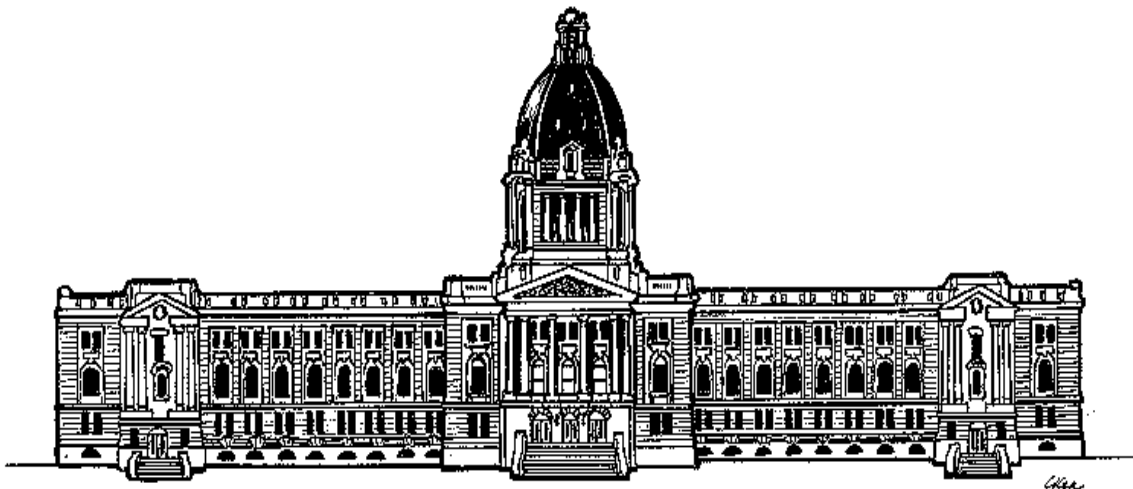




STANDING COMMITTEE ON HUMAN SERVICES

Hansard Verbatim Report

No. 5 – May 27, 2004



Legislative Assembly of Saskatchewan

Twenty-fifth Legislature

**STANDING COMMITTEE ON HUMAN SERVICES
2004**

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Saskatoon Eastview

Mr. Ken Cheveldayoff, Deputy Chair
Saskatoon Silver Springs

Ms. Brenda Bakken
Weyburn-Big Muddy

Mr. Lon Borgerson
Saskatchewan Rivers

Hon. Joanne Crofford
Regina Rosemont

Mr. Glenn Hagel
Moose Jaw North

Mr. Don Morgan
Saskatoon Southeast

The committee met at 15:00.

**General Revenue Fund
Justice
Vote 3**

Subvote (JU01)

The Chair: — I'm going to call the meeting to order. And the first item of business before the committee is the estimates for the Department of Justice beginning on page 97 of the Saskatchewan Estimates book. The first item of business is vote 3, subvote (JU01) administration. And, Mr. Quennell, will you please introduce your officials?

Hon. Mr. Quennell: — I'd be pleased to, Chair. To my immediate right is Doug Moen, Q.C. (Queen's Counsel), who is deputy minister of Justice and deputy Attorney General. To Mr. Moen's right is Elizabeth Smith, executive assistant to the deputy minister of Justice.

In the second row, starting on my left, is Jan Turner, executive director of community justice division; Rod Crook, assistant deputy minister of courts and civil justice; Murray Brown, executive director of public prosecutions division; Gerald Tegart, executive director of civil law division; Susan Amrud, executive director of public law division; Gord Sisson, director of administrative services.

And in the back row, or behind the second row, Murray Sawatsky, executive director of law enforcement services; William Jennings, acting executive director of policy planning and evaluation; Lionel McNabb, director of family justice services; and Keith Laxdal, associate deputy minister of finance and administration division.

The Chair: — Thank you. Before we begin the questions, again I will ask the officials if they come to the mike to identify themselves for the first couple of times, so the technical people will know who you are for the record. Thank you. Then do members have questions? Oh, do you want to make a statement? Sorry.

Hon. Mr. Quennell: — If the Chair and committee permits, I have a short statement.

The Chair: — Certainly, go ahead.

Hon. Mr. Quennell: — The department's 2004-2005 budget allocation is \$199.8 million. This reflects an increase of \$8.9 million, or 4.6 per cent over the 2003-2004 budget.

The department has over 900 employees. We fund the RCMP (Royal Canadian Mounted Police), our provincial police service; the Saskatchewan Legal Aid Commission; the Human Rights Commission; and numerous other independent boards and commissions.

We administer the criminal justice system. This includes operating the court system, providing support for the judiciary, and prosecuting crimes. We provide alternative measures in crime prevention programs and support the development and

delivery of community based justice initiatives. We support victims of crimes through the victim services program. We provide legal and policy advice to government and play a key role in regulating the marketplace to safeguard consumer and public interests.

To deliver its mandate, Justice works with key partners — some represent justice system components, some deliver community based justice services, and some assist in policy and legislative developments and implementation.

We work closely with Aboriginal organizations, and along with the federal government, provide support for innovative programs that respect Aboriginal values and traditions, and supply employment opportunities for Aboriginal people.

In 2004-2005, Justice will provide funding for \$111.6 million to third-party agencies. This represents about 56 per cent of the overall budget for the department. The RCMP and municipal police services will receive \$95.4 million in funding in 2004-2005; the Legal Aid Commission, 14.3 million and grants to community based organizations total \$1.9 million.

Employee salaries account for about 27 per cent of the total budget allocation, with the remaining 17 per cent for accommodation and operating costs. Together, the divisions of the department work with stakeholders and partners to ensure the justice system effectively enforces criminal law, Criminal Code, the youth criminal justice Act and provincial statutes, including the need to be tough on serious crime, and the need for integrated approaches in situations where the offender can be effectively dealt with in the community.

Provides effective mechanisms for resolving social conflict to ensure that people do not turn to socially destructive ways of dealing with their issues.

Responds to legal and social needs of people, particularly those in vulnerable circumstances and those involved in family disputes.

Plays a key regulatory function in the marketplace to safeguard consumer and public interests and support economic well-being.

Provides legal and policy services to government including serving as government's official legal advisor and representing the government before courts and tribunals as well as advising departments and agencies about developing legislative proposals and drafting all legislative instruments.

In 2004-2005 the department received incremental funding to support policy services in the province . . . policing services, excuse me, in the province, and to hire five additional police officers for northern communities, \$4.6 million.

Undertake the commission of inquiry into the wrongful conviction of David Milgaard, \$2 million; and implement safer communities and neighbourhoods legislation, improve the police complaints process, and expand the Aboriginal court worker program, half a million dollars.

The Legal Aid Commission will see a budget increase of \$1.6 million. This reflects Saskatchewan's share of the new federal funding for innovations in legal aid services.

Due to the lower volume of work, the Court of Queen's Bench registry office in Assiniboia will close and the workload will transfer to Moose Jaw Court of Queen's Bench. As a result two permanent part-time staff received layoff notices on budget day. The provincial court will continue to sit in Assiniboia as a circuit point.

As we move into the 2004-2005 fiscal year we will be focusing our efforts on five key priorities:

Number one, reducing reliance on the justice system. We will assist in the development of a coordinated FASD (fetal alcohol spectrum disorder) strategy and continue to encourage community based services and supports in areas such as alternative measures, addictions, child protection, housing, recreation, and mental health.

Number two, changing the relationship between Aboriginal people and the justice system. We will work closely with the FSIN (Federation of Saskatchewan Indian Nations), MNS (Métis Nation of Saskatchewan), and federal government to respond to the recommendations of the Commission on First Nations and Métis Peoples and Justice Reform.

Number three, reducing offending through integrated targeted approaches. We will continue to develop targeted approaches towards crime and focus on the small number of repeat offenders who are responsible for a significant percentage of the crime. We will continue the successful Regina auto theft strategy and crime response programs in North Battleford and Saskatoon.

Number four, improving community safety by targeting unlawful activities in our residential and business neighbourhoods. The safer communities and neighbourhoods initiative will provide the means of using civil remedies to shut down properties where illegal drug, alcohol, or prostitution activity occurs.

Number five, improving the efficiency of the justice system. We will continue our efforts to implement reforms to the justice system to reduce backlogs and make the systems more efficient. We believe that by working together toward a common vision of safe, secure communities, it is possible to reduce the level of crime, victimization, and offending in Saskatchewan communities.

And I look forward to answering your questions. Thank you for the opportunity of making this statement.

The Chair: — Thank you. Questions then. Mr. McMorris.

Mr. McMorris: — Thank you, Madam Chair, and welcome to the minister and his officials. I just have a couple of questions on a very specific item that I had asked some written questions on.

It's a concern raised from a constituent of mine regarding a transfer company in the coroner's office. So I'm not sure if

you'll be able to answer because I know it is very specific, this issue. In the Regina area, he is starting up . . . He has a couple of companies running, but he also wanted to bid on or have some sort of a in in the marketplace here around the Regina area for the business of transferring.

I asked questions for a couple of different years to the coroner's office as to the company that the government uses, Spectrum Transfer Company; the fee charge plus expenses; was this contract tendered or has it been tendered; and if so, why not? And I guess I'd just like to follow it up.

It's a company from Balgonie that would like to get into the business and can't seem to get any sort of a in in the Regina area. I asked the question, a follow-up question, because one of the answers came back that it wasn't tendered because of insufficient volume. I asked what the volume was and that question was converted. I didn't get an answer to that question, I believe. Yes, that's what happened.

So I guess my question would be, what . . . You know, if you can't give me the volume figure, why wouldn't this contract be tendered? Is it that small of a contract that it couldn't be tendered? Or how would a company that's starting out get into the business, when it's a private company already offering the service and they just simply want to compete with that private company?

Hon. Mr. Quennell: — Madam Chair, to the member. First of all on the questions of volume, and I think you specifically asked about the fiscal year 2001, at which time there were 84 transfers during that year; in 2002, 79; and 2003, 100. That is a relatively small volume and that's why it was not tendered. However it's a constituent of yours? Sorry, it's a constituent of the member I guess.

Mr. McMorris: — Yes, the company that currently is doing the business I believe is centred out of Regina here. I have a constituent who has . . . wants to get into that business, does some work for other areas, so he's already I guess into the business, but would like to bid on the contract here in Regina, in the Regina area, and hasn't had a chance to at all.

You had mentioned that it's relatively a small amount, but you know on a 100 transfers, it's over 13, \$14,000 worth of business. This is not his sole business, but this would help supplement his business and at half of that that would be 7 to \$8,000 worth of business even if it was split in half. I would I guess maybe ask the department to re-look at that and see whether they would consider tendering that contract, because there are businesses out there that would supply that service perhaps for a fee less than what you're being charged right now.

Hon. Mr. Quennell: — The member points out the fee per transfer is \$135 plus expenses. And if the member could arrange for more information to be provided to the department, we'd be willing to look at the company in question as a partial deliverer on the service.

Mr. McMorris: — Yes okay, that would be good. I actually am in the process of acquiring more information from this company and we're working on a letter together to go to the department. We haven't quite got it together. I think we're working on it

today and tomorrow in my constituency office, but I thought I just had the opportunity now to ask a couple of questions, so you'll see some information coming from my constituency office and I'd appreciate it if you could look into it further.

Hon. Mr. Quennell: — We will be looking into it further.

Mr. McMorris: — Thank you.

The Chair: — Mr. Morgan.

Mr. Morgan: — Yes. Thank you, Madam Chair. I want to thank the minister for having his officials here today. My first questions relate to questions that I had posed earlier this session in the House, so I presume that the minister will have had access to that information as well.

I had asked for information regarding to the court level and number of files that took place going back to 1997. I note that in Provincial Court, and I realize statistics vary with the number of adjournments, etc., and whatever, but the ... using appearances as a measure of caseload, they've increased between 1997 and 2003 from just over 450,000 to over 600,000. So there's been roughly a one-third increase, if that's an accurate measure. Small Claims summons have maybe fallen somewhat. But the numbers that are of particular interest are Court of Queen's Bench and Court of Appeal, both of which have fallen fairly steadily between '97 and 2003.

Queen's Bench court files opened went from a high in 1997 of 19,468, to 2003 of 16,226; and the Court of Appeal almost a similar drop-off from 548 in '97 to 365. And I'm wondering if the minister or his department officials can shed some light as to why two levels of court would have a fairly substantial drop-off while Provincial Court would have a significant increase?

Hon. Mr. Quennell: — Well I'll make a general comment and then I'll turn it over to Mr. Crook maybe for some clarification if required after my comment, and certainly some expansion on it.

As the member will know, Provincial Court performs approximately 90 per cent of the criminal work done in the province, and the Court of Queen's Bench — the superior court — and the Court of Appeal, therefore, is more a civil law court and also a family law court which is, I think can be fairly said, a growing area of litigation. But there has been a tendency to have less litigation in other areas of civil law, but Mr. Crook may have some comments further to that.

Mr. Crook: — As you've pointed out, there is this decline over the period on the Court of Queen's Bench and Court of Appeals side. To some extent while there is an overall decrease, the statistics don't sort of capture the full activity. The civil cases tend to be more time consuming. There is, you know, a significant amount of preparation time involved. There is, of course, the pretrial process which is used in Court of Queen's Bench. In addition we found over the years the length of trials has significantly increased with its ... you know it would be quite rare to have a one-day trial.

The complexity of some of the matters, the use of expert

evidence, that kind of thing has tended to increase the length of trials. And then of course there is the time spent writing judgments, and there is a significant volume of written judgments that are published as well as sort of the fly-leaf judgment.

So while the statistics do show that overall decrease, it, you know as I say, it doesn't capture the full activity. In terms of what accounts for that decrease, you know, the court is ... really just takes the work that comes in. There has, I think, been over the last couple of decades and the last decade, a shift of some of the criminal jurisdiction into Provincial Court. Provincial Court is now ... does the vast majority of all criminal matters, so that's been a reduction at the Queen's Bench level. And so that may in part account for some of the decline in the overall number of cases opened at the Court of Queen's Bench level.

Hon. Mr. Quennell: — It might be helpful to have Mr. Brown comment on those changes that made ... that perhaps contributed to the Provincial Court becoming busier.

Mr. Brown: — Murray Brown, Madam Chair. Through the Chair to the member, yes, the Criminal Code has been amended a number of times to change what were offences that you would generally see in the Court of Queen's Bench to being offences that are either electable or now almost absolute liability in the Provincial Court.

We have seen over the last decade a substantial swing of cases in to the Provincial Court from the Court of Queen's Bench. The number of preliminary hearings run in Saskatchewan is way down compared to a number of other provinces. We were never terribly high in that regard compared to, for example, what they did in Ontario. But over the past decade there has been a substantial migration of business out of the Court of Queen's Bench into the Provincial Court. And it's something that the federal legislators and the federal Department of Justice is actually pushing as a trend they want to see continue, if not speed up.

Mr. Morgan: — Madam Chair, where I was going with this is my ... looking at this, I would make the assumption that Provincial Court had probably increased in volume for a variety of reasons. One, because more people were electing trial in Provincial Court. Charter arguments would certainly increase the number of charges or increase the amount of workload in Provincial Court and then appears that there's a significant shift from Court of Queen's Bench to Provincial Court. And I'm not ... I have no opinion as to whether that's a desirable thing or not a desirable thing.

But from a budgetary point of view, when we note that kind of a drop in volume in Queen's Bench and Court of Appeal ... I note there's vacancies on both of ... two vacancies in the Court of Queen's Bench and one in the Court of Appeal.

I realize that those appointments are made by the federal government and paid by the federal government, but the province is responsible for all of the expenses that go with it: operating the courtroom, supplying offices, libraries, and other such like. And I don't know whether the department has looked to the number of sitting days, if there ... say, there's more

activity on any given trial. I suspect that it's not a great difference.

And I'm wondering whether the province has contemplated going to the federal government with the notion of not filling those vacancies and postponing that or freezing . . . asking to freeze the court at that level?

Hon. Mr. Quennell: — I haven't had any discussion . . . Madam Chair, through you to the member, I haven't had any discussion with the federal Minister of Justice as to the size of either the Court of Queen's Bench or the Court of Appeal. As Mr. Crook pointed out, the number of cases before the court isn't necessarily indicative of the amount of work being done by the court.

These are more complex, lengthy, civil cases that are being heard by the Court of Queen's Bench. When they do hear criminal cases, they are complicated by a number of factors, including ongoing development of the law around the Charter of Rights and Freedoms.

So it can't be taken solely from these statistics that the courts are becoming less busy. It depends upon how much work is involved in the cases that are before them.

That said, we do monitor the workload that's being done by the courts. There's obviously an expense to the province in providing court services and we don't want the courts to be larger than necessary. But I haven't had that discussion with the federal Minister of Justice. I don't think it would be appropriate at this time.

Mr. Kerpan: — Madam Chair, it may not be appropriate for the opposition to make suggestions, but it's my intention to do so in any event. I would like to invite the minister to have discussions.

I'm also aware that there is a variety of ways of determining caseload carried by judges — either by way of number of sitting days, the length of the judgments written, how long it takes to get things done. And I'm certainly not accusing our judges of not working hard, because I know they are. I know there is little or no backlog right now in both the Court of Queen's Bench and the Court of Appeal.

So I would certainly like to invite the minister and the department to consider whether it's appropriate for those vacancies to be filled. I presume it would also be appropriate for the minister to have discussions with the chief judge of each of . . . Chief Justice of each of those courts. And it may be more appropriate to redirect some resources to Provincial Court needs if our caseload is dropping off in the Court of Queen's Bench and the Court of Appeal.

That having been said, I am not looking for a response from the department. It's something I would like to invite that discussion to take place.

My next question, Madam Chair, deals with the Human Rights Commission and it's a question that was given to me shortly before coming today, so I want to ask it before we run out of time. I understand from the legislation that there is a two-year

time limit to bring a complaint to the Human Rights Commission.

And my question, Madam Chair, is what exceptions are there with regard to persons under disability or things where the complaint didn't manifest itself or . . . (inaudible) . . . until some time later? The question that was given to me was, what if somebody doesn't realize or isn't aware of the problem or takes some time to get over it, what exceptions there would be to the two-year time limit?

Hon. Mr. Quennell: — First of all on the issue of efficiencies to the courts. I think it's appropriate for any member of the Legislative Assembly to be concerned about providing services in an effective and efficient way, so I don't think that is an inappropriate comment in any way whatsoever. And we will take the member's comments under advisement and as I said, we continue to monitor the workloads of all the courts.

We have taken steps to try to improve efficiencies at the Provincial Court level because as the member pointed out and was provided in an answer to one of his written questions, the number of cases before our provincial courts continues to grow. And we do not necessarily want to expand the Provincial Court. Now we've taken steps in Regina to make the court more efficient, have shortened waiting times for court appearances and for determination by the court considerably in Regina and we'll be building on that model elsewhere.

Secondly, I will make the observation that the limitations Act provides — and the new Act will provide as well that:

. . . The operation of any limitation period established by this Act or any Act or regulation is suspended during any period in which the claimant:

is a minor; or

is a person who, by reason of mental disability, is not competent to manage his or her affairs . . . and is not represented by a personal guardian . . . who:

is aware of the claim; and

has . . . legal capacity to commence the proceeding

. . .

That observation made, I think we'll have to get back to you with a clarification that this does apply to the Human Rights Commission. It would appear on the face of it that it does, but I'd want to undertake to get back to you on that.

Mr. Morgan: — My follow-up to that, if you would get back to me with it as well is, are you aware of situations where people have tried to advance claims and have found that they were statute barred under the Human Rights Code because of the limitation period?

Hon. Mr. Quennell: — Neither my deputy or I think any of the other officials here are aware of a circumstance where a complaint was statute barred, but we will do a search and respond.

Mr. Morgan: — That may give me the opportunity to reassure the party that asked the question. Mr. Deputy Chair, I will move on and would like to ask some questions about the Public Trustee, and to try and make it a little bit easier.

I'm wondering, how much money is under administration by the Public Trustee, and are any fees ever levied against the amount of money being held by . . . or is it all paid for by the province? And then, what is the annual return on the investment portfolio? It's my understanding that it's in an aggregated fund, so there's one return for all of the money that's being held. Correct me if I'm wrong on that.

Mr. Crook: — It's Rod Crook. The Public Guardian and Trustee does charge fees for the services it provides to clients. In terms of the quantum of the common fund, the assets under administration, it is approximately \$120 million. The fees for the services are set out in The Public Guardian and Trustee Regulations and the fees are essentially a percentage of income and a percentage of capital. And I can go into the details of that if you like.

The common fund is managed under contract with professional money managers. And the historical performance of the fund has been quite good. We try to match the returns on the portfolio.

There is a portion of the portfolio, the largest portion of the portfolio, is in bonds and fixed-income investments. There is a portion of the portfolio in equities. The equity portion of the portfolio is largely in Canadian equities. There is some exposure as well to international equities.

So the money managers have benchmarks against which their performance is judged against the market indicators — for example the performance of the TSX with respect to Canadian equities.

So that is the sort of the overall response. But if there is some more specific questions that you have, I could address those.

Mr. Morgan: — I was looking for what the rate of return was last year?

Hon. Mr. Quennell: — I can give you the numbers that I have here. The average annualized rate of return for the period April 1 to December 31, 2003 was 3.89 per cent. Is the member interested in 4-, 5-, 12-year averages because I have those?

Mr. Morgan: — I know it was higher when interest rates were higher. If you've got it going back further that's fine.

Hon. Mr. Quennell: — Well I'll give the member the 4-year average and the 12-year average, and if you have interest in some of the numbers in between I can do that too. The 4-year average was 6.85 per cent and the 12-year average is 9.64 per cent. And I think there was a question as to the amount held in trust?

Mr. Morgan: — I think the official answer to that was approximately \$120 million.

Hon. Mr. Quennell: — \$124.498 million in the 2002-2003.

Mr. Morgan: — And then I'm wondering on how many different individuals that's held on behalf of, and what the average length of time is that the money would be held.

Mr. Crook: — The total number of adult files at the end of the 2002-2003 fiscal year is approximately 1,400; it was 1,392.

Mr. Morgan: — Is that adult files?

Mr. Crook: — Adult files, yes.

Mr. Morgan: — And then infant files?

Mr. Crook: — The number of children for whom we hold funds at the end of that same period, the end of the 2002-2003 fiscal year was 2,255.

Mr. Morgan: — Thank you for that. I have another question I want to ask relating to the Human Rights Commission. There was in recent past a fairly significant backlog in dealing with human rights files, and I'm wondering what the current caseload is at the Human Rights Commission and what the timeline is for complaints that are being finished now. When were those complaints filed, and what are we anticipating for a timeline?

Hon. Mr. Quennell: — The information I have, Madam Chair, is current to March 2004. At that time the Saskatchewan Human Rights Commission had approximately 34 complaints unassigned to investigators. The backlog of complaints has remained under 20 files for the past three years, except for the current backlog.

Mr. Morgan: — How many files?

Hon. Mr. Quennell: — Thirty-four complaints.

Mr. Morgan: — Per investigator?

Hon. Mr. Quennell: — Unassigned to investigators.

Mr. Morgan: — Okay.

Hon. Mr. Quennell: — So that's 34 in total that have not been assigned.

Mr. Morgan: — For the province.

Hon. Mr. Quennell: — And that appears to be a peak. The backlog of complaints has remained under 20 files for the past three years, except for that current backlog and at one point 2002, when 69 complaints were the backlog.

As of March 4, 2004, the number of active complaint files were 289. The number of complaints in backlog or unassigned investigations were 34. The average wait in the backlog was up to six months.

Mr. Morgan: — Six months to get an interview or six months for a resolution?

Hon. Mr. Quennell: — The average length of investigation is 11 months.

Mr. Morgan: — Okay. But once the investigation is completed, that by no means resolves it. I mean that completes the investigation. Then there's whatever negotiations take place between the complainant and the other party. And then if a hearing is held, it would take some months after that. Is that my understanding or it that . . .

Hon. Mr. Quennell: — My information is that — and if this is correct, the word investigation might be a misnomer in both of our views — that investigation includes intake time, mediation time, investigation time, and the decision of the Chief Commissioner.

Mr. Morgan: — So the average time now is running at six months or less?

Hon. Mr. Quennell: — It's running at 11 months for investigation. That's the average length.

Mr. Morgan: — And then, some of them would take considerably longer because some of them would be now dealt with in the early stages, with the early methods of dispute resolution. So we could quite conceivably be seeing cases that are 20 and 30 months?

Hon. Mr. Quennell: — I don't know what the minimum and maximum times are.

Mr. Laxdal: — Keith Laxdal, Madam Chairman. Yes. That would be a possibility, Mr. Morgan.

Mr. Morgan: — I'm wondering, Mr. Minister, if you could find out what the longest time that they're taking at this point in time.

I have considerable difficulty with a system that appears to have chronic problems and able to address the funds. And I'm well aware it's a matter of resources and not by any means reflective on the commission or the people that work there. But it's troubling even at 11 months. And if that's the average, it's troubling if they're taking significantly longer for ones that aren't able to be resolved quickly.

Would like to move on and ask some questions . . .

Hon. Mr. Quennell: — Madam Chair, if I could just provide a response and . . . We will respond with that maximum investigation time in response to the member's question.

But in the previous fiscal year, the Department of Justice provided additional resources to the Human Rights Commission to assist with the backlog over and above the budget, which were absorbed by the Justice department. And we will do that again, if necessary, this year to keep down the backlog or the number of unassigned investigations depending on which term you want to use.

Mr. Morgan: — Madam Chairman, I'm pleased that the minister is aware that that's an issue and want the department to be aware it's something that we wish to watch closely and want to see that steps are taken to try and bring that down as much as possibly can.

I'd like to move on and ask some questions regarding corporations branch. The fees . . . Some of the items are shown on the financial statement. I'm wondering whether separate financial statements are kept with regard to cost recovery on work done by corporations branch, and whether it's a net gain or a net loss for the province.

Hon. Mr. Quennell: — The expenses involved in corporate registration are approximately \$2 million. The 2004-2005 revenues are approximately \$5.5 million. That's subject to change depending on what the increased filing electronically take is. We have reduced the fee from \$50 to \$40, if it's filed electronically.

Mr. Morgan: — Is that in effect now?

Hon. Mr. Quennell: — That's started this past July 1, and that . . .

Mr. Morgan: — Was the purpose of that to reflect the fact that the corporations branch was profitable, and it cost the department less to provide the service?

Hon. Mr. Quennell: — It was to encourage people to use that service. And depending what the uptake is, if it is 50 per cent, then that could cost about a quarter of a million dollars to the revenue.

Mr. Morgan: — Minister, and I'm glad that your officials are here. My own experience with corporations branch in the on-line system has been highly favourable, and I've had very positive feedback from my staff that worked in my office and from clients as well who had used the system. Everybody regarded it as very user-friendly, and it had a lot of benefits, in particular the fact that they could access information on weekends and other hours, so we were well pleased. So I think the department officials have done a good job of developing a system that's working well. I'm pleased to see that that aspect of the department's operations are running at a cash surplus, so that's a . . .

The non-profit corporations, will there be a likelihood that we will see a change or that the government will advocate changes to the fee structure paid by non-profit or charitable corporate entities?

Hon. Mr. Quennell: — Nothing's set out in this budget, and nothing's currently being contemplated in that respect.

Mr. Morgan: — It may be something that the department might want to consider for non-profit organizations where small amounts of money are very significant to them.

Madam Chair, I want to move on and ask some questions about the land titles system. I notice that under allocations, \$25,000 is set aside for land titles assurance claims. And my question is, is that for claims that were made in the pre-ISC (Information Services Corporation of Saskatchewan) days?

And then my question is, when will this be phased out? And are there a number of claims outstanding?

Hon. Mr. Quennell: — Madam Chair, the member is correct

that the funds are set aside for payment of potential claims of errors existed on the paper-based title prior to ISC going on-line. In those cases it is the responsibility of Saskatchewan Justice.

Claims after the paper-based system was ended are not the responsibility of Saskatchewan Justice, so these funds are for those claims. There is not necessarily a limitation period on those types of claims because they have to do with the security of title, but we anticipate of course that over time they will dramatically drop off as we get further and further away from the paper-based land title system.

Mr. Morgan: — My question is regarding the number of claims going back to the paper-based system that are still outstanding and the magnitude of those claims. What's been set aside for reserves regarding those?

Hon. Mr. Quennell: — Twenty-five thousand dollars is budgeted this year and that . . .

Mr. Morgan: — Well I think that's a statutory amount that's set aside, but my concern is the number of claims that might be advanced against that sum.

Hon. Mr. Quennell: — There are two or three claims outstanding.

Mr. Morgan: — So this is something that will likely be phased out in the next short while.

Hon. Mr. Quennell: — I don't know if we could ever entirely phase it out because circumstances could always arise that would go back to the paper-based system, but we can expect that there would be very few claims even in the medium term.

Mr. Morgan: — Sure. I'm wondering if the minister's officials can estimate the magnitude of those claims without compromising dealing with them.

Hon. Mr. Quennell: — I think there's some confidence that the amount that's been set aside is sufficient. But the claims haven't been assessed, and we wouldn't want to speculate on what their value might be.

Mr. Morgan: — Madam Chair, before we run out of time, I want to ask briefly about the public inquiries that are underway. We have finished hearing evidence on the Stonechild inquiry, and now the Milgaard inquiry is just getting underway. I'm wondering how much has been set aside for each one of those two, whether there's any other tribunals or any other commissions that are still impacting this year's budget either by way of recommendations that have not yet been implemented or work that's still outstanding.

Hon. Mr. Quennell: — In this fiscal year as I advised in my opening statement, \$2 million has been set aside for the David Milgaard inquiry.

Mr. Morgan: — The Milgaard inquiry.

Hon. Mr. Quennell: — Yes, and that's anticipated to be the total cost, estimated to be the total cost of the inquiry. A further

\$60,000 has been set aside for finalization of the commission into the death of Neil Stonechild.

Mr. Morgan: — What will the total amount be anticipated?

Hon. Mr. Quennell: — A total of \$1.8 million approximately and another \$200,000 to finalize the report from the Commission on First Nations and Métis and Justice Reform.

Mr. Morgan: — Going back to the justice reform. The recommendations from that, has the department allocated funds to implement any of those recommendations? And are those . . . Is that an outstanding issue before the department at the present time?

Hon. Mr. Quennell: — Again, in my opening statement, I referred to our desire to respond to the commission on justice reform. And the budget provided 250,000 additional dollars to the office of the police complaint investigator and \$126,000 for the expansion of the Aboriginal court worker program.

And the five additional police officers that have been provided under . . . or five of the additional police officers have been provided under the budget are for Aboriginal policing.

Mr. Morgan: — There were other recommendations in the report as well. Will those be addressed in time?

Hon. Mr. Quennell: — Well, we haven't received the final report and anticipate receiving it in the latter part of June. We will respond to other recommendations, but we have budgeted to respond to anticipated recommendations from the interim reports in the areas that I've described in this budgetary year.

It's important to note that the report is to four parties. It is not just to the provincial government. It is to the FSIN, to the Métis Nation, and to the federal government as well. And all parties should — I hope — be responding in a substantial way. As well, some of the recommendations won't require new funding.

And I did want to comment briefly on the FASD strategy, which is inter-sectorial between . . . or among Justice, Corrections, Public Safety, Health, and the Department of Community Resources and Employment. And that FASD strategy is also, in part, a response to the concerns of the commission.

Mr. Morgan: — Madam Chair, I would like to ask questions regarding the mandatory mediation that takes place in Court of Queen's Bench. It's been in place for some years and I know that the department recently conducted a review as to the effectiveness or seeking feedback.

I'm wondering what percentage of Queen's Bench civil trials are resolved at the mediation stage and what methods the department is using to determine the effectiveness of the mediation program.

Hon. Mr. Quennell: — Forty-three per cent of cases resolved or did not proceed following the mandatory civil mediation.

As the member may very well be aware, the evaluation that was funded by the Law Foundation of Saskatchewan, and supported

by the Law Society and the Canadian Bar Association, and by the judiciary, and completed in 2003, was fairly positive about the program.

And the member will also be aware that we have introduced, coming from that evaluation, amendments to The Queen's Bench Act. Some of them are housekeeping to clarify the procedures and how the Act is implemented on the ground, but also to provide more flexibility to when mediation takes place because of an express belief, which personally I agree with, that in some cases if mediation can be delayed until after the disclosure of some documents that it would be more effective, and that we could expect this number to grow.

Mr. Morgan: — Madam Chair, for the small amount of money that this program costs, if we reduce the court load by 43 per cent, and we're actually seeing an actual drop in the number of Queen's Bench cases, and I think at least a significant portion of that reduction is directly related to the success of the mediation program. I think it's one of the best values for the dollar that our taxpayers have, so would certainly want to encourage the minister and the department to look at every way possible to make it this workable. It's the saying that a bad settlement is far better than great litigation, and I think this is . . . certainly holds true with what's taking place in this program.

My own experience, my clients' experience has been that it's only as effective as they wish to make it, and if they approach it with a positive point of view it explores a lot of options, and creates a great framework for early settlements. So would want to commend the department officials for that department, and would want to encourage the department officials to try and preserve and expand that without making it complex or cumbersome to use.

Madam Chair, I think we're out of time. I have other questions, but perhaps I'll raise those in the House if we're . . .

The Chair: — Thank you, Mr. Morgan. Then we'll entertain a motion that the committee adjourn its considerations for the estimates for the Department of Justice.

Hon. Mr. Quennell: — Madam Chair, can I just respond on the last comments from the member?

The Chair: — Certainly.

Hon. Mr. Quennell: — I am very pleased to see that we are on the same page, and both on the opposition and the government sides strong supporters of the mediation program. The concept of mediation has applications beyond civil cases, and the Department of Justice is a strong promoter of mediation when appropriate, in the criminal justice system as well.

And again, second reading of The Queen's Bench Amendment Act has been introduced in the legislature, and the amendments that the government has introduced I believe will improve this program and increase the settlement rate. And so I expect that, given the member's comments, that that legislation will receive the full support of all members of the legislature. Thank you.

Mr. Morgan: — Madam Chair, I would like to thank all of the

officials that came today. I know that getting ready for something like this is trying to put on armour when you don't know where the sword is coming from. So I hope that it wasn't too onerous to prepare for as we tried to work productively with the department on this, and I want to thank them all for coming out — much appreciated.

The Chair: — Thank you. I'll now entertain a motion that the committee adjourn its consideration for the estimates for the Department of Justice. Ms. Crofford, agreed?

Hon. Ms. Crofford: — Yes.

The Chair: — Agreed?

Some Hon. Members: — Agreed.

The Chair: — All right, we'll take just a short break while we change officials.

General Revenue Fund Culture, Youth and Recreation Vote 27

Subvote (CR01)

The Chair: — The next item of business before the committee is the estimates for the Department of Culture, Youth and Recreation, beginning on page 47 of the Saskatchewan Estimates book. The item of business is vote 27, subvote (CR01), administration.

Ms. Beatty, will you please introduce the officials present with you today.

Hon. Ms. Beatty: — Thank you, Madam Chair. My department officials who are here with me today include: Angie Gélinas, deputy minister of Culture, Youth and Recreation; Ron Wight, executive director of recreation and corporate services; Dylan Jones, executive director of strategic policy on youth; Dawn Martin, executive director of culture and heritage; Val Sluth, director of sport and recreation; Bryon Burnett, CEO (chief executive officer) of centennial 2005; Melinda Gorrill, director of corporate services; Ken Alecxe, CEO of SCN (Saskatchewan Communications Network), and also with him, Twyla MacDougall, executive director of finance, strategic planning and human resources, Dave Stanchuk, manager of technology, Don Herperger, Saskatchewan Archives Board.

And I'm also joined by Glenn Hagel, legislative secretary for the centennial and Doreen Hamilton, legislative secretary for the Premier's volunteer sector initiative.

The Chair: — Thank you. And if you have an opening statement, we would entertain that now.

Hon. Ms. Beatty: — Thank you. I want to begin my remarks by focusing on the environment within which the Department of Culture, Youth and Recreation operates and how it is responding to that in a strategic way.

Trends show by 2026, 46 per cent of Saskatchewan's population will be either under 15 or over 60. By 2026, each

Saskatchewan person of working age making a net tax contribution will have 17 people dependent on them for social and economic support.

As for the Aboriginal community — everyone knows is growing — 50 per cent of the population is under the age of 14 in First Nations communities. In the major urban centres, nearly one-half of the children entering kindergarten this year are of Aboriginal ancestry. Aboriginal people are still not adequately represented in jobs or economic development.

Research shows important skills for success such as interpersonal skills, problem solving, decision making, can be learned by participating in sport, culture, and recreation. However Aboriginal young people often do not have access to these activities.

To address these issues Culture, Youth and Recreation will be focusing its resources in three areas: skill development with a strategic focus on Aboriginal people, job attachment for youth, and enhancing the roles of our sectors in economic growth.

While there have been some successes in the past, we will be working with stakeholders to identify stronger measures to change the system to increase First Nations and Métis participation. We will focus on connecting youth to career-relevant jobs during studies and career-relevant first jobs, working with the employers to encourage them to start hiring youth now.

Research also shown that culture, sport, and recreation programs are important to recruiting and retaining well-educated workers and the businesses that employ them. Culture, sport, and recreation programs serve a dual role as both magnets in bringing people to communities and glue in creating the networks and commitment that keep people in communities.

Sports, culture, and recreation sectors have had a significant role to play in helping us attract people to our cities and province, and in providing a quality of life that makes people want to remain here.

To help achieve these objectives, the department will be focusing its efforts on providing policy leadership, strategic communications, effective management, stewardship, and accountability of the government's 60 million annual investment in sports, culture, and recreation so that everyone, including First Nations and Métis youth and the North, benefit.

A centennial plan for 2005 is in place and includes provincial initiatives in the areas of recognition, celebrations, and legacies. The centennial plan will touch every community and region across the province. It will be an opportunity to look at our proud past and bright future. I see an exciting year of change for Culture, Youth and Recreation.

In closing I would like to make a few remarks about SCN (Saskatchewan Communications Network). SCN strives to be the pre-eminent prairie and northern storyteller that embraces pimātsiwin, the Cree word for life in all its harmony. The storyteller told educational tales that contemplated the mysteries of life with drama, poignancy, irony, and laughter, and shared the history and cultural values of the community and its people.

SCN is a modern storyteller with broad reach through leading-edge technology. As a CRTC (Canadian Radio-television and Telecommunications Commission) licensed provincial educational broadcaster, SCN's broadcast network delivers a wide variety of television programming and is distributed to viewers throughout Saskatchewan's cable, wireless, digital, and satellite television systems.

SCN works closely with Saskatchewan Learning to coordinate the delivery of credit programs through television, Internet, audio, and other technologies. SCN's distribution services are provided on a cost-recovery basis to a number of stakeholders. Current clients include the Saskatchewan Legislative Assembly broadcasts and components of the provincial CommunityNet system, providing rural and remote Saskatchewan communities with access to high-speed Internet services.

That concludes my opening remarks, Madam Chair. My officials and I invite any questions you may have. Thank you.

The Chair: — Thank you, Ms. Beatty. Before the officials come forward, when they are called upon, will they just identify themselves into the mike before they speak. And now I'll entertain questions by members. Mr. Dearborn.

Mr. Dearborn: — Thank you, Madam Chair. Welcome, Madam Minister, and welcome to your officials and to our two colleagues acting in the important roles of secretariat.

The first question I would have just would have to do with the minister's opening statements where she said \$60 million were being spent by Culture, Youth and Recreation. And referring to page 47 of the provincial Estimates, the budget, as I see it, is just a little over \$42 million. Can the minister clarify where the \$60 million is coming from?

Hon. Ms. Beatty: — What's not included in the estimates is 26 million that's allotted through the lottery system.

Mr. Dearborn: — Thank you, Madam Minister. Madam Chair, the first question I would have has to do with the administration in the department and salaries. Throughout the estimates, which I have before me, only four departments have increases in administration and salaries. Two of them, Finance and Justice, seem to be very minor in nature. One would assume that this is inflationary adjustments. The Department of Northern Affairs has a 10 per cent increase, but the Department of Culture, Youth and Recreation has roughly a 30 per cent increase in administration.

Could the minister explain why such a vast increase in salaries in administration in this department, and this hasn't happened across the other sectors.

Hon. Ms. Beatty: — Mr. Dearborn, there was a transfer in executive administration of an ADM, assistant deputy minister position. And also there was a reorganizations of two positions, and an addition of manager of executive services, and a communications consultant position.

Mr. Dearborn: — Thank you, Madam Minister. Madam Minister could you explain to the committee why, when across the board in almost all other departments with the exceptions of

the three others that I noted, everyone else has a freeze or a decrease in administration costs, and here this is a significant increase, \$300,000? What purpose is it servicing, and why is this the only place where it's occurring?

Hon. Ms. Beatty: — Initially when this . . . this department is very new, and initially when it was set up, it was very small, thin department. And as a result, there has been a reorganization and with two positions that we mentioned earlier. And this included a communications person and one that handled grants, allocation of grants.

Mr. Dearborn: — Thank you Madam Chair. Madam Minister, that answer I'm afraid is not acceptable. We see in the estimates here that we have a decrease in the overall expenditures of the department, but we have a 30 per cent increase in administration. And the justification for that hasn't been forthcoming.

I understand that there's some decisions have been made to have more people here, but it makes little or no sense to myself why we would need more people to handle fewer resources. So could we have a reason for that, not just the fact that certain people had been hired, and there's been an expansion of the staff? We're well aware of that. The reason that I'm asking is why.

And why also there's a 30 per cent increase in this department in administration and salaries and yet when we look at the rest of the budget, one that arguably has been tough for the province as a whole, this hasn't happened in any other department.

Hon. Ms. Beatty: — I'll ask the deputy to reply to that.

Ms. Gélinas: — Mr. Dearborn, what we're looking at is, we received the funding and a position for an assistant deputy minister to be moved from Industry and Resources to CYR (Culture, Youth and Recreation). So while it is an increase in our budget, it's not an increase overall in government. It was handed to us. As well, we did have two positions that were paid for in other areas of our department, but were actually doing the work, that is administrative work, so we reallocated it in terms of being properly accounted for. One was a grants administrator. One was a communications assistant.

Also as the minister indicated, we started off as a very thinly staffed administrative department with only one communications person for a network and a sector that includes 12,000 organizations and reaches across . . . So in this particular budget, we requested that we get a communications officer as opposed to all we had was a communications director. So that is the reasoning. Overall we're down. Overall we've tried to reorganize our department in such a way to address where we're going in the future.

Mr. Dearborn: — Thank you for that answer. Madam Chair, I have a question with regards to human resources. And in the FTE (full-time equivalent) staff complement, it says we have seventy-nine and a half positions currently in this department in full. If I could have a breakdown of what are full-time and what are part-time or partial-time positions.

And my first question is, how many positions were terminated

from the department last year? And what I mean by that, just to be completely clear, is how many persons were working for the department that were let go? And we'll get to the rehiring after that. But if we could have out of those seventy-nine and a half, how many . . . what was the movement?

Hon. Ms. Beatty: — Relating to your first question, as far as full-time and part-time positions, we will get back to you with those details. In relation to your second questions, there was 14 positions affected.

Mr. Dearborn: — Thank you. Madam Chair, though I am in my second term, I've sat at a number of committees and I've never had a problem obtaining the information on full- and part-time positions before. I hope that the minister would be able to provide me with the globals of the department. But those aren't available today?

Hon. Ms. Beatty: — The global estimates are being worked on right now and will be provided.

Mr. Dearborn: — Thank you. Madam Chair, I see from . . . 14 members of the staff were let go; that's a 17 per cent turnaround in the department staffing. Is there a reason for this? That seems to be inordinately high. And the first question I would have concerning that is, could you give me a breakdown of where these positions — and by this I mean not just within the department, but geographically — where these jobs were, the positions were terminated?

Hon. Ms. Beatty: — Of the 14 positions impacted on budget day, geographically, 10 positions were in Regina and 4 in Saskatoon.

Mr. Dearborn: — Thank you. Madam Chair, it seems that 15 positions have since been filled though. Where were these positions filled geographically?

As if we had estimated from 2003-2004, 78.5 full-time positions . . . and as you are unable to provide me today with how many full-time, how many part-time, I'm only going to assume in full numbers here. And yet for the estimates of 2004-2005, we're at 79.5, so there was 14 individuals let go, seventeen and a half per cent of the workforce and yet more than that has been replenished. It seems like a very high turnover rate to me.

Could you tell me where the positions have been filled, in which geographical locations, please?

Hon. Ms. Beatty: — Madam Chair, in reply to Mr. Dearborn's question, there has been no positions filled. Those positions will be filled within the next six months, and they will be in Regina.

Mr. Dearborn: — Thank you. Thank you for that answer, Madam Minister. What was the rationale for the movement of four jobs out of Saskatoon and into Regina offices? What is the purpose behind that transfer of human resources?

Hon. Ms. Beatty: — As I said in my opening remarks, CYR is restructuring. We are going to be moving further away from program delivery and more into policy leadership and stewardship and accountability and strategic planning and

promotional communications. So we're sort of shifting skill sets.

Mr. Dearborn: — Thank you. Madam Chair, Madam Minister, does that necessitate that the delivery of . . . that those goals must come from Regina as opposed to from Saskatoon?

Hon. Ms. Beatty: — At this time the decision was made that those positions be centred in Regina. You know, like I said, it's restructuring, and it's more of a team approach that's being taken at this point in time.

Mr. Dearborn: — Thank you. Madam Chair, my next set of questions focus on the licensing agreements for the lotteries. And the first question is: what is the criteria for organizations, agencies, and persons to receive funding from the lottery trust fund?

Hon. Ms. Beatty: — Mr. Dearborn, the three areas that are funded in culture, sport, and recreation have criteria listed that's quite detailed and that's available, and if you want we could provide that to you.

Mr. Dearborn: — Thank you, Madam Chair. Madam Minister, why is there a special clause for the facilities like the Wanuskewin Heritage Park, the Saskatchewan Science Centre, and the Mackenzie Art Gallery in the western lottery agreements licensing Acts signed between Manitoba and Alberta and then Saskatchewan?

Saskatchewan's is about three and a half times as big and has a number of clauses attached to it as well as a number of appendices. And I have heard concerns of the politicization of the funding of certain organizations . . . not that any that I've particularly mentioned anyone would have any problem with. But it's done in such a different manner than our two neighbouring jurisdictions. And it does raise concerns for me that over time the licensing agreement could be used in an overtly political manner. Would the minister care to comment and clarify on those remarks?

Hon. Ms. Beatty: — Madam Chair, in Saskatchewan the lottery dollars are allocated to the lottery trust. In other provinces, the lottery goes to the GRF (General Revenue Fund), and then it's paid out. In a lot of ways, it's a lot more political. And here it's more arm's length in Saskatchewan.

Mr. Dearborn: — Thank you, Madam Minister. I still have concerns with regards to the licensing agreements themselves, that they should have such specific requirements that seem to be directed not from arm's-length organizations but directly from those that sign the agreements and give them their yea or nay.

So is there any plan in the future to be removing such stipulations and having such institutions funded by direct tax dollars, where they're accountable and not dependent first of all on the nature of a lottery agreement?

Hon. Ms. Beatty: — Madam Chair, Mr. Dearborn, the licensing agreements are going to be up for renewal in the next 18 months, and so a lot of these kinds of issues will be reviewed at that time.

Mr. Dearborn: — Thank you, Madam Chair. Madam Minister, does that mean that you will be reviewing and possibly removing clauses from them so that it's not a carrot-and-a-stick situation?

Hon. Ms. Beatty: — Yes, we will be reviewing that as well.

Mr. Dearborn: — Thank you, I appreciate that. The next set of questions I would have, centre around the Community Initiative Fund, Madam Chair. And for Madam Minister, what is the mandate of the CIF (Community Initiatives Fund)? And rather than answer that — because you can probably answer this together — how it fits in with the priorities of the department but on a more technical and specific aspect, as we're running short of time. How much was in the Community Initiatives Fund last year?

Madam Chair, may I?

The Chair: — Yes.

Mr. Dearborn: — While you're looking for that information, I had a positive thing I wanted to put in here about SCN, as you mentioned it, Minister, in your statements. I watch two programs in my own home. I have two young sons, Blake and Spencer. They're three and two. They adore Teepee Tales. We're very distressed that they've lost their contract with Treehouse but happy that they're still available at SCN. And my kids absolutely love that puppet show.

And secondly, I watch the drama Moccasin Flats, so I wanted to commend the department for their work in that artistic medium because I think specifically the drama show that I watch brings to light a lot of issues I normally wouldn't see. And I think it's actually a very well-produced program and kudos to the department for bringing that available.

And I know that as of late, because of the initial successes there, this program's been picked up by Showtime and will be broadcast right across the country. So accommodation . . . or the department deserves recognition for the work that it's done in that area.

Hon. Ms. Beatty: — I appreciate that. Thank you very much. Madam Chair, I will reply to the first question that Mr. Dearborn asked as to the mandate of the CIF. It was basically established to provide compensation to non-profit organizations that were hurt by casino expansion in the province and to also ensure that off-reserve communities also received benefits as far as the casino profits were concerned. Madam Chair, the second part of Mr. Dearborn's question, the balance for '03-04, was 5.229 million.

Mr. Dearborn: — Thank you, Madam Chair. Madam Minister, how much is in the CIF currently?

Mr. Jones: — Dylan Jones speaking. One of the tricks with the CIF is that it's a revolving fund, so it, you know, it doesn't even out at the end of every year. We don't close it off in the same way. So where we are, sort of, today just after the fiscal year would probably be, you know, fairly close to the 5.2 million. Okay? It depends on exactly what the payments are today, and it's fairly complex because there's liabilities. Once we've

committed the grant, do you count that money against the balance, or do you want, sort of, a cash statement?

But the point is that, you know, the actual available balance at the end of last fiscal was 5.2. Okay? And at the end of the next fiscal, the available balance is expected to be 2.7. And we'll be somewhere between those two numbers at any given point in the year. But there is a fair bit of fluctuation in the account.

Mr. Dearborn: — Thank you, Madam Chair. Madam Minister, how many project proposals for funding were received by the department last year for the Community Initiatives Fund?

Mr. Jones: — Madam Chair, there are 12. I mean there's quite a few funding streams inside the CIF, and so it really varies depending on the stream. We don't, sort of, count it up. So some of the streams, like the facilities stream, will have, you know, more applications. Some of the grants actually go down to the community level, and then there's a lot of grants at the local level. So it's a fairly complicated question to answer.

Mr. Dearborn: — Madam Chair, perhaps we could have it answered this way. Of the proposals that were received by the department in a percentage form, how many proposals were accepted?

Hon. Ms. Beatty: — Madam Chair, we can answer that question by different streams and we will get that information to you.

Mr. Dearborn: — Thank you. The next question, Madam Chair, for Madam minister is, how much money from the fund was given out last year and what was the average payout per project, or is that absolutely too difficult to ascertain with the number of streams involved?

Ms. Gélinas: — Mr. Dearborn, you did hit it. There are so many streams within the CIF that you wouldn't average it out because there are some where, in some instances, they might get \$500; in other instances like facilities, they get \$100,000.

So we haven't taken the time to break them down by stream, average percentage, that kind of piece. You know, we will get information to you by stream in terms of number of approved, etc., but that one's kind of difficult to work out.

Mr. Dearborn: — Madam Chair, just so we can be clear on each of the funding streams, they all have criteria that they're to meet, and that's posted and available for anybody applying? Thank you.

Was there any money from the Community Initiatives Fund returned to the General Revenue Fund last year?

Mr. Jones: — Madam Chair, Mr. Dearborn, the member may recall last year that there was considerable discussion during estimates of a transfer of \$7.65 million from the CIF to the GRF. That transfer actually took place last fiscal year, so it actually is in the accounts for the last fiscal year. But there's no additional, you know, there were no additional funds, and there is no funds planned for the coming year. Okay.

So the actual transfer of the 7.65 that was approved in the prior

budget took place during the fiscal year '03-04 and there's no additional funds planned.

Mr. Dearborn: — Thank you. Madam Chair, could the minister respond please to just what the change . . . why there is no money . . . why the change in policy around money going from the Community Initiatives Fund to the General Revenue Fund.

Hon. Ms. Beatty: — Mr. Dearborn, Madam Chair, there is basically no more surplus in the fund to transfer.

Mr. Dearborn: — Thank you. Madam Chair, if I could just get the minister to elaborate on . . . The Community Initiatives Fund is derived exactly from what source of revenues? I take it it's a gambling nature, was it VLTs (video lottery terminal) or is it lottery tickets? Or specifically where is the money being derived from that the revenue stream would change?

Hon. Ms. Beatty: — Madam Chair, Mr. Dearborn, 25 per cent of the profits are derived from the casinos in Moose Jaw and Regina, less 2 million that's directed for the Métis, that's that Clarence Campeau Métis fund.

Mr. Dearborn: — Thank you, Madam Chair. Madam Minister, if that's 25 per cent of the money for the Community Initiatives Fund, the rest I take it comes from the budget of the Culture, Youth and Recreation department, that makes up the 75 per cent.

Ms. Gélinas: — Mr. Dearborn, the 25 per cent of the profits less the 2 million is the only money that goes into the CIF. The profits go — from the casinos — go into the GRF and then get separated out.

Mr. Dearborn: — Thank you. Thank you, Madam Chair. I'm sorry I must have misheard the 25 per cent. I apologize for that confusion.

Would that mean that the projected revenue is falling because the profitability of these two said casinos and the business that they're doing is going down? Or if there was a surplus in the past, there was a transfer of \$7 million in the past fiscal year, has there been \$7 million — or I guess four times that in reality — less business at those particular casinos that is negating that money being available once again this year?

Mr. Jones: — Madam Chair. Mr. Dearborn, there was actually an increase or a spike in the revenue from the casinos in the sort of . . . in the 1999 to 2001 period, and that was because of the delay in the expansion of the First Nations casinos. Right? And now that those casinos have actually, sort of, you know launched, we're at a more stable level.

So we're not anticipating a significant decline. We've stabilized around, you know, 7 million, give or take.

Mr. Dearborn: — Thank you. Madam Chair, so if I understand and I'm just clear on that, roughly \$28,000 of . . . \$28 million of profit because of competition in the marketplace from First Nations casinos, it's being directed elsewhere. It's not that the gambling's going down or anything. It's just a matter that the two casinos that happen to provide for the Community Initiative

Fund have lost proportionally that much funding. Thank you for that.

My next set of questions have to do with the Saskatchewan arts council. And I was wondering if the Saskatchewan arts council has an endowment? And if so, where is it currently at and has it been in . . . where was it at last year?

Hon. Ms. Beatty: — Madam Chair, Mr. Dearborn, the Arts Board is an arm's-length organization and they are developing an endowment fund. But that is not . . . We're not directly involved in that.

Mr. Dearborn: — Thank you, Madam Minister. I was asked to bring that forward. Is there, with regards to the Saskatchewan arts council, is there — that would be under your department . . . (inaudible interjection) . . . Possibly. I had a constituent bring forth some questions.

Madam Chair, that'll be fine if the Arts Board is acting at arm's-length and is responsible for its own endowment and fundraising. It doesn't concern us at this committee.

The next question I would have would be with regards to art collections that I am given to understand are sitting at the Saskatchewan Centre of the Arts, which are purchased with funds that come directly from the Department of Culture, Youth and Recreation. I'm not sure who has the legal ownership of them. Is it the Arts Board itself . . . (inaudible) . . . art purchased to support artisans and the artistic community? What plans do we have for the public having access to this collection?

And secondly, that the collection be properly facilitated, not just for the general public in viewing and whatnot, but humidity control, all those types of issues. If I could have some comment on that, please.

Hon. Ms. Beatty: — Madam Chair, Mr. Dearborn, the arts collection belongs to the Arts Board. That's their permanent collection and that is there to rent. You could rent it. I have some pictures in my office, for example. And the Arts Board received \$1 million, and part of that will be used to develop facilities that will properly store the arts collection as well.

Mr. Dearborn: — Thank you. Madam Chair, we're drawing short on time here. I have one final question and comment, and I'll let the minister somewhat run with this. In her opening remarks she spoke about the need for culture with our youth, to encourage individuals to be able to be full participants in the province's economy, to be able to have sports, have art programs and whatnot — be a catalyst for productive citizens. And I think all of us, every elected official in this Assembly, would applaud those efforts.

I have concerns about targets; how we're going to measure these successes. And I think it is a very important issue, and I commend the minister for having done the backup work around the demographics, around what our realities are going to be, and the key that a department like this can play. What I have concerns with — and I'm glad this is a good first step — but I, as a critic, would hope that this will be results-based and that it's not just platitudes because that's not going to serve anyone and could even have a negative effect on not attaining what we

want from it.

So just in a very basic terminology for the minister, we're going to spend roughly \$60 million, how do . . . what plans does she have or, Madam Minister, do you have with your department for measuring these successes and tracking that so that this can become an instrument of the common good?

Hon. Ms. Beatty: — Thank you, Mr. Dearborn. Madam Chair, in my initial opening remarks, I spoke about the restructuring of the department, and part of this will be, you know, the direction that we're going to be heading as far as trying to be more inclusive of everyone in the province including the First Nations, Métis, and the North.

For the most part, there's a whole number of organizations in this province that work in the area of sports, culture, and recreation, but when you look at the Aboriginal community, they are not a community of organizations per se.

A lot of these . . . The \$60 million you talk about is allocated through arm's-length organizations like Sask Sport, Sask Culture, Parks and Recreation, and so on.

And I even ran into some folks last night where they don't know how to apply for that funding or they don't know it's there. So a lot of that work is going to be communications and that's one of the things that I talked about initially — how important communication is and information, ensuring that everybody in this province have access and opportunity to apply for those dollars that are there.

So you know, for sure, you know with different skill sets, that's going to be critical that we track and we measure that we are getting good value for the dollar that's out there. And that's something that's very important to, I think, to all of us like you say, and we want to ensure that everybody in the province benefits, especially the Aboriginal youth.

Again I mentioned in my opening remarks the demographics in this province and the growing population — the high number of Aboriginal youth out there — and how key including that segment of the population is.

One of the things that has happened is that, if you look at the First Nations Winter Games, Saskatchewan Indian Winter Games, North American Indigenous Games, they've had to evolve into their own separate systems because they weren't participating in the mainstream systems that are there for generally everybody else in the province. They haven't been part of it.

So that's one of the primary goals I think of — well it is — of this department, that we are more inclusive. And our sector partners are very interested and I've been asking for this kind of assistance in the future.

Mr. Dearborn: — Thank you, Madam Chair. I would just like the minister's opinion because I do think that this . . . semantics are important here in clarification around what we're talking about. When we're talking about inclusivity or being inclusive, does this mean separate programs? Because I think that this is an important discussion that our province needs to have.

If we have a Saskatchewan minor hockey league I would, as an individual if my sons were going to play hockey, hope that there's members from the First Nations community playing hockey with my sons, against my sons because for the problems that are going to be facing us over the next generation that's the best communication.

And I would have concerns if the direction, all well-meaning for the department, coming from possibly a very different perspective than one that I see, is going to have separate funding, separate . . . and I'm not saying that it's wrong but it does cause me concern because I don't know how that . . . though it may have positives without a doubt there's still . . . It's possibly building barriers as well.

Could the minister just respond — and this isn't to hold you to account of everything — on the general philosophical situation of how the department is looking to deal with that dichotomy.

Hon. Ms. Beatty: — Madam Chair, and Mr. Dearborn, I absolutely agree with what you're saying, that I would hope that my nieces and nephews are out there playing with whoever, you know? And that's the goal whether you're talking to First Nations or Métis leaders in this province. And that's where we're coming from as well; we don't want separate systems. It hasn't worked in the past, and it wouldn't work. But at the same time when you look at — and this is apart from recreation or sports and culture — there are political differences in terms of treaties and self-governing processes but that's a whole different area.

And this is one area where the First Nations and Métis people have worked together in ensuring that their young people participate in sports and culture and recreation. This is one area they've been able to work. And it's really interesting sometimes that it's the young people that have been able to bring them together because they are playing together and they're doing things together out in the communities. And I see more and more of these young people getting into mainstream sports and competition and that's our long-term goal as well.

The Chair: — Thank you. It now being almost the time for adjournment I'll ask that a member moves that we adjourn our consideration of the estimates of Culture, Youth and Recreation. Mr. Cheveldayoff? Thank you. Agreed?

Some Hon. Members: — Agreed.

The Chair: — Then we'll now entertain a motion to adjourn. Mr. Morgan. Agreed?

Some Hon. Members: — Agreed.

The Chair: — We'll adjourn till tomorrow at 11:30, same room. Thank you.

The committee adjourned at 17:00.

