. Pringle:** — Thank you very much, Mr. Chairman. Well we spent quite a bit of time on this and as I tried to say, I appreciated the member's point



and don't necessarily disagree with it except the scope of this legislation is already broader than Alberta, Manitoba, in the area of all services provided by government to children.

We've gone over also the contracts with the NGOs, the status, as we understand it, of the jurisdiction in the Bill with regard to the agreements for establishing with the first nations people . . . potential agreements with the Metis Society. So we believe that the Bill encompasses, unlike Manitoba and Alberta, already a broad range of children who are the most at risk.

And we want to start, gain experience, and as I indicated earlier, we're willing to consider any recommendations of the child advocate for potential future expansion in scope. But we're . . . And then there's the school board issue and there's a number of other considerations here that require other people to be involved and consulted with on this particular amendment.

(1630)

Now I don't know if you've consulted with the school boards on this or not, but I've tried to discuss with you how that has some implications for the accountability of schools to the school board. I've tried to outline to you how there is a safeguard with regard to any complaints about the police involvement. And those other accountability systems are in place. So we're willing to consider the individual's recommendations a year from now, or leading up to the next year.

And I would say in conclusion that this is already broader than anybody else has it. We believe that some experience gained with this scope as it is would be in order over the first year and we'll make adjustments if we need to, and support the amendment.

**Mr. Neudorf:** — Mr. Minister, on a further clarification on 12.6(2)(b), it says:

receive, review and investigate any matter that comes to his or her attention from any source . . .

Now if there was a period there it would mean, any source. But it continues on saying:

. . . including a child concerning:

Then there are three restrictive subtotals.

Now the way it is being proposed, it says: from any source, respecting a child. What's the fundamental difference between what the amendment is proposing and what you are proposing?

I view it as this . . . and if I could just have your attention here. I view it when it says, "his or her attention from any source," that means what it says — any source. And then you're using these three subheadings as potential examples, but it does not preclude any other source. Which would then mean

that I would come to the conclusion that this amendment could therefore be redundant, because it's already doing what the amendment proposes to do.

Could you clarify that please.

**Hon. Mr. Pringle:** — Mr. Chairman, I think what the three points do is they define the scope. And they define the scope and are intended to define the scope so that we don't get into the situation which the member from Moosomin was concerned about, which I think is a legitimate concern, and that is that a child who is dissatisfied with his or her parenting can't go to the child advocate, so that there's no jurisdiction to get involved in parent-child conflict, which he did not want there to be that kind of authority, which we agree with. That's why it was designed the way it was.

**Mr. Neudorf:** — So, Mr. Minister, just for my own information now, we are being limited to those three areas of concern as . . . Okay.

**Hon. Mr. Pringle:** — The short answer is yes, we are.

**The Chair:** — The question before the committee then is the amendment moved by the member for Regina North West to clause 12 of the printed Bill, to:

Amend clause 12 of the printed Bill by striking out clause 12.6 (2)(b) as being enacted at page 6 therein and substituting the following:

"(b) receive, review and investigate any matter that comes to his or her attention from any source respecting a child;"

Is the amendment agreed?

Amendment negated on division.

Clause 12 agreed to.

Clauses 13 to 18 inclusive agreed to.

The committee agreed to report the Bill.

**Hon. Mr. Pringle:** — Thank you very much, Mr. Chairman. Mr. Chairman I would just like to take a moment to thank my officials for their hard work going into this particular office and charting new ground, and to thank them for their support in the Assembly here. Also to thank the members opposite for their general support and endorsement of this office and their important suggestions and recommendations. And I feel the sincerity there, because I know that the member from Rosthern was very concerned and interested in establishing this before.

So we look forward to a year of setting the office up and will involve, as I have said, will involve members in the process and look forward to an active/proactive role by this office. And again, thanks, members, for your cooperation.

**Mr. Toth:** — Thank you, Mr. Chairman, and I too

would like to extend my appreciation to the minister and his officials. I thank the minister for being forthright and offering to consult with the opposition members and suggesting that the legislation that's before us and the consultation process will go well beyond his extended period in Social Services. So we appreciate that to any other member or minister down the road.

Certainly, Mr. Minister, as we've indicated, we generally supported the Bill and I think we did raise some of the concerns very openly, and we thank you for your frankness. And we look forward to this agency in which children or teenagers, where they're in situations where they may feel they have no one to speak with or speak to, have someone that they can voice their concerns through.

Thank you.

**Mrs. Bergman:** — I'd like to, so to speak, third the thanks to the officials. I'm very pleased with the help that you've given in this.

I look to this legislation being not only giving resources to children in dire circumstances or feeling that they don't have a place to go, but being a larger voice for children in Saskatchewan, because this is the role that I see the child advocate really growing to be a force for the recognition of the role of children in our society.

Thank you.

#### **Bill No. 13 — An Act to amend The Saskatchewan Assistance Act**

**The Chair:** — I will ask that the Minister of Social Services introduce the officials who will be assisting him in the review of the Bill.

**Hon. Mr. Pringle:** — Thank you very much, Mr. Chairman. With me is our associate deputy minister, Neil Yeates, to my right; and behind Neil is Phil Walsh, our executive director of income security for the department.

Mr. Chairman, first of all in The Saskatchewan Assistance Act amendments we are extending authority to enter into agreements for the delivery of social assistance to Indian bands and other potential agents. This change allows the province to continue arrangements the federal government has had in place for some time with the five northern bands, but has since become a provincial responsibility as you recall from last year.

Second, there are a series of housekeeping amendments. We are removing the many references to municipally delivered social assistance which are no longer relevant.

The Act has not been significantly amended since its introduction in 1966. We are, however, maintaining the authority to enter into agreements with municipalities should this become desirable at some

point in the future.

These amendments will allow us to continue to develop partnerships with first nations and to have the flexibility to try some new things in line with the new federal social security reform. So I would be happy to respond to any questions, Mr. Chairman.

**Mr. Britton:** — Thank you, Mr. Chairman, Mr. Minister. I want to welcome you and your officials. What we have to go through probably won't take more than a day or two. It probably will take a great deal less time if the hon. member would help us along by keeping quiet.

The first couple of questions I'd like to develop with you, Mr. Minister, is . . . as I read through the Bill I think I know the answer, but I think I'll have you clarify it because I want to be sure.

In one place here in section 2 under accreditation, it says that they can apply . . . oh no, they won't be elected, they'll be appointed by . . . Do I understand that right, that all those people will be appointed and not elected? It's section 2.

**Hon. Mr. Pringle:** — Just to clarify. We're actually deleting that section, so sorry if that wasn't clear. We're deleting that section.

**Mr. Britton:** — And you will replace that with what?

(1645)

**Hon. Mr. Pringle:** — Yes, the accreditation committees used to monitor the municipal social assistance provided, and since we're eliminating that section there's no need for that any more because they're not providing the assistance.

**Mr. Britton:** — Thank you, Mr. Minister. We're talking here about the municipalities I guess. You're not?

**Hon. Mr. Pringle:** — That's correct.

**Mr. Britton:** — Now there's one more thing down at the bottom. It's section 5, and do I read that to mean that there's been no change in the regulations? Does that go back to 1966, I believe, is when they came into effect.

**Hon. Mr. Pringle:** — Could I just clarify? Are you talking about section 5 in the Act or section 5 in the amendments?

**Mr. Britton:** — Thank you, Mr. Chair. Mr. Minister, it's under the same heading, accreditation. Is that whole thing then eliminated?

**Hon. Mr. Pringle:** — Yes, the whole section is being deleted.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, then the regulations of 1966, are they still in effect?

**Hon. Mr. Pringle:** — Yes, there are still many regulations governing the Act that are still in place. This one relates specifically to appeals only.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, under section 6(2) under the heading (e) on page 3, and it's talking about making provisions for remuneration of the board members. Do you give them any guidelines as to what . . . or does that go back to the regulations?

**Hon. Mr. Pringle:** — I think you're referring to remuneration for accreditation of members, and we're appealing that section, so there won't be any accreditation committee; therefore there won't be a requirement for remuneration.

**Mr. Britton:** — There will be no requirement for remuneration. How will these people be compensated?

**Hon. Mr. Pringle:** — We're actually deleting the section on the accreditation committee so there won't be one. There won't be an accreditation committee, so there won't be a requirement for . . . yes, there won't be any requirement for any remuneration.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, that was some of the things I was going through and I wanted to get that kind of cleared in my mind before we started into a few general questions.

This Bill 13 to amend The Saskatchewan Assistance Act, I think in conversation with you another day, you mentioned that it was because of some changes in the federal Indian Act or something like this. Could I ask you on whose request was this Bill introduced?

**Hon. Mr. Pringle:** — Yes, actually what I was referring to with regard to the federal . . . in a sense it is federally driven because with the federal decision last July 1 to no longer provide assistance to off-reserve families immediately, rather than the one-year waiting period, then we were required to amend our legislation to adjust to that.

So the five northern bands had been administering their assistance on an ongoing basis for a number of years. We're interested in them continuing to do that and we're doing that now just by provincial-federal agreement which allowed us to do it on an interim. But we have to amend the Act to give us the authority to allow that to continue in the future.

**Mr. Britton:** — Mr. Chairman, Mr. Minister, did the government . . . who did the government consult with when you drafted this Bill?

**Hon. Mr. Pringle:** — Yes, we've consulted with of course the five northern bands affected and also the Prince Albert band council of which the five bands are part of. And of course they want to continue delivering the assistance, which they've done. And of course we've had to consult with the federal government as well because, other than by agreement, we have no

authority to allow them to continue doing this.

And so it's partly federally driven because of that decision on the change in who provides assistance to people off reserves and partly it's the desire of those bands to continue delivering the service.

**Mr. Britton:** — Thank you, Mr. Minister. Mr. Chairman, and Mr. Minister, you say the five northern bands. In your second reading speech you mentioned five bands. That was Lac La Ronge, Peter Ballantyne, Montreal Lake, Hatchet Lake, Black Lake bands — is these the five bands that we're speaking about?

**Hon. Mr. Pringle:** — That's correct. And I'll just mention that this Bill is just . . . it's just permissive legislation. In other words, we're still going to . . . This Bill allows us to enter the contracts with the five bands. We're still going to have to have the contracts, so the legislation is just permissive, allowing us to do that. We'll still require to enter into contract agreements with them to continue.

**Mr. Neudorf:** — Thank you, Mr. Chairman. Mr. Minister, I just want to pick up on what my colleague has just started asking questions on, and that is namely the federal policy whereby now it becomes a provincial jurisdiction and provincial responsibility for funding of off-reserve Indians immediately following their removal from the reserve, normally on a voluntary basis. They prefer to do that.

What's your opinion on the federal move on this aspect? Do you agree with what the feds have done?

**Hon. Mr. Pringle:** — Well no, I don't agree with that federal decision. Of course neither do first nations people, as you know. We believe that the federal government through their treaty obligations is responsible for treaty people on and off reserve. So that includes in the social assistance area.

So we agree with the FSIN that this is a federal responsibility, but we obviously are not going to see families go without assistance so have agreed to pick this up on humanitarian grounds.

**Mr. Neudorf:** — Well, Mr. Minister, humanitarian grounds are costing the taxpayer of Saskatchewan additional money. And that's why I resent this and I resented Tom Siddon, quite frankly, when I was in your position, and the arguments that I had with him over this very same issue. And like is normal under these conditions, I guess the federal government is the winner and the provincial ministers usually wind up being the losers. But unfortunately in this case, it's the provincial taxpayer that is the loser on this kind of an issue — and to great extent as well.

So I want you to give me the best estimate that you can give me on a yearly annualized cost, additional cost, that this is going to cost the taxpayer of Saskatchewan. Because quite frankly, Mr. Minister, what's happening here is that the federal government is abrogating its responsibility, because an Indian is an Indian is an Indian and it doesn't matter where he or she lives. And

it's the responsibility of the federal government.

And I can say that and I can use that quote, because it is a quote from Chief Roland Crowe; he's used that terminology before. And so I don't . . . And I agree with you that the natives of this province don't want to become a provincial responsibility. They want to remain a federal responsibility under the Acts and so on and the heritage and the tradition and the history of how this whole situation has evolved.

So two questions then: what is the cost on the annualized basis for this year and what you project, perhaps, for the following year; and do you see any way in which the federal government can be persuaded to change its mind for the future?

**Hon. Mr. Pringle:** — Well let me say that I agree with you. I've been concerned right from the outset that this was going to . . . it was a jurisdictional question, which I agree with you on, and there's a cost implication to the province of Saskatchewan of 20 million new dollars — 20 million new dollars is the net cost to us.

And I pressed this with the new minister, Lloyd Axworthy; indicated that we believe this isn't fair. And of course, as you would know, we're supporting the Prince Albert band council in the reference case to in fact appeal this decision through the courts.

So we're working with them to support their legal challenge to this in a way that would be supportive to what you're suggesting. And I was kind of hoping that the new government would — with some of the promises that they made to aboriginal people during the campaign — would see fit to reverse its decision. And I still hope that they will.

**Mr. Neudorf:** — Does this mean, Mr. Minister, that you are now being considered as an intervenor status on a court case against . . . that the P.A. Tribal Council is taking against the federal government and that you're supporting them? And if so, in what way — monetarily, morally, legally? What expertise are you providing them in their case against the federal government?

**Hon. Mr. Pringle:** — I'm not a lawyer so I don't know the terminology in terms of intervenor and what not. But let me just say that we are supporting the band council with regard to their court challenge by providing some legal advice. We've agreed on a person who is giving all of us another opinion, who is sort of an expert in these matters; and we're providing some financial support for the actual legal challenge. So that's what we're doing.

**Mr. Neudorf:** — What's the projected cost of this support, Mr. Minister?

**Hon. Mr. Pringle:** — I don't know if the decision has been made with regard to the actual amount of money that we would support the FSIN and the band council in terms of the legal challenge; I think that's still under negotiation with the Minister of Justice and the aboriginal officials. So I don't know the figure. And we

would only be one source of funding; there would be other sources of funding for that challenge. Sorry, that's all I can say at this point, because I don't know the answer.

The Assembly recessed until 7 p.m.