



FIRST SESSION - TWENTY-FIFTH LEGISLATURE

of the

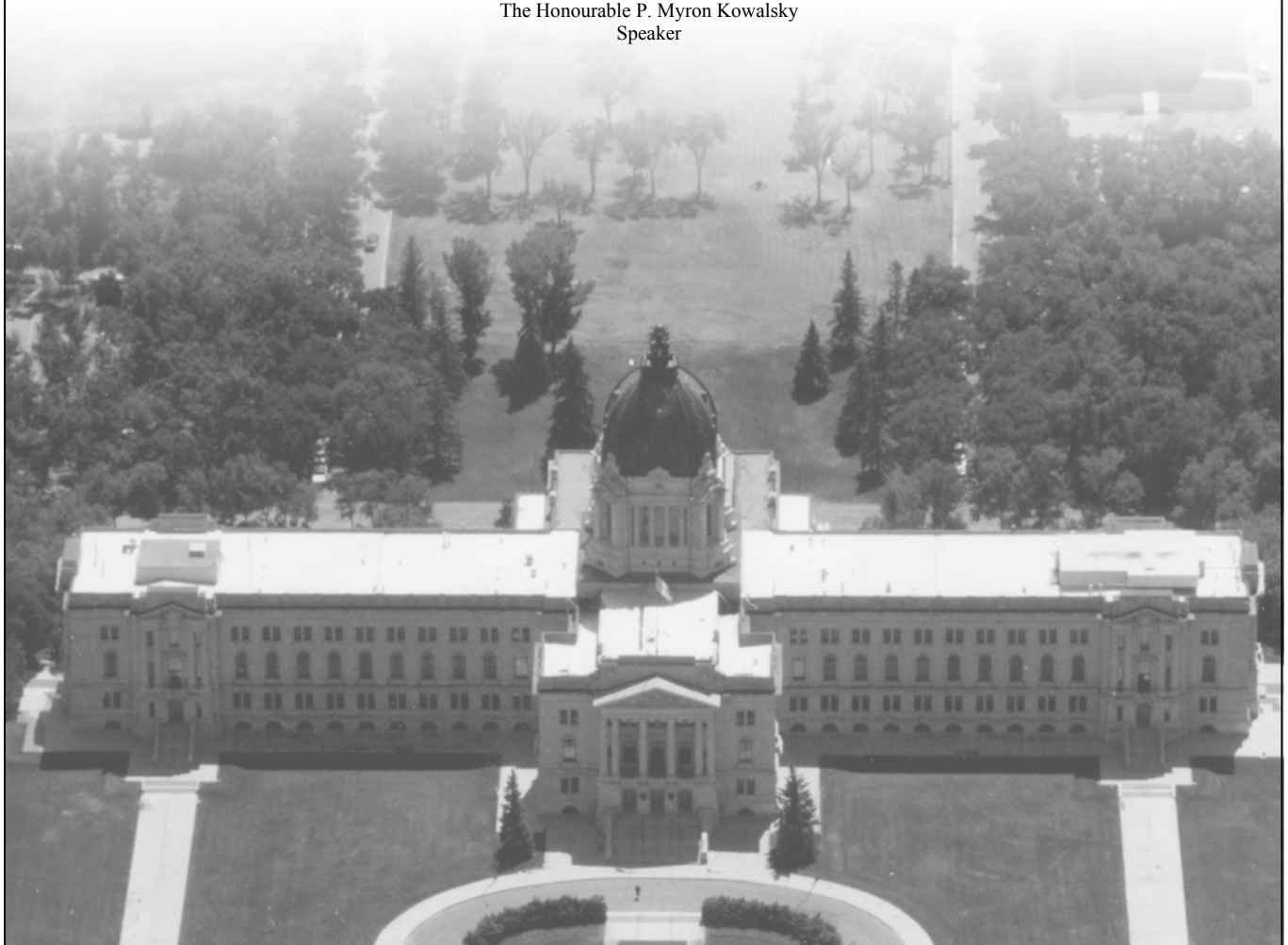
Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of

The Honourable P. Myron Kowalsky
Speaker



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EVENING SITTING
COMMITTEE OF FINANCE

General Revenue Fund
Environment
Vote 26

Subvote (ER01)

The Chair: — Order. Committee of Finance. The next item before the committee is the consideration of estimates for the Department of the Environment, and I recognize the minister to introduce his officials.

Hon. Mr. Forbes: — Thank you very much, Mr. Chair. I'd take a moment to introduce my officials here. And to my left is my deputy minister, Lily Stonehouse. To my right is Alan Parkinson, associate deputy minister; and behind Alan is Bob Ruggles, assistant deputy minister. Behind Bob is Stuart Kramer, president of the Saskatchewan Watershed Authority. Behind myself is Dave Phillips, assistant deputy minister; and beside Dave is Lynn Tulloch, executive director of corporate services. And with that I'd be ready to answering questions the opposition might have.

The Chair: — Administration (ER01). I recognize the member for Melville-Saltcoats.

Mr. Bjornerud: — Thank you, Mr. Chair, and welcome to your officials tonight, Mr. Minister. Mr. Minister, we've gone over this subject a couple of times, but I just wonder; there's been rumours out there that there might have been movement in some of the areas with the Round Lake and Crooked Lake situations. Anything that you have to report tonight, have you heard anything happening with more of the bands?

I believe we had a couple of bands before that were either in agreement, I'm not sure if it was a written agreement, but had come to some resolve. Have you heard anything from the Round Lake and Crooked Lake situation?

Hon. Mr. Forbes: — Mr. Chair, I appreciate the question regarding the situation of the Qu'Appelle Valley. Pretty much the same as last time — we were happy to report that there was an interim agreement with the upper lakes that affected Pasqua and Echo. The Muscowpetung and Pasqua Bands have worked well in the bargaining process.

We did have a public meeting on May 24, and I understand there was up toward 75 people who came out to that meeting, and that was a good thing.

But pretty much the same as last update — the bands on the lower lakes have not come forward, and that was the process that the federal government's looking for to bargain on, an individual, band-by-band case, and so that's where it stands as of today.

Mr. Bjornerud: — Well thank you, Mr. Minister. Mr. Minister, I guess we have two different situations out there, and you may be fully aware of these, but I've been asked. I keep

getting calls, since we've started talking even, I think because . . . I think what many of the cottage owners and the people that live along there are concerned about is that we're so far into the spring already that if nothing happens very quickly they're going to be stuck with the water levels as they are.

And I guess the shame of that right now is we have this beautiful rain in southern Saskatchewan. People are watching it come in one end, and they're watching it go out the other end, and I think it just about brings tears to their eyes because their docks are sticking out of the water so far. And for whatever reason, and pointing the fingers at no one out there, no resolve seems to be coming.

I've been asked though, Mr. Minister, and I believe maybe possibly your office has by . . . and I'll start . . . the first one I want to start with is Crooked Lake. Sunset Beach — and I know there's other areas there that are concerned but — Sunset Beach especially would like some help to lowering a boat launch there so at least they can function at what the water level is now.

And I guess my question, Mr. Minister, would there be any help through SERM (Saskatchewan Environment and Resource Management) or your department to help them deepen the boat launch and maybe assist them through this times of when the water levels are going to be low? Possibly could even help them after, you know, the dykes are built up later and the logs are put back in, but something so that tourism and the local people can use the boat launch as maybe a temporary situation but also maybe as part of a long-term solution too.

Hon. Mr. Forbes: — Thank you very much, Mr. Chair. I appreciate the question, and I appreciate the frustration that the cottage owners have. And it's a difficult situation. I understand that the contour of the lake . . . It's a shallow lake naturally, and so deepening it around the boat launch is, in the whole process would be quite difficult, and so it's a bit of a challenge.

The other thing that's interesting — we were just talking about it — throughout the province we have several parts where actually the water level is a lot lower and experiencing the same issue of docks and boat launches in other parks. And this particular area is not within a park setting. But again I appreciate the frustration the cottage owners are feeling and we're working . . . Hopefully the bands come, and we get that resolved real quick.

Mr. Bjornerud: — Thank you, Mr. Minister, and Mr. Chair. So I guess what you're telling me, there would be no possibility of any financial help or anything like that to help. Because the calls that I've got from the people that actually out there, I believe, were part of the organizing committee of the meeting out there, that I know last year I was down there at a meeting. I think there was 350 people. So it affects a lot of people out there. I think some of your officials were there and saw the same thing I did at that time.

I guess what I'm asking and I know what they're asking is that, is there any kind of help that they can get to do this to help them function for the summer right now, considering I think we pretty well are at a resolve where the water levels probably are where they're going to be unless something happens very

quickly? But I would doubt that very much.

Hon. Mr. Forbes: — Mr. Chair, the member opposite would be correct in that there would be no financial assistance forthcoming. But I would say a couple of things that we would be more than welcome . . . or happy to provide any technical advice in terms of what kind of work that needs to be done, any assistance with the Department of Fisheries that might be helpful as well.

And as well, I would say to the cottage owners too, as well as it's being frustrating, that we're further along the road in bargaining than we were this time last year, and that's a good sign. And while this is a difficult thing, we are making progress, and we hope to be further along next year.

Mr. Bjornerud: — Well thank you, Mr. Minister. I'm not sure if I'll get a very good response when I go out there and tell them that we can give them technical advice. I'm afraid I might be told where to put it. But on the other hand, we won't rule that part out.

The other part, and I guess you've already answered the question, is Crooked Lake are actually taking the initiative themselves and trying to go through the hoops. And they've dealt with Oceans and Fisheries. I believe they've talked to your department, and they're hoping to do the same type of a project there. Although they're in a little different situation there because very close to the shore in one spot there, I believe the depth of the lake is anywhere from 30 to 40 feet.

So it's a much different situation than the Crooked Lake situation where the slope is very, very slow. And I saw what you're talking about, and it does make it much more difficult to do what they're asking. But there must be a way because they think there is a way out there.

I guess what you're saying then in the Round Lake situation . . . and they're looking for some help funding-wise. I've talked to the mayor and council out there and to the . . . well mostly to business owners out there that are trying to survive through this problem. So I guess what you're telling me, there's no financial help for the people of Round Lake then either?

Hon. Mr. Forbes: — Yes that would be correct.

Mr. Bjornerud: — Okay thank you, Mr. Minister. I guess the only other question I have then — and these people are kind of getting to their wits end — but is there any other department of government that may be in a position to . . . I'm not sure if Sask Water, that would be under their jurisdiction or Aboriginal Affairs, anything like that that would deal with part of the problem we have out there, that may have funding that could be allocated to something like this, that I'm missing? If you know, you say your department isn't in a position to do that, would there be other departments that may help us with our situation?

Hon. Mr. Forbes: — Mr. Chair, I would advise the member opposite from our just brief conversation we can't think of anyone. And of course the feds are in the middle of their election, and that will take some time to sort out, but I think that we are where we are today, so.

Mr. Bjornerud: — Okay well thank you, Mr. Minister. I don't know where to head from here other than one of my colleagues suggested that we pass the hat here; maybe that would get things rolling and go.

I would ask you one favour though. If anything changes out there, would you please keep us informed of what's happening because I think this is kind of to a degree a very touchy situation out there. And I certainly, for my part, and I don't think any of us want to make the situation worse than it is. And, you know, we know there's two sides out there, and there's always two sides to every story. But I'd hate to be one of the people that made the situation worse if it was very close to having some resolve. So if you could keep us informed even when session is over and possibly through your office to mine if anything changes, I would very much appreciate that. So I want to thank the officials, Mr. Minister, for your answers tonight.

Hon. Mr. Forbes: — Mr. Chair, we'd be very happy to keep you well informed of the process. And we're very happy when things move along quickly like happened earlier in the spring with the upper lakes, and people want to get out the good word right away so they know. So we'll do that for sure. Thanks.

(19:15)

The Chair: — I recognize the member for Batoche.

Mr. Kirsch: — Thank you. And thank you, Mr. Minister, and also thank you to the officials that took the time out this evening to come here.

The NDP (New Democratic Party) has been talking their budget was very much the green economy, the green, the green. And so my first question is about the riparians, the bumper zones, the safety zones around lakes, rivers, and streams. And so the first question is, are we cutting riparians in Saskatchewan and if so why?

Hon. Mr. Forbes: — Mr. Chair, I appreciate these questions, a very important one. And especially the comments around the green and the economy, as forestry is an important aspect of our economy and we've got to do it in a way that's ecologically sound and sustainable. And I know that people who live in the forest fringe and within the forest, this is a big, big issue for them. And so part of the forest management agreements are the annual upgrading plan that we have, and within that are our riparian harvesting strategies.

And it's very interesting because we get these reviewed by independent third party experts, most of whom are outside of the province. Just as recent as last week we had someone review our work and this person was from Simon Fraser University. And the key parts or principles that are behind it are the ecological integrity and as well the sustainability of the forest. And so this is an important area of concern for our forestry and we appreciate further questions on the matter.

Mr. Kirsch: — Are we cutting or not?

Hon. Mr. Forbes: — Yes, we are cutting, but it's within the riparian harvest strategy that we get approved. So we are selectively cutting where it's appropriate and where it's not

appropriate, and where it's the right thing to do.

Mr. Kirsch: — Where is the cutting going on then on these sacred riparian areas?

Hon. Mr. Forbes: — Are you asking . . . Mr. Chair, is the question around specific lakes that . . .

An Hon. Member: — Yes.

Hon. Mr. Forbes: — Okay, specific lakes. So, Mr. Chair, the standards of how we cut in the riparian areas depends largely on the type of water body that we're talking about — whether it's a stream, river, or a lake. And some of the ones that I think are of particular interest are in the Big River area. The three lakes — Cowan, Hackett, and Delaronde — are ones that we have riparian harvest strategies and how we work around that. So those would be three that are off the top of my head that we've got right here, but there may be more.

Mr. Kirsch: — How long have we been cutting riparians? Has it just started this year?

Hon. Mr. Forbes: — Well in the Big River area, the Weyerhaeuser FMA (forest management agreement), that's been since 2000.

Mr. Kirsch: — Do you have a list of, in Saskatchewan, all the areas that are being cut, and could we get a copy of that list where riparians are being cut?

Hon. Mr. Forbes: — Mr. Chair, this information is part of the annual operating plans that the companies have to provide as part of the three forest management . . . the forest management agreements. There are three in the province, and the main one that deals with that, that has a connection with riparian harvesting, is the Weyerhaeuser one which is public both from them and from ourselves.

And part of the annual operating plan process is public consultation, so they will have been required to have public meetings to discuss what their plans are for that particular year. And so those processes are in place.

But we could . . . That information is available both from the company and from us. And I think the one like the member would most likely be interested is Weyerhaeuser's FMA and their annual operating plan for this year.

Mr. Kirsch: — Thank you, Mr. Minister. How many forestry companies are cutting riparians now?

Hon. Mr. Forbes: — Mr. Chair, the answer would be Weyerhaeuser and their subcontracts, is as part of their forest management agreement. At this point, I don't know the specific number, what that would be right now.

Mr. Kirsch: — I attended a meeting up at Big River and the understanding we got there, that only one company is allowed to cut and that is Weyerhaeuser. And I was wondering why the other companies can't get in on it because these riparian areas, that's like the sweetest, that's the cream off the top. And the big concern, why only one company was cutting?

Hon. Mr. Forbes: — Mr. Chair, there are two other companies that have forest management agreements with the province, Mistik and L&M. And as part of their FMAs they did not propose a strategy for harvesting within the riparian area. And they are welcome to put that forward in their next renewal process. These are renewed every 10 years and some are coming up, I understand, within the next few years. So if they want to do that, then they can do that.

FMAs are approved by cabinet, at the cabinet level; the annual operating plans are approved by the department. So this will be a process . . . this will be part of a negotiated renewal. And so if they're interested in doing that then this would be something they would have to do. But again, it's a pretty complex process that they have to do — the public meetings, and they have to have the verification by a third party, and that type of thing — so it's something that we take very seriously.

Mr. Kirsch: — Thank you, Mr. Minister. Now you spoke of the local areas, the communities. Do they have input whether the riparians are cut or not?

(19:30)

Hon. Mr. Forbes: — So the process that would be followed would be that they would have their public meetings, but this is all part of the public input process of their annual operating. And so what they're doing is we're establishing an environmental impact statement, and so the public would have a chance to have a comment on how they see that impact being. And at the end of the day it's up to the department to decide whether it's a go or no go. And part of that — the information they would have, the department would have — would be what the local people would be saying about that.

Mr. Kirsch: — Okay. When meeting with the . . . Thank you, Mr. Minister. When meeting with the local people up at the riparians that were being cut, they seemed to have no input, and at the meeting the comment was made by the higher-ups that were there that it wasn't a case of if they're cutting riparians; it's just where and when they start.

So I would be concerned with the input of the local people, including the cottage owners who are very concerned with areas where the riparians are going to take out the aesthetic view of the lake. So I'm wondering if there's going to be any intervention because there were a lot of upset people there and claimed they hadn't been consulted.

Hon. Mr. Forbes: — Thank you, Mr. Chair. I appreciate the question again. This is a very important issue and so I want to clarify how the public has input into the process here.

So it really happens at two times. One is at the beginning when we're establishing the forest management agreement. And there is public consultation around the environment impact statement at that time to determine whether or not they'll be harvesting, and particularly the riparian harvesting strategies.

So there's public consultation at the beginning. And then there's public consultation on an annual basis. But on the annual basis, and that's part of their annual operating agreement, that is where and how much.

Now in terms of the specific meeting that you refer to, actually the department has intervened and so the harvesting is deferred, and so there was . . . the public was heard in that case. And there'll be more consultation around that process and so that was an important thing.

So the riparian harvest around those three lakes at this point is deferred, so . . . and then we'll see where we go from there.

Mr. Kirsch: — Thank you. And, Mr. Minister, I'd like to know — deferred till when?

Hon. Mr. Forbes: — I think that it's deferred, Mr. Chair, until the conflict is worked out and understandings are reached at. And so it'll be a much slower approach to it and that'll be . . . I don't think it'd be wise to say a time frame at this point, but what's really important is that the local people feel that they've been heard and that there is a slower approach that's taking place.

Mr. Kirsch: — Wondering now on the harvest of the riparians — what season are we doing that in?

Hon. Mr. Forbes: — Mr. Chair, the general practice when you're working in sensitive areas like that would be to do it during the winter months and so I believe that would be the case in this situation.

Mr. Kirsch: — From what I understood up at the meeting at Big River, that's not so. They're cutting year-round. So if you could verify that?

Hon. Mr. Forbes: — I'd be happy to do that and find out specifically when and where. But again as we found out from that meeting too, there's some differences after that meeting. So we'll get back to you on that specific question.

Mr. Kirsch: — I have a copy of the buffer zone working group literary review, July 2003. And there they say only winter cutting and they say that the tundra, the surface may not even be disturbed, no tracks left on it on at all. And so I'm wondering: when this takes place, is there going to be a CO out there, a conservation officer, to examine and inspect and make sure they aren't driving in and getting those trees? It says no tracks, and this runs for across Canada. It lists every province and the cutting practice of buffer zones. And I understand they're cutting in summertime.

Hon. Mr. Forbes: — Mr. Chair, there will be . . . we have several safeguards to ensure that their commitments and their FMAs and their annual operating plans are followed. We have local forestry officers and technicians working. There are department people who ensure that the practices are the right ones. If the standards say cut in winter then they should be and they will be cutting in winter and we're right on top of that.

So I can assure the member opposite that we're out there, our presence is felt out there when the harvesting is happening.

Mr. Kirsch: — From reliable sources when I was there, they say it is definitely happening in the summertime and I am wondering if there is somebody that watches this. I mean we don't want the fox guarding the henhouse. Who's checking on

the riparians?

Hon. Mr. Forbes: — Mr. Chair, I appreciate the question and the points that the member opposite's making. And I'd invite the member opposite to, if he'd share that with us we'd be very happy to follow up on those specific concerns about summer harvesting and who's out there and that type of thing. So if he'd be willing to share that, we would follow up on that.

Mr. Kirsch: — Thank you, Mr. Chair. Mr. Minister, I think if you just drive into Big River, anyone in town would point you to where the cutting's been going on and they claim for the year and a half and they claim to have been summer cutting. And with the cutback on COs, I don't know who's guarding the henhouse.

Also now, I'm wondering now, do you clear-cut riparians because I'm concerned with even the temperature of the water changes when riparians are thinned too much or cut down, and no place for the wildlife to hide and all those good ecological concerns.

(19:45)

Hon. Mr. Forbes: — Well, Mr. Deputy Chair, in terms of the concerns around . . . first I just want to address briefly the concerns around conservation officers in Big River. And there still are two conservation officers there. There's been no change there. So in terms of that concern, that's the way it's at.

In terms of the riparian areas and just in terms of harvesting practices, again it's that annual operating plan that's very, very important. And the site characteristics are what really determines what our practices, what the harvesting practices may be.

We know there's concerns in terms of if a forest ages too much, the increase in the age of the trees in terms of forest fires, also in terms of insects, in terms of blowdown, that type of thing. And so it's very important that we have a more scientific approach, one that's in tune to best practices in the forest.

And I think that what we're really trying to do is achieve what some might call as a mosaic of ages of the tree stands within the forest, and that leads to a much more healthier forest, in particular around our work around biodiversity. And I appreciate the member's concern around wildlife, but this would actually lead to a stronger, more vibrant biodiversity within the forest stands. And so it's very important.

And I think that the comment around the who's guarding the chicken, the henhouse, type of thing, that's why we have the third party validators, people who do not have a vested interest in the company or even within the department or whatever. We go outside and say, what are the best practices; what's the best science around this?

And so again much of it depends on the site characteristics, what's the best way to handle what's happening in this specific area. And that's why I think this is an important process, an annual operating plan. So we can review that, defer it if it's necessary, take a slower approach, do what's right for the area.

Mr. Kirsch: — Thank you. But I'm still not clear now. Are there people on site when they're cutting to see that they stay in those standards?

Hon. Mr. Forbes: — It's an audit; it's a spot checking — that type of thing. But we don't have one on site on a continual inspection, minute-by-minute, hour-by-hour inspection. That's the process we would use is, you know, spot checking, auditing, that type of thing, checking up on their plans. Are they matching what they . . . what they're doing is matching what they said they were going to do, that type of thing.

Mr. Kirsch: — Thank you. And, Mr. Minister, I'd like to know what standard we use for determining the size of riparians, whether they're going to be 30 metres, 90 metres, or the 110 metres.

Hon. Mr. Forbes: — Mr. Chair, the riparian . . . the size of the riparian edge is determined basically on characteristics — the site characteristics, the water body, the type of water body, lake, stream, river, that type of thing. And as well the slope of the land leading the edge, leading to the water body. Also the age class of the trees is very important in determining the riparian . . . the size of the riparian edge.

Mr. Kirsch: — Thank you, Mr. Minister, and I'll now hand over questions to Denis.

The Deputy Chair: — I recognize the member from Martensville.

Mr. Heppner: — Thank you. And thank you, Mr. Minister, for giving us the opportunity to ask a few questions. First of all, before we get into some of the serious stuff, I will have to go ahead and thank you for the work that you did on the scrap tire file that you and I discussed some time ago. I appreciated the work that you did on behalf of the environment and those particular businesses just outside of Saskatoon. And hopefully you'll be . . . stay that in touch with your department.

Having said that, I want to ask a few questions about the \$7 registration fee that's in place for the big game draw. And I think at the end of the day, when I look at my personal example, it seems to be a whole lot more of a money grab than anything else. And I'll just give my specific situations and let you know about how this works out, and then there'll be a question coming out of that.

For elk, I generally apply for Cypress, Cypress Hills. Now chance of getting a draw on that is probably one every 10 years, give or take a few. So right there I've spent \$70 and probably received nothing. And then when I get my licence, if I do get drawn in year 10 or somewhere around there, that gets added to that. So my cost for an elk licence in Cypress is probably between 100 and \$150. Now when you look at the synopsis, it doesn't look that way, but that is the actual cost because that's the chance of getting drawn there.

For moose, I generally apply in Fort-à-la-Corne. Chances on that are probably one every 8, 10 years on that one. Antelope, well that's been a wild open one in the last while. So in fact the people are spending a whole lot more money than the licence is, just to throw on the application. And I have a few comments

about how you can save some of that money on that.

But the first question I have is: how much money do you hope to make out of that \$7 fee, and, following that, how much of a reduction in the number of applications are you going to have to have because of that for you to go ahead and reassess that and say, this was just a bad move, we're losing applications, and therefore we're losing resources and finances through that area; we'd better get rid of the \$7 and at least have a lot of people apply?

Hon. Mr. Forbes: — Mr. Chair, I appreciate the question. First of all, we're actually I think, we're anticipating we'll be raising about \$123,000 in this process that'll help us recover the cost. As you may know, 30 per cent of that goes into the Wildlife Development Fund, so \$40,000 will go to that fund, which is an important fund to have.

It's interesting to note that all of the Western Canadian provinces — BC (British Columbia), Alberta, Manitoba — have the same charge, the same process. To do it on the Internet is \$4, and we're hoping people take advantage of that. That would be better for us as well — less handling and still making a sizable contribution to the Wildlife Development Fund.

Mr. Heppner: — Thank you, Mr. Chairman. To the minister, if in fact you're raising those funds for the Wildlife Development Fund, why isn't all of the money going into that? Why just a percentage that is even less than 50 per cent?

Hon. Mr. Forbes: — Well, Mr. Chair, this is an interesting issue that we have actually, because you know the last couple of years we've had over . . . right around 50,000 people apply for these licences. So it's quite a sizable number of applicants that come in, and so it takes a bit of work. And in fact we've actually had to build a computer system to deal with this to ensure that it's a fair process.

So we think it's a reasonable cost. It pays for the cost of the handling of the big game draw which is an important thing. And so we think it's a reasonable charge.

(20:00)

Mr. Heppner: — Thank you, Mr. Chairman. Well I guess we'll have to conclude from that particular answer that, in view of the fact that the draw's been going on for decades and now the \$7 or the \$4 charge comes in and only a small portion of that's going actually to wildlife, that the rest of it's probably going into General Revenue Fund. One way or another, I'm sure it's going to sneak in there, and you can hear the tinkle of the coins at the bottom of the bucket as they're trying to fill it up. I think with a little bit of observation of how the system works, you could save yourself some money.

I'll give you just a very basic little example. Every year, I deliver my application forms to that little building over there. And what they tend to do is you walk in, and you have a big bucket over there, and you get your applications form. When you bring them back, there'll be a slot in a box, and you put them in there, and you just walk away.

Now this year, it's changed. Now you're employing two people

what for the past decade or two, didn't require anyone. And this is costing you money. It's costing me money. And you're taking part of my \$7 to pay for this waste of money that I'm going to explain to you in a minute. And instead of putting it back into wildlife where it should be, it's being just misspent.

Now when I come in with my little form, what do I have to do? I have to stop at the front. I have to sign in. Someone's there watching me sign in. And we're lined up, by the way. This goes on. You said there's a lot of people apply for this, so they're coming through there. So we have to go through that security. Then we go up to the fourth floor; I'm sure you've been there. You go up to the fourth floor, and there's another person whose time we're taking up to receive this. How ludicrous.

It used to be, you put it in a box, and that was it. It wasn't a single government employee time being taken. Now there's two government employees that we're paying with my \$7 and everyone else's \$7 to cover that off. That is a total waste of money, time, and effort. Would you agree?

Hon. Mr. Forbes: — Well, Mr. Deputy Chair, this is an interesting question and one that a lot of people are interested in. And it speaks a lot to efficiency, and that's what we're trying to get to. It allows more people . . . We're trying to encourage people to use the Internet to enter the big game draw. And it's kind of interesting. We're just talking about some of the efficiencies that we're establishing. One, for example, posting the results of the draw on the Web site . . . apparently in past years, we've had up to 6 or 8 to 10 people working 12 hour shifts manning the phones as people phoned in to find out the results of the draw.

And so, this is an important innovation. We think it's a reasonable one. People are assured of fairness. It's more efficient. They're tracked better. They can see what's happening to themselves. And so we think it's a good innovation, and it's an important one. And we would like to see people move from the \$7 fee down to the \$4 fee and get on the Internet.

Mr. Heppner: — Thank you, Mr. Chairman. Another amazing answer. First of all, my specific question wasn't answered. We now find out that with the use of the computers and the Internet, they're using six to seven fewer people. And the people applying now have to pay a \$7 fee that they didn't used to have to pay.

This is going off madly in all directions. We have fewer people working to operate the system, and we're being charged suddenly for the system. I'm at a loss to know where that's going to go. But I think we'll pursue a little different angle. On that, I think we've made our point and drawn our conclusions.

A specific question about how the pool system works and I'm going to come up with an example and then see where we go from there. If I was an A barrel in '03 — and that would be the computer printout . . . And by the way, that's an excellent idea because very often people forget what barrel they're in. They can go on the Internet and get exactly the listing of where they are at from the previous year. And I would strongly say that's one of the better ideas you've come up with in a long time.

Anyway so I'm an A barrel in '03. That's what my computer

thing says. And it says I was not drawn. When I put my application in this year, does my application end up in A barrel this year, or super A barrel for this year when you're going to do the draw?

Hon. Mr. Forbes: — The answer is super A.

Mr. Heppner: — This creates, Mr. Chairman, this creates a very unique conundrum because I phoned the department about a month ago with exactly that answer. I have the name of the person that I contacted, and I got exactly that answer to my question.

On Saturday I sat down with my hunting buddies, and we're going to put in the application. I wanted to take them in this morning. So we had quite an enthusiastic argument around the kitchen table exactly how this was all going to work. They didn't agree with me, so I said, okay. I'll personally carry these things in with the envelope open; I will ask the question.

So I sat down this morning. Well this morning, yes, it was between 9:00 and 9:30. I sat down at that building about three blocks over there, asked the person I was bringing this in exactly that question. I had my little computer printout there, so it wasn't a matter of misspeaking what I had to say. And so I laid it right out, and I said what would be happening? And the answer I received, right there, was if I was in A barrel last year, applied this year, I would be drawn out of A barrel, and next year I would be in super A, which I couldn't understand.

However the result of that was — because there were between three and four of us depending on the different draws — I had to pull one person out of the draw barrel and take him out because, according to the answer that I received in that building this morning, he would basically bring us all down to A from super A.

So now who's going to take the responsibility for the fact that we had a major mess-up in this hunting application because of two different answers that I got on exactly that question? So now my applications are in. I have from 8:00 o'clock to midnight tonight to go on the Internet, if I could, and make that change, but my cheques and my envelopes are in there. So now what happens?

Hon. Mr. Forbes: — Mr. Deputy Chair, I'll just read from the *2004 Hunters' and Trappers' Guide* on page 6, 2004 Big Game Draw:

Applications will be entered into the lowest priority pool of any person on the application.

Mr. Heppner: — Mr. Chairman, so according to the information that I brought in this morning and according to the phone call that I made about a month ago and according to the answer you gave earlier on, all three of us on this particular thing should have been in super A. But the answer I got this morning moved one of us out, and it was an incorrect answer because two of us had been in super A on that draw last year. So by bringing an application in we knew we'd be in super A no matter what happened. The one person had been in A last year and I was told this morning they would be in A barrel this year, which is not true. So now who's going to take

responsibility for that mess-up?

Hon. Mr. Forbes: — I just invite the member maybe to speak with the deputy minister afterwards to get this sorted out because I think it's an important issue and obviously to the member opposite. So if that would be all right? We would do it that way. Thanks.

Mr. Heppner: — We will take that because it really has me moderately choked because when you have a group of hunting buddies that tend to go out together and then suddenly get some wrong information after having had right information twice . . . but we'll see what happens with that.

Moving on to one or two other items. I'm wondering if the antelope numbers for this year are in already, and if not when they would be in.

(20:15)

Hon. Mr. Forbes: — Mr. Deputy Chair, the antelope numbers, quotas, will be determined, we're anticipating, relatively soon. But they are not yet done. They're developed after the fawn production is determined, and that, you know, is a weather factor and that type of thing. So we anticipate relatively in short order. But we're anticipating good numbers; this is what I understand.

Mr. Heppner: — Thank you, Mr. Minister. Mr. Chair, switching gears to my last set of questions for this evening, I want to carry on a bit of a discussion about tree stands. Over the years, particularly the baited situations where you hunt from tree stand over bait for bear has changed substantially where all the bait barrels and things have to be removed, and I think that's an excellent idea. I think that's one of the better ideas that's come along in a long time, as far as keeping the environment an attractive place, and getting all that, the barrels and whatever else, just getting it out of the way. I think that's good.

However there's been a change in the last year or two that has required that people also remove the tree stands. And I would like to have the minister give the justification for that particular change.

Hon. Mr. Forbes: — Thank you very much, Mr. Deputy Chair. The concern around the tree stands is one that we've heard some concerns about. But some of the concerns really did come from the local hunters, the resident hunters who were hunting in common areas and came to feel that the tree stands, when they were left they could be or were being used as a bit of a marker for territory. And of course these were common areas.

And when hunting season was over, when it's time to put them away, they felt it's best to put them away so that people didn't get a sense of . . . this is a particular territory, that the hunting area was common and was for everyone's benefit.

So we felt that was the best way to go . . . is to have the tree stands removed, and then everyone would feel that it's everyone's area.

Mr. Heppner: — Thank you, Mr. Chairman. I appreciate the thinking behind that because I think that's very much the

thinking that most of us that go out there and hunt want to have . . . is that the whole territory we're in is sort of accessible to all of us to use.

I really don't think that that thinking is too common, that the tree stand denotes a territory. I think a note in the synopsis would take care of that quite nicely. And if it is there, and I see one of the officials handing that out, that would be good. And I think that should be enough.

The reason why I object to taking it down, aside from the fact that it's a lot of effort, is that you take a tree stand down, you put it back up. Tree stands do a certain amount of damage to a tree because you're nailing it in there or fastening it one way or the other. So if on a yearly basis you're taking this down and putting it back up, it's a lot easier on the forest, basically, to leave that tree stand exactly where it is than to, you know, take it down, put it back up, and do those sorts of things. So I would think a note in the synopsis just stating that that does not denote any special rights or territory would be adequate and then allow people to leave the tree stands up.

The other concern that I've heard about tree stands — and I don't accept it, and you may have heard as well — when people say well it looks ugly when you're walking through the forest. Well people who put up tree stands don't put them right beside where you tend to travel and move around. Having hunted all around the province, the tree stands are usually in very obscure areas, and that's the purpose of it. You want to be someplace where you don't have a lot of people traffic, but you have animal traffic. And I think it would be simplest and best all around if those were again allowed to be left up.

Having said that, if the minister wishes to respond to that, he can. I don't feel it's necessary; it wasn't a question. But thank you to you and your officials, and I can assure you I will be in an office tomorrow morning seeing if we can get my draw problems straightened out. Thank you very much.

The Deputy Chair: — I recognize the member from Rosthern-Shellbrook.

Mr. Allchurch: — Well thank you, Mr. Minister, and welcome to your officials this evening. To start with, my line of questioning is a continuation from last year when I asked questions regarding critical habitat wildlife land. And as you know, there was 97,000 acres taken out of critical habitat wildlife land and turned over to resolve some of TLE problems; TLE is treaty land entitlements. What has been done since then regarding the critical habitat land in regards to TLE process?

Hon. Mr. Forbes: — Mr. Deputy Chair, thank you to the member opposite for that question. Since the last time Environment has met for estimates, last year, there has been 48,000 acres added to the WHPA (Wildlife Habitat Protection Act), so the wildlife habitat protected areas, and we're working with Sask Agriculture and Food as we speak to determine further lands that will more than make up for the difference that we have right now. And so we are hopeful the process will work quickly, and we'll be where we should be.

Mr. Allchurch: — Thank you, Mr. Minister, for the answer. You said 48,000 acres have been turned back into critical

habitat wildlife land. Are you going to bring it up to the designated number of acres that was first started, 97,000?

Hon. Mr. Forbes: — Definitely, and beyond that. Yes. Yes.

Mr. Allchurch: — If that is the case, then is there any more acres going to be taken out of critical habitat wildlife land and turned over to satisfy TLE agreements from now on?

Hon. Mr. Forbes: — Mr. Deputy Chair, in regards to the answer, the process is if the First Nations bands do select the land . . . first they have to select that land, and then if we can find a replacement land that's suitable with the same ecological value, and then the process will go from there. So at the end of the day what we want to make sure is there is no net loss in terms of critical protected land.

Mr. Allchurch: — Thank you, Mr. Minister. From what your last statement was, you're saying that you're still allowing TLE or First Nations bands to obtain critical habitat wildlife land. Let me remind you that when this critical habitat land was first initiated, it was a combination of government people, Saskatchewan Wildlife Federation people, environmentalists, all sorts of people that determine the status of critical habitat wildlife land. It was a safekeeping for not only environment but for the wildlife that was there.

Why is it that the government is allowing this to happen? It is the best land in the province that's been set aside for wildlife and environment, and you're turning it over to one party. If you're allowing it . . . to turn it over to one party, like the First Nations, why cannot anyone else obtain the same rights?

(20:30)

Hon. Mr. Forbes: — An important question here. I just want to clarify that the wildlife habitat protected areas that we are allowing to be part of the treaty land entitlement process is only Crown land. So the lands that have been set aside by Saskatchewan Wildlife Federation or Ducks Unlimited or some of the third party conservation groups is not affected. And so that's not part of the process.

But what we're really trying to do is to help address the land short-fall in this important process of treaty land entitlements. But again the key process, the key element from Environment's perspective is that there's no net loss, and that it's really important. That if there is land that is . . . that they have laid claim to, that there has to be land of suitable equivalent ecological value that we can replace it with so there is no net loss. And that's a very important part of this . . . is that there's no net loss. And that the concern around some of the other groups is not a concern because this is one that just deals with Crown lands.

Mr. Allchurch: — Well, Mr. Minister, I fail to differ with you when you say there's no net loss. The land that was set aside for critical habitat wildlife land is very important land. It wouldn't be there if it had not been set up with the organizations that were involved in it.

Now you're taking land that is not of a value as critical habitat wildlife land, and you're putting that into the system. But

you're still allowing this land, that critical habitat wildlife land, to be given to TLE. Why don't you take the 48,000 acres that you've turned into critical habitat wildlife land and give that to satisfy TLE? The reason you're not is because it's not as good a land as the land that was previous into the category of critical habitat wildlife land.

Hon. Mr. Forbes: — Mr. Deputy Chair, it's really important to note that this is a no net loss. There is not the idea of one land being better than the other, and that's why the First Nation selected it. They have a variety of reasons that they may select a certain piece of land. And of what our concern is that there's equivalent land of value, ecological value. And it's very important that it's equivalent because we can decline to allow that land to go.

And so in these 48,000 acres that have gone already, we were able to determine that there is lands equivalent in ecological value that would replace that with no net loss. And so we feel this is an important thing. And I fail to see that there is . . . In fact I think this is a win-win situation, and it's very important that we move along with this.

Mr. Allchurch: — Well, Mr. Minister, you may feel that it's a win-win situation. To many people in the province of Saskatchewan, it's not — especially organizations like Saskatchewan Wildlife Federation and hunters that are out there.

And I'm going to give you the example of four quarters of critical habitat wildlife land just south of my town of Spiritwood. And it was a section of land, and the reason that was set aside as critical habitat wildlife land a few years ago is because that's where the elk herd that was sustained in that area, that's where they lived. That's why it was designated critical habitat wildlife land. There has to be some land for these animals to go to that's safe; otherwise they're going to be slaughtered off. This section of land was critical habitat wildlife land.

That was turned over with the stroke of the pen to satisfy a TLE agreement. And I have no problem with satisfying TLE agreements. But this specific land was high value as far as the wildlife was concerned. It was turned over. Now I beg to differ where you'll find a section of land that housed an elk herd like that one in the 48,000 acres that you've turned over to the critical habitat wildlife land that would come up to the same equality as that land.

Hon. Mr. Forbes: — I find this very interesting, Mr. Deputy Chair, because if you have one section of land isolated like an island like that . . . I don't know the specific situation he's speaking of. But one of the things we're trying to do in biodiversity is develop corridors where you wouldn't have one section of land isolated like that. And so I'd be interested to know more about this, whether this was a piece of . . . some Crown land that was isolated by itself as one section that the elk were congregating on.

I find that very interesting so . . . I think this is a good practice, and I would have to say the First Nations and the land that they've acquired do have a good track record of managing wildlife, and they do have, you know, some interest in

ecological values.

And so I feel very good about this in terms of that there is a way that we can meet our needs both in terms of the environment and acquiring good wildlife protected areas, and also meeting the TLEs.

Mr. Allchurch: — Well thank you, Mr. Minister. I understand that the land that's needed to be settled with TLE agreements has to come from Crown land. This land that I'm talking about also is Crown land; it's the only land that could be utilized as critical habitat wildlife land.

What I'm trying to say is that this is one situation where we have critical habitat wildlife land that is very valuable to environment and wildlife management, and yet the government is allowing that land to be transferred through TLE agreements.

Why don't you take and give the 48,000 acres of land that you've acquired now and give them to critical habitat wildlife land? Why don't you utilize that land? It's not as high a value as far as wildlife and environment as the land that you're giving.

Hon. Mr. Forbes: — Well, Mr. Chair, first of all I would like to say in terms of the TLEs, it's really important that we respect the right of the First Nations bands to select the lands that they feel will meet their needs in the most appropriate way. And that's very important.

And they have the right to select both in terms of Crown land or private land. And of course what the government owns is Crown land, and so that's what we have to provide. But the First Nations have the right to choose both private . . . and if the person is willing to sell then that's fine. And this idea of no net loss is a relatively new concept that we're advancing because we think it's important. If we can be part of the process in a productive way, then we want to be. That's very, very important.

And Environment also takes the stance of habitat protection or landscape protection. We feel if the landscape is healthy or the habitat is healthy, then the population will be healthy. And this is a very important distinction to make, habitat protection versus population protection, because we feel it's more important to protect the place. That will lead to a healthy population.

From my information . . . actually in terms of elk herds, I understand that the elk herd in the province is healthy, and it's growing right across the forest, so it's in good stead.

Mr. Allchurch: — Thank you, Mr. Minister. You mentioned earlier that there was 48,000 acres turned over. Could I obtain a copy of the lands which have been turned over to . . . or turned back into the critical habitat wildlife land? It doesn't have to be today. All I'm wondering, can I obtain information that will allow me to see where the lands have been taken from?

Hon. Mr. Forbes: — We could get that information to the member, no problem.

Mr. Allchurch: — Thank you. My next line of questioning is

on outfitting, Mr. Minister. And I was phoned and asked if Crown land that has been designated by an outfitter or outfitting, are they allowed to hire a Caterpillar to bulldoze a road into the land to put wells on?

Hon. Mr. Forbes: — I would understand that they would be treated as any other commercial company who has an interest in the forest. They would be expected to pay for any timber that was destroyed, the permit processed, all of that kind of thing, how they cross streams. So it potentially could be a situation that they would have to be, they would have to follow regulations and have the appropriate permits to do the work they're doing.

Mr. Allchurch: — So basically what you are saying, Mr. Minister, that outfitters who do not own the land — they're just an outfitter — have the right through permits and regulations to bulldoze roads into their area and put a well up. Is that right?

(20:45)

Hon. Mr. Forbes: — I think in this case the process would be that he would have to have a disposition for the land, i.e., be leasing the land. And if the, well the outfitters — the commercial operator — he would need to have a permit to construct the road, and he'd also have to have a licence for the water well that he would construct. So there's quite a process to all of this as a commercial operator.

Mr. Allchurch: — Well, Mr. Minister, as you know an outfitter has a designated area which they are . . . (inaudible) . . . and allowed to outfit off of. On that designated area they have, I believe it's anywhere from one acre to two, maybe three acres of designated land where they have their operation headquarters. And that is GPSed (Global Positioning System), and I believe on that piece of property, whether it's one or three acres, they are to pay taxes on that. In other words, they own it.

This is probably where the well is going. Now the well could be used for many scenarios, whether to supply water to the dwelling or for whatever. These are where these roads are going into. But remember, the roads are on Crown land. So has it been requested from outfitters to do this, and have you granted any permission to any outfitter the right to bulldoze a road into their area and dig wells?

Hon. Mr. Forbes: — In terms of the discussion around the road clearing and that type of thing, we don't have the specifics with us here tonight, and most likely we have . . . Any kind of development that would happen on Crown land — whether it be cottages, cottage areas, mineral exploration, outfitters — they would have to follow the due process that's required for them. If there's a specific case that the member opposite would like to have more information on, I'd be happy to get that. But more than likely, we have approved some; I don't have the numbers or details with us tonight.

Mr. Allchurch: — Mr. Minister, I didn't ask for numbers or whatever. I just wanted to know if it's allowed to take place. Can an outfitter bulldoze a road into his area and dig a well?

Hon. Mr. Forbes: — The answer would be, with appropriate approvals, following the regulations, they would be able to do

that.

Mr. Allchurch: — Thank you, Mr. Minister, because I know it's going on. I've had many phone calls regarding if outfitters are being allowed to bulldoze a road and bring in a well-digging machine to dig wells.

Also on outfitting, there is a designated area where their building is on, and they pay taxes on it. If the outfitter puts up a bait station and a tree stand, is there a designated area around that bait station and tree stand, in which nobody else can hunt or take an animal off that bait station, other than the outfitter and his client?

Hon. Mr. Forbes: — The answer is no. There is no designated area inside. That speaks a bit to issues we were talking earlier. But no there is not a designated area just for the outfitter.

Mr. Allchurch: — Thank you, Mr. Minister. In other words that if I'm out in the bush, Crown land hunting and there's an animal and it's feeding off a bait station and I see a hunter in a tree stand beside it, I still can take that animal and nothing will happen to me.

Hon. Mr. Forbes: — The answer, Mr. Deputy Chair, is yes.

Mr. Allchurch: — Thank you, Mr. Minister. I don't have a lot of time, but I'd like to get into the hunter synopsis. And right at the start of the synopsis it says "License Sales Hunting, trapping and angling licenses will no longer be sold at SE offices." What is the reason for the SE offices not to sell hunting licenses?

Hon. Mr. Forbes: — Mr. Deputy Chair, this was a move . . . You know, it was a challenging budget, so this was a cost-saving measure. We wanted to become more efficient in the work that we do. And so we thought it would be a good move to direct this activity as much as possible to the private vendors. I think it's important to note that there are some 700 private vendors who are selling licences in the province right now, so there is a good network out there right now of places to buy your licence.

Mr. Allchurch: — Well thank you for that answer, Mr. Minister. I'm glad you said that it works better in private enterprise. That means private enterprise in the province works very, very well, and I'm surprised you're not doing more of it.

How much money will this save, by allowing the private enterprise to undertake this operation? How much will it save the government?

Hon. Mr. Forbes: — Mr. Deputy Chair, our estimate it would be about \$400,000.

Mr. Allchurch: — That is the total cost saving that you estimate will be from just the SERM offices not carrying licences?

Hon. Mr. Forbes: — Yes. That would be. Also take into account some of the other administrative duties that the CS — the customer service — people would be doing as well. But that's, I think, a fair estimate.

Mr. Allchurch: — Well thank you, Mr. Minister. I see it's getting close to 9 o'clock, and I have a lot more questions, but I'll wait and ask questions later on.

The Deputy Chair: — I would invite the minister to move that the committee rise, report progress, and ask for leave to sit again.

Hon. Mr. Forbes: — I would ask that the committee rise and report progress and meet again.

The Deputy Chair: — The minister has moved that the committee rise, report progress, and ask for leave to sit again. Is that agreed?

Some Hon. Members: — Agreed.

The Deputy Chair: — That is carried.

The Deputy Speaker: — I recognize the Deputy Chair of Committees.

Mr. Iwanchuk: — Mr. Deputy Speaker, I'm instructed by the committee to report progress and ask for leave to sit again.

The Deputy Speaker: — When shall the committee sit again? I recognize the Government House Leader.

Hon. Mr. Van Mulligen: — Next sitting, Mr. Speaker. Mr. Speaker, I would like to move that the House do now adjourn.

The Deputy Speaker: — The Government House Leader has moved that this House do now adjourn. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried. This House stands adjourned until 1:30 p.m. tomorrow. Have a pleasant evening.

The Assembly adjourned at 20:59.

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