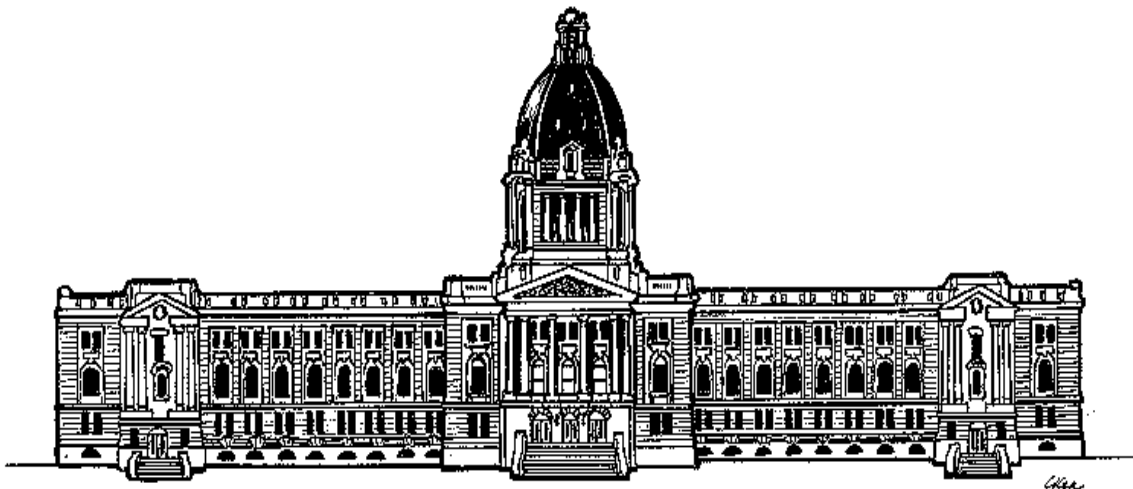




# **STANDING COMMITTEE ON HUMAN SERVICES**

**Hansard Verbatim Report**

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**Legislative Assembly of Saskatchewan**

**Twenty-fifth Legislature**

**STANDING COMMITTEE ON HUMAN SERVICES  
2004**

Ms. Judy Junor, Chair  
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.

**The Chair:** — Good afternoon. The business before the committee today . . . I just want to advise the committee of a change in the agenda. We have . . . Mr. Quennell's items will be up first. That is consideration of Bill No. 41, The Contributory Negligence Amendment Act, 2004, followed by Bill No. 69, The Public Inquiries Amendment Act, 2004, and then the Department of Justice estimates. And then we'll proceed in order of the agenda as printed.

**Bill No. 41 — The Contributory Negligence  
Amendment Act, 2004**

**Clause 1**

**The Chair:** — The first item of business then is Bill No. 41, The Contributory Negligence Amendment Act, 2004. I recognize the minister.

**Hon. Mr. Quennell:** — I have a short opening statement, Madam Chair.

The Contributory Negligence Act provides for the manner in which joint and several liability operates in Saskatchewan. The principle of joint and several liability provides the defendant who is found liable in an action, in tort or negligence, may be required to pay the entire amount awarded against all defendants regardless of the degree of responsibility of the particular defendant.

The rationale for joint and several liability is to ensure the plaintiffs are able to recover their full damages, notwithstanding the fact that one of the defendants cannot satisfy his or her share of the judgment.

Over the past few decades, the following problems have been identified with the existing law: unfairness to defendants who must pay for damages that have been apportioned to someone else, particularly where a defendant who bears only a small percentage of liability must nevertheless pay for all or substantially all of a plaintiff's damages; the targeting of defendants with deep pockets in lawsuits increase settlement and litigation costs that are passed on to the public through taxes, insurance premiums, and increased costs of good and services.

These amendments will change the law in two respects. If one or more defendants is unable to pay the judgment against them, the Act will require reallocation of the share of the insolvent defendants to the other defendants on a pro rata basis. And if the plaintiff is found to have contributed to his or her own injury or loss, the plaintiff will be required to share, also on a pro rata basis, in the effect of a shortfall created by the insolvent defendant.

The amendments will apply to damages or losses caused or contributed to by a person's act or omissions that take place on or after January 1, 2005.

These amendments are intended to strike a fair and reasonable balance between the legitimate interests of plaintiffs who have

suffered injury or loss as a result of someone else's wrongful behaviour and the interest of the defendants who are responsible for those injuries or losses. The amendments allow joint civil liability to remain available to those who have suffered a loss, but in a manner that will in some cases reduce the negative impact of judgments on Saskatchewan municipalities, businesses, and professional communities.

**The Chair:** — Thank you. Clause 1, short title, agreed?

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

**The Chair:** — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows: The Contributory Negligence Amendment Act, 2004.

Could I have a motion to report the Bill without amendment.

**Mr. Hagel:** — I so move.

**The Chair:** — Mr. Hagel, thank you. Agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**Bill No. 69 — The Public Inquiries Amendment Act, 2004**

**The Chair:** — The next item of business is Bill No. 69, The Public Inquiries Amendment Act, 2004. I again recognize the minister and if he has a statement to make.

**Clause 1**

**Hon. Mr. Quennell:** — Again, a brief statement, Madam Chair. The Public Inquiries Act is being amended to provide the commissioners of a public inquiry and their legal counsel the same legal immunities, with respect to actions taken in furtherance of the inquiry, as those enjoyed by a judge of the Court of Queen's Bench in the performance of his or her duties. This amendment to The Public Inquiries Act was proposed by legal counsel to the Stonechild inquiry, and the government agrees with its policy intent.

We also recognize that similar immunity is already expressly provided for in several other provincial jurisdictions. This amendment is consistent with the policy of this government that commissioners to a public inquiry must be free to operate without concern that their report or other actions will in any way form the basis of a personal action against a commissioner or commission council.

**The Chair:** — Thank you. Mr. Morgan.

**Mr. Morgan:** — Before we vote on this matter, we want the Assembly and we want members of the public to know that we are supportive of this piece of legislation. We were surprised that there was not something in force for years as there was in other jurisdictions. And it's our wish that this be passed and put into force as soon as possible.

**The Chair:** — Thank you then. Clause 1, short title, agreed?

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

**The Chair:** — Then Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows: Bill No. 69, The Public Inquiries Amendment Act, 2004.

Have a motion to report the Bill without amendment?

**Mr. Borgerson:** — I so move.

**The Chair:** — Mr. Borgerson, thank you, agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**General Revenue Fund  
Justice  
Vote 3**

**The Chair:** — The next item of business is estimates for the Department of Justice, beginning on page 97 of the Saskatchewan Estimates book. The first item of business is vote 3 (JU01) administration. Mr. Quennell, do you have an opening statement or anything to say?

**Hon. Mr. Quennell:** — No.

**The Chair:** — Okay then, anybody else have any questions? (JU01) administration, agreed?

**Some Hon. Members:** — Agreed.

Subvote (JU01) agreed to.

**The Chair:** — (JU02) agreed?

**Some Hon. Members:** — Agreed.

Subvote (JU02) agreed to.

**The Chair:** — Agreed. (JU03)?

**Some Hon. Members:** — Agreed.

Subvote (JU03) agreed to.

**The Chair:** — (JU04) or . . . (JU04), yes. (JU07), sorry, first. Then (JU04).

**Some Hon. Members:** — Agreed.

Subvote (JU07) agreed to.

Subvote (JU04) agreed to.

**The Chair:** — (JU05)?

**Some Hon. Members:** — Agreed.

Subvote (JU05) agreed to.

**The Chair:** — (JU08)?

**Some Hon. Members:** — Agreed.

Subvote (JU08) agreed to.

**The Chair:** — The amortization of capital assets is not voted, and it's for informational purposes. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Okay. The Justice estimates are then carried. We have:

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2005, the following sums for Justice, 191,241,000.

Do I have a motion to approve that? Ms. Crofford? Thank you. Agreed?

**Some Hon. Members:** — Agreed.

Vote 3 agreed to.

**Supplementary Estimates  
General Revenue Fund  
Justice  
Vote 3**

**The Chair:** — The next item of business is in the supplementary estimates for Justice, vote 3, found on page 3 of the Supplementary Estimates. (JU04) legal services, agreed?

**Some Hon. Members:** — Agreed.

Subvote (JU04) agreed to.

**The Chair:** — (JU05) community justice, Agreed?

**Some Hon. Members:** — Agreed.

Subvote (JU05) agreed to.

**The Chair:** — (JU08) boards and commissions, agreed?

**Some Hon. Members:** — Agreed.

Subvote (JU08) agreed to.

**The Chair:** — That's also carried. Be it resolved then:

That there be granted to Her Majesty for the 12 months ending March 31, 2004, the following sums for Justice, \$4,000,000.

Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Thank you very much to the minister. Oh, a motion then to report the estimates, to approve the supplementary estimates. Mr. Morgan.

**Mr. Morgan:** — I so move.

**The Chair:** — Thank you so much. Agreed?

**Some Hon. Members:** — Agreed.

Vote 3 agreed to.

**The Chair:** — Thank you, Mr. Quennell.

**Bill No. 21 — The Saskatchewan Association of School Business Officials Act, 2004**

**Clause 1**

**The Chair:** — The next item up for business is Bill No. 21, The Saskatchewan Association of School Business Officials Act, 2004. I recognize the minister and his officials. And do you want to give an opening statement and introduce your officials.

**Hon. Mr. Thomson:** — Thank you very much, Madam Chair. My apologies to the committee for being on schedule. I am joined by two officials today: Michael Littlewood to my right, who is executive director of legislation and school administration; and Brady Salloum to my left, the executive director of student financial assistance.

I have only a very brief opening statement. I assume we're dealing with the graduate tax credit Act first? No — we'll deal with SASBO (Saskatchewan Association of School Business Officials) first.

**The Chair:** — The Saskatchewan Association of School Business Officials Act.

**Hon. Mr. Thomson:** — This legislation is largely a professional legislation. It's been requested over the last several years by the school business officials and I believe meets both their demands and those of the legislature in terms of making sure there is some consistency in professional legislation.

**The Chair:** — Thank you. Any questions? Seeing none, clause 1, short title, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Clause 1 agreed to.

**The Chair:** — Clause 2?

**Some Hon. Members:** — Agreed.

**The Chair:** — Agreed.

Clause 2 agreed to.

**The Chair:** — Now there's . . . next is . . . more like groups.

Otherwise there's a lot of clauses in this. Could I have the committee's indulgence to vote the rest of the Bill by groups; I'll just call the name of the group.

Clauses 3 to 50 inclusive agreed to.

**The Chair:** — That Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Saskatchewan Association of School Business Officials Act, 2004. Could I have a motion of the Bill reported without amendment?

**Mr. Hagel:** — I so move.

**The Chair:** — Mr. Hagel. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Thank you very much.

The committee agreed to report the Bill.

**Bill No. 64 — The Post-Secondary Graduate Tax Credit Amendment Act, 2004**

**Clause 1**

**The Chair:** — The next item up for business is Bill No. 64, The Post-Secondary Graduate Tax Credit Act. The minister again, do you have a comment to make?

**Hon. Mr. Thomson:** — Thank you very much, Madam Chair. The legislation that we are introducing is in keeping with the government's commitments to help manage student debt and to promote opportunities for young people to establish their careers here in Saskatchewan.

This legislation lays out a multi-year commitment to increasing the graduate tax credit, which is a program that is welcomed by students across the province and is generally seen to be a positive approach, I assume by legislators on both sides of the aisle, to deal with the questions around student debt.

**The Chair:** — Thank you. Questions?

**Mr. Cheveldayoff:** — Yes, Madam Chair.

**The Chair:** — Mr. Cheveldayoff.

**Mr. Cheveldayoff:** — Thank you, Madam Chair. Just a couple of quick questions on this for the minister. I just would like you to outline the reasoning behind the incremental increase of the tax credit. My question is, well why not do it all at once?

I'm looking at the news release, and we see that the tax credits will increase to \$500 from 350 for 2004, then to 675 — \$175 increase — and then again \$175 increase to 850, and then a final \$150 in the final year to 1,000. I see this as very modest increases, and I think we determined in estimates that the amount budgeted last year for the \$350 credit, that full amount, wasn't used up. And if you could just outline why, why not do it all at once?

**Hon. Mr. Thomson:** — This program is indeed a very popular program. We issue approximately 10,000 certificates a year for students who complete their education here and want to stay and work here. And as such it is an extremely positive initiative introduced by the administration during the last term of office.

We have opted to phase in an increase in this credit over a number of years to reflect both the financial realities of the province, but also to meet the . . . to lay out in this particular Act the certainty that in fact we will, by the end of this term, have a \$1,000 credit in place which of course will allow a student to shelter almost \$10,000 worth of income in their first year after graduation.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister. Madam Chair, I've got a quote from the NDP (New Democratic Party) election platform in front of me, and it says:

. . . introduce a \$1,000 provincial . . . tax rebate to all post-secondary graduates employed in Saskatchewan in the year after they receive their diploma or certificate.

I'm just wondering if the minister knows of or is aware of anywhere where it states this will be implemented over four years. And I realize he may not have that information with him, but if he thinks it does exist, if he could undertake to get it to me.

**Hon. Mr. Thomson:** — It's an interesting situation in terms of campaign commitments. One of the reasons we have introduced this legislation and provided a multi-year increase is to provide the certainty that this promise that we have made will in fact be kept. This legislation does keep the NDP government's promise in that regard.

I think all members, as we campaign for elected office, expect that our commitments will be kept over our term of office. As much as it would be nice to be able to implement every single one of them within the day of being sworn in, it would beg the question as to why then . . . what you would do for the next four years?

So in terms of our platform, this does implement the government's commitment just as the opposition had introduced the notion that they would do a property tax reform over — what was it, a couple of terms? — eight years I think is what their commitment was.

So this is a positive step forward. It builds on a very successful program and is one that we are very, very pleased to see expanded and increased.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister.

Madam Chair, I guess it's important to outline that, yes, in the last election we did have various commitments that would go over the term of our election if that was to take place and also some that we would enact right away. And our commitment to post-secondary education, the \$7,000 tax credit, was to be enacted right away in light of the immediate need that we do all we can to keep young people in Saskatchewan.

We believe that the government could and should do more to

keep young people in Saskatchewan, but we agree that this tax credit is a start. We feel it is a modest start, but we feel we can support this and that the Bill should move along.

**The Chair:** — Thank you. Clause 1, short title. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

**The Chair:** — Then that Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: The Post-Secondary Graduate Tax Credit Act.

Could I have a motion to have the Bill reported without amendment? Mr. Cheveldayoff. Thank you. Agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**The Chair:** — Thank you. The next item up for business then is the Health Bills. Thank you very much to the minister and his officials.

#### **Bill No. 56 — The Public Health Amendment Act, 2004**

##### **Clause 1**

**The Chair:** — Welcome to the minister. The next item of business is Bill No. 56, The Public Health Amendment Act, 2004. I recognize the minister if he wants to introduce his officials as well and make an opening statement, if you will, to the Act.

**Hon. Mr. Nilson:** — Well no. I think basically . . . I have Mr. Louis Corkery with me and we're ready to respond to any questions. This legislation is I think fairly straightforward.

**The Chair:** — Questions? Seeing none, Clause 1 short title. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Clause 1 agreed to.

Clauses 2 to 22 inclusive agreed to.

**The Chair:** — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 56, The Public Health Amendment Act, 2004.

Could I have a motion to report the Bill without amendment? Mr. Borgerson. Thank you. Thank you to the minister.

The committee agreed to report the Bill.

**Bill No. 55 — The Regional Health Services  
Amendment Act, 2004**

**Clause 1**

**The Chair:** — We will now go on to the next item of business which is Bill No. 55, The Regional Health Services Amendment Act, 2004. The minister has new officials and may wish to make a statement as well again.

**Hon. Mr. Nilson:** — Thank you. I have with me Mr. Smith and Ms. Blakley. And basically this legislation makes some amendments to The Regional Health Services Act. As you know, this was passed not that long ago, and effectively we're making some administrative changes and I think practically we're ready to answer any questions that people have.

**The Chair:** — Questions of the minister? Seeing none, clause 1, short title, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — It's carried.

Clause 1 agreed to.

Clauses 2 to 14 inclusive agreed to.

**The Chair:** — Catch up with myself. It's coming into force. That Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 55, The Regional Health Services Amendment Act, 2004.

Could I have a motion to have the Bill reported without amendment? Ms. Crofford. Thank you. Agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**The Chair:** — Thank you very much to the minister and his officials.

**Bill No. 54 — The Tobacco Control Amendment Act, 2004**

**Clause 1**

**The Chair:** — The next item of business then is Bill No. 54, The Tobacco Control Amendment Act. Will the minister be having new officials? Yes. Thanks.

I'll have the minister introduce the officials. And if the officials do speak to the questions, since I'm anticipating some, would they please identify themselves at the mike. Thank you. And you may wish to make an opening statement as well.

**Hon. Mr. Nilson:** — Yes. I'm pleased to have with me George Peters and Eva Davis, who have been working on this file. And I think there's been much discussion about this particular legislation, so I'd be very happy to try to answer questions and we'll proceed that way.

**The Chair:** — Mr. Gantefer.

**Mr. Gantefer:** — Thank you very much, Madam Chair. And welcome to the minister and the officials.

In beginning the discussion on this Bill, I would like to take the opportunity to acknowledge many people that are here in attendance that have worked tirelessly in advocating for this type of legislation. They were introduced in the Assembly today and I want it on the record to again welcome and acknowledge that they were in attendance at the committee meeting.

Mr. Minister, there are a number of issues that members have surrounding this issue, regarding clarification, and some information that members would like to ask you. And therefore, Madam Chair, I would like to, having expressed the gratitude to the people that are here and have supported this legislation for some time, invite members to have the opportunity to direct questions to the minister.

**The Chair:** — Thank you. Any further questions? Mr. Cheveldayoff.

**Mr. Cheveldayoff:** — Madam Chair, I would like to pose a question to the minister on behalf of Doreen Eagles, the member for Estevan. Ms. Eagles wasn't able to be with us this afternoon but she had some strong concerns that she wanted addressed by the minister.

To the minister: what assurances can this government give bar owners in small cities and towns that the proposed legislation will not have a devastating effect on their businesses and therefore lead to the demise of the entire community?

**Hon. Mr. Nilson:** — Well we know that one of the challenges in Saskatchewan will relate to some of the businesses, especially in towns where they have one bar or restaurant facility.

But we also know that in other jurisdictions, in other places, that as long as there's an even playing field so that people are operating on some of the same rules, that everybody is able to sort of sort out and retool their businesses. We've seen some examples of that this week in fact in Toronto which is a much, you know, much bigger community.

But we know that this is a particular challenge. That's one of the reasons why we thought it was very important to get the Bill passed this spring so that we can actually go out and have the information available for people so that they can prepare over the next six months for the January 1 date.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister. Again a question from Ms. Eagles, the member for Estevan. It's regarding private clubs such as Legions and the like. Veterans who are now in their 80s have expressed concern to Ms. Eagles that they fought for the freedom of our country and now they feel that that is taken away in a sense by this legislation.

Why can't they smoke in their Legion? If the minister could outline his rationale for that.

**Hon. Mr. Nilson:** — Well this has been a particular challenge, I think in a number of communities, around how to deal with the Legions. And clearly one of the issues relates to the related

businesses — bars and casinos or the bingo halls and other places.

And a fairly strong message has come out in those communities where this discussion has taken place around the fact that all similar establishments, including the private clubs, should be included in any legislation because it once again creates an unlevel playing field or operations field. And so it was actually I think information we got from other businesses, if you're going to do this, well make sure you include everybody.

**The Chair:** — Mr. Hart.

**Mr. Hart:** — Thank you, Madam Chair. Minister, I'm looking at a news item in the *Leader-Post* dated May 14, and the headline says, "First Nations telling province to butt out." And the news article speaks about the whole issue of this Act and how it will affect First Nations people and their reaction to the new Act.

It quotes Morley Watson, first vice-chief of the Federation of Saskatchewan Indian Nations, as saying that this will not apply on reserves. It quotes the Justice minister, Mr. Quennell, as saying that it will. And it goes on to talk about enforcement and those sorts of things.

Have you . . . has your government dealt with this issue and have you ironed out these differences? And could you explain, if you have, what type of arrangement you have with the First Nations communities?

**Hon. Mr. Nilson:** — Well this was a topic of discussion when I was in Yorkton last week at the assembly. I had met, along with the other ministers, with some of the people at the FSIN (Federation of Saskatchewan Indian Nations). I personally also have met with a number of the chiefs across the province. And I think the clear message that I get is that they have the same concern about the damage that tobacco does to their young people and to all of their people, and so that they want to proceed in a way that denormalizes the use of tobacco in their communities as well.

The issues that are raised and become a challenge do relate to how the provincial and federal laws interplay with the jurisdiction of the First Nations. And there are a number of ways, I think innovative ways, that we've been able to, when we have a common goal, come up with solutions. My sense from talking with some of the leadership is that we will be working to have these common ways of doing this over . . . well you know, hopefully by January 1, but in a way that allows for the First Nations to take ownership of the overall policy of sort of reducing the use of tobacco by young people in the province.

There are challenges not just as it relates to a law like this, but it relates to quite a number of different areas. And we continue to work at those ones. I mean one example, as a former attorney general or Justice minister, I spent a lot of years working through the tripartite policing agreements which were federal, provincial, and First Nation. And there are some ideas and concepts there that have . . . that I think can work well because there are some similar kinds of enforcement issues.

We are very pleased in Saskatchewan to have at the First

Nations University of Canada, a public health inspectors course. And so I know that the chiefs see that some of the First Nations graduates out of that course will clearly fit in to an overall sort of public health strategy like this.

So I think there's a number of opportunities where we're going to work together, and I have the understanding and I think they have the understanding that we'll have to work and do this together.

**Mr. Hart:** — From your response to my questions, Minister, it sounds as if you haven't got quite all the details worked out with the First Nations community as to how this legislation is going to be dealt with, with the First Nations people, particularly on their . . . within their communities.

And the reason I'm asking this or taking this line of questions is that I have seven First Nations communities within my constituency. And what I hear from, not the First Nations people but, the people who live around those First Nations communities is that some, at least in their minds, that sometimes we have two sets of laws. And I'm sure we hear that sometimes from the First Nations communities.

And I think what we have to be very careful about is when we're making changes to legislation that it apply equally to all folks so that we don't provide more fuel to the fire of that type of thinking. And so, you know, I would suggest very strongly that you work . . . you get all those details worked out because if we don't we're going to just add more fuel to that fire. And it's not doing anyone in this province any good if we . . . you know, if your government does things that aggravates that situation.

There's also a number of communities that are located very close to these First Nations communities and have bars and restaurants whose clientele are perhaps 80 per cent First Nations people and 20 per cent non-First Nations people. And some, in particular the bar owners are quite concerned that if the First Nations people don't buy into this tobacco control Act they're going to have some real problems within their places of business with the clients from these communities.

And on their behalf, how do you suggest those owners of businesses address this situation?

**Hon. Mr. Nilson:** — Well as I said, we're working together with the leadership in the FSIN and a number of places around how we can move forward in a way that respects First Nations jurisdiction and has the law apply across the province.

I'm not sure if you would be surprised to know, but there are some First Nations that already have smoke-free policies in the same way that a number of our municipalities have smoke-free policies. And so it's the same challenge for many of the people who are in the leadership in the First Nations is how to bring everybody along together.

And I think it takes education, it takes discussion, and I think that there is a will around this particular issue to get it right. And so we're going to continue to work at that.

**Mr. Hart:** — How many First Nations communities are



smoke-free?

**Hon. Mr. Nilson:** — I'm not sure of the number but I know a few of the chiefs came up to me and said, my Nation is, and so . . . and it relates to their public buildings in the same way it would relate to our legislation.

**Mr. Hart:** — With the importance of tobacco in their, in the First Nations culture — and the article that I was referring to says that a recent Health Canada study report estimates that 70 per cent of Aboriginal people smoke — I would guess that probably the number of First Nations communities that are smoke-free, it would be pretty small, that number.

**Hon. Mr. Nilson:** — Well I mean, if you think about it, if there's 72 First Nations and, you know, one or two or three, that's not dissimilar to the number of communities in the province and the ones that have gone 100 per cent smoke-free, with Moose Jaw leading the way. So I think we're all moving along this track together and we need to keep working at it.

But these issues that you raise are important ones and that's why we're trying to do it at quite a number of levels, you know. And clearly the public health issues that affect the whole of the community around smoking and tobacco use are a major, you know, problem in their communities as well.

**Mr. Hart:** — How much consultation have you done with the First Nations community? You mentioned that you were at a meeting last week with the First Nations leadership. Have you had a series of meetings with the First Nations leadership on this particular issue or was your consultation by and large just the meeting last week?

**Hon. Mr. Nilson:** — No, no. Over the last couple of years I have been raising this issue at times when I've talked with chiefs at different places and other times at some of the health officials. And I've asked them this question. And there is, that's why I say a common cause around the whole issue of the use of tobacco in all the communities of the province.

And so there's clearly a concern when they look as well at their health costs, and many of them have been taking more control of their total health budgets. And they see what kinds of extra costs the use of tobacco, and how it affects what services they can provide. And so it's happened there at a local level.

It's also the kind of issue, I know, that is a question at a national level when the national Minister of Health has been talking with some of the national leadership. And more specifically it was dealt with last week, and in March and January. I mean I can think of meetings over the last, well 18 months specifically. I think over the last four months with this legislation, because that's when we had it ready.

**Mr. Hart:** — Last week, at the meeting that you mentioned, did you have an opportunity to talk with Chief Morley Watson? And if so, has Chief Watson changed his position, because he's quoted in the paper of saying that, "Our interpretation is that the provincial government has no jurisdiction." And I believe he was referring to First Nations community.

**Hon. Mr. Nilson:** — That's exactly who I did talk to, as well as

quite a number of other chiefs. And there's where the common goal of protecting young people and basically denormalizing the use of tobacco is clearly a goal of the leadership in the First Nations.

And I think, you know, we all know that one of the biggest challenges that the chiefs have is all of the young people and the kinds of opportunities that are there, and also then clearly when there aren't opportunities, well what kinds of health risks there are. And clearly tobacco's one of them.

So I think we have a common purpose. We have some, I think, pretty good ideas about how to do this and at the appropriate time I know that we'll get these things out. Whether we'll get it right the first time, I'm not sure about that. But I think it's a common goal.

**Mr. Hart:** — Madam Chair, I just have one more comment. I'm pleased to hear that you are having discussions with Vice-chief Watson. I had the opportunity to meet him very recently and he impressed me as an individual that you certainly can be . . . a person can work with. And if those type of individuals are on board, I'm hopeful that this issue will be handled in such a way that it won't cause some of the problems that I have described earlier.

And thank you, Minister, for your comments.

**The Chair:** — Mr. Bjornerud.

**Mr. Bjornerud:** — Thank you, Madam Chair. Mr. Minister, I think with a large majority of the Bill I have no problem and as being, as you know, part of the tobacco committee that went around the province, as many in this room were, we heard a number of concerns from business owners in the province.

But I think when it comes to schools or schoolyards, or rinks and facilities of any kind that children have the right to go in and I don't think there is an argument. I don't think there's a fair argument that can be made to have smoking in those facilities. And most people, I think the majority of people in the province probably would agree with that.

I guess where my problem comes in, and I think I'm on record with the tobacco committee when we went around, because we heard this a number of times, and being that my constituency represents probably 19, 20 small communities, and of those I would guess maybe six or seven that the hotel is the only facility left in the community and I guess this is where my biggest concern comes in.

Not that I don't have sympathy for what the bar owners are saying in the province. I think they have money invested in this province, into that business. Many are family businesses running these bars whether they're in the bigger communities or small. And their business is on the line. And I can certainly sympathize with that.

I go one step further though when I go to where the small bars are in our small communities. I can use the example of my own small town of Saltcoats, population 540. Our restaurant is closed, so the hotel is the only thing left that we have to act as a restaurant, coffee shop, gathering place for everyone there.

And I guess, and I've talked to people that run facilities like that out there, and they're coming very close to the end of their line to be able to make a financial profit in their business and to actually survive out there. It's going to come to a point where they can't make a go of it and they quit.

And I guess my concern is that when these businesses finally give up and pull the plug out in rural Saskatchewan, that town completely dies, because we've lost so many of our other facilities in these communities.

Is there any research done in any other jurisdictions, Mr. Minister, that would help us to say that the dramatic effect that I think will happen to these small businesses won't happen? Do we have any research to say that other jurisdictions have done this with small communities and small bars like that, and it hasn't hurt them?

**Mr. Peters:** — It's George Peters. There's been certainly much anecdotal evidence from other places. There hasn't been a great deal of literature. But the results generally are that initially there may be an effect, but the public adjusts.

And I know several years ago there was a report from Prince Albert that one of the bars that . . . or one of the restaurants that went smoke-free actually saw a big increase in business. So, you know, we're seeing right across the country more and more this is happening. And I don't think there's a view that in the longer term it will have a negative effect. Now in any individual case, there may be communities that will have a different effect than generally.

**Mr. Bjornerud:** — Well, thank you, Madam Chair. I guess the comparisons we make . . . and I know the minister talked about Toronto a minute ago and said that that wasn't maybe the fairest of examples to use, and you used the example of P.A. (Prince Albert). And I know it's going to hurt businesses in there. Whether it's short term, I don't think we know, you know, or anyone can really say how dramatic that problem will be.

But again, I'd go back to the small businesses in the small communities that our communities depend on out there. And I'm not sure even if it's short term — and no one can really seem to put a figure on what short term would be — whether it's six months or a year or a year and a half before that business maybe recovers, and I don't know, if that's the case, I think a lot of those small businesses won't be there in a year or a year and a half. And I think that's my concern.

I know in my hometown at home and there's other communities in my constituency and I think many of them around the province, I think many of the other members have the same concern as I do, that the demise of small town Saskatchewan is already there for whatever reason. I think it's a trend we're seeing all over the country, even down in the States probably. I guess my biggest concern is that we're maybe putting one more nail in their coffin by going all the way in one shot here at the first, you know, the first thing.

I think as I said before, I agree with the large majority of the Bill. I don't have a problem with that. Anywhere that kids go I think there is no argument, as I said before. But in these bars where you have to be 19 to come in, number one, and you also

have your choice to come in and out, I think maybe in my mind and this is my own personal opinion — this isn't a party position or anything; it's my own personal opinion — I feel we may have stepped one step too fast by going where we are. And I know I won't probably find much agreement with that in this room, but . . . or maybe even out in the public.

But I do have a concern because one of the reasons I ran for politics was rural Saskatchewan and the demise of it and how fast it was happening. And I would hope that we could have some input into slowing that down. And I think today, Mr. Minister, you know, I want to make sure I'm on the record of voicing my concerns on their behalf — these businesses out there.

But it's not only the businesses. It's the people of the community out there that rely on the small businesses, either for their coffee shop or in many cases now if they're the only business left, they even have meals or whatever out there. So I'm just trying to express to you, Mr. Minister, the concern we have in our small communities.

And you know, as these businesses dwindle off and close, it gets to the point where you might as well roll the sidewalks up and go to the next larger centre. And I think the minister's aware of that. But, Mr. Minister, I want you to be, you know, aware of what I'm saying, and I'm passing on to you I think concerns of many in rural Saskatchewan.

I've done a little research on my own in my own constituency. And surprising enough, you know, we've talked about, what, 20 per cent or 25 per cent of the population smokes. But when it comes down to this, of our small bars and people that have took time to think about losing that business in that community, it's amazing that how many all of a sudden think — that aren't smokers — are very concerned about that happening. And you know we might be up . . . I think I found in my constituency probably the concern was about 50/50, those that were quite adamant that all facilities as we're doing right now should be banned.

But I think there was, you know, as people became aware of what the ramifications of this could be in, you know, the year, year and a half — we don't know what short term really means — there's a lot larger percentage that are concerned than just those that smoke. I've even had people that do smoke that don't mind it in all these other facilities but feel because they have the choice to stay out of or go into these facilities where it's 19 and over, that maybe we've overstepped our bounds.

So I wanted to be on the record and I wanted you to know, Mr. Minister, that that's my concern that I have with this Bill. And with the majority of the Bill I agree, but I think we have a grave concern, some of us, about how far we're going.

**Hon. Mr. Nilson:** — Thank you for your comments. And I appreciate that and I've been in similar conversations. I think it would be appropriate to put on the record that the country of Norway is the second country in the world to go smoke-free, and I know you would appreciate that.

But the second point is that the . . . one of the issues too that comes — and it's sort of always a bit in the background — but

as we know some jurisdictions have come at this issue from the occupational health and safety side. And people who work in bars and restaurants and places like that don't have a choice about whether they can go there. And so that's another side to this.

But I appreciate your comments, and it's something that we're going to try to be sensitive to and see what we can do to ease the transition.

**The Chair:** — Thank you. Ms. Draude.

**Ms. Draude:** — Thank you, Madam Chair, and Mr. Minister. I appreciate the opportunity to bring forward a couple of my concerns. And it may seem strange that I'm speaking about smoking because I've never smoked in my life, and I have five children and I'm sure they don't smoke because at their age they would have told me by now. I also have grandchildren, and I object to smoking in public places.

But I do also as a business owner or a former business owner object to the fact that I don't have a voice in saying what's going to happen in my business. I know that the bar owners in small towns right now are having a tough time. And they don't . . . they would like to be able to say . . . to make a decision. When they go to the bank and say I have to borrow \$300,000 or whatever the amount may be, and say, you know, at the end of the day I've got to make the payments on this, and they're going to juggle all the reasons in their business plans to determine whether they think they can make a go of it or not.

And then when something from the outside comes into them . . . comes in and brings forward a concern that they didn't have when they bought their business, then I think that it's making it difficult again for businesses in this province to operate. I know that if you're in a bar . . . And I'm talking about bars again because I think we should be looking at them separately. I don't think that where children go there should be any smoking. But anybody who goes into a bar is going to be over the age of 18 or they better be. And then you have a choice about whether you go in or not.

But as a business person you should be able to have a choice of whether you say this is a smoking or a non-smoking establishment. And then you can lose business because if you have smoking and most of your clientele prefer not to be in there, you're going to lose business. But then you have a choice. And that's one of the issues that I have with governments making these kind of decisions for me.

A lot of people have got their life savings and their grandma's life savings invested in something that's . . . we're going to have an immediate impact. And I know that some of my colleagues have asked questions about the impact on businesses, and just for the record I want you to know that in British Columbia where they did . . . I imagine the minister is aware of these figures as well. But British Columbia did reverse their legislation in I think it was 80 days or something like that.

But during that time liquor sales dropped by 11 per cent. There were 910 layoffs; 14 businesses closed; 5 bingo halls closed. There was a \$5 million drop in revenues at charitableingos. In Ottawa charities . . . income to charities plummeted by 40 per

cent; gaming revenues declined by 38 per cent. In Kitchener three bingo halls closed.

I know all this kind of information is information that you must have taken into consideration when you brought forward this Bill. So I, like my colleague, just wanted to ensure that I was on record as saying this is something that's going to affect my area that I represent.

I had an opportunity to speak to most of the owners of the bars in my area, and they're very concerned. They have right now spaces for smoking and non-smoking and on any given night you go in there, the non-smoking area is empty and the smoking area is full, because if you have one friend that's coming in there and they're smoking, everybody goes and sits with him. And they have an opportunity because they are over 18 years old to make up their mind. They don't have to sit there if they don't want to; they don't have to come into the bar if they don't want to. But they've made up their mind they want to do that and that's the area that's full.

So I guess my question to you is one of the enforcement. I know that in . . . California actually gave up trying to enforce it. And there is . . . I'm worried that again business owners are going to be affected because the enforcement will be something that is going to be on their shoulders at some time. They are going to be . . . at 11 o'clock at night if somebody that's larger than me, if I'm working in a bar comes in and I'm going to say you're not going to smoke, I wonder what they're going to tell me.

What is your government's . . . what have you thought about for future plans for actually enforcing the law?

**Hon. Mr. Nilson:** — Well, right now, and it will be the same people, the public health inspectors are the ones that are designated to enforce these provisions. And so that's on an official basis and then we also work and have some of the people I think that are federal enforcement people that are involved as well.

But I think the clear message that we get from every jurisdiction that works with this kind of legislation is that it's really community enforcement. People are concerned about this and so it's quite often the person at the next table or the person who doesn't, you know . . . just basically lets people know. And so, I think that it will be a complaints driven kind of enforcement. And it will, if there's some persistent abuse of the rules, well then clearly that's where some of the public health inspectors work will go.

But practically this is a type of legislation that people seem to enforce on their own. I mean you can see that in Regina in the malls or anyplace, somebody forgets and walks into a mall with a cigarette, well there's three or four people are there to tell him well you better put that out. So it's that kind of thing. But we have the full course of enforcement that's part of the rules.

**Ms. Draude:** — I also know that in Ontario there was an order rescinded when it said it was beyond the scope of section 13 under the Health Protection and Promotion Act. So is it something that you feel may be challenged later on, that people may say that, you know, it's against my right to not be able to

smoke in some areas?

**Hon. Mr. Nilson:** — I'm not sure what the question . . . I mean, a challenge of sort of an individual who can smoke in a particular facility or a business that operates a smoking facility?

**Ms. Draude:** — I'll just read more of the information to the minister. This is from an issue dated February 24, 2004:

Ontario's Health Services Appeal and Review Board rescinded the arbitrary workplace smoking ban introduced last year stating that the order was beyond the scope of the authority of section 13 of the Health Protection and Promotion Act.

So it's something that I'm wondering if it's . . . if the legislation is something that you're concerned about.

**Hon. Mr. Nilson:** — From what you say it sounds like an occupational health and safety issue and whether they had the power to do that. I know in my discussions with the Ontario Health minister, they're planning to go ahead with the full smoke-free Ontario over the next year and a half to two years.

But I think that practically we'll deal with the particular challenges that may come. And if there are solutions that don't involve going to court — I mean that's clearly what we try to do — but if there are challenges we'll deal with them. And we know that we've got challenges on some of the other parts of our legislation from the tobacco companies, and we'll continue to joust with the tobacco companies. And we believe that we have prepared properly. and ultimately we'll have our legislation confirmed.

**Ms. Draude:** — Thank you, Mr. Minister. As I stated when I first started speaking, I'm not bringing up these concerns because I'm a smoker. I'm bringing up the concerns because I feel that there are people who are really being trampled on because they don't have a say in what's happening in their lives.

I know that also some of the information that's given to me about ventilation, the fact that new airflow ventilation systems can remove 99 per cent of the contaminants, and to achieve 100 per cent pure air you'd have to wear an oxygen mask. So there are the kind of opportunities in technology today to make it possible for people who may want to be in the building, to make it safer. And it's a decision your government has made. So, that's . . . I'm just, again, stating my concerns.

And the only . . . another thing I wanted to mention about was First Nations people have discussed this issue with me, as they have with you, and their concern was not being at the table so that they could, together, make a statement with you.

Chief Bird's indicated that he, of course, is very much opposed to smoking. He would like to denormalize tobacco smoking, but at the same time a working relationship or a partnership where two individuals could have sat down as a government and said, this is something that's good for everybody would have been much preferable to the way this legislation's been brought down.

**Hon. Mr. Nilson:** — Thank you.

**The Chair:** — Mr. McMorris.

**Mr. McMorris:** — Thank you, Madam Chair. I guess maybe I'm coming at it probably from the same perspective as the last two speakers. I too, like the past speaker, don't smoke, never have — well maybe one night I smoked — but never have really smoked at all.

But I had the opportunity to do a tour of my constituency which I do every spring and went into every hotel in my constituency — on a fact-finding mission only — and certainly found that there was some major concerns there, some major concerns. They felt it was going to affect their business. You know, I mean, every owner . . . and there were some of the owners I will say that would agree with the legislation. Some of the bar owners that I talked to agreed with the legislation, but still felt that it was going to affect their business.

And as Bob Bjornerud mentioned, on some of these small-town businesses they don't have much margin for error, that it may cause some real financial problems on whether they remain open or not. And you said, you know, you'd certainly keep aware of that and pay attention to it.

But I will say one other thing in . . . throw one other thing into this mix. The volume discount that your government has taken away from hotel owners that was raised in question period yesterday, and it was raised a month ago, has a huge financial impact. And to couple both of them in one year will probably, as Bob said, will be the final nail.

Now, some of them will survive, but I'll just use the one example that I know of in my constituency. A hotel owner in a fairly sized community — I think 1,500 to 2,000 people — and he just put in a \$100,000 beer store, that he feels he's absolutely wasted that money because the volume discount is going to have a huge impact on that beer store.

So what I'm saying, and the minister . . . It was interesting in question period yesterday because the minister would not deny that it's a gain of roughly \$5 million. Well that \$5 million is coming directly out of people selling off-sale. So to couple the smoking ban with that volume discount elimination is two shots.

And so I guess what I would say . . . and I know how I'm going to vote tomorrow on the Bill; I think it's the right way to go, even though I have some reluctance for just that one segment, the bar owners. But I would ask you to reconsider, your government to reconsider, that volume discount because I think the two shots are too much for a lot of small town bar owners to absorb.

**Hon. Mr. Nilson:** — I guess I would . . . The only comment I would make is my understanding is that the volume discount issue doesn't affect the real small towns. It affects the larger, larger ones because I think the smallest 100 or 125 bars aren't affected at all by the volume discount issue. But I appreciate that comment, and I'll pass that on to my colleague.

**The Chair:** — Thank you. Mr. McMorris, are you finished?

We have a school group coming in. So with the indulgence of the committee we'll wait till they get in, and then we'll introduce them.

### INTRODUCTION OF GUESTS

**Ms. Junor:** — I'd like to welcome the students from Alvin Buckwold School in Saskatoon and actually in the riding of Saskatoon Eastview. We have grade 1 to 7 students here. Welcome very much, welcome to our committee structure that we are doing here. That's what we're into right now. We're discussing the tobacco Act, about not having smoking in Saskatchewan.

So we're very happy to have you here. And as Ms. Crofford said, you're the first school group who has attended a committee meeting in this room, so you have the honour of having that on record actually. And you're on TV right now. People in Saskatchewan are watching you. So welcome.

And your teachers, Mr. Anderson, Neal Anderson. And we have chaperones with you, Bonnie Gillette and Murray Gillette. We also have Teresa Untereiner . . . is that close enough? Wade Kullman, Kathryn Green, Russ Frith and Rob Roy. So welcome to the proceedings.

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

**The Chair:** — We'll return to the committee work. Mr. Kerpan.

### **Bill No. 54 — The Tobacco Control Amendment Act, 2004 (continued)**

#### **Clause 1**

**Mr. Kerpan:** — Perhaps this committee would be well served for us to vacate our chairs and let these young folks come up and debate some of the issues of the day.

I thank the minister and your officials for being here today. I do have a couple of comments and a question attached with regards to the Bill, Bill 54, The Tobacco Control Act. At the outset I want to be very clear from where I come from on this issue, and that is that I'm not a smoker. I was a smoker, and I certainly have smoked more than my share of cigarettes, but I've got past that point in my life, and I feel much better for it.

And there's not one person in this room or any other room for that matter that could argue the merits of the Bill as they relate to the health and security of the people of the province. So I want to be very clear that that's not what I am arguing here, and that's not what I am debating because I support the Bill in theory and in practice, really. My issue comes from the way that this legislation is being implemented.

And of course we know, we know that the Bill is . . . that implementation day is January 1. And we of course know with the set-up in the legislature, the numbers being what they are, that the Bill will pass. And I know that many of the people on our side of the floor are going to vote in favour. Some may vote against; I'm not sure. So the Bill will pass, ultimately. My concern is . . . And I'm okay with that. In fact I support the

legislation, as I said. I'm okay with that.

But what I think is important here — and from talking to the people, bar owners, and others in my constituency — is that they wanted some time to have their voices heard on the issue. They wanted the opportunity to come before the committee and to say . . . and to talk about the issues that they might have, whether they be economic or otherwise. And I wanted as an MLA (Member of the Legislative Assembly) the opportunity to go this summer, when the legislature is not sitting, to go out into my constituency and talk to those folks and say okay, you know, what are the concerns?

So I have to oppose the way the legislation is being forced to be passed prior to us leaving tomorrow. I don't think that we as legislators — and I say that as a group — that we are handling the way we are approaching this Bill in the best possible way. That's my concern.

And I want to know . . . I look back at where this, where we've come as a society in the last 10, 15, 20 years with regards to the smoking issue. And I said this in the House a couple of weeks ago when I had the opportunity to speak on the Bill, I can remember getting on an Air Canada flight and lighting a cigarette within the last 25 years. And you'd look at ourselves now and we'd say, well who would ever dream of being allowed to light a cigarette on an airplane, a cigar tube filled with oxygen and people sitting on jet fuel. I mean, how ridiculous is that? It's stupid. So that's just the example, I guess, as to how far we've gone.

I believe that our society will become a non-smoking society sooner or later. The issue is whether we're going to force it to be done or whether we're going to educate it to be done. My preference would have been to educate people and these young people that we have in this room today, to teach them the merits of being a smoke-free society. That's what I would have preferred.

My question, my question to Mr. Minister is what are you going to do about non-compliance? Because I know you're going to have people who are not going to comply with this Bill. I know that for a fact because I've talked to people who have said, I don't care if they pass the law and it goes into effect by this Sunday. I'm going to allow people to smoke in my hotel. So my question is, how are you going to enforce it?

**Hon. Mr. Nilson:** — Well I mean, basically it's a similar answer to what I said before around the fact that this type of legislation has a good record of, sort of community compliance, people working together and reminding people that this isn't a place where you should be smoking.

Now I think what you're talking about is open defiance of rules. And then we have appropriate procedures, and I think the public health inspectors have certain ways of, you know, gathering the evidence and information and proceeding with appropriate processes under the law.

And that's what we do with all kinds of legislation. I mean, ideally you pass laws that are acceptable to the community, but you will always have some who don't agree with them. And we use the force of the law to basically deal with that particular

issue on behalf of the community.

So I think practically let's . . . I know when a new law comes in as well, there's a continual education process. And that's something that we will be doing from now until January 1. But I would suspect that during the first few years there'll be various issues that'll come up, and we'll have to deal with them. And so I think it's the best answer I can give you.

**Mr. Kerpan:** — You're right, of course. I am talking about open defiance of this law, not ignorance of the law or they're ignoring the law but open defiance where I know people will say to their patrons, you are welcome to smoke in my establishment.

But let me take it one step further, and my colleague who sat in this very chair asked a similar question. When it comes to a casino, a First Nations casino that — and I'm not sure which one — but I am willing to sit here today and tell you that I am absolute dead certain that there will be one casino or another that's a First Nations-operated casino that's going to tell you to take a hike with your law.

And I want to know what you're going to with that. Are you doing to shut that casino down? Are you prepared to go that far? Are you going to shut that hotel down because failing that, the law cannot be practically enforced. And so I want to know what your plans are.

**Hon. Mr. Nilson:** — Well I think as it relates to the casinos, we have an example now that Yorkton is proceeding with their legislation. And my understanding is that the casino there will comply with the city of Yorkton legislation. It's also a part of the casino contracts that there is a recognition of compliance with the laws of Saskatchewan.

My sense is that that probably won't be where there's concern, but there may be some other spots where that comes up. But I would be very surprised if it comes in that area.

**Mr. Kerpan:** — But you didn't really answer my question. Are you prepared to go as far as closing a casino or a bar for non-compliance of the law? That's the answer I'd like to know, yes or no? And ultimately at the end of the day . . .

**Hon. Mr. Nilson:** — I think that ultimately that probably is the effect of the penalties that are there.

**Mr. Kerpan:** — Because, and really I'm not trying to . . . I'm not sitting here trying to defend any casino or bar that allows smoking within their establishment. What I'm saying to you is I think the people ought to know upfront — business owners and casino owners, whoever they may be — ought to know upfront what the ultimate penalty could be for open defiance of the law. That's all I'm saying. And so I thank you.

**Hon. Mr. Nilson:** — Yes, and practically we will have all of that information very clearly laid out and that'll be part of the information.

**Mr. Kerpan:** — Thank you and that's a good answer.

And my final comment is that by asking this legislation to go

through before the summer break, for myself as an MLA — I'm the MLA for Carrot River Valley — is that you're asking me to vote for a piece of legislation that ultimately is going to be a piece of legislation that is perceived to be a ruling against rural Saskatchewan. And I'm talking about the communities of, let me say, Mistatim and Prairie River and Arborfield and so on and so forth, those very small communities.

It's been stated before by some of my other colleagues the concern that there is out there that even if it only costs them 5 per cent of their business for six months it might be enough to put them under. And it's a really tough thing for anybody to ask those of us who represent those rural-type ridings to vote for a piece of legislation that is good, at the end of the day, but it really very, very hurtful in at least the short to middle term.

**Hon. Mr. Nilson:** — I appreciate your comment, but what I also would say is that I've received information from people who live in rural Saskatchewan who also say that it would be nice not to have to drive 60 or 100, 150 kilometres to go to a smoke-free place to eat.

And so I think there are both sides to that. And one of the challenges will be how do we do that as a community.

**Mr. Kerpan:** — I was going to be finished, but I just wanted to add something now that you just said that, you know, drive 60 miles to eat, and I fully support that kind of thinking. But I'm not, make sure . . . I want you to know that I'm not talking about restaurants or public places of any kind. I'm talking about bars in small town Saskatchewan. Thank you.

**The Chair:** — Further questions? Seeing none, clause 1, short title. Agreed?

**Some Hon. Members:** — Agreed.

Clause 1 agreed to.

Clauses 2 to 23 inclusive agreed to.

**The Chair:** — That Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 54, The Tobacco Control Amendment Act, 2004.

Could I have a motion?

**Mr. Gantfoer:** — So moved.

**The Chair:** — So moved, Mr. Gantfoer. Agreed?

**Some Hon. Members:** — Agreed.

The committee agreed to report the Bill.

**The Chair:** — Thank you. The next item up for business . . . Thank you to the minister and his officials. Thanks to the students for staying.

And thank you to all members for their questions. And also thank you to the visitors who are in the gallery that came particularly to watch this Bill.

**General Revenue Fund  
Corrections and Public Safety  
Vote 73**

**Subvote (CP01)**

**The Chair:** — The next item up for business before the committee is the estimates for the Department of Corrections and Public Safety, beginning on page 43 of the Saskatchewan Estimates book. The first item of business is vote 73, subvote (CP01), administration. Mr. Prebble, do you have an opening statement?

**Hon. Mr. Prebble:** — No, Madam Chair. I had the opportunity for an opening statement last time that we met, and I'm certainly happy to answer any questions that members may have.

**The Chair:** — Questions of the minister on this Bill? Seeing none then, (CP01), administration. Agreed?

**Some Hon. Members:** — Agreed.

Subvote (CP01) agreed to.

**The Chair:** — (CP02), accommodation and central services, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CP02) agreed to.

**The Chair:** — (CP04), adult corrections, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CP04) agreed to.

**The Chair:** — (CP07), young offender programs, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CP07) agreed to.

**The Chair:** — (CP06), public safety, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CP06) agreed to.

**The Chair:** — Amortization of capital assets are non-voted and for informational purposes only. Are they agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Then I would entertain a motion:

That there be granted to Her Majesty for the 12 months ending March 31, 2005, the following sums for Corrections and Public Safety, \$118,889,000.

A motion? Mr. Kerpan? Thank you very much. Agreed?

**Some Hon. Members:** — Agreed.

Vote 73 agreed to.

**The Chair:** — Thank you very much to the minister.

**Hon. Mr. Prebble:** — Thank you very much, Madam Chair. I want to thank members of the committee for their questions last time. And I want to thank my officials for their assistance last time. And it's good to appear before you today. Thank you.

**General Revenue Fund  
Culture, Youth and Recreation  
Vote 27**

**Subvote (CR01)**

**The Chair:** — Thank you. The next item of business is estimates for the Department of Culture, Youth and Recreation beginning on page 47 of the Saskatchewan Estimates book. The first item of business is vote 27, subvote (CR01), administration. Ms. Beatty, do have anything to say?

**Hon. Ms. Beatty:** — No, I made a statement last time.

**The Chair:** — All right. Any questions of the minister? Then (CR01), administration. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR01) agreed to.

**The Chair:** — (CR02), accommodation and central services, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR02) agreed to.

**The Chair:** — (CR03), culture, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR03) agreed to.

**The Chair:** — (CR09), recreation, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR09) agreed to.

**The Chair:** — (CR07), heritage, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR07) agreed to.

**The Chair:** — (CR05), policy and youth, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR05) agreed to.

**The Chair:** — (CR06), Community Initiatives Fund, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR06) agreed to.

**The Chair:** — (CR08), Saskatchewan Communications Network, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR08) agreed to.

**The Chair:** — Amortization of capital assets again are non-voted and for informational purposes. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Do I have a motion then:

That there be granted to Her Majesty for the 12 months ending March 31, 2005, the following sums for Culture, Youth and Recreation, \$42,141,000.

Mr. Borgerson? So moved. Agreed?

**Some Hon. Members:** — Agreed.

Vote 27 agreed to.

**Supplementary Estimates  
General Revenue Fund  
Culture, Youth and Recreation  
Vote 27**

**The Chair:** — Thank you. The next item of business is the supplementary estimates for Culture, Youth and Recreation, vote 27, found on page 2 of the Supplementary Estimates. (CR03), Saskatchewan Arts Board, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR03) agreed to.

**The Chair:** — (CR07), heritage, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (CR07) agreed to.

**The Chair:** — Then be it . . . We need a motion then:

Be it resolved that there be granted to Her Majesty for the 12 months ending March 31, 2004, the following sums for Culture, Youth and Recreation, \$4,175,000.

The motion? Ms. Crofford?

**Hon. Ms. Crofford:** — I so move.

**The Chair:** — Agreed?

**Some Hon. Members:** — Agreed.

Vote 27 agreed to.

**The Chair:** — Thank you very much. Thank you to the minister. Do you have a closing statement?

**Hon. Ms. Beatty:** — Yes, please. I would like to thank my officials that were with me the last time I was here, and thank you to the committee.

**General Revenue Fund  
Community Resources and Employment  
Vote 36**

**Subvote (RE01)**

**The Chair:** — Thank you. The next item of business is the estimates for the Department of Community Resources and Employment.

Thank you. Welcome to the minister. As I said, this is Community Resources and Employment, beginning on page 37 of the Saskatchewan Estimates book. The first item of business is subvote 36 . . . is vote 36, subvote (RE01), administration. Do you have any statement to make, Ms. Crofford?

**Hon. Ms. Crofford:** — No, that's fine. I'll have a few closing comments but . . .

**The Chair:** — Then vote 36, subvote (RE01), administration, agreed?

**Some Hon. Members:** — Agreed.

Subvote (RE01) agreed to.



**The Chair:** — (RE02), accommodation and central services, agreed?

**Some Hon. Members:** — Agreed.

Subvote (RE02) agreed to.

**The Chair:** — (RE06), community inclusion, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE06) agreed to.

**The Chair:** — (RE04), child and family services, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE04) agreed to.

**The Chair:** — (RE10), early childhood development, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE10) agreed to.

**The Chair:** — (RE07), child care, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE07) agreed to.

**The Chair:** — (RE03), employment support and income assistance, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE03) agreed to.

**The Chair:** — (RE09), office of disability issues, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE09) agreed to.

**The Chair:** — (RE05), supporting families and building economic independence, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE05) agreed to.

**The Chair:** — (RE12), housing, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (RE12) agreed to.

**The Chair:** — Amortization of capital assets again are non-voted and for informational purposes. Agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. The motion then is:

That there be granted Her Majesty for the 12 months ending March 31, 2005, the following sums for Community Resources and Employment, \$602,254,000.

A motion? Mr. Cheveldayoff. Thank you, Mr. Cheveldayoff. Thank you. Agreed?

**Some Hon. Members:** — Agreed.

Vote 36 agreed to.

**The Chair:** — Thank you very much. Minister, you have a statement?

**Hon. Ms. Crofford:** — Yes, I just want to thank my officials but also to thank the members of the committee. Many excellent questions were raised during our discussions and we have a number of items that we're following up on, and I think it's in this way that we can help make sure that the services are working as intended out in the communities. And I just thank all the members for their questions.

**General Revenue Fund  
Lending and Investing Activities  
Education Infrastructure Financing Corporation  
Vote 170**

**The Chair:** — The last item of business before the committee is vote 170. Education Infrastructure Financing Corporation, (ED01) is statutory. We don't have the minister here. It wasn't necessary to bring the minister. Is that still the case? Then (ED01), loans, agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried.

Subvote (ED01) — Statutory.

Vote 170 — Statutory.

**The Chair:** — We have some information from Culture, Youth and Recreation that was requested earlier on in our proceedings, and the minister has supplied us each a copy which will be passed out, as well as the draft of the first report of the Standing Committee on Human Services.

We'll just wait a moment while that's being done.

We need a motion:

That the draft first report of the Standing Committee on Human Services be adopted and presented to the Assembly on June 17, 2004.

Mr. Cheveldayoff, thank you very much. Agreed?

**Some Hon. Members:** — Agreed.

Motion agreed to.

**The Chair:** — And we now need a motion to adjourn. Mr. Hagel, thank you very much. Agreed? Is everyone agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — Carried. Thank you very much for everyone's participation in the work of the committee.

The committee adjourned at 16:29.

