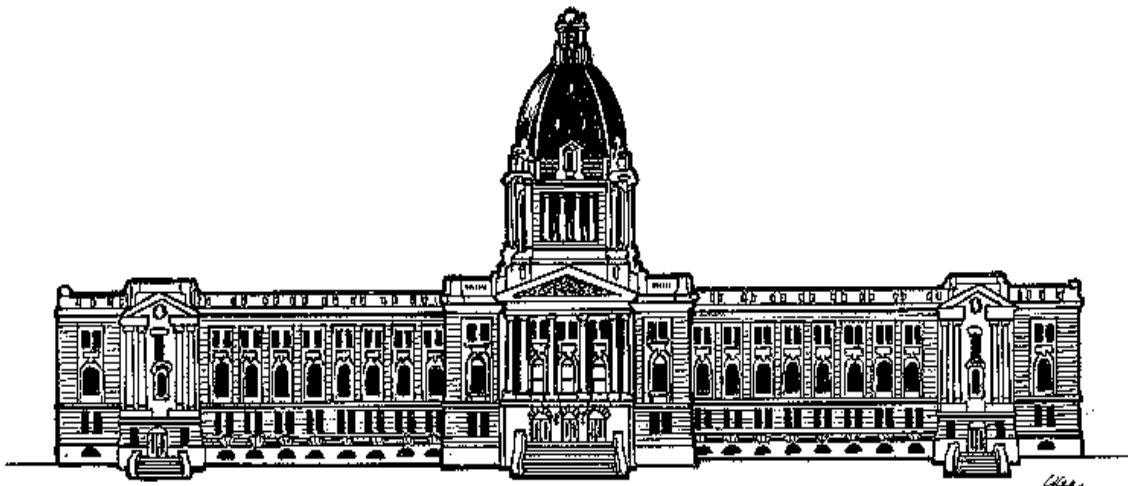




STANDING COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND JUSTICE

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**STANDING COMMITTEE ON INTERGOVERNMENTAL
AFFAIRS AND JUSTICE**

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Mr. Trent Wotherspoon
Regina Rosemont

[The committee met at 15:09.]

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

Subvote (FN01)

The Chair: — I would call everyone to order, and we are looking at First Nations and Métis Relations, vote 25. And I would ask the minister to introduce her staff and if any opening comments. I would also ask that anyone answering questions, if they would first time up introduce themselves to the microphone, so Hansard has a recording of that. So, Madam Minister.

Hon. Ms. Draude: — Thank you very much, Mr. Chair, and good afternoon to everyone. I'm really pleased to be here to discuss the 2009-2010 budget for the Ministry of First Nations and Métis Relations. And I want to introduce some of my officials. Sitting beside me is Ron Crowe, the deputy minister; John Reid, acting assistant deputy minister; Kerry Gray, director of finance, accountability, and corporate services. I also have with me today Richard Turkheim, executive director of northern resource and industry development; Seonaid MacPherson, executive director of strategic initiatives; Trisha Delormier-Hill, executive director of lands and resources; Giselle Marcotte, acting executive director of Aboriginal policy and operations; Bonny Braden, the director of communications; and, Jennifer Brass, executive assistant to the deputy minister.

And to the members, before I go on to questions I would like to provide some brief opening remarks. First of all, for this year we have a budget of approximately \$88 million. This responsible budget ensures that we can continue funding many ongoing programs through our ministry. And we also have the opportunity to embark on several new directions.

One of the ways we believe we can nurture economic vibrancy in our province is to set up the northern enterprise regions so that northerners can leverage economic development opportunities. The ministry's budget designates \$300,000 to start the work towards implementing the northern enterprise regions. A key part of the process will be to gather feedback from the northerners themselves. We will be consulting before we move forward to make sure the enterprise regions reflect the collective wisdom of the northerners.

Consultation of another kind is also on the top of our mind for our ministry. We're going to continue with our work on the draft consultation framework policy, and a new deadline for input from the First Nations, Métis, and industry is June 1, 2009. We're receiving feedback from different groups as we speak, and we look forward to finalizing this policy.

And related to this endeavour is a separate process we call the exploratory process. It involves First Nations, Métis, and industry stakeholders in a collaborative process where we can discuss issues that include economic benefit sharing, consultation, capacity, dispute resolution, and traditional territories mapping. Our budget sets aside about \$500,000 to start the exploratory phase.

On the face of it, the ministry's budget shows a 25 per cent increase. This increase is comprised mainly of flow-through money for gaming obligations which the ministry has the legal duty to disburse. If you look at the budget numbers themselves, we can see that First Nations and Métis Relations will move forward into a new era, even though it'll receive a small increase in funding for inflation on operations and scheduled salary increases.

And due to the lack of demand, we decided to end the commercial loan portion of the Northern Development Fund. However the loans due to primary portion of the Northern Development Fund will remain in place to support the livelihood of northerners. The commercial loan portion of the Northern Development Fund that we are not renewing was not drawn upon in any major way during the last two years. In the 2007 and 2008 year, there was only two loans awarded for a total of 330,000, and 2008-2009 one loan in the amount of 250,000.

We'll save \$183,000 through this cut: \$83,000 in salary and a reduction of 100,000 in the loan loss allowance. The loss of one full-time equivalent will impact one individual. However this person has been offered all the options available to them under the collective agreement.

As mentioned earlier, the primary producer loan portion will stay, as it supports individuals as they pursue their livelihoods in the fishing and trapping sectors. For example, an individual engaged in one of those areas can use the loan proceeds to purchase capital equipment for an activity like wild rice production or commercial fishing.

These are some of the highlights of our ministry's budget. We are very determined to continue the good work done in our ministry to serve the people of Saskatchewan — the First Nations and Métis people and the northern people. I'm going to be very happy to answer your questions. And you may call upon my deputy minister of First Nations and Métis Relations, Ron Crowe, to speak to further detail within our ministry's budget. Thank you.

The Chair: — Thank you. If there are no other comments, we will go into questions. And I believe Mr. McCall is going to ask questions. And it's central management and services (FN01).

Mr. McCall: — Thank you very much, Mr. Chair. And to start, welcome to the minister and her officials. I don't know that I've had opportunity to — perhaps in supplementary estimates, but just to make certain for the record — congratulations to Deputy Minister Crowe for his appointment and his continued service for the province of Saskatchewan.

I guess by way of explanation off the top, myself as First Nations, Métis Relations critic and my colleague, Mr. Vermette — obviously is representing the riding of Cumberland and with a strong interest in these issues — we'll be switching back and forth a bit in terms of the questions. I realize we've got more time to come in estimates for which we are looking forward to as well, at which point we'll be joined by other of our colleagues, most certainly the member for Athabasca, Mr. Belanger.

I guess the first question I would have off the top is just to get some confirmation on the numbers around the funds in the budget overall. It's an interesting budget. In total certainly, you know, 12 per cent plus increase overall, \$10.2 million of expenditure, and off the top of the minister's mark, on the face of it, the 25 per cent increase in the funds allocated for First Nations and Métis Relations.

And in doing some math on that . . . And the minister has as well touched on what is the main driver in that, and going through the numbers of course it leaps off the page that the gaming agreement, particularly as it relates to the First Nations Trust and the flow-through funds therein and the CDCs [community development corporation], there's an increase in that line item from the estimated 2008-09 of \$51.075 million to \$68.696 million, resulting for an increase of about \$17.799 million. Would you agree with that characterization, Madam Minister?

Hon. Ms. Draude: — To the member, yes I do. That's perfectly correct and we're pleased that there is an increase. It's mostly due to . . . Well there's two factors. We have the full year of the Dakota Dunes Casino which is open now. And then the Nekaneet First Nations has the casino in the Swift Current area, and there will be funds from that casino as well.

Mr. McCall: — So in an overall budget increase of \$17.799 million, the gaming flow-through is \$17.621 million. Is that not correct?

Hon. Ms. Draude: — Yes, that sounds like it's approximately correct.

Mr. McCall: — So those being the numbers, that would indicate that for First Nations and Métis Relations, and Northern Affairs being folded into this department, that would leave a net increase of \$178,000. Is that correct?

Hon. Ms. Draude: — Yes.

Mr. McCall: — In other documentation the minister has provided to the media and attendant to the budget communications, can the minister provide a bit of a summary of other initiatives that she sees as affecting the First Nations and Métis Relations, Northern Affairs portfolio, in other departments.

Hon. Ms. Draude: — Thank you very much to the member and I thank you for the opportunity to explain how our government is working in a relationship with the First Nations and Métis people in the province and northerners.

I think maybe you have alluded to, and correctly, that First Nations and Métis people are seen in all of our government ministries, and my job as the minister, my opportunity and responsibility, is to coordinate the activities between the various ministries to ensure that the First Nations and Métis people, the lens is focused on their many activities. So I'm going to briefly outline some of the monies that are being spent across government, and I'm sure that the members will agree that we, as a government, are seeing the First Nations and Métis people as a very important and significant part of our growing our economy and go-forward plan.

Besides the \$68 million for gaming revenues to benefit the First Nations community, the \$4 million for five treaty land entitlement settlements, we have the \$3 million for the Consultation Participation Fund. We have \$300,000 for launching the two northern enterprise regions.

Mr. McCall: — Mr. Chair, if I could, not to be rude and interrupt, but we'll get to the expenditure items internal to the ministry soon enough, but in other communications around the budget, the minister has communicated other expenditures in government. So perhaps to be a bit more clear in what I'm asking for, I'm looking for a summary of expenditures external to the department's purview.

Hon. Ms. Draude: — Thank you to the member. I'm pleased to give you a summary of it, and I'm sure that because of the responsibility the member has as a critic he would be pleased to know what the other work we are doing as government as well. But I'll give you the money that's given through some of our other ministries. There's over \$4 million to support the work of the First Nations and Métis education unit and innovation fund as a grant to school divisions. There's \$2.5 million to support the excellent work of the Saskatchewan Indian Institute of Technology. We have \$3 million to deliver 450 on-reserve adult basic education training seats; \$5.9 million for the Aboriginal workforce development fund that'll help increase workforce participation by First Nations and Métis people. The government will continue to support the Muskeg Lake long-term care facility.

We have \$2.5 million to the Aboriginal Health Transition Fund, \$250,000 to develop a 10-year First Nations and Métis health plan. We have community justice and alternative measures program, a total program funding of \$251,000.

We have \$548,240 going to Touchwood File Hills Qu'Appelle safe shelter. We have \$543,950 to The Battlefords Interval Society. We have \$555,640 going to Prince Albert Safe Shelter for Women, \$72,590 going to the Northwest Friendship Centre, \$750,000 for Muskeg Lake long-term care facility as I had mentioned.

Education has introduced First Nations and Métis language support to support the revitalization of Saskatchewan-based First Nations and Métis languages. We have northern skills training, 1.598 million. We have child and family community-based organizations, a \$25 million increase; a peacekeeper program of \$30,000 to allow Saskatchewan police service to use First Nations and Métis cultural approaches in teaching.

We have \$36.6 million for northern transportation, operations, and improvements. The FSIN [Federation of Saskatchewan Indian Nations] circle of economic partners committee has \$110,000. Municipal operating grants in the North increased from 7.8 million to 11.7 million. Crown Investments Corporation have a budget of \$37 million in spending for First Nations, Métis, and northern people in 2009, and that includes a program for SaskPower for procurement of Aboriginal business for 1.3 million.

The First Nations and Métis capital fund for economic development, the driver examination services in the North,

Northern Lights School Division projects in the North, including La Ronge, La Loche, Pinehouse, Buffalo Narrows, and Beauval has over \$32,000. And I have more monies if you would like to hear.

Mr. McCall: — Perhaps the minister would care to table her document with the committee.

Hon. Ms. Draude: — Sure. I'll be pleased to do that. While I'm waiting for this document to be given to the members opposite, I'm sure that the member opposite would also be delighted to know that the North will also be included in the high-speed Internet coverage and that we also have monies that were given through initiatives that helped projects for water and sewer and treatment plants in many of the northern communities as well. And there is initiatives right throughout all of our government showing the importance of the First Nations and Métis people in Saskatchewan.

Mr. McCall: — Well I thank the minister for tabling that with the committee. Here comes the tabling. There we go. Thank you. Which of those expenditures would the minister characterize as new expenditures or increases over previous budgets?

Hon. Ms. Draude: — Well I have just given the document to be tabled and copied. But some of the new ones that are there, right off the top of my head — and one of the important ones for northern Saskatchewan — is the northern enterprise regions. There is new money for education, especially through Advanced Education. The \$5.9 million for the Workforce Development Fund. There's more money for SIIT [Saskatchewan Indian Institute of Technologies] and for the basic education seats.

There's more money for social services. There's money for the low-income tax credit for anyone who isn't paying income tax. And there's also a decrease in the number of people who are paying income tax in our province — I believe the number is 80,000 — and that affects many of the low-income earners in our province. So they're together. They show a package of products for First Nations and Métis people that are making a difference to their lives.

Mr. McCall: — And again it's certainly a line item under the Advanced Education and Employment budget. But given that the minister has highlighted it in other communications and here again right now, the 5.9 million for the First Nations and Métis labour force attachment fund, is that money that originates with the province of Saskatchewan, or is that flow-through from a federal transfer?

Hon. Ms. Draude: — The exact breakdown of that number, I'm not sure. And rather than give information I'm not entirely sure is correct, I'm sure that you can ask the question to the Minister of Advanced Education, Employment and Labour when he comes. If I do get the information in the next few minutes, I will give it to you.

Mr. McCall: — Well I guess I would press my question further by saying that certainly the . . .

Hon. Ms. Draude: — So just not to interrupt you, I just

received information that yes, it all is provincial money. The Minister of Advanced Education, Employment and Labour has that money in his budget and it is total Saskatchewan money.

Mr. McCall: — So it's not a flow-through from Labour Market Development Agreement with the feds or anything like that.

Hon. Ms. Draude: — That's correct. It's not a flow-through.

Mr. McCall: — Okay. And the question I had is, why would not certain of those funds be made available to the Aboriginal employment development program which is housed in your ministry?

Hon. Ms. Draude: — The Aboriginal employment development program is an important part of who we are as government, and I'm sure the member is well aware of that because of the work that was done previously. This will actually . . . Rather than just working with the employees and employers to make sure that the workplace is ready and hospitable and warm to First Nation and Métis employees, and to ensure that the workplaces are ready to maybe take on employees that have never worked with a specific company before, the training dollars that we have now through Advanced Education will actually be used for training in various sectors.

We know that, from the needs and the amount of skilled labour that was required in our province, we had a disproportionate number of First Nation and Métis people who were not trained and ready for the skills that were required in some of the industries. So these dollars are actually to prepare the employee for the workplace rather than just prepare the employer for hiring.

Mr. McCall: — It's the minister's understanding that this is new money to the Department of Advanced Education and Labour. It's not repackaged money or re-profiled money.

Hon. Ms. Draude: — It is my understanding that it is new money.

Mr. McCall: — Okay. And I guess we'll come back to that. Thank you, Madam Minister.

One of the other new expenditures that the minister touched on — and again we're quite interested to see it — is the money for Muskeg Lake. If the minister could tell us a bit about the process that went into selecting the Muskeg Lake proposal for the pilot with this endeavour.

Hon. Ms. Draude: — I'm going to just give a general outline of how it was decided that Muskeg Lake would receive the money. But I would believe that, again because the money is coming from the Ministry of Health, that more specific questions can be given to the Minister of Health.

But overall, Muskeg Lake has a number of level 1 and 2 clients within their building, and there was a worry that they wouldn't be able to keep the doors open. This would mean that these patients would have to enter the public health system through another facility, which would make little sense to us as government being as they had a home in Muskeg Lake and they were given some of the cultural and traditional experiences that

they needed. So the minister decided that he would use this as a pilot project. But I believe that further questions on this could be given to the Minister of Health.

Mr. McCall: — But again, you're the lead on First Nations and Métis issues as they relate to the province, and certainly it's good to see the pilot with Muskeg Lake. But it begs the question: why would Muskeg Lake be chosen and — say for example — Standing Buffalo would not, White Bear would not, Lac La Ronge would not? Does the minister, is she able to tell us what the criteria was used that would exclude these other proposals that are fairly well advanced?

[15:30]

Hon. Ms. Draude: — Rather than saying we excluded the other areas, I'd like to say that we included some facility that had never been included before. As a government, it is important to us that the elders within these homes are given the respect that they so much deserve. We understand that the federal government has a responsibility, but we also know that it would impact the provincial system if the level 1 and 2 patients within the Muskeg Lake Care Home had been forced to leave this home.

So the decision and the protocols on how it was decided was left within the Ministry of Health. My responsibility, as you indicated and talked about, is to ensure that we can coordinate policies. And bringing the discussion forward to the minister gave him an opportunity to look at an opportunity to ensure that the elders in this care home continued to receive the care that they had been receiving.

Mr. McCall: — And again I guess I would agree. It is an important policy initiative on the part of the province, and so much so that again the question remains: why would one First Nation proposal go forward, when there are others that are well advanced not go forward? So again what is the criteria that was used to choose one proposal to the . . . and I know the minister doesn't like the word, but I'm sure that the folks that have been excluded wouldn't have much trouble with that word being used. Why were the other proposals excluded as well?

Hon. Ms. Draude: — I'm sure the member will have the opportunity to ask the minister why he included the members from Muskeg Lake when he has an opportunity to talk to him.

Mr. McCall: — But again, Madam Minister, you're the lead on First Nations and Métis issues in the province. This is an exciting pilot. It's a good proposal going forward. A great way to improve upon it would be to look at the other proposals that are there and are quite well advanced. Surely the minister, being the lead on these issues, has some idea as to why one proposal was in and the others were not.

Hon. Ms. Draude: — I'm sure the member opposite had the opportunity, the responsibility, and the pleasure of being the minister of First Nations and Métis Relations long enough to know that the actual decisions on various ministry spending does not happen within our ministry. It happens within the ministries that have the dollars. My responsibility is to ensure that we're working with the other ministries. So that question can be very correctly put to the Minister of Health.

Mr. McCall: — And again I assure the minister that, for one, we'll be putting the question to the Minister of Health as to get a greater understanding of what the criteria used was. For two, I have not had the pleasure of serving as the minister of First Nations and Métis Relations, but I don't know if you know something I don't know, Madam Minister. But again this is . . . [inaudible interjection] . . . Well if you're giving us a lot to work with, Madam Minister, what can I say?

The point stands though, this is groundbreaking in terms of policy. Surely the minister would have an idea as to the criteria used to select one proposal to the exclusion of others. The dollars come from Health certainly, but in terms of breaking policy ground, in terms of being the lead on these issues for the province, the minister must have some idea. So please tell us what the criteria was, Madam Minister.

Hon. Ms. Draude: — I've told the member a number of times that I don't have the criteria. I am not the Minister of Health. I have an opportunity and a responsibility to make sure that the Minister of Health is aware of various issues that are going on, on-reserve and off-reserve. I do believe, using your words — and I'll stop for a minute to apologize for giving you a ministry that you've never been responsible for — but I do know that this is groundbreaking. And I think it's exciting, and I think it's an opportunity to show the federal government, governments right across Canada, and the people of our province how an accredited First Nations home does work and the importance of protecting and ensuring there's culture and tradition.

I do not have the criteria so I can't answer the question, but I do thank you for recognizing that it's groundbreaking. And I think that my deputy minister would like to add a few words.

Mr. Crowe: — Thank you, Madam Minister. It's Ron Crowe, deputy minister. Just to give a couple of additional points on this matter, what differentiates our ministry and the Ministry of Health is the fact that we don't get involved in direct human service delivery, and we don't get involved in direct human service delivery. And we don't have a number of the experts and specialists and expertise to deliver health care services as it relates to personal care homes. We rely very much on working with the ministries, the various ministries to ensure that certain matters are brought to their attention and that they could find ways to provide services that are needed.

We're hoping that the Ministry of Health will learn from the pilot project, that they will see what interests there are for the province to move forward and make sure that these services are provided. So we are hoping that our sister ministry, the Ministry of Health, will gain some valuable information from this exercise.

Mr. McCall: — And I would concur with those hopes. But the question stands: did the minister participate in the press release that went out pursuant to the Muskeg Lake decision?

Hon. Ms. Draude: — Yes, I did. The Ministry of First Nations and Métis Relations was delighted that we had an opportunity to break ground in a new area. But I'm sure that the critic will see my name as minister on a number of press releases from Environment and CIC [Crown Investments Corporation of Saskatchewan] and some of the other areas where I have the

pleasure of working with some of my colleagues because we are seen in every ministry. And the work that we do recognizing the value of First Nations and Métis people is in every ministry, so I was delighted to put my name to, add it to the Minister of Health in his press release.

Mr. McCall: — But again, you're able to put your name to the press release, and you can't tell me the criteria that was utilized to select one proposal over others.

Hon. Ms. Draude: — It is not the decision that is made by my ministry. The decision is made with the professional people that are working with the Minister of Health to make that determination.

Mr. McCall: — So First Nations, Métis Relations, in terms of the decision made to proceed with Muskeg Lake, the decision does not rest with First Nations, Métis Relations. It rests with the Department of Health.

Hon. Ms. Draude: — To the member opposite, that's correct. It's much the same as the decision that was made on March 11 when Government of Saskatchewan provided extra money to the Keewatin Yatthé Health Region with an additional \$490,000. My name is also in that press release because I was happy that we had an opportunity to make sure that people could ensure that services continued uninterrupted. So this is one of many times when I had the opportunity to work with my colleagues to make sure that the voice and the face of First Nations and Métis people is seen in this province.

Mr. McCall: — But how do you square that with not being able to understand what the criteria is?

And I'm not trying to be dense or obstructionist here. The people of White Bear would be very interested to know what the criteria is. The people of Standing Buffalo are very interested to know what the criteria is. The people of Lac La Ronge are very interested to know what the criteria is, and how it is that their proposals would not pass muster but one from another First Nation would.

And surely as the lead on First Nations and Métis issues, the minister is not just in it to sign press releases but to explain policy to First Nations and Métis people in this province, which we have a role to play in today in these estimates. So again if not for me, perhaps for the people of White Bear, what is the criteria?

Hon. Ms. Draude: — Mr. Chairman, to the minister, if I had the criteria I would give it to the member. I do not have the criteria because it is not within the responsibility of my ministry. We do not have the professionals within this ministry to make those decisions.

We have professionals in the ministry that works with consultation. We have professionals within our ministry that works with gaming. We have professionals within our industries that works with treaty land entitlement, and we have professionals that coordinate policy. And our job is to ensure that we are working with the ministries.

I have read you one and I could read you other press releases

where I as the minister go to one of my colleagues and talk about issues that are happening right across the province in various areas. It's not up to me to make the decision because there is professionals there that are doing it. I believe in the work that they're doing. It's not up to me to second-guess what other ministers are doing.

So I urge the member to take this question to the Minister of Health to receive the information that he's asking.

Mr. McCall: — And again so say the people of White Bear come to ask the same question . . .

The Chair: — Excuse me, Mr. McCall. I believe she has answered her question to the best of her ability and we're just becoming repetitive here. So if you could go on with your questioning.

Mr. McCall: — Thank you, Mr. Chair. Perhaps the minister has new information to provide, given further consultation with her officials.

Hon. Ms. Draude: — Pardon me?

Mr. McCall: — Perhaps the minister has new information to provide given consultation with her officials.

Hon. Ms. Draude: — I'm sure that the member will and the critic will be asking the question to the Minister of Health. If he would prefer, I can see if I can get something in writing from Health that I could give to the member. I'm not sure when Health estimates are coming up, but I can work with the minister to ensure that somehow the information is given to the member to ensure that he can give it to people who may be asking him this question.

Mr. McCall: — Great, thank you, Madam Minister. Moving on, the increased expenditures around SIIT, adult basic education. I note there was no mention of the Gabriel Dumont Institute in the minister's reckoning. Is that because Gabriel Dumont didn't need an increase to their operating expenditure or what happened there, Madam Minister?

I guess to . . . Thank you, Mr. Chair. To further clarify, not just the Gabriel Dumont Institute, but the Dumont Technical Institute as well. They seem to have been left out of the increased expenditures.

Hon. Ms. Draude: — To the member, I'm sure this answer isn't going to make him any happier than my previous answer did when I tell him that the funding that goes to Gabriel Dumont Institute and the Dumont Technical Institute does not come from this ministry. It comes from the Ministry of Advanced Education, Employment and Labour. We work with the Gabriel Dumont Institute through our ministry because of the very good work they're doing and encourage my colleagues to be working with them. The amount of money that I have that they were given is last year's number. So the amount of money that they are getting this year, the question will have to be posed to the Minister of Advanced Education, Employment and Labour.

Mr. McCall: — Well we can certainly do that, Madam

Minister, but again as was stated at the outset, you're the leader on First Nations and Métis issues in the provincial government. Your department provides the lens and certainly in the budget communications, there were a number of expenditures made outside of the Department of First Nations and Métis Relations that the minister was quite happy to join in the communications thereof. And again we will get to the communications or the expenditures more narrowly within the Department of First Nations and Métis Relations.

[15:45]

But given the practice of the minister to happily jump into communications that deal with expenditures outside of her department and given the fact that the minister has stated she's the leader — you know, the department houses the lens on First Nations and Métis issues for the entire provincial government — and given moreover the labour market's pressures that we feel in the province of Saskatchewan and the imperative to bring more First Nations and Métis people into the mainstream of the labour force, again I don't think it's unfair to ask what happened to the expenditure around something like Dumont Technical Institute and why they did not experience an increase in their operating funds.

Hon. Ms. Draude: — To the member, I work with the Minister of Advanced Education, Employment and Labour. I was pleased last year to be at the signing of an ASEP [Aboriginal skills and employment partnership] that he had undertaken with the federal government to provide workforce training in partnership with Cameco.

There is an enormous amount of work undertaken by Advanced Education to ensure that First Nations and Métis people have the skills and training that they need to fill the many jobs that we work with. It is not just my ministry, but the Ministry of Education and our Premier who has stated many times the importance of education, skills, and training. It is a focus of not just my ministry but of our government to ensure that education dollars are available for everyone in this province, hence the importance of education right across government, and is a big part of our budget.

I think it would be fair to say that I work in collaboration with the Ministry of Education, the Ministry of Health, the Ministry of Highways, the Ministry of Social Services — all of them — to ensure that we do work for the First Nations and Métis people. This ministry does not make the final determination on the budget that is given. But I'm also very pleased to see that my colleagues work with the federal government to ensure that education dollars are spent wisely and that we spend as much on education as possible.

Mr. McCall: — Well again, Madam Minister, if you're going to be the leader, if you're going to be the point of contact, if you're going to be the lens for First Nations and Métis issues — and moreover if you're going to happily join in the different press releases that go out — I don't think it's an undue expectation that the minister would have a better idea of what's going on in the different files that are vital to the well-being of First Nations and Métis people in this province. And if the minister can't provide an answer on the Dumont Technical Institute and their funding, so be it. We'll take it up with the

Minister of Advanced Education and Employment.

I guess, returning to the budget overall, of the just about \$17.8 million budget increase in that, 17.6 of that was due to the gaming flow-through. And the remaining just under \$200,000 — \$178,000 is the increase for the Department of First Nations and Métis Relations. Is that correct?

Hon. Ms. Draude: — I'm going to ask the director of finance to answer the question, but I'm just going to make a comment about the member's final statement. If he's implying that because I don't have the details on why my colleagues are making decisions on how money is spent within Health and Education and other ministries, implying that for some reason that means I'm not doing my job, then I would think that this is not about me. This is about our government and how we are ensuring that we are working with the needs of First Nations and Métis people.

It is my responsibility, but I can assure you that it's not a responsibility that I'm holding alone. There isn't one person, not just in my cabinet but around my caucus table, who understands the importance of ensuring that the First Nations and Métis people's needs are looked after. And if that's, I think it's an ... [inaudible] ... of our government and the responsibility that we have to ensure that we work hard on this issue. I am proud of the work that we are doing. Is there more work to do? Yes, there is. Are we taking some steps forward? Yes, we are. And I'm pleased with the relationship we have between the various ministries.

Mr. Gray: — If you'd like me to respond to some of the details, in terms of the net number ... [inaudible interjection] ...

The Chair: — Gentlemen, let's keep it to the floor, or I'll have to pull a tighter rein in here ... [inaudible interjection] ... You're the one I'm talking to. All right, Mr. Deputy Minister, if you'd continue.

Mr. Gray: — In response to your questions, your number was accurate, but there was a number of in and outs that result in that number. So to just sort of grab that one number without some sort of detail behind it might be misleading.

And so just to summarize what would make up that number, would be, as you mentioned, 17.8 million for First Nations gaming, 150,000 for scheduled salary increases, just over 80,000 for inflation on operating expenses. Some decreases — 300,000 because of the expiry of Northern Development Agreement, 100,000 in reduction of loss provision because of the cancellation of the commercial loan program, reduction of 50,000 for Meadow Lake Tribal Council whose activities have now been completed. And I think all of that needs to be understood to sort of understand what went into that number.

The Chair: — If I could ask you to please identify yourself for *Hansard*, for the records, please. Thank you.

Mr. Gray: — It's Kerry Gray, director of finance for First Nations, Métis Relations. Kerry Gray.

The Chair: — Thank you. Back to Mr. McCall.

Mr. McCall: — Thank you, Mr. Chair. Again going through the, you know, on the face of it, there's a 25 per cent increase in the expenditure which is why we're interested in spending time outside of the department because we know that the vast majority of those dollars originate with the gaming deal that the minister, quite frankly, had nothing to do with.

You know, I guess we can be thankful that it hasn't been renegeed upon, but the vast majority of new dollars in this budget deal with the gaming deal. So in terms of budgets being the bottom line as to where a government would assign priority in terms of backing up not just talk but walking the walk, this is why we're interested in expenditures, I guess, outside of the department off the top, because it would seem that in terms of new expenditures, new initiatives within the department, there is painfully little to be discussed. And again, I'm not trying to be personal about this. I'm not trying to make the minister feel like a bad person or anything like that. We're dealing with ministerial responsibility. The minister knows full well that she's got the job to answer on the government's behalf for these issues. And we're not trying to personalize it; we're trying to conduct the people's business as it relates to this portfolio.

So moving through the expenditures and off the top, in central management and services, executive management has increased by \$490,000 over the estimate from '08-09. Could the minister or one of her officials please illuminate us as to what that increase represents?

Mr. Gray: — Kerry Gray, director of finance. In central management services, a lot of it has related to restatement, where we moved dollars from one subvote to another — simply, you know, specifically accommodations. The former Ministry of Northern Affairs would account for it in a subvote, where the practice within First Nations and Métis Relations is to account for it within central services.

Mr. McCall: — Under the central services, the increase in expenditure from 1.153 to . . . Or pardon me, the decrease in expenditure from central services, what's going on there?

Mr. Gray: — At the end of last fiscal year, we reviewed a number of areas, identified what were some priorities, and we moved some dollars internally within the ministry. So where we had some pockets of what we thought was less priority items, we moved them to areas that were a little higher priority.

Mr. McCall: — Accommodation services, I note, has increased by \$578,000. Would the minister or the official care to comment on that?

Hon. Ms. Draude: — Thank you to the member for this important question. I know that when we became government, there was a decision to merge the two departments, then departments, from the Department of Northern Affairs and Department of First Nations and Métis Relations to one ministry, and we had two separate locations. There were two separate locations under the previous government.

This year we have found the funding to move the two offices and the people together. They'll be housed under one roof which makes it easier to coordinate efforts and to ensure that information is shared regarding the First Nations and Métis

programming or any of the issues that are going on. We're really pleased that they'll all be, everyone will now be at 1855 Victoria, and we're really pleased that there is the opportunity to be together. So 550,000 of those dollars was for the actual move, and the rest is just the inflationary increase.

Mr. McCall: — Okay. So again though, the consolidation of two different offices for all intents and purposes has resulted in an increased expenditure of 578. Am I understanding that correctly?

Hon. Ms. Draude: — That would be for this year because of the cost of the move. We're not expecting that it's going to . . . The 550 is one time. It's for the cost of the move and the renovations.

Mr. McCall: — Under salaries in classifications by type, salaries are up 377. Again is that an increase in contract expenditure related to different files being carried on by the department, or what's at play there?

Hon. Ms. Draude: — To the member opposite, it's salaried employees. It's just their yearly increase.

Mr. McCall: — So the yearly increase for the department consists of \$377,000.

Mr. Gray: — To answer your question, yes. There was no changes in number of FTEs [full-time equivalent] or anything that would impact that number, so that would just be the scheduled salary increases.

Mr. McCall: — So again the savings, so I imagine there's some play back and forth between . . . there's a reduction of one FTE overall and the increases; that's how it nets out. Is that a fair characterization?

Mr. Gray: — Yes. The one FTE reduction is in a different subvote than 01.

Mr. McCall: — So that's separate and apart. Okay. Moving through the vote to policy coordination and support for Aboriginal organizations, under the allocations, policy and coordination, a decrease of \$281,000, what does that represent? What's not being spent this year that had been previously?

[16:00]

Hon. Ms. Draude: — To the member, the biggest amount of money that shows the decrease is the round table that was held last May.

Mr. McCall: — Support for Aboriginal organizations and issues, a decrease of \$55,000, what does that represent?

Hon. Ms. Draude: — To the member opposite, that was the money for the Meadow Lake Tribal Council.

Mr. McCall: — I guess, and my colleague will certainly be interested to add into this, but returning to the support for Aboriginal organizations and issues — under the different bilateral process, the trilateral process — how does the department or the ministry go about assessing what is adequate

for, say, the Métis Nation of Saskatchewan in terms of organizational support?

Hon. Ms. Draude: — Thank you to the member. The funding that has been given to the Métis Nation hasn't changed. We have a positive relationship with the Métis Nation. We have re-established the tripartite relationship, and there's an honoured tripartite that was \$285,000 and we've honoured the bilateral for \$100,000. And as we work with the Métis Nation, last year they were given money in the amount of \$200,000 to help offset the cost of developing capacity in response to our duty to consult obligations.

Mr. McCall: — I guess I'll back up a bit in the manner of asking this question. So the 1.538 million estimated for support for Aboriginal organizations and issues, could the minister itemize that for the committee? We're also quite happy to have documents tabled with the committee.

Hon. Ms. Draude: — I can give the member a copy of this, but I'll read into the record the amount of monies it was given, and then I'll give the member a copy of it.

Okay. To the member, I mistakenly said I can give you a copy. I can give you a summary of it: to the Aboriginal employment development fund, there's \$681,000; to the Métis Nation of Saskatchewan, 385,000; to the FSIN, 125,000; to MLTC [Meadow Lake Tribal Council], 50,000; urban management authority, 127,000; women's organizations, \$65,000; and Aboriginal initiatives, \$160,000. Okay. And I read the Meadow Lake Tribal Council for 50,000, but I have previously indicated to the member that that wouldn't be happening this year, so it'll be minus that \$50,000.

Mr. McCall: — Backing up even further, policy and coordination under policy coordination and support for Aboriginal organizations (FN02) of \$1.939 million, could the minister provide a summary or an itemization of the expenditure therein?

Mr. Gray: — Kerry Gray, director of finance. So under the policy coordination, a summary for '09-10, let's see. Salaries would be 1.454 million; goods and services, 485,000; support for Aboriginal organizations and issues, 1.538 million; consultation and participation fund, 3 million; First Nations and Métis business development program, 750,000. And that is the listing.

Mr. McCall: — I guess I'm looking for detail as to what constitutes the estimated expenditure of \$1.939 million under policy and coordination. If the official can provide me with greater detail, I'd be much obliged.

Mr. Gray: — Yes. That would be 1.454 million for salaries and 485,000 for goods and services.

Mr. McCall: — The First Nations and Métis Consultation Participation Fund holding at \$3 million, so 3 million for last year's expenditure and 3 million for the year to come, is that correct?

Hon. Ms. Draude: — To the member opposite, that's correct.

Mr. McCall: — The \$3 million, is that fully expended from '08-09?

Hon. Ms. Draude: — To the member opposite, no it wasn't.

Mr. McCall: — To the minister, what was the remainder?

Hon. Ms. Draude: — To the member, approximately \$1.283 million as supported First Nations' capacity and \$671,000 for Métis Nation, and there are approximately nine proposals under review.

Mr. McCall: — Under review. For how much outstanding money?

Hon. Ms. Draude: — There's 690,000 under review. There was approximately \$2 million spent last year.

Mr. McCall: — \$2 million spent. And how many applications are under review constituting what value?

Hon. Ms. Draude: — There are nine under review. And that would take it up to the 1.995 million.

Mr. McCall: — Welcome. When does the minister anticipate the decisions to be made on those outstanding applications?

Hon. Ms. Draude: — Okay. For clarification again, there was 1.95 million spent last year. So the nine proposals that are under review right now will come out of this year's funding. And we would be receiving proposals all the time, and they're constantly under review. So as minister, I have updates on a monthly basis of the number of proposals that have been received and the ones that have been approved, not necessarily the names of them but the numbers of proposals that are being looked at.

Mr. McCall: — Again to better understand, what is the dividing line between proposals that would be funded out of last year's allocation and proposals to be funded out of the year to come? Date of application or what?

Hon. Ms. Draude: — It's the date of when we get the agreement signed. So the 1.95 million from last year, that's all there will be for last year. Last year's funding was totally spent. That's the total amount that was spent last year.

Mr. McCall: — So the remaining roughly \$1 million, is that rolled over and counted twice in the \$3 million for the year to come, or how does that work?

Hon. Ms. Draude: — No, we spent \$2 million last year in the consultation fund, and there's \$3 million again in the budget this year for consultation.

Mr. McCall: — So what happened to the \$1 million that was not expended?

Hon. Ms. Draude: — I'm sure that the member is aware that the money goes back into the General Revenue Fund.

Mr. McCall: — Now given that there are a number of outstanding applications that had been made, how does that

work?

Hon. Ms. Draude: — To the members opposite, we have proposals under review. They'll be brought into this year's budget. Even last year we didn't spend the amount of money that was available. If the member is asking what happens if we spend more than that amount of money, we haven't come to that position yet. But it is an important part of the work our government is doing, and we will continue to look at it and monitor the funding requests that are given to us.

Mr. McCall: — But again I'm trying to understand, given that there was 1.1 million returned to General Revenue Fund out of the 3 million that had been allocated and given that there are a number of outstanding applications for that fund that that 1.1 can no longer go to because it's the end of fiscal and we're into a new fiscal and there's 3 million, why were those funds not considered under the previous allocation?

Hon. Ms. Draude: — To the member, there's a process that must be gone through to ensure that the proposals meet the criteria. It's not something that we just sign our name to and send money out to. We have to ensure that it meets the guidelines. And that's not only for accounting for the dollars, but that's ensuring that the First Nations and Métis who apply for the money are aware of the criteria and make sure that the money is spent in a way that will benefit their people.

So the accounting rules that we have ensure that we have a process that we go through. It's not something that we take lightly when we send money.

Mr. McCall: — Would the minister be able to provide to the committee a sample contract that is signed by the . . . is there a standard contract that's been signed by the successful applicants, I guess?

Hon. Ms. Draude: — Yes. To the member, we can give you a sample of the document and the criteria as well.

Mr. McCall: — Okay. Again one of the criticisms we've heard is that the process takes a long time to see through. And one of the responses back is that perhaps there aren't the resources in the department equal to the task. And I know we discussed this to a certain extent last year in considering the FTE reduction, the people that have been fired or removed from the Department of First Nations and Métis Relations, and the ability of the ministry to get the job done.

So if one of the concerns out there in the stakeholders is that the process takes a long time to work its way through and there's over \$1 million from last year's consultation fund that has been turned back into the general revenue, what is that due to?

Hon. Ms. Draude: — Thank you. To the member, first of all to clarify, we haven't fired anybody in the ministry. But secondly, we agree that the process was maybe too, it took too long in too many cases, but we do have . . . There are changes that are being made. The people that are working on this very important file are not only more familiar, but are working with Finance and Treasury Board to make sure that the funds can go out in a timely fashion. I don't believe that the proposals that we have under review right now are necessarily there because of the time

constraints, but it's making sure that the information that was given to our ministry to make sure that all the criteria was in place. At times it took further discussion with the applicants, so we are taking this into consideration as we go forward. And it is our goal as ministry and as government to ensure that there is dollars available as quickly as possible, meeting the criteria to make sure that First Nations and Métis people have the capacity.

I think there's one other area that's important to know . . . is that this consultation fund is not just for First Nations and Métis applications but other ministries. For example when Environment had their consultation policy on fisheries, there's funding available to the other ministries as well to ensure that they have their people as educated and as informed as possible for the consultation process.

[16:15]

Mr. McCall: — Just a point of clarification perhaps. Well in some cases, dismissed, I guess, would be the appropriate word, but last year the FTEs for the ministry went from 89 to 74. So I don't think I'm mischaracterizing anything, Madam Minister.

The question around the contract, will the minister be tabling a sample or the standard sort of template contract with the committee today?

Hon. Ms. Draude: — Pardon me. Can I ask the member to repeat that question?

Mr. McCall: — Sure. The standard contract that is filled out for applicants — successful applicants — to the duty to consult fund, will the minister be able to table that with us here today?

Hon. Ms. Draude: — Pardon me. I'm not sure that we have a copy available today, but we will endeavour to get it to you as quickly as possible.

And when I talked about the money that was given other ministries, it actually does go to the First Nations and Métis people, but it's for endeavours that are undertaken by other ministries dealing with the consultation file. So it doesn't go to the ministries; it goes to the people but for work that's undertaken by them.

Mr. McCall: — And again what is the accounting for those funds that are released under the consultation fund? Do they go through an accountant at the end of the year, or what's the accountability mechanism therein?

Mr. Crowe: — Just in response, all of the contracts and funding arrangements that we enter into always requires a report back to our ministry. And of course we'll analyze and determine whether or not it meets the reporting requirements. And upon successful completion of that activity, then that file is either closed, or we carry on to an enhanced relationship in other ways and means. So we have a pretty standard way of receiving reports, analyzing, and determining the appropriateness of the reports and if they've met the criteria that's undertaken.

Mr. McCall: — In terms of an organization using consultation

dollars to backfill existing wages, what's the view of the department on that?

Mr. Crowe: — The consultation fund is essentially in order to have First Nations, Métis communities, or groups representing the communities develop the capacity that's necessary, and in accordance with the criteria that's been in existence and subject to what we call now the interim guidelines.

We don't necessarily take a position that it can't be used for specific positions. But we will want to have some assurance that it is in fact being utilized to ensure that the community, the group, the entity has the capacity to use it so that they can actively participate in the consultation activities of ministries or initiatives that are going on in and around their communities and traditional lands.

Mr. McCall: — Has the ministry needed to clarify those conditions as the fund has evolved?

Mr. Crowe: — Not to this point.

Mr. McCall: — I guess at this point I would turn it over to my colleague, the member from Cumberland, for some questions.

The Chair: — Thank you.

Mr. Vermette: — Yes. Thank you, Mr. Chair. And to the minister and her staff, I guess I want to go through a few questions. And my questions are going to refer, and I guess the area of Northern Affairs, your responsibility there.

And I guess I would like to go into, you talk about the loan funds. And some of the funds have not been utilized, so a decision was made by your department to, I guess, cancel — whatever you want to call it — lower funding on some of the loans, different areas. You've mentioned that. How do you base that decision that you make to cancel a fund, to reduce the budget on certain funds? How do you come to that determination to do that? And I mean, to be very clear I guess, I want to make sure, make it clear the process that you get there. That's what I'm looking for.

Hon. Ms. Draude: — Thank you to the member. And I think this is an important question because the fund that we are looking at was discussed last year, also within the budget. We looked at the fund and the uptake on it and realized it wasn't utilized in any great way, to much extent at all. I'd indicated earlier that in 2007-2008 there was only two loans given out. 2008-2009 there was only one loan given out on the commercial portion of this loan fund. The money that's given out that's available for the primary producers is still available.

So to answer the question, it has to be utilized. It has to be proven to be valuable. And it was determined that, after a program review, that it wasn't utilized in a way that was substantial.

Mr. Vermette: — Could you clarify for me who would have — your department or you as a minister — talked to, to decide that review process you reviewed? Who did you talk to, and how did you guys come to your conclusion that we need to actually just dissolve this program?

Mr. Turkheim: — Mr. Chair, Richard Turkheim, industry and resource development, northern affairs division.

The Northern Development Fund and loans operations of the Northern Development Fund have been reviewed a number of times and evaluated beginning in 2007 and, as well, more recently in the fall of 2008. As part of the overall budget preparation process, the most recent evaluation — and this was an internal evaluation — the most recent evaluation in the fall of 2008 took a look at the operation of the commercial loans portion of the Northern Development Fund within the context of the operations of other developmental lending programs in the North. And four others were evaluated together with the Northern Development Fund, and a five-year period of programming was the window for the evaluation.

Mr. Vermette: — Okay. I guess going there and we talk about . . . and I'm curious and I wonder. We talk about a booming economy and different things and excitement that this province is supposed to be going through. And I have trouble to understand where we would be taking dollars that would help the business side of it and people to become entrepreneurs and have an opportunity . . . And to be honest with you, a lot of Aboriginal people do live in the North. And we also have, we share that as amongst northern people. We're First Nations, Métis, non-Aboriginal.

I find it, you know, kind of hard. And when you hear people talking about different funds, and I don't have any . . . that they went to this fund or that fund. But when they went into Northern Affairs — and I guess we're checking into dollars that were there — from what I have been told, that process wasn't easy. So there was something didn't work.

So I don't know if the communication didn't happen with the people out there and people that are applying or wanting to apply. And why didn't we go out and say, how is it best? Northern Affairs, with its loans and programs, could assist you so we continue this fund going on in the economic boom. I don't understand that. I have trouble with why it was cut and not looked at. Is there a better ways to utilize those dollars, and to increase those dollars with the economic boom that's going on and especially with our growing Aboriginal population in the North and our young population? And a lot are women wanting to be entrepreneurs and getting into it. I find it hard to accept.

So I guess I put that question, if people were to come back and ask you guys to review that, is there a way to come back and reconsider and review that because I think it's important that that process needs to be there.

Hon. Ms. Draude: — Thank you to the member. And I'm sure that before the member was elected, and probably even at this time, he realizes that there is more than one area where a person can get funding. In fact most anybody that has received funds under this fund would realize the interest rate is fairly high. In fact the entrepreneurs and business people we have spoken to have said they can get a better rate through commercial loans. They have opportunities that are available through their institutions in the North and in other locations. So good business people will look at a loan that works quickly for them, where they can go in and talk to someone and get a good interest rate. That would be the answer. Is there someone

already filling the need? And if the answer is the group that's filling the need is the ones that are in business to work with business — that's the financial institutions — then we found that that's where business people were going to.

Mr. Vermette: — Well let me take that a little further then. I guess in the review process you heard that. And if that's what you heard, why would you make a decision then not to accommodate that, if that was the concern out there, to be more competitive or to make sure that there was opportunities for northern business to get into the business?

Now did you help some of these businesses because maybe they were more of a struggle or some of the, I guess, the opportunities that were there for them? Was that the plan? The business they were going into may have struggled. There was areas where we weren't sure, more chance of risk that the dollars were lost? Is that why your interest rate would be higher? We wouldn't knock the interest rate down to accommodate those people so that we are making sure they have an opportunity to business.

Hon. Ms. Draude: — Thank you to the member. Obviously this is why that member and myself are on different sides of the House. I do not believe the government is here to provide loans when there is somebody there that's already doing it for them. The banks are there. There is opportunities through CIF [Community Initiatives Fund]. There's opportunities through the Clarence Campeau Development Fund. There's opportunities through banks.

The worst thing a government can do . . . and I'm sure that the member opposite would know that government is not very good at picking winners and losers. Let the banks do that. The opportunities that we've seen as government is to make sure that the environment is right, that people are ready, if there's anything we can do when it comes to skills and training. Is there anything we can do to make sure that there's a capacity for business? But as far as actually providing the loan to make a business work, that's not our job. That's not government's job. Government's job is to make sure the people's businesses can operate.

And I don't think I have to go on record stating a number of the business failures that our province has endured because we believe that government knows how to operate a business. Our job is to make sure that people can operate in this province in a manner that brings success to them. And that is one of the reasons that I'm proud to be sitting where I am today, because I know that government knows what their job is.

[16:30]

Mr. Vermette: — Well you know, I guess as the minister and being part of the Sask Party government, I guess that's your decision and your officials'. And you make the final decision, I guess, and the government does.

It's unfortunate for the people back home. And I say that because there are some of them that are commercial fishermen that are struggling, trappers that are struggling, so I'd like to see that review happen. And there's different areas. I'd like to look at that when you say, making the best case for a business.

You know, you had a subsidy, and I'm going to go to that subsidy. For transportation for commercial fishermen, a year ago you guys dropped it 100,000. This year it's status quo — 285,000 for transportation subsidy for commercial fishermen. I wondered about this, and questions have come to me, why was that even cut? And if it wasn't utilized, and I heard that it wasn't utilized, then I ask, well who did they consult with to see if there was a better way to deal with?

And I've heard that and very clearly from some of the commercial fishermen that, with costs going up the way it is, to take their transportation and their catch to a market and to be competitive, they need some subsidies. And those subsidies . . . By going to them and asking them what they need, and I think that is the responsibility of yourself, as the Minister of Northern Affairs, to make sure that those commercial fishermen have that opportunity to that resource. That, I believe, was there for them and should be there for them. In light of these times, I think you have an obligation as the minister and your officials to deal with that.

Hon. Ms. Draude: — To the member, and maybe I didn't make myself clear enough, but again I will say that there are still fishing loans available. There are still trapping loans available. There's still wild rice loans available. And these are the primary producers. And that loan is still there.

And the uptake on the commercial loans was not there, and that's why there was no need to . . . The loan loss provision was decreased. But there is still opportunity for northerners to ensure that our government is involved and to help them where there is need.

Mr. Vermette: — For the record, and I guess I want to be clear, and if your staff or your ministry and yourself can provide me or the members of the committee a copy of the loans that you get, the number. And I'm not asking for names; I know there's privacy and I can respect that. And you guys have to go through a process.

But I would like to know — if you're going to break it down and you're going to refer and go back to — how many loans to your ministry did you have for commercial fisher loans, and how many were approved and denied.

Hon. Ms. Draude: — Under the commercial loans, there was one loan approved last year. Under the fishing loan, trapping loan, wild rice loans — the primary processing — there's 36. They were approved. One compared to 36 . . . [inaudible interjection] . . . Oh pardon me. One compared to 35, 36 total.

Mr. Vermette: — Could you provide or is there a way to get a breakdown of those different categories of the 36, where they went to? I think that would be helpful to see where we're going. Is that possible? Not names, but four were for commercial fishermen; four were trappers. I'd like to see a breakdown of that if at all possible.

Hon. Ms. Draude: — Okay. For the commercial loans, there was one approved. For the fishing loans, there was 32 approved. For the trapping loans, there was one, and for the wild rice loans, there were two for a total of 36.

Mr. Vermette: — Thank you. Now as a minister do you have any idea why there would have been only one loan approved for, I believe, trappers?

Hon. Ms. Draude: — To the member opposite, there wasn't any other applications submitted. I'm not aware of any other loans that were submitted. And I do know that business people will see which financial institution, what loan will work well for their business. Maybe it has something to do with interest rate. Maybe it's got something to do with the location of their financial institution. Maybe it's got something to do with the relationship of their banker or whatever may work for them. The numbers that were approved were the numbers that I just gave to you.

Mr. Vermette: — Can I just have those numbers again repeated and who got them, like 32 . . . I just missed the . . . I want to be very clear that I got it right.

Hon. Ms. Draude: — Okay. For the commercial loans, there was one. The primary producer loans which means fishing, we received 32; trapping, one; wild rice, two; for a total of 36. So the last three that I talked about are primary producers.

Mr. Vermette: — Thank you. I guess my question would be this. And I realize in light of times that I've heard from the trappers and hearing from the commercial fishermen, the costs are going up and it is hard. It's a tough business, we know that. How do we bring forward as northern people those concerns to your department, your officials, so you'll see what they're going through? And how do we best deal with that? I mean, I know there's different ways that a person can lobby and do that.

But if it's for people to make a living and provide an opportunity where you're a commercial fishermen, to make a good living, to take care of your family and the needs. And it is a tough business, and there's a lot of struggles and costs, Ski-Doos. And I've heard that with some of the trappers and they've said, you look at their costs for buying a Ski-Doo, their fuel. All the costs go up, go up, go up. And we talk about . . . and being that you're responsible for Northern Affairs subsidies.

We have subsidies for agriculture, different other sectors. Why not subsidies for our commercial fishermen, wild rice harvesters, trappers? When prices are low, why aren't their needs heard? And I mean, we heard them and I was at the trappers association, Northern Trappers Association, very clear. There is some need, that they need help. And you know I think it's crucial that you, as a minister, and with the budgets that you guys review and look at, that you assist those people that are in that industry and that business with your department. And I guess my question to you is how and should we be assisting them? Definitely I think we should be. So I guess my question, how do we go on from here because they need some help and they need it now.

Hon. Ms. Draude: — Thank you to the member. We are agreeing on some issues, and the important one is ensuring that the northern people have jobs that provide them a living that's not just a bare minimum but actually a successful life. On how we would go about it, I think as government and opposition, we clearly see a difference in the way we operate. And an example

is the \$100 million that you, as a party, were willing to give to an industry that we didn't believe should be given \$100 million for.

But we also know that within each industry, there is a climate within industries right now, whether it's farming . . . And I know that from my previous life as living on a farm and the hog industry and the fact that there is cyclical times and that there's climates within industries at times which makes it a lot more difficult to operate. I agree that there are tough times.

I'm very pleased that we're going to be having an assistant deputy minister in the North within a very short time. They will be residing there. And there will be staff in the North. And if there is discussions that need to be taking place between myself as the minister and some of the staff, I'm pleased that we will have that opportunity to have people, more people in the North to talk about the needs and to see where government fits in with their priorities and how we can ensure that the responsibility that we see government having in ensuring that the environment is right and that we are providing the infrastructure and the responsibility of our government to maintain the needs that can't be provided by the employers themselves, for instance, schools and health care and highways. That's our job. We have to do that.

And what can we be doing more to help industry? Come and talk to us.

Mr. Vermette: — And I guess that's why I'm bringing this up to you. As the Minister Responsible for Northern Affairs, it's very clear there are issues facing commercial fishermen and trappers. And the assistance that they need is now. Low prices of fur, cost of doing business in an industry that they're in, they need assistance.

So I guess, as their MLA [Member of the Legislative Assembly], when they bring their concern to me . . . And I have talked to a number of them, and I will have an opportunity to talk to many more because I'm making it, you know, a point that it has to be addressed. So you will be hearing from them, I'm sure. If I'm hearing it, your department will hear it.

And I mean, I'm glad to see that there's somebody going up as a deputy minister, is what I heard you say, moving up there. That's wonderful. We'll see where that goes next and we'll see how effective that is. So, I thank you there.

But I also want to remind you that there is a lot of work out there that has to be done, I guess, to bring to your department and to your officials and yourself other concerns that they're faced with in the North. So I will continue to pursue that. And I'm sure my colleague — we have more time in estimates — the member from Athabasca will have different questions, different areas.

But at this point for me, I wanted to put those questions to you. I've been asked to. It's important that First Nations and Métis people and northerners — whether they're commercial fishermen, trappers — have access and the government there. We may disagree on some of the areas, but I think sometimes the issue about people is important and has to come first. And trying to assist them to make a living so they're not . . .

[inaudible] . . . on the government, on assistance, and stuff, that they're proud and they can provide for themselves. But sometimes we need a system, just like we do in the agriculture area. I think we have to assist some of our trappers and fishers.

So thank you, Mr. Minister, and thank you to your officials.

Hon. Ms. Draude: — Thank you. Just to respond, I want to thank the member for that thoughtful question because we do agree. We do agree that there is a need, and as a government to invest money in skills and training, and to ensure that the voice of the government is there is important to us. And I appreciate the responsibility that you brought forward as their MLA, to bring these issues forward. So certainly, it is to ensure that Saskatchewan does meet its potential means that the North has to. And I'm very pleased to be able to talk to him about these issues.

The Chair: — If there are no other questions from . . . Mr. McCall has questions again. The floor is yours.

Mr. McCall: — Absolutely, Mr. Chair. Thanks very much. Did I understand that correctly? Deputy Minister Crowe's packing his bags to head north, is that . . . [inaudible interjection] . . . Just kidding, just kidding.

It leads me to a more particular question around the senior leadership with the ministry. Of the senior leadership positions in the ministry, how many are unfilled at this moment or are in an acting capacity?

Hon. Ms. Draude: — Thank you to the member. I'm going to let my officials take this question. And they're a lot more aware of the various positions and what's being filled at this time. But I want to assure the member that my deputy minister is staying here in Regina.

Mr. Crowe: — Thank you for the questions. At this particular time we have seven positions that we have individuals acting in right now. And if you want more detail, I can go into it, but we have seven at this point in time.

Mr. McCall: — Seven that are acting?

Mr. Crowe: — Yes.

Mr. McCall: — And how many positions would be vacant at this time?

Mr. Crowe: — At the senior management level?

Mr. McCall: — I guess first of all, what's the total senior management number? And then of those, how many would be acting? And of those, how many would be vacant?

Mr. Crowe: — Now I've got to do some math here. You might find the answer in this way. Let me just talk about some of the positions that are temporary right now or acting right now.

We have four positions that are impacted by the selection process, ADM [assistant deputy minister] selection process. And once the decision is made on those two positions — both in the Northern Affairs and the First Nations and Métis affairs

— this is going to allow us to make some other decisions that impact as a result of our acting ADM at this particular time.

[16:45]

We have vacant right now the assistant deputy minister for Northern Affairs. We also have two that are on acting position that's related to a maternity leave, so one impacts on another which impacts on another. And one is covering for an official on assignment in another ministry.

We also, as we move forward, we do have a number of vacant positions on the Northern Affairs side, actually several — 12 all in total. Pardon me, I have to back up here — nine in total on the Northern Affairs side, including the assistant deputy minister. Some of these are under recruitment process right now.

We will be working with the new ADM to ensure that these positions become filled, active, and contribute to the ministry and to ensure that there's a contribution to the goals and objectives that we're set out to achieve.

Mr. McCall: — I thank the deputy minister for the response.

Moving back to the budget document itself, certainly the gaming money has increased on the First Nations side. Clarence Campeau Fund of course is at \$2 million. It did not receive an increase in this year. I realize that it's subject to negotiations, but if the minister or one of her officials could apprise us as to where negotiations are at with the Clarence Campeau Fund. Are there negotiations under way right now? Are there plans for negotiations? Certainly one of the things we hear from Métis stakeholders is that that Clarence Campeau Fund, being at a flat amount, is something they would like to see increased.

Hon. Ms. Draude: — Thank you to the member. I couldn't agree more. I believe that it is a flat amount that was agreed to, and I also know that the work that they're doing is extremely important, and they do it very well. Their loan losses are extremely low, meaning that they do a very good job. So as far as where the discussion is, on how we're changing it, it's going through a process that never works quickly enough for most of us. But I want to go on record as saying that we are extremely pleased with the work they are doing, and I see them as a real beacon when it comes to the work that's being done for the Métis people.

Mr. McCall: — But again I know the minister, in different forums, has talked about the importance of economic development and the different sort of levers at the disposal of First Nations and Métis communities to pursue economic development opportunities. And again we absolutely do have a difference of opinion in terms of one of the responses that the minister had given to my colleague. We don't think that the North has been particularly well served by commercial loaning operations, and we do look with great interest on what's happened with the Clarence Campeau Fund.

So again the minister has talked favourably about the Clarence Campeau Fund. The budget has passed. We're here discussing the estimates in which it's a flat amount. If it's looked on so favourably, is there an action plan where might we'll see an increase in that amount in the days and months ahead? There is

some consultation going on there, so perhaps there's a sharper answer coming.

Mr. Crowe: — I just wanted to say that I think we all recognize and realize that there is a tremendous benefit for the work that the Clarence Campeau Development Fund has undertaken. We are in discussions right now with officials, but also internally to ensure that any kind of increases meet the regulations and the legislation. And of course there's a number of things that need to be accommodated in order to make this a reality, so we're presently under those discussions right now. Those are things that can't be done hastily or quickly, so we're doing the due diligence that's necessary to make the changes. And without undermining some of those discussions, I just wanted to say that the due diligence is taking place to ensure that the Clarence Campeau Development Fund, to address its forecasted need, that we'll be able to respond in a positive way as best as we can.

Mr. McCall: — I guess I don't want to play the is-it-bigger-than-a-breadbox, is-it-smaller-than-Montreal game with the deputy minister. But in terms of the timeline, is there a possibility of an out-of-year decision for this, or is this something that the file has closed on it for this budget and the next opportunity would be the budgetary process in the fall?

Mr. Crowe: — I don't think it's necessarily tied to a budgetary cycle. I believe it's tied more to ensuring that we meet certain conditions, regulatory legislative commitments or guidance that's required in order to achieve that, and we're currently under way with that. And of course when we get into that kind of work, due diligence is required.

And of course I wouldn't want to say that we will have this done at a certain time and then have that time elapse and go beyond that. We are working as hard as we can and as quick as we can in co-operation with the authorities that also have to be involved in this. But we are working towards that, I think, a goal that all of us want to achieve.

Mr. McCall: — Well I appreciate the response from the deputy minister on that, and again urge due care and attention to the file because certainly the flat amounts was a concern in last year's budget, particularly when I think we're all in agreement as to the good utilization of those funds and the good use that they're put to. So again that being the opinion of the fund, that it came up as a flat amount in this budget, you can understand how that only served the underlying concern. But I wish the deputy minister well in those discussions, and may they be productive and soon.

I guess with the little time remaining, we've certainly got a number of questions that relate to duty to consult and accommodate. And we'll ask a number of those at the next sitting, and again it was a main focus of our discussions last year. I guess one thing that's come back as a concern is the fact of the deadline being changed to June 1. Does the minister or her officials care to comment on how that decision was made?

Hon. Ms. Draude: — Thank you to the member opposite. We are talking about a file that is very important. I know the member opposite is aware that we had an opportunity to meet with the FSIN in a bilateral meeting, and there was a discussion at that time about the deadline. And the Premier had indicated

that if there was a request, a need for an extension, and the importance of this table, that there could be a request. And we did receive a number of requests so we extended the deadline to June 1.

Mr. McCall: — Given the great number of press releases that the minister has put out on this file, why was there no announcement of the deadline being pushed off to June 1?

Hon. Ms. Draude: — There was a letter written to every First Nation chief, to the vice-chiefs, to the FSIN, to the Métis locals, to the MNS [Métis Nation of Saskatchewan], to industry. And as far as I am aware, we had let everyone who was involved in the consultation process . . . aware that there was an extension of the deadline.

Mr. McCall: — Everyone except of course the official opposition.

Hon. Ms. Draude: — I apologize for that.

Mr. McCall: — Okay. And again I mean, we attended the round table with great interest and have been following the progress in the file with great interest. So if there are communications going out and you're not seeing fit to put them in a press release, please do include us in the correspondence, Madam Minister.

Hon. Ms. Draude: — I will definitely add your email address to the list.

Mr. McCall: — Thank you. One of the questions I have in advance of the next session that we'll have together: over the past year, how many permits have been issued in terms of exploration that would be related to duty to consult and accommodate?

Hon. Ms. Draude: — To the member, I think the member's probably aware that the actual issue of permits does not happen within our ministry. But if the member would prefer, we can endeavour to get that number for you.

Mr. McCall: — I would appreciate the undertaking from the minister.

I guess today — and again we've got some stuff that we'll come back to in terms of the budget — but on Friday, the Uranium Development Partnership released their report, and the response from the Métis Nation and from the FSIN has been less than positive in terms of how they see themselves being involved in the consultation around this to date. I quote from a story that was on the CBC [Canadian Broadcasting Corporation] website as of 1:32 p.m. today. This is a direct quote from the story:

President Robert Doucette said Métis Nation - Saskatchewan is now considering what position to take about the development of a nuclear power plant in Saskatchewan, one of the recommendations in the report.

Doucette said he wants Métis interests to be addressed as decisions are made.

“You can talk all you want but you have to accommodate the interests of Métis people and that’s the thing I don’t see or hear from the province right now.”

Does the minister have any reaction to the quote from President Doucette?

Hon. Ms. Draude: — The interests of the Métis Nation and the Métis people are very important to us. In the locations that were, the Minister of Enterprise and Innovation had indicated would be held, there is two or three in the North — Prince Albert, La Ronge, and Buffalo. I think he had also indicated that there was going to be special meetings to deal with the First Nations and Métis people. The design or the discussion on how it takes place is something that will be released very shortly. I think that’s what the minister had indicated in the House today.

But there was a First Nations representative on that committee, and I’ve heard the minister indicate, and in discussions we’ve had around the caucus table, the importance of their voice is important to us as well. So there will be in a short time, there will be information given to the Métis leaders or to President Doucette to make sure that his voice is heard.

Mr. McCall: — So President Doucette got it wrong?

Hon. Ms. Draude: — I think . . . [inaudible interjection] . . . President Doucette will have every opportunity . . . [inaudible] . . . Thank you very much. I’m trying to remember exactly what you had quoted President Doucette as saying. But I want to go on record as saying that we will be undertaking an opportunity to meet with President Doucette and the Métis people to ensure that we have their voices heard in the consultation round that we’ll be holding in the next few weeks.

Mr. McCall: — Mr. Chair, noting the time and noting in fact that we started late, but I’m sure we can sort that out later on in terms of additional minutes, I guess I would thank the minister and her officials and the committee for this portion of the consideration of the estimates, and turn the floor back over to the Chair.

The Chair: — Thank you, and if the minister has any comments or thank yous to give.

Hon. Ms. Draude: — Thank you to the Chairman, particularly to the people that are with me today. I thank them for all the work they’ve done. I really appreciate the work, not just for estimates, but for the work they are doing on a daily basis. And I look forward to the next opportunity we have to talk to the members opposite, and I thank them for their questions.

The Chair: — Thank you. If there are no other questions and concerns, this committee stands in recess until 7 o’clock.

[The committee recessed for a period of time]

[19:02]

Bill No. 69 — *The Enforcement of Maintenance Orders Amendment Act, 2008/Loi de 2008 modifiant la Loi de 1997 sur l’exécution des ordonnances alimentaires*

Clause 1

The Chair: — Good evening, ladies and gentlemen, and welcome back. We’re looking at Bill No. 69, *The Enforcement of Maintenance Orders Amendment Act, 2008*. The item before the committee is Bill No. 69, and I’d ask the minister to introduce his people and if he’s got any opening remarks.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I’m joined this evening on my right by Maria Markatos who is Crown counsel with the legislative services branch. We would ordinarily be joined by Susan Amrud, but Susan Amrud is this evening working from home preparing briefing notes and no doubt watching the proceedings on television. I’m also joined by Lionel McNabb, the director of family justice services.

Mr. Chair, I would like to start off by making a short opening statement. *The Enforcement of Maintenance Orders Act, 1997* creates the authority in Saskatchewan for the enforcement of orders and agreements for the support of a dependent spouse or child. Although support orders may be enforced privately, the vast majority are handled by the maintenance enforcement office. The office manages close to 10,000 files. The office of the director of maintenance enforcement is responsible for recording and enforcing orders that are registered with the office. The director often relies heavily on the enforcement mechanisms in *The Enforcement of Maintenance Orders Act, 1997*.

The Act currently contains a variety of enforcement mechanisms. However enforcement mechanisms must be updated to ensure continued success in the enforcement of delinquent support orders. *The Enforcement of Maintenance Orders Amendment Act, 2008* will add several new mechanisms to assist in more effectively enforcing delinquent accounts. The amendments will allow the director to attach and collapse an annuity created pursuant to *The Workers’ Compensation Act, 1979*. This will work in the same way that the director can currently attach and collapse pensions and RRSPs [registered retirement savings plan].

The amendments will also update the driver’s licence provisions to allow the director to revive the previous driver’s licence suspension where a payor has failed to follow-through with an agreed-upon payment arrangement. This amendment will allow a payor to secure return of his or her driver’s licence if a payment arrangement is followed. If payment is not provided, the director may revive the suspension without starting the suspension process from the beginning.

There are circumstances where the director may obtain substantial funds through enforcement efforts, substantial enough that they eliminate all arrears that are owing. In such a case, there may be excess funds that could be applied towards future payments. The Act will add a new provision to allow the director to seek an order from the court for security for future payments where no arrears are currently owing. This new provision will assist the director in ensuring arrears do not once again accumulate.

There are also circumstances where an order registered with the maintenance enforcement office considers support for more than one child, pursuant to the child support guidelines. Where

one child ceases to be a dependant, the director currently does not have the legislative authority to enforce a lesser amount of support without a new order of the court or an agreement between the parties. The Act will introduce a new provision that will specifically authorize a director to collect a lesser amount where an order for two or more children is made pursuant to the federal child support guidelines and one child ceases to be a dependant.

The amendments will also clarify the summons provisions to ensure that a payor is present at every appearance before the court, will also clarify the warrant provisions to specifically allow a warrant to be directed if a payor fails to appear at a hearing without just excuse or relief from the director, and will also replace the terms claimant and respondent with the terms recipient and payor, which more appropriately address the relationship between the parties that are affected by this legislation.

And finally, the Act will introduce provisions giving support arrears priority over all other unsecured debts for a period of one year. The only exception will be other support arrears. At present, child support arrears only have priority over unsecured debts where funds are realized through the writ process. The amendments will extend this priority for a one-year period over all other unsecured debts.

Mr. Chair, that's my remarks and I'd be prepared to answer questions.

The Chair: — Thank you very much, Mr. Minister. And we'll turn the questions over, and I believe Mr. Quennell has the floor.

Mr. Quennell: — Thank you, Mr. Chair. First of all in reference to the ability under the proposed legislation to collapse workers' compensation annuities, perhaps the minister or the director can advise as to how often this might arise. How often has it arisen? And of course you have not had the legislative provisions in place.

Mr. McNabb: — A number of years ago we brought in legislation to attach locked-in pension plans. That was our first step. And that still isn't used a whole bunch, but when it does work, it works tremendously well. And you'll get large sums from that.

We then passed legislation. The government passed legislation to attach non-locked-in pension funds. People took them to investment, whether it's a bank or an investment dealer, and they could be locked in for two or three years. And they wouldn't then let us pull them out, or there was no mechanism to pull them out.

This last one is when a person, payer, is on workers' compensation. They build up an annuity like an RRSP. They can't really access it till they're of retirement age. And we have never been able to access those. Again the legislation will say if they're getting workers' comp or if money's coming out of workers' comp, we won't be able to attach the annuity. And of course we can garnish the money coming out at that point. So we don't know how often this will be used. My guess is not a whole bunch, but when it is used, it will be really just attaching

funds that the person built up like an RRSP when they're on workers' compensation.

Mr. Quennell: — So I take it the office doesn't have an estimate of how many payers are on workers' compensation and therefore potentially might be payers out of their annuities at some point.

Mr. McNabb: — This one likely won't be used even as much as the pension collapse, because people have a tendency not to be on workers' compensation for nearly as long a period of time. So the chances of them building up much money is less likely.

Mr. Quennell: — So then I would expect from your comments and I think you would expect, that this will arise fairly rarely.

Mr. McNabb: — Very rarely would be my guess, yes. But the ...

Mr. Quennell: — The government doesn't see a policy or philosophical difference between this annuity and a pension. Is that correct?

Mr. McNabb: — That's my view, yes.

Mr. Quennell: — I understand that. Now I take it under the current legislation that if a driver's licence is suspended and now the person who we're now going to call, after this is passed, the payor pays up their arrears and then falls into arrears again, that your office is required to go back to court. And this legislation would remove that requirement that you go back to court, that you'd just be able to suspend it on your own initiative. Is that what I heard?

Mr. McNabb: — No, not exactly. Right now we take away someone's driver's licence if they're not making payments. They come in and make arrangements to pay. Sometimes they'll make substantive payments. Sometimes they just don't have the ability to do that. And we'll say, okay, if you actually get work and start making your payments, we'll give you your driver's licence back.

So in some cases, we didn't even get substantive sums of money. If the payor then defaults on those payments, it takes — with the regular process — it takes us two to three months to take away their driver's licence again. So what this provision is meant to do is to say to a payor, if you've made arrangements with us to get your driver's licence back and then don't follow through on those arrangements, on those payment arrangements, we can within a very short period of time, under one year, take away that driver's licence again.

Mr. Quennell: — Okay. So it's not if they pay up the arrears and then fallen back into arrears. It's if they've not made the payments that they've arranged to pay.

Mr. McNabb: — Exactly. If they've made arrangements to get their driver's licence back, if they don't follow through on those payments, then we can take away their driver's licence, under one year, in a very short period of time.

Mr. Quennell: — But if they're all paid up, then you go back

to go.

Mr. McNabb: — If they're all paid up, there has to be at least three months before we can start again, exactly.

Mr. Quennell: — Thank you. When the minister referred to changes in respect to funds obtained surplus to the amount that's owed by the payor and security being taken in those funds, by what methods or in what circumstances would the office end up with funds in excess of the amount owed?

Mr. McNabb: — Hard to say. Somebody gets a settlement from SGI [Saskatchewan Government Insurance], a parent passes away which is likely one of the most common ones, it could be they've sold their house. But it would only be payers that have never really had a payment history with us. So we'd catch them up — pick a number, 5,000 to 30,000 — and we've never had the ability to ask a judge, where clearly the payment history would indicate they're not going to make any more payments and that we won't be able to get any more money, that we could ask a judge to say could we hold money or keep money back for some future child support payments.

Mr. Quennell: — So would these funds be retained in an account controlled by your office?

Mr. McNabb: — That could happen. We have the ability to do that. It's possible they could be in court. Even if we know money was coming, we could apply to the court, bring somebody in on a default hearing, and say . . . And a default hearing is where we bring — they're sort of called show cause hearings — where we bring a payer in that hasn't been paying and, you know, ask a judge to do something. Sometimes that's jail. Sometimes it's order they make payment. In this case, it would be to hold back some funds for future child support payments.

Again this happens very, very rarely because it's unusual to find a whole bunch of funds for a lot of these people, unfortunately. But for the odd time where clearly the person doesn't have a habit of making payments, likely won't make payments, and there does happen to be some excess funds, it might keep child support going for a period of time anyway.

Mr. Quennell: — So it would be in very rare occasions because two circumstances have to occur. One is that a relatively unusual circumstance like coming into an inheritance or selling a principal residence and maybe downsizing or something along those lines has to happen. And then the other thing that has to happen is your office has to know about it, right?

Mr. McNabb: — Exactly. Sometimes we don't know.

A Member: — And a history of non-payment.

Mr. McNabb: — And a history of non-payment, yes. If they pay regularly, we wouldn't be — even if they had arrears and were making regular payments — we wouldn't even look at it.

Mr. Quennell: — It's only relevant where there's been a history of arrears, there might be a windfall, and you're aware of the windfall. So all those three circumstances have to be the

case. So again you don't expect that to happen very often either.

Mr. McNabb: — This one would likely to be less often than the last one we talked about, yes.

Mr. Quennell: — Still, you know, still a happy circumstance for the parent that has care of the children on those rare circumstances.

The minister commented on improvements to the warrant provisions. Could you touch on those?

[19:15]

Ms. Markatos: — Maria Markatos, legislative services branch. The warrant provisions that are currently in the Act, if someone is summoned to court on a default hearing and they fail to appear, the judge can order a warrant for their arrest. Those are registered on CPIC [Canadian Police Information Centre], and are often there for a very long time, and sometimes the people are picked up in a quick fashion.

The way the warrant provision is currently worded, the judge can order the warrant if a person fails to appear on the first appearance but not on a subsequent appearance, even though they order those warrants on subsequent appearances. So we're just clarifying the language so that in the future the legislation will reflect that the judges are and do order warrants if individuals fail to appear on subsequent appearances.

Mr. Quennell: — Is this one of those cases where the law is trying to catch up with what the judges thought it was anyway?

Ms. Markatos: — I'm not sure if that's exactly what it is. But the judges are ordering warrants when individuals fail to appear on subsequent appearances.

Mr. Quennell: — And if that is indeed the case, I want to commend the minister, the ministry. Sometimes it's just easier to let judges interpret the law the way it should be, as opposed to making sure it actually reads that way. So if this is one of those cases, then I'm not being critical. I think that's a worthwhile project — not one that's going to be particularly publicly noteworthy, but still a worthwhile project.

When did the idea for the . . . arise in change of language from respondent to payor and claimant to recipient come up?

Mr. McNabb: — There was some confusion with people with the terminology, but *The Inter-jurisdictional Support Orders Act* that passed about five years ago — and that's the Act that we use to move orders back and forth across the country and where people can apply to get a new order — it's a much more simplified process than the old provisional orders. It really became complex with that, particularly with respondent. It depends who's applying for that. So sometimes our respondent might not be, it might be the custodial parent somewhere. Our respondent was the payor, or as when you're using that legislation, sometimes respondent could be the custodial parent, or in this case, the recipient. We're changing the name just to make it real clear and to make the orders go back and forth between provinces and countries.

Mr. Quennell: — That gives rise to another question which is, is this change in language already been made in some other provinces?

Mr. McNabb: — Yes. It isn't always the same name. Sometimes people use creditor and debtor, but for our perspective, this is used in three or four jurisdictions and it seems very clear to us.

Ms. Markatos: — And we did look at all of the other jurisdictions and the language that they used, and we decided to go with payor and recipient because it was what the majority used.

Hon. Mr. Morgan: — Another problem arises with using the term respondent. You could have a situation where on an appeal the respondent is the other party, so it would have the effect of reversing the images. So this was, standardize it. So there was some discussion at one point about using payor and payee, but payee was not an appropriate term because the monies are not paid directly from the payor to the payee, so the recipient would be. So it's (a) consistent; and (b) probably the most appropriate terminology to use.

Mr. Quennell: — Well for what it's worth, I'm supportive of all these changes, and I think they're all well motivated. And we may be closing very small gaps in some cases, but it's good to see the gaps closing.

If the minister could quickly go over the change on unsecured debts and the provisions in respect to that, and in what way this is an improvement or a remedy over the previous situation.

Ms. Markatos: — Sure, I can speak to that. Under section 44 of the Act right now where there is a writ and money is realized pursuant to that writ, a maintenance order has priority for a period of one year. But that's the only situation where a maintenance order has priority over another unsecured debt. So if a situation arises where, say there's an estate and money is realized from that estate, a maintenance order won't have priority over any other unsecured debts that might receive money from that estate.

So the provision 15.1 will give a maintenance order priority for one year over unsecured debts from any money that's realized, but not priority over any other maintenance order, regardless of when it was registered with the office. So if a payor does have two maintenance orders against them, those maintenance orders rank equally but in priority to other unsecured debts.

Mr. Quennell: — Equally, or does the one that's registered first . . .

Ms. Markatos: — No. Subsection 3 specifically says that they rank equally.

Mr. Quennell: — All right. This might be an appropriate time to acknowledge the work done by the office. I know or expect that the current minister is very proud of our office, maintenance enforcement. I know that the previous minister was. Good work is done here, and it's done for people who really need it.

I have one question that's not about something that's in the legislation, but of something that's not in the legislation but which I want to keep track of. The government of which I was a part felt that we could receive more co-operation from the Canadian Revenue Agency in respect to disclosure on income tax. And I wonder if that is still an issue between the provincial and federal government as to disclosure of income tax records that may assist in collecting arrears of maintenance.

Mr. McNabb: — Canada Revenue. We garnish and trace through the federal Department of Justice. Their computer links into the Canada Revenue Agency and any other computer that might actually have information data banks or send money out.

The challenge has been we of course would like to find out all we could about any payor through income tax records, really. They have given us more information, the federal government. They'll now give us the current employer from the Canada Revenue data banks but that, at this stage, is what we get. We don't get income. We don't get where the money might come from. We don't get investments.

So we do continue to ask for that, and I think my guess is the ministers right across the country are still supportive of that. Dealing with the federal government on issues like that can be very challenging. And I'm on the coordinating committee of senior officials for family law, and we continue to push and ask for it through that as well.

Hon. Mr. Morgan: — I think this government and probably the previous government were very supportive of the ability to receive monies either from Canada Revenue Agency, GST [goods and services tax] refunds, or unemployment insurance rather, monies that might be payable from the federal government.

While we respect and appreciate the privacy issues that the federal government might have, we think this is an appropriate case where the importance of receiving the money for a family unit, either children or spouse, should actually be of greater import than the privacy concerns of the respondents. So we're certainly . . . One of the things that we would want to do is be able to enhance not only our ability to get money from the federal government through that mechanism, but also the information that might enable us to locate sources of funds elsewhere.

Mr. McNabb mentioned the employer, but there's also information that may well be on an income tax return, such as where RRSPs were purchased or other financial information that would be of some significant benefit. The information obviously is not obtained unless the payor is in arrears, and at that time I think the privacy rights should be trumped by the need to ensure timely payment.

We have a particularly good maintenance enforcement office, and you'd mentioned earlier that the previous administration, as well as this one, are exceptionally proud of that office. I think we have the second highest rate of compliance in the country. I think we're second only to the province of Quebec. And I suspect that ours would be even higher, but ours by nature is an opt-in; theirs is an opt-out method. So they start off by getting the ones that would voluntarily be paid by their default

mechanism. So in my view, we have the most effective one that's in the country right now. So we're well pleased with it.

Mr. Quennell: — I'm pleased that the minister shares my view on the issue of the balance between information privacy, balance in respect to information contained in income tax, and the importance of obtaining funds that may be in an RRSP and would clearly be available to pay arrears of maintenance if provincial government knew about them.

And secondly, and maybe I'll conclude on this point, when the Minister of Justice was the Justice critic, he urged the then minister not to settle for number two. And so I would take up that mantle and urge the current minister not to settle for number two either, but again wishing to commend the office for all its good work.

Hon. Mr. Morgan: — Thank you. If there's no further questions from anybody else, I have my officials ready for the next Bill.

The Chair: — Before we go on to that, we have the vote to do on this one. Thank you very much, Mr. Minister, and if there are no other questions, we start on clause 1, short title. Is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 4 inclusive agreed to.]

The Chair: — We are going to go now from clause 4 to clause 50 because they're all pretty similar and small, so we'll go inclusively — and I've talked to the other side of the committee about this too — so if we go clause 4 to clause 50. Is that agreed?

Some Hon. Members: — Agreed.

[Clauses 5 to 51 inclusive agreed to.]

[Schedules 1 to 4 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. 69, *The Enforcement of Maintenance Orders Amendment Act, 2008*. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I would ask a member to move that we report Bill 69, enforcement maintenance amendment Act, 2008, without amendment.

Mr. Brkich: — I will report Bill No. 69 back to the Assembly without amendment.

The Chair: — Thank you, Mr. Brkich. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 50 — *The Missing Persons and Presumption of Death Act*

The Chair: — Now we move on to the next one which is Bill No. 50, *The Missing Persons and Presumption of Death Act*.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I am joined tonight once again by Maria Markatos, Crown counsel, legislative services branch, and also on my left by Betty Ann Pottruff, executive director of policy planning and evaluation. I have a brief opening statement.

The Missing Persons and Presumption of Death Act is new legislation. It will repeal and replace the province's antiquated legislation with respect to the property of missing persons. It will also create presumption of death provisions.

This Act responds to a recommendation by the provincial partnership committee on missing persons in its final report. The partnership stated that a comprehensive legislative response to deal with the estate of missing persons is necessary. Families have raised concerns about difficulty in dealing with the day-to-day affairs of a missing person including managing his or her property, bank accounts, and the remainder of the estate. The new Act will repeal and replace the current absentee Act to provide a clear process for families with respect to: firstly, an interim authority to act; secondly, the ability to obtain information; and thirdly, the process to declare a person as missing and have a property guardian appointed to act on behalf of the estate.

[19:30]

The new Act defines missing person to establish a three-month benchmark to assist the court in making declarations and appointing property guardians. The court may also declare a person as missing, even if three months have not elapsed, if sufficient evidence is provided. The current absentee Act does not place clear restrictions or requirements upon a committee appointed pursuant to that Act. The new Act creates clear powers for a property guardian, but also places requirements upon the property guardian such as a requirement to provide an annual accounting.

The new Act will also establish an access to information provision. This allows family members or the police to apply for a court order to obtain information necessary to assist in managing the estate, or also in attempts to locate the missing person. A form will be prescribed to facilitate the application process. In certain circumstances, it will be appropriate for the Public Guardian and Trustee to act as property guardian and manage the estate of a missing person.

Provisions are included in the new Act that will allow the Public Guardian and Trustee to take on a greater role in the estate of missing persons. It also clarifies the role of the Public Guardian and Trustee in the management of the estate of missing persons. The Act also establishes specific provisions for the Public Guardian and Trustee to firstly, act without an order in certain circumstances; secondly, to be given a copy of all applications; and thirdly, to be given a copy of the property guardian's annual accounting.

The new Act will also contain provisions that consider who is entitled to receive notice of an application and how to raise an objection to the same; discharge of a property guardian who fails to meet his or her obligations; who may act upon the death of the property guardian; and finally, what other appointments are terminated upon the appointment of the property guardian.

Presumption of death is, at present, considered in just two Saskatchewan statutes, and even then only for very specific circumstances. No rules or guidelines currently exist for the ultimate distribution of the property of a missing person or for the presumption of the death of a person. The new Act will create clear presumption of death provisions to allow the family of the missing person and the court to move more effectively to deal with the estates in the long term.

The new Act will establish not only the process for application, but also considers what will happen if a presumption is made and the person presumed to be dead is later found to be alive.

That's my remarks, Mr. Chair. We are ready to answer questions.

The Chair: — Thank you. Once again I believe Mr. Quennell would have the floor.

Mr. Quennell: — Thank you, Mr. Chair. Clearly here the committee working on missing persons has identified a legislative gap which this legislation is meant to address, and we're quite supportive of that in principle.

A couple of questions. The three-month benchmark seems to me to be a little long as a period of time to wait if someone's been missing for a number of days, a number of weeks, not necessarily a dozen. It would seem to me that they are missing and that one wouldn't necessarily want to wait three months. I appreciate the legislation allows an order to be made prior to that, but I wonder how that benchmark was chosen.

Hon. Mr. Morgan: — Ms. Markatos will answer.

Ms. Markatos: — In the development of this Act, we looked at some of the legislation in the other provinces. And the one province that had an *Estates of Missing Persons Act* was British Columbia, and they used a three-month benchmark. And when we were looking at the possible timelines, it seemed like an appropriate timeline for that specification that the person would meet the definition of missing person.

The requirement or the allowance under the second part of the definition that the court may make a declaration isn't terribly onerous. The application needs to be accompanied by evidence to the satisfaction of the court that there is a urgent need for the property to be managed. It doesn't mean that the police won't be looking for the person or that they won't be able to make an application to get information, but the three-month timeline seemed appropriate, given that there is another option.

Mr. Quennell: — The other option being to make an application to go earlier.

Ms. Markatos: — The other option being to make an application for a declaration that the person meets the definition

of missing person so that a property guardian can be appointed for the purpose of their estate.

Mr. Quennell: — A legislative review was mentioned, and the three months exists in the British Columbia legislation. Is there a benchmark of similar length or different lengths in legislation in other provinces?

Ms. Markatos: — BC [British Columbia] was actually the only province that had legislation specific to missing persons. Some of the other provinces had antiquated legislation like our absentee Act that didn't provide a benchmark, but also didn't define an absentee or a missing person. BC was the only province that actually had a definition.

Mr. Quennell: — So a scan across the country is not too helpful in this circumstance, I take it, if there's only one other province that's sort of addressing it in modern way.

Ms. Markatos: — Well because we do give the two options to meet the definition of missing person — the three months or the declaration — and like I said, it wouldn't prohibit someone from actually looking, but it would be more for the purpose of appointing a property guardian to manage the estate of that person.

Hon. Mr. Morgan: — The consequences of an order being made are fairly substantial. It allows somebody else to deal with a person's property. So if it's something as simple as a parent that's chosen to be a snowbird and goes south for the winter and not tell their children where they've gone — you know, it's an unlikely circumstance — but three months does not seem like a terribly long time to wait before you start to deal with a person's property.

Actually when I read through it, I anticipated that the response from the opposition would be that the period of time was too short rather than too long. But I mean I guess it's one you could argue it either way. We're one of the earlier jurisdictions to be introducing legislation, and it may be in time, you know, it'll be something you would want to either see it either lengthened or shortened, depending on what case law develops out of it.

Mr. Quennell: — Well it wasn't criticism of it being too short or too long. I just want to understand how it was arrived at. And my understanding so far is that only one other province has really addressed the issue, and they picked three months. And we don't know why they picked three months, but we're going to follow along with what they picked.

When was the BC legislation enacted?

Hon. Mr. Morgan: — We can find that information for you.

Mr. Quennell: — I take it it's probably within a decade or in the last decade.

Ms. Markatos: — I think it was 1996, but I'm not sure about that. It may have been 2003.

We did do substantial consultations on the legislation and did canvas various groups about specifically this timeline that was proposed. And there wasn't any objection really to that amount.

Mr. Quennell: — Not just this provision, but on the legislation as a whole, were there groups canvassed outside of the partnership, the missing persons partnership? Now I'm thinking of the estates and trust section of the Canadian Bar Association in Saskatchewan and groups like that.

Ms. Markatos: — We did consult with several of the groups that were involved with the provincial partnership committee including the Saskatchewan Association of Chiefs of Police, RCMP [Royal Canadian Mounted Police], FSIN, Women's Secretariat, Métis Family and Community Justice Services, and Saskatchewan Aboriginal Women's Circle, the coroner's office, as well as the Canadian Bar Association Saskatchewan Branch — several of the sections — the Law Society of Saskatchewan, Information Services Corporation, and other Saskatchewan financial institutions.

Mr. Quennell: — Ordinarily under what circumstances would the public trustee be stepping in and acting as the property guardian?

Ms. Markatos: — The Public Guardian and Trustee's office right now does manage the estates of a few absentees — I don't have the specific numbers — under *The Absentee Act*. The role of the Public Guardian and Trustee goes no further than to say the Public Guardian and Trustee may act and that's it.

So the new Act will expand the role of the Public Guardian and Trustee, allowing them to apply for appointment. They receive a copy of every application. They can be appointed as property guardian whether or not they are the applicant. They can also act without an order of the court in two specific circumstances: where the estate is valued below a specific amount that will be prescribed in the regulations, and if a property guardian needs to be appointed and one has not been appointed. The Public Guardian and Trustee will likely step in where there's no other family member just like they do in other situations with estates and adult guardianship.

Mr. Quennell: — So it would be expected that where there is a relative willing to make the application to be the property guardian, that the Public Guardian and Trustee would not be stepping in in those circumstances as a rule.

Ms. Markatos: — I think that's fair to say. But the Public Guardian and Trustee's office will, like I said, receive a copy of every application, will also receive copies of the inventories and the annual accountings. Public Guardian and Trustee will be able to review the inventory. And there actually is a provision that will allow the Public Guardian and Trustee to apply to the court for removal of the property guardian if they're not fulfilling their duties. And in that case, the Public Guardian and Trustee would step in. The other situation is where the property guardian dies intestate. The Public Guardian and Trustee could step in as property guardian at that point as well.

Mr. Quennell: — Now I appreciate that the definition of what's a small estate, for the purposes of the public guardian's actions, is going to be set by regulations, but just so I have some idea of what the thinking of the government is, would that number be something in the range of the size of estates for which we don't require probate? Or what is the thinking about what number that might be? I'm not going to say, the

government said one number tonight and there's another number in regulations, but just so I have some idea of what the thinking is.

Hon. Mr. Morgan: — That would be an appropriate starting point for the discussion. There's not been a determination, but I think that would be a reasonable starting point. You may want to go slightly higher, depending on the nature of the asset; if it's, you know, a small piece of real estate or, you know, something that maybe . . .

Mr. Quennell: — I'm not sure that the Bill makes that kind of provision.

Hon. Mr. Morgan: — No. But I'm just saying there may be circumstances such as, I'm not saying that would be, but there may be circumstances where it's one particular asset or something. So I think it's something we would have some discussion on.

Mr. Quennell: — Do you think the Bill gives you that kind of flexibility because it just mentions . . .

Hon. Mr. Morgan: — The Bill does not give us flexibility to deal with real estate.

Mr. Quennell: — No. But, I mean, from my read that the Bill says that if the estate is below a certain size — and the size of the estate, that would be set by regulation — but that would be the size of the estate, no matter what the assets were. I mean, I don't know if the Bill actually allows the government to set different sizes, depending on what the assets were? If I'm mistaken in that respect, that's fine.

Hon. Mr. Morgan: — The wording in the legislation is the same as the administration of estates legislation. So it may be we would . . . there would be precluded . . . It would be interesting. In any event we'll certainly have the discussion on it. We'll want to adopt initially a cautious approach.

Mr. Quennell: — Okay. And when is the earliest that the presumption of death can be made after a person's gone missing?

[19:45]

Ms. Markatos: — There isn't a specific amount of time that's set. Under subsection 3, there are the factors that should be met before a person is presumed to be dead, and one of those is reasonable grounds exist for supposing that the person is dead. A timeline isn't set.

But then later on in subsection 8, the court can consider a seven-year period of time as reasonable grounds. So once again we're providing the court with a benchmark, but the order can be made prior to those seven years having passed.

Mr. Quennell: — Is that seven years drawn from earlier legislation or is that a biblical reference or is the earlier legislation from a biblical reference? How was the seven years arrived at?

Ms. Markatos: — The 7-year period is considered in the two

other Acts in the province that consider presumption of death, *The Marriage Act, 1995* and *The Saskatchewan Insurance Act*. Both of those Acts have a 7-year period, either for re-marriage or for an insurance policy.

Once again, we did canvas legislation across the country. Most other provinces have presumption of death legislation, and none of those set a benchmark at all. So setting the reasonable grounds of seven years was something that is new to this legislation.

Mr. Quennell: — And new to the country, by the sounds of it. Now here's where I think we might be a little long. And as was the case with the three-month benchmark period in the earlier discussion, it was picked because the only other province addressed this issue in relatively recent history picked three months, and that's British Columbia. In this case, we're taking the seven years from previous legislation. Was thought given to this time period other than that we'd used it before?

Ms. Markatos: — These provisions actually will not apply to *The Marriage Act* or *The Saskatchewan Insurance Act*. So while we looked at those provisions, they're not affected by this Act. The seven years . . . And having a benchmark was something that came up in the course of the consultations. We started off without any sort of benchmark but to assist the court. And to set some sort of a timeline, we thought that it would be appropriate to include something that would be reasonable grounds if someone was bringing an application for presumption of death.

Mr. Quennell: — I don't want to belabour the point, but I've got time. Going for three months to Arizona and not calling your children seems a little inconsiderate, but going to Tahiti for seven years and not calling them seems highly unreasonable and unlikely. And it just seems to me that seven years, even as a guideline to the court, might be a little lengthy if people have an actual concern with the property.

And I guess my argument would arise from our shrinking world, too. You know, I mean, you take off on some adventure and you disappear for a while, and you may very well show up. Indeed you're not dead, but you were only missing. It's harder to have those adventures and not show up for a long period of time any more. The world's become a much smaller place in that respect. And there are still places where I'm sure a person can get lost, in the Amazon for example, but it isn't as likely as it might once have been. And some of the legislation that's being referred to here is of good age.

I don't expect the government to amend this Bill, but for future reference it might be a little longer than is going to ordinarily be required.

Hon. Mr. Morgan: — Your comment is well-taken. And I think with this type of legislation, where there isn't a lot of jurisprudence coming out of other jurisdictions, I think the only thing we can do is adopt a fairly cautious approach with it. And perhaps in time, the next round of updating, it may be when it's appropriate to try and consider a different timeline.

Mr. Quennell: — And of course the courts may decide that you've set too long a guideline and shorten it up a bit

themselves.

Hon. Mr. Morgan: — It certainly would be possible for the courts to do that, so you know, we would obviously look at the case law that emerges.

Mr. Quennell: — Thank you, Mr. Chair. That's all my questions.

The Chair: — Thank you. If there are no other questions or comments, we'll move into the vote. Bill No. 50, *The Missing Persons and Presumption of Death Act*.

Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 33 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. 50, *The Missing Persons and Presumption of Death Act*. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — I would ask a member to move that we report Bill No. 50, *The Missing Persons and Presumption of Death Act* without amendment.

Mr. Bradshaw: — I'll move Bill 50, missing persons and persons presumed to be dead Act be so moved.

The Chair: — Thank you, Mr. Bradshaw. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 70 — *The Summary Offences Procedure Amendment Act, 2008*

Clause 1

The Chair: — We now move into Bill No. 70, *An Act to amend The Summary Offences Procedure Act, 1990*.

Mr. Chair, if you have any other officials to introduce, and then opening comments, and we'll go into questions.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I am joined by two officials. On my left is Madeleine Robertson, senior Crown counsel, legislative services branch; and on my right, Lionel McNabb, who was here earlier, who's the director of family justice services.

I have a brief, very brief opening statement. This legislation will allow the Ministry of Justice and Attorney General to enforce restitution orders on behalf of victims. A restitution order requires the offender to pay the victim of the offence to cover the victim's monetary loss due to bodily or psychological

harm or damage to property caused by the crime. In most cases, a court would make this order where a victim has lost property as a result of the crime.

The new provisions are modelled on provisions in *The Enforcement of Maintenance Orders Act, 1997*. The director of fine collection will be responsible for operating the program to enforce restitution orders.

These changes will serve two purposes: firstly, to compensate victims of crime; and secondly, to promote a sense of responsibility in offenders and an acknowledgment of the harm done to victims.

I can, Mr. Chair, advise the committee that we've had this office do some extremely good work on fine collection recently, in particular due to the intercept program with Canada Revenue Agency. And the numbers, now that income tax returns are . . . [inaudible] . . . are actually quite phenomenal. So I don't know whether the committee members wish to inquire about those or not, but we have the numbers with us this evening.

In any event, we are ready to answer questions.

The Chair: — The Chair recognizes Mr. Quennell.

Mr. Quennell: — I'd be interested in those numbers. I hope we're not getting more co-operation. I wouldn't complain if it was co-operation, but I hope we're not getting more co-operation on fines than we are getting on maintenance enforcement, though, Canadian Revenue Agency.

Hon. Mr. Morgan: — I would think not. The information that's come . . . Because the notices are going out, we're having people voluntarily coming forward, knowing that they will have their income tax garnished. And something I didn't anticipate that maybe Mr. McNabb did, was that the intercept actually catches taxpayers all the way across Canada. So if there's somebody that received a fine while passing through Saskatchewan and are ordinarily resident in another jurisdiction, we are now receiving payment from older fines from out-of-province residents. But I could certainly have Mr. McNabb give you some of the numbers that are there.

But I can tell you that just monies received from Canada Revenue Agency, since we started doing it last June, the first two or three months that we had it in place, we were receiving not a lot of money — 3 or \$4,000 per month. Then in December of last year it went up to \$17,946; January, \$39,942; February, \$30,796. And then as the income tax season got close, March of this year, \$253,388.16. In addition to that, in the month of March because of the notices that were sent out, another \$21,475 was voluntarily paid.

Mr. Quennell: — So would the ministry attribute the slow start to the distance from income tax season?

Hon. Mr. Morgan: — Absolutely. As income tax season got closer, people who were filing received the notices from Canada Revenue Agency. There's no doubt that's where it's catching.

Mr. Quennell: — When do the notices go out?

Mr. McNabb: — It started in June. This is much more complex actually to garnish Canada Revenue Agency than the maintenance enforcement program. There we have an arrangement with the federal government; here we send garnishments to the Ministry of Finance here, and then they send them down there. And plus we don't have social insurance numbers.

But really they started doing bigger and bigger numbers — July, August, September — but really it cuts in, it will pick up GST and income tax. So income tax is the big time. So \$253,000 in March, and we will easily hit that again in April. So this should be a couple of million dollar a year program.

And again it's people that were travelling through because we take away the driver's licences in Saskatchewan if you don't pay your fine for moving violations. So a lot of this money is somebody that drove through Saskatchewan sometime over the last 10 or 12 years, just ignored the ticket, and we've got them. It's wonderful. If you like collecting money, it's wonderful.

Mr. Morgan: — Not that we want to sound mean-spirited but we are very pleased to be able to collect the money.

Mr. Quennell: — Now this is a lot of fine money, so a lot of this wouldn't have a victim surcharge attached to it.

Hon. Mr. Morgan: — Yes, it certainly would. It's attached. It's all subject to the victim surcharge. If it was levied at the time the fine was made, it would certainly be subject to the same attachment process.

Mr. Quennell: — The minister's aware from, probably from estimates about my interest in the victims services fund — no, from our discussion seizure criminal property Act. So do you have a breakdown between the fines themselves and the victim surcharges that have been collected?

Hon. Mr. Morgan: — I don't think we do at this time. It's something we'll have to calculate, and we'll certainly be able to get it for you.

Mr. Quennell: — Thank you. Very interested in that. It wouldn't be moot after this legislation was passed. I'd be interested on the effect of this program on the victims services fund. I take it that Mr. McNabb is doing double duty as director of fine collections. Is that why he's here?

Hon. Mr. Morgan: — Correct. Well actually for purposes of this Bill, dealing with restitution orders.

Mr. Quennell: — But then he's the one who serves that function?

Hon. Mr. Morgan: — Correct.

Mr. Quennell: — Okay. And that's not a new office is it?

Hon. Mr. Morgan: — No, it's the same staff. We've added an additional five people working in that office.

Mr. Quennell: — Okay. Now maybe to just spend a little bit of time on the Bill, although I appreciate how pleased the minister

is with those results. We discussed in previous legislation, even tonight, the perceived gaps that are being filled in. And what gap in collecting restitution orders is being addressed by this legislation?

[20:00]

Hon. Mr. Morgan: — We didn't really regard this as a gap. This was an initiative and a commitment of this government going into the election that we wanted to enhance services for victims.

We felt victims of crime were . . . You know, we've done a lot of things to try and assist people that are charged with offence, by way of rehabilitation, by way of diversion programs, and it's been the belief of this government that the ones that we have not adequately focused on in the past is victims of crime. And to say to a victim of a property crime, here's a restitution order for 200 or \$500; now go down to Queen's Bench, take out a writ of execution, go find some assets, and try and collect it on your own, is a pretty cold and impersonal approach to take.

So this will give an active method for enforcement. So if somebody has been the victim of a crime, they get a restitution order. They will be able to give the order to the maintenance enforcement office and say, yes, I know where the person works, or I know what kind of a vehicle they have, or they may have money coming from this or that. And then somebody else is taking the positive steps to collect it.

I don't know whether the program will be as effective as it's been with maintenance enforcement and with fines. We certainly hope it is, and certainly hope to increase the level of accountability on the part of offenders.

Mr. Quennell: — So what the government hopes is that we're moving from a situation of self-help, once you have the restitution order, to actual government office undertaking to enforce these orders. And that's the purpose of the legislation.

Hon. Mr. Morgan: — That would be a fair statement.

Mr. Quennell: — And of course the minister used the office of maintenance enforcement but really it's a different office, although it may have some of the same people. I mean, director of fine collections is a different position than director of the maintenance enforcement office.

Hon. Mr. Morgan: — Yes it's a different statutory title but it's the same individual wearing different caps, so to speak.

Mr. Quennell: — The director is wearing a different cap. Is everybody that's involved in collection of these restitution orders also working in maintenance enforcement or are there going to be distinct individuals working on this operation?

Mr. McNabb: — They're two separate and distinct offices. The fine collection branch is downtown on 1871 Smith Street, and the maintenance enforcement office is just south of the legislature here in the Walter Scott Building.

The legislation, in effect it's very simple legislation, but if you're going to collect money, you have to be able to find

someone. So that's what the first part does. The second is to let the people voluntarily register with the fine collections branch. The legislation allows them to do that. The legal opinion we had, if they didn't do that, we'd have to get them to sign about a 60-page document saying the government had the legal right to try to collect on the restitution order.

Clearly two separate programs — the fine collections branch, maintenance enforcement office. The maintenance enforcement office, as we've talked about earlier, has certainly a lot more powerful legislation than would likely ever be the case down in the fine collections branch. However this will give them a good start collecting monies down there because once you can register, once you can collect money, once you can pay monies out, once you can trace people, you can start . . . There's writs of execution, you can do garnishments, you can use credit bureau.

So there's a number of ways to collect money. But clearly, partly because of freedom of information as well, but they are two separate, distinct offices.

Mr. Quennell: — Is the government still going to require individuals to, who have got a restitution order from a judge, to bring that to your office to commence your attempts to, you know, fulfill the restitution order, or is that going to be self-initiated in the case of restitution orders, if you know what I mean?

Mr. McNabb: — We see it as a voluntary program similar to the maintenance enforcement. There may be victims that don't want someone to collect their order. You know, we'll have to work out all the details, but if they come and register with us, we can certainly get copies of the order. We will take that order, I think as the minister indicated, and register that with Court of Queen's Bench so it becomes enforceable, and then we can start collecting. Where again victims, most of them would never have understood or had any ability to do that.

Mr. Quennell: — Nothing from this legislation prohibits a victim from going to a lawyer and trying to collect on their own.

Mr. McNabb: — Nothing at all.

Mr. Quennell: — Now your comments take me to another question and that is, how are people going to become aware of this service? Is the government planning on advertising this new regime following the enactment of this legislation?

Mr. McNabb: — We're on the front end of that. It's quite easy actually because obviously we're in the same division even as court staff and work closely with court staff. So once people get a restitution order, we'll have a package that will be given to the people saying, now that you have that order, here's your choices.

And they can register with us, go to their solicitor, or work something out with the person. We suspect some of them maybe do just work something out and pay, but they will have the options. They can choose which they want to do at that stage.

The challenge for us might be saying if there is — which there are — old restitution orders out there, how we communicate to those people that there's a service available to them. And we'll certainly have to do some work on that.

Mr. Quennell: — So this would be retrospective? This doesn't just apply to restitution orders made after the enactment of legislation?

Mr. McNabb: — It doesn't limit it at all.

Mr. Quennell: — I think those are all my questions. Thank you very much.

The Chair: — Thank you. If there are no more questions or comments, we will move into the vote.

Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 and 3 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 70, the summary offence procurement amendment Act, 2008. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I would ask a member to move that we report Bill No. 70, *The Summary Offences Procedure Amendment Act, 2008* without amendment.

Mr. Chisholm: — So moved.

The Chair: — Mr. Chisholm. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Thank you. Mr. Minister, if you've got any closing comments.

Hon. Mr. Morgan: — I do not. I would like to thank the officials that came out tonight and that worked in preparing the material for this.

The Chair: — Thank you. Any other comments? If not, thanks to the committee and all the members.

Hon. Mr. Morgan: — Thank you to the committee members.

The Chair: — And we will now have a 15-minute break. If the other ministries are here, we will start in 15 minutes. If not, we'll be starting at 8:30. Thank you.

This committee stands recessed until 15 minutes.

[The committee recessed for a period of time.]

**General Revenue Fund
Intergovernmental Affairs
Vote 81**

Subvote (IA01)

The Chair: — Thank you, ladies and gentlemen. We'll move into Intergovernmental Affairs. And I'd ask the minister to introduce his people and any opening comments.

Hon. Mr. Boyd: — Thank you, Mr. Chair, members. I'm joined this evening by Harley Olsen on my right, deputy minister; Dylan Jones on my left, assistant deputy minister. On the far right, Wanda Lamberti, executive director, central management services; and behind me is seated Bob Donald, director of trade policy.

Thank you, committee members. I'm pleased to give you a brief overview of the Ministry of Intergovernmental Affairs' plan for 2009-10.

This past year has been a very busy one for our provincial government when it comes to three areas within our ministry: Canadian intergovernmental relations, international relations, and trade policy.

We expect this upcoming year to be busy as well. Preparations are under way for Saskatchewan to play host to the annual summer meeting of the Council of the Federation in Regina this August. This will be probably the most high-profile event my ministry works on over the coming year, but it is far from the only one.

Canadian intergovernmental relations. We will build upon the relationships we have with other provinces and territories, and we will speak with a united voice on issues of mutual concern.

As Chair of the upcoming Council of the Federation meeting, the ministry will play a lead role in working with other provinces and territories to develop a recommended agenda for premiers and potential outcomes of the meeting. As noted in our estimates, an additional \$20,000 in one-time funding will be needed to accomplish this role.

In the upcoming year, we'll be implementing commitments made by Saskatchewan in our joint cabinet meeting with Alberta last year. In particular, we are working with Alberta to further promote carbon capture and sequestration technology at our intergovernmental forums and policy-makers in Canada and abroad.

When it comes to our dealings with the federal government, our goal is to have a constructive relationship that results in greater prosperity and a better quality of life for Saskatchewan's peoples. A core issue will be working with Ottawa to ensure that Saskatchewan can reduce its greenhouse gas emissions while allowing our economy to continue to grow.

On the international relations front, Saskatchewan's relationship with the United States remains a top priority. That is why we'll be increasing investment in a Canada-US [United States] engagement strategy. In order to best tailor Saskatchewan's message in the US capital, the ministry will hire an experienced

Washington, DC [District of Columbia]-based government relations firm with strong bipartisan connections.

We are also going to be more closely engaging the Canadian embassy in Washington to make sure Saskatchewan's voice is heard when the embassy speaks. You can also expect to see more missions to Washington and other places of strategic interest to Saskatchewan by the Premier and relevant ministers.

Beyond Washington, we are doing more to foster good, productive relationships on a province-to-state level as well. We have much common ground with the Western states. We are building regional alliances and bilateral relationships with key states like our neighbours to the south, Montana and North Dakota, and other key export markets in the US.

We're doing that through active participation in venues like the Midwestern Legislative Conference, the Western Governors' Association, and the Pacific North West Economic Region. We believe that this work will pay dividends in the medium and long term as it will give Saskatchewan opportunities to be heard by important US policy-makers.

While the US is definitely a priority, the international relations branch work is not limited to our neighbours to the south. The ministry is developing an international strategy to advance Saskatchewan's economic interests abroad. As part of that, the ministry is planning Premier-led missions to Asia — markets such as China, Japan, India, which rank among Saskatchewan's biggest export markets and key buyers and investors of potash, uranium, and agriculture products.

With respect to trade policy, over two-thirds of Saskatchewan's economy is dependent upon trade outside of our borders. Accordingly, enhanced trade is a key priority of our government. The work of the trade policy branch in improving trade agreements and resolving trade disputes is a key part of that leadership.

This year Saskatchewan will take an even more active role in the emerging new West. The ministry will work to reduce barriers to growth and make our economies more competitive through an economic partnership with Alberta and British Columbia.

In 2004 the Council of the Federation launched a new phase in the renovation of our national Agreement on Internal Trade. Our government is acting to get that renovation complete. Last year we worked with others to achieve historic new national accords in dispute resolution and labour and mobility. This year we'll complete implementation so that all Canadians can, for the first time in our nation's history, experience true and full labour mobility as Canadian citizens. And of course for provinces like Saskatchewan that are growing, this will help meet our long-term labour needs.

Our leadership role will be particularly evident this year as Saskatchewan takes over as the Chair of the FPT [federal-provincial-territorial] ministerial commitment on internal trade in December 2009. The ministry's work on internal trade and its importance to our export economy will share the stage with international trade, which is equally important to our thriving resource and manufacturing sectors.

This year the ministry will continue to play a vital role in advancing the province's interests in the World Trade Organization. The negotiation of the Canada-European Union comprehensive economic agreement will involve an unprecedented level of participation with the federal government in negotiations that fall under our jurisdiction, which provides us with the opportunity to promote our interest in trade and investment with the EU [European Union]. The ministry will also vigorously defend Saskatchewan's interests in disputes such as the current disagreement on softwood lumber and the US implementation of mandatory country of origin labelling requirements.

In conclusion, Mr. Chair, I hope that this provides you with an overview and understanding in the Ministry of Intergovernmental Affairs' focus for the upcoming year. And at this time, Mr. Chair, I'd be happy to entertain any questions that members may have.

The Chair: — Thank you, Mr. Minister. We'll move into Intergovernmental Affairs, vote 81. It's found on page 112 of your book, central management and services (IA01). And the Chair recognizes Mr. Nilson.

Mr. Nilson: — Thank you and good evening. I look forward to a chance to get some information and understand more about how your department works.

Now it looks from the budget that you effectively have about a half a million dollar bump-up in funds over last year. And can you just outline primarily where that money goes. I assume there's a 4 per cent increase in sort of standard items, but then there's still half a million dollars that is an increase.

Hon. Mr. Boyd: — Yes. Thank you, member. We have 476,000 actual dollars increase in the budget — approximately \$20,000 for the COF [Council of the Federation] meetings; 4 per cent salary increase, mandated salary increases; and then \$433,000 of a US engagement strategy.

Mr. Nilson: — So that's \$433,000 for the US engagement strategy?

Hon. Mr. Boyd: — That's correct.

Mr. Nilson: — Now you've indicated that you're in the process of hiring an agency in Washington, DC to be Saskatchewan's representative as we move forward. And has that taken place yet?

Hon. Mr. Boyd: — We're working on that, expect to be dealing with a contract here very soon.

Mr. Nilson: — And how much out of the 433,000 is allocated for the contract for this year?

Hon. Mr. Boyd: — Approximately 300,000.

Mr. Nilson: — And how much of the funding is there, of the remaining 133,000, relates to travel of the minister or of officials or of, it sounds like the Premier, going to Washington?

Hon. Mr. Boyd: — Mr. Chair, member, I don't think we can

give you an exact breakdown of that. But I think that the fair amount of it would be dedicated towards travel for the Premier or other ministers and the balance would be for other activities.

Mr. Nilson: — So are the expenses for ministers from other departments covered by this department for their travel, or would it just relate to you as the minister?

Hon. Mr. Boyd: — It would relate to the Premier and any travel that I should happen to make, and other ministers would be charged against their existing budgets.

Mr. Nilson: — But it does cover the Premier's costs as opposed to having them come under the Premier's office.

[20:30]

Hon. Mr. Boyd: — I'm told that the Premier, generally speaking, depending on the type of travel related here, some of it, with his budget, would come out of Executive Council. Some of it may, although very little if any would come out of this. This would be for ministerial travel officials for engagement both in Ottawa and the US.

Mr. Nilson: — Is there any money allocated in your budget for memberships in various organizations like the Midwest Legislative Conference, PNWER [Pacific North West Economic Region] and other groups? And could you tell me how much each of these cost?

Hon. Mr. Boyd: — The largest one would be PNWER. And the balance, we would also have a small amount for CICS [Canadian Intergovernmental Conference Secretariat].

Mr. Nilson: — What amounts are involved?

Hon. Mr. Boyd: — 35,000 is the PNWER membership.

Mr. Nilson: — And how much for CICS?

Hon. Mr. Boyd: — 23.

Mr. Nilson: — And any amount for the Midwest Legislative Conference?

Hon. Mr. Boyd: — None that we can identify at this particular time. If there were, it'd be very marginal.

Mr. Nilson: — And I think my understanding is that actually comes out of the legislative budget, which is why it doesn't show up in yours.

Hon. Mr. Boyd: — I think so.

Mr. Nilson: — Okay. In this whole area of travel to the United States, how many trips have you made as a minister to Washington, DC since you've taken this position?

Hon. Mr. Boyd: — One.

Mr. Nilson: — And how many trips has the Premier taken?

Hon. Mr. Boyd: — I believe two.

Mr. Nilson: — And how many trips have you taken to Montana?

Hon. Mr. Boyd: — I have taken one.

Mr. Nilson: — And the Premier?

Hon. Mr. Boyd: — I stand to be corrected, but I believe about I think two, perhaps three.

Mr. Nilson: — Okay. And how many trips to North Dakota, to Bismarck?

Hon. Mr. Boyd: — None by myself.

Mr. Nilson: — And the Premier? I haven't heard of any trips by the Premier, so I doubt . . . Okay well make sure our North Dakota neighbours don't get jealous.

But now there's a whole number of issues that relate to Canada-US-Saskatchewan relations, and so I'm appreciative of funding in this area, and I think it's been a tradition of all governments to be quite cognizant of the importance of these relationships.

Can you tell me what kinds of things you've done in response to Ms. Janet Napolitano's comments as it relates to homeland security where it appears that she has said quite clearly that, as a former governor of a Mexican border state, that she's concerned that there's an even hand on the Mexican border and on the Canadian border, and that that will be part of the policy? Have you made any contacts with the US government yet on this point? Because obviously it's crucial to Saskatchewan to get the right policy on our southern border.

Hon. Mr. Boyd: — Thank you, Mr. Chair, member. Something of that nature would largely be driven by the federal government when it comes to that type of initiative. However I think it's safe to say that Saskatchewan continues to be aggressive in terms of ensuring that our voice is heard at the federal level with respect to these kinds of issues. Having had discussions about that — not specifically about the issue that you raise — but that would be something that would be more in character with discussions that the federal government would be having.

Mr. Nilson: — A recent issue which is an international issue, but has strong overtones of the Canada-US relationship, relates to what papers call the top secret treaty, and this relates to the international intellectual property treaty. Has the Government of Saskatchewan or have you in your department taken a position on this so that . . . We know that the Canadian government's involved and that one of their comments is that they have to work with all the provinces.

The big concern, if I can put it that way, seems to relate to the fact that much of the information on this treaty comes from Europe and the United States. The United States has a very strongly criticized Act called the *Digital Millennium Copyright Act*, and this is starting to blow up. It affects many aspects of life in Saskatchewan, but especially all of our artists and writers and others who are concerned about their intellectual property.

Hon. Mr. Boyd: — Again, Mr. Chair, member, this would be an area more appropriately taken up with the federal government.

Suffice again to say that this is something that the province is interested in. We support the whole concept of intellectual property agreements ensuring that people who have developed products would have adequate protection by their governments on the international stage.

Mr. Nilson: — So I take it you don't have a position on this yet and are still working on it. Would that be an accurate way to describe it?

Hon. Mr. Boyd: — It probably would.

Mr. Nilson: — Well I urge you to get on top of that one, because it is important for not just the artists. It's also for all of our universities and the kinds of information that they have as well.

Now you indicated that the whole issue of carbon capture was somehow tied into your budget. How much money do you have in your budget relating to carbon capture?

Hon. Mr. Boyd: — I don't think that there is a breakdown with respect to specific items like that. I indicated that it was one of many items that we would be wanting to have an ongoing discussion and representation to the United States with respect to, whether it's agriculture products, whether it's energy-related issues, whether it's carbon capture and sequestration types of initiatives. Certainly I'm aware that there is a great deal of interest in that in the United States. The Premier and I were in Montana recently discussing that with Democratic governors. There was a great deal of interest in that.

Even though it's, you know, to us a pretty well-known fact that Saskatchewan is a world leader in this, there's still places that aren't that well acquainted with it. I think the Premier very adequately put forward Saskatchewan's case that Saskatchewan is a world leader. This is not some kind of scientific theory or anything of that nature. It's actually happening right here in Saskatchewan — an ongoing project for some past eight years, I understand. So I think it is something that has significant cross-border applications.

We do know that Montana is very, very interested in this. Governor Schweitzer, other governors indicated the same sort of thing. So I think it's an extremely important component of the discussions and ongoing discussions and relationships that we will have and continue to hope to build with the United States.

Mr. Nilson: — Okay. Well the reason I asked that question . . . And I'm very well aware of the decisions we made as previous government. It's probably about I think 12 years ago now that started the work here in Saskatchewan. But I know in *The New York Times* about 10 days ago there was a fair overview of the worldwide situation on carbon capture, and there seems to be a substantial retreat in many places. And so I think we should be careful as we move forward with this one — the main issue being the costs, as they're more clearly defined, are becoming even greater. So you may want to follow up on that one.

You also indicated that the whole softwood lumber issue is part of your mandate. How many dollars do you have allocated for that particular dispute?

Hon. Mr. Boyd: — Thank you, Mr. Chair, member. I think as you would know, generally speaking we don't break them out by specifics for each area of interest. I think it is depending on, as circumstances develop, as issues become important or on the national or international stage or provincial stage for that matter. We will continue to represent Saskatchewan as best we can in terms of the softwood lumber agreements and any other related trade issue. But I would be hesitant to say that we have put aside a certain portion of our budget for one specific item because it may or may not become relevant.

At the moment, as the member would know, there is significant discussions with respect to softwood lumber and what's happening at the national level. So I don't think we can provide that kind of detail without knowing and without looking in our crystal ball and saying, is this issue going to become significant or isn't it going to become significant? I think that most of those kinds of discussions are pretty debatable about what's going to come up as a very significant issue.

I think the important consideration here is that through our ministry and through the Premier's office, we will continue to present Saskatchewan's case as forcefully as we can, whether it's with respect to softwood lumber or any other area of trade.

Mr. Nilson: — Thank you. If the claim of damages — I think which totals \$46 million for Canada and they've allocated it to four provinces, so that I think Saskatchewan's portion is about \$5 million — if that amount is paid, would that be paid out of your budget or would it be paid out of another budget or who would have the responsibility of covering those costs? Because I think, as you've quite rightly said to the public, I think our industry would be hard pressed to come up with the dollars to cover it.

Hon. Mr. Boyd: — Well at the moment, member, we are still optimistic that the United States will accept the \$46.7 million lump sum payment. There has been no decision that I'm aware of out of the United States with respect to that, so any discussions further to that are purely hypothetical at this point in time.

At this point, I would say our obligation is zero. That would be our position. Certainly Saskatchewan's position would be our companies did not operate in excess of their quotas and, as a result of that, why would we be penalized or share in any kind of a penalty either to the Government of Saskatchewan, the taxpayers of the province, or to the companies themselves? That would be our position. We will be maintaining that all the way through these discussions. I'm hopeful that we will see resolve to this from the tribunal, but at this point in time that position has been advanced. Until we know the outcome of that, there's not a lot more that we can do as a province.

[20:45]

Mr. Nilson: — Okay. Well thank you. We'll support that position of no dollars as we move forward because that seems to make sense, I think, to us.

Hon. Mr. Boyd: — Thank you very much, member. With respect to that, we appreciate your support in this area, just as we've appreciated your support in other areas in recent days in the legislature, like the whole nuclear discussion.

Mr. Nilson: — Well I think that we're quite supportive of open discussion in the community about important issues that are there.

Hon. Mr. Boyd: — Excellent.

Mr. Nilson: — One of the other areas that I have questions about, but I'm not totally certain because I can't tell from the budget documents whether you have responsibility for this, but is there an amount in your budget that relates to matching funds for international development, CIDA [Canadian International Development Agency] funds, things like that? And if there is, can you explain how that works in 2009? I've been involved with these issues for I guess going on 35, 40 years, and it seems to change with the decade. But I'd be very interested to know what the program is now and if there have been any enhancements of it for next year's budget.

Hon. Mr. Boyd: — The budget for that is \$410,000. It is in support of 36 local development agencies, assistance groups. This is something that hasn't changed since the last election, since our government took over. This is something that we see as a continued priority for our government in terms of these development assistance groups.

Mr. Nilson: — So did they get a 4 per cent increase or has it just been total flatline?

Hon. Mr. Boyd: — Flatlined at 410.

Mr. Nilson: — And where in the budget documents would I find that? Under which item?

Hon. Mr. Boyd: — Member, it would be under the transfer for public services of 512,000 — 410 of it would be for this. There would be a budget for CICS and for COF.

Mr. Nilson: — Okay. So then basically the Council of the Federation is about 75 to \$80,000. Would that be correct?

Hon. Mr. Boyd: — Approximately 80 for COF and the balance for CICS.

Mr. Nilson: — Okay, thank you. And are you in a situation where, you know, given the fact that there are more resources available within the government, that you will be looking at this whole area of funding to see if there can be some increases?

I know that it's an area that's been held fairly close for quite a few years. But it's, you know, 35 years ago it used to be a one-for-one match and then the federal government matched again. And so if you put in \$10, it was \$40 that went to a project at some place. And I don't think it's anywhere close to that any more and it's actually done in a slightly different way. But is there any discussion about going back and seeing whether we can't beef this part up?

Hon. Mr. Boyd: — Mr. Member, Mr. Chair, committee

members, every dollar of money that is allocated in our budget is scrutinized by members of Treasury Board, of cabinet, and of caucus to ensure that the maximum that we can generate for the goodwill or programs or initiatives of the government can be advanced. This would be no different. We try and maximize for the taxpayers to the best of our ability. This has been an area that has received significant dollars again this year. And we think the resources put forward are adequate at this point, but there's always the potential for looking at it in the future.

Mr. Nilson: — Well I would encourage you as minister to look at this one, and probably talk with groups across Saskatchewan. I'm sure there are some of the wise elders there that would be able to show you how just even a little bit more money would make a substantial difference. And so I encourage you to do that.

Hon. Mr. Boyd: — Mr. Member, we certainly do. I would say that this area has generated a very significant amount of discussion.

Mr. Nilson: — I'm not surprised. But anyway, I encourage the discussion to result in some increases in the budget. So I look forward to that for next year.

Now going back to some of the cross-border issues and some of these things which cause some concern, one of the initiatives that was part of an overall plan to deal with the increased US-Canada border security was the option of enhanced driver's licences. And I'm not sure if it's the people in your department or in some other part of government that would have been involved with the interprovincial and national negotiations around this. But given that our province has now withdrawn from that, are there other plans? Or what are the discussions that are going on in this area?

Hon. Mr. Boyd: — Thank you, Mr. Member. This was an area that I think the government looked at and there was a considerable amount of discussion with respect to it as to whether it made sense to look at enhanced driver's licence for Saskatchewan people.

I think though, as it became apparent that the cost associated with those, relative to the cost of a passport, I think it became apparent that the gap was narrowing rather quickly. And to that end, we wanted to provide Saskatchewan people with what we thought, and what we continue to feel, is the best advice we could possibly give them to accommodate their needs in terms of travel to other jurisdictions, other countries, including the US.

I don't know whether there is ... I think that there is considerable concern when it comes to the United States that the Homeland Security office has not made a final determination on which way they're going to go. A new administration, of course, is in place in the United States. They're already have pushed back the deadlines at least once that I can think of.

And so as a result of that, I think it became apparent to us that the best course of action would be to advise people in Saskatchewan that a passport probably is the best use of their hard-earned dollars. Rather than them paying \$50 or more —

and I think the costs were escalating quickly and there was some sense that it may even increase more yet — rather than having them buy an enhanced driver's licence and then they turn around and think to themselves that this is probably all that they need. And they still find that if they want to engage in any kind of further international travel that they would be requiring a passport anyway.

I think it became apparent at that point in time that the proper course of action would be to advise the people of Saskatchewan that the route to go would be to secure a passport.

Mr. Nilson: — Will the costs of that failed policy initiative in the Crown, in SGI, be billed back to you in Intergovernmental Affairs because it's a policy cost as opposed to a corporation cost?

Hon. Mr. Boyd: — No.

Mr. Nilson: — Okay. I'll turn it over to my colleague for some questions now.

The Chair: — The Chair recognize Mr. Calvert.

Mr. Calvert: — Thank you, Mr. Chair. I want to also, with the critic, welcome the officials and the minister to the committee hearing tonight.

I want to just be sure that what I've heard tonight is accurate. I would not want the minister to be misunderstood. I want to clarify the question of travel costs for the Premier. You indicated that some travel costs for the Premier may well be built into your budget. Is that or is that not the case?

Hon. Mr. Boyd: — I think, as the member would know, that Executive Council is largely responsible for the Premier's budget. However there would be on occasion where officials from Intergov would travel with the Premier, so there'd be some costs associated with that, perhaps with other officials as well. But largely the Premier's budget for travel would come out of Executive Council.

Mr. Calvert: — My question, Mr. Chair, is not whether it's largely coming out of Executive Council. Does it totally come from Executive Council or are there any expenditures from the Department of Intergovernmental Affairs that are charged as a result of costs for the Premier? I understand about Intergovernmental Affairs officials. Of course they will be covered by the department. My question has to do with the costs of the Premier.

Hon. Mr. Boyd: — To our knowledge, no.

Mr. Calvert: — Thank you. I also heard some discussion tonight I think from yourself, Minister, in terms of the Council of the Federation upcoming gathering in Saskatchewan. We're very pleased of course to welcome the Council of the Federation. I heard, I believe, you say that within your budget is contained a budgeted amount of an exceptional \$20,000, in addition to a \$70,000 budget I think that's ongoing costs to the council and our participation in the council.

From some other discussions in estimates — I think the

estimates of the Provincial Secretary — a budgeted amount of 250,000 I think is held there for the purpose of this gathering of the Council of the Federation. So if I take the 250 from the Provincial Secretary and the 20 that you've identified tonight, is \$270,000 the entire cost to the province of Saskatchewan for the hosting of the Council of the Federation this summer?

Hon. Mr. Boyd: — We believe that to be correct.

Mr. Calvert: — This strikes me as rather odd, given our discussion a year ago in these same estimates when we were anticipating at that time the hosting of the Western Premiers' Conference in Prince Albert. At that time, Minister, you identified to this committee that the total cost to the province for the hosting of that event would be \$260,000. Are you saying tonight that we can host the Council of the Federation for exactly the same amount of money as the costing of the Western Premiers' gathering a year ago?

[21:00]

Hon. Mr. Boyd: — The hosting of the Western premiers was approximately in the ballpark that you talk about. In addition to the \$270,000 that Saskatchewan is spending for COF, there'd be another approximately \$250,000 that would be funded through COF itself.

Mr. Calvert: — So your assurance to the committee tonight is that the council meeting here this summer will not exceed the 270 or thereabouts?

Hon. Mr. Boyd: — That's the budgeted amount.

Mr. Calvert: — Okay. Mr. Minister, a year ago, again in these estimates, we talked a little bit about two former employees of your ministry who had at that point in time, relatively recently, been terminated from the department. The two employees we chatted about were Mr. Christopher Adams and Mr. Paul Osborne. Have severance payments been made to these two former employees? Have the negotiations been completed, and have the severance payments been made?

Hon. Mr. Boyd: — Yes. They have been.

Mr. Calvert: — Last year in these discussions, you were hesitant to discuss the reasons for their termination, claiming that it was inappropriate to have those discussions while the negotiations for severance were under way. Apparently those negotiations are complete. Severance has been paid. So again I ask tonight, as I asked a year ago, why were these two public servants terminated from their position in the Department of Intergovernmental Affairs?

Two individuals who had, one at least who had served many years in a very non-partisan way, serving several governments, and I would argue, serving the people of Saskatchewan very well, that the person of Mr. Paul Osborne and Mr. Christopher Adams — a very dedicated public servant, not with the same long service record but a very dedicated public servant — both of them terminated. Tonight because the severance negotiations are behind us, perhaps you can comment more freely on the reasons for their termination.

Hon. Mr. Boyd: — Mr. Chair, just as any government that has had the opportunity to serve in Saskatchewan, all governments make decisions about the staffing that they would have in various ministries. This is no different. There has been a decision taken to make some changes with respect to certain staff. It's never a reflection of what I would call competency or things of that nature. It's simply a decision taken to move a different direction, perhaps with different people.

I think, Mr. Member, if memory serves me, I think when you took over I think that there were a number of changes. I think that when Mr. Romanow took over I think there were a number of changes. It's certainly not unusual in any stretch of the imagination.

I would certainly say to all committee members that I think all governments reserve the right to make certain changes that they just deem to be important to the operations of government. And as I say, it's rarely an issue of competency. It's almost always an issue of just a decision to change direction a little bit.

Mr. Calvert: — Mr. Minister, then to follow up on this a little more, what new direction has your government undertaken that could not have been well-served by either Mr. Paul Osborne or Mr. Christopher Adams?

Hon. Mr. Boyd: — Well it's difficult to point to one specific issue or anything of that nature. I think all governments, as I've indicated, Mr. Chair, make decisions about personnel — whether they will fit into the government's plans — in terms of these kinds of things. I would rather not get into a discussion necessarily about the individuals themselves. Their relationship with the government as I understand it was good, no reason to doubt that. Good public servants. It was just simply a decision made to change direction.

Mr. Calvert: — I would have hoped that the minister responsible for this department could be somewhat more forthcoming, but apparently you're not willing to do that.

Hon. Mr. Boyd: — Perhaps I'll be a little bit more direct then. The moment that you release information on a caucus employee like Mr. Fodey and the severances paid and all of those kinds of things, I'll be happy to talk a little bit further about this.

Mr. Calvert: — Mr. Chair, the minister seems to forget he is the Minister Responsible for Intergovernmental Affairs, not caucus affairs. The question has to do with two long-time . . . One, in one case, a long-time public servant — who brought an encyclopedic knowledge of trade issues to this department, to government generally, and through government to the people of Saskatchewan — summarily terminated, not given an explanation. If you can't get an explanation from the minister responsible, then to whom should he or anyone else go for that explanation?

Hon. Mr. Boyd: — Thank you. Whether it is caucus funds or funds under the purview of the Intergovernmental Affairs ministry, it is still the same funds. It all comes out of the taxpayers of this province's pockets, and I would remind the member opposite that he ought not to ever forget that. That somehow or another that the monies that are available to you through caucus, you can do as you choose; and obviously did,

and obviously did do just that.

So, Mr. Member, I don't think we need to take any lessons from you about making judgments or decisions about caucus staff or about people going forward. You made decisions about personnel on many, many occasions. And somehow or another it's always okay when you're doing it, but when someone else is doing it, you have a great deal of problem with that. The fact of the matter is, sir, the Government of Saskatchewan has changed, and whether you're aware of that or not, I can't help that fact. It has. And as a result of that, this government will make decisions with respect to personnel as we have done.

Mr. Calvert: — I'll be very pleased to debate with this minister, or any minister in this government, the role of caucus funds and how they are expended in this province. And this minister, I am sure, has some memories of how caucus funds were spent. The question, Mr. Chair, has to do with the termination of valuable public servants without cause. Without cause. They deserve, I believe, a fair explanation. In this case, I have not heard a fair explanation — except the minister's claim, we're the government and we can do anything we want.

Mr. Chair, I ask one more time before moving on to other important issues: will the minister tonight explain to these two public servants cause for their termination?

Hon. Mr. Boyd: — Mr. Member, I think I'd be happy to put my record in terms of the dispensation of caucus funds up against yours any time. Any time. I don't recall ever being in charge of decisions with respect to those dispensations. The fact of the matter is, sir, that you were, and made decisions with respect to that — some of which the people of Saskatchewan still aren't aware of.

And the fact of the matter is, is that we can get into that debate if you like, but all governments including yours — including yours — make decisions about the caucus employees or employees within departments, within Crown agencies, Crown boards, all kinds of decisions about that. That's not unusual, Mr. Chair, in any respect.

And to get into a discussion about trying to get into the minutia of these kinds of things, I don't think serves any purpose. It's my understanding that the severance has been paid to both of these employees to their satisfaction. At least I would assume it is, or we would still be in negotiations or, more possibly, seeing our way through legal proceedings. I understand that there has been severance paid and accepted.

Mr. Calvert: — Mr. Chair, given our time constraints, I have some questions that I'm sure the minister will be very anxious to speak to regarding our relationship with the Government of Canada and how that relationship is playing out in the current budget.

I read from the schedule of revenue for the province of Saskatchewan, in this budget we see an increase in the Canada Health Transfer — an appropriate increase. But I see a decrease in Canada Social Transfer. Could the minister explain to committee tonight why the Canada Social Transfer is declining, the amount of money from the national treasury to Saskatchewan under the Canada Social Transfer is declining.

Would the minister explain why that is occurring?

Hon. Mr. Boyd: — It is my understanding that these are the revenues under the Department of Finance. I would refer those questions to them at that point.

Mr. Calvert: — Mr. Chair, this is the department which I read in this budget document is responsible for relationships with the national government. These are clearly, clearly under the mandate of this minister and this department. We should not have to go to the Department of Finance to ask about transfers from the Government of Canada. I ask again, why is the Social Transfer shrinking?

Hon. Mr. Boyd: — I am understanding that it's an extremely complicated and technical discussion with the federal government with respect to calculations dating back to the equalization formula.

Mr. Calvert: — Complicated, I think most members in this House tonight are aware of. Perhaps the minister could simplify for us.

We have a situation where we all recognize our population is growing, and with growing population of course comes a growing responsibility of government to provide public services, particularly social services, education, child care. One would expect with a growing population that one would see a growing revenue from Ottawa.

What we do see is a shrinking revenue on the social transfer. We do see increase in the health transfer, which is appreciated and, I believe, appropriate given the growth of our province. But we see the social transfer slipping.

In the category that's defined under revenue, in transfers from the Government of Canada, there is yet another section which is simply labelled other. It's just described in your budget as other. Well, other, the forecast for 2008-09, was about a half a billion dollars; five hundred and fifty-four million six hundred is under the category of other, forecasted for 2008-09. Now estimated for '09-10, other slips from half a billion — the 554, more than half a billion — down to 279 million, a significant drop.

So perhaps the minister can explain for the committee what it is in the transfer from the Government of Canada that's encompassed in this word, other, this description of other. And why has this other source of revenue gone from \$554,600,000 down to two hundred seventy-nine, two hundred?

Hon. Mr. Boyd: — Well as I indicated, Mr. Member, it's a very complicated and technical discussion that there's been with the federal government with respect to that, in terms of the whole equalization formula. We'll commit to the member to provide that information to him as we are able to get it from the Department of Finance. This is certainly something that I think is perhaps outside of the advice that I have here this evening with me, and we'll undertake to get it for the member.

[21:15]

Mr. Calvert: — So is the minister arguing that in his

relationship with the federal government, for which he carries the responsibility of this government, and therefore the responsibility in behalf of the people of the province, is he saying that he does not trouble himself to understand what it is that's happening to our revenue transfers from Ottawa or that he does not want to explain it here? Trust us, complicated issues can be explained in this Chamber, and I think members can understand them.

So again I ask, what is it that has changed when last year our forecast was over half a billion dollars in the category called other, a larger amount in social transfers. The other category has significantly declined and the social transfer has declined marginally. What is the explanation for this?

Hon. Mr. Boyd: — I think, Mr. Member, Mr. Chair, we would want to make sure that we were point on with respect to this, so we want to consult with the officials at Finance to ensure that you aren't given any erroneous information which I'm sure you don't want. When it comes to whole area of relationships or the relationship with the provincial government and the federal government, I think we have an ongoing relationship that is working for the benefit of the people of Saskatchewan. We'll continue to do just that in the interests of the taxpayers of Saskatchewan.

Mr. Chair, I've committed to providing the technical and calculations that are necessary to answer the member's questions. And we'll endeavour to do that.

Mr. Calvert: — We will look forward, Mr. Chair. I'm sure all members in the committee and others will look forward to that technical explanation. Perhaps then the minister can comment, does he believe it appropriate that federal revenues to the province and people of Saskatchewan should be declining at this time?

Hon. Mr. Boyd: — Mr. Chair, Mr. Member, you may not be aware of it, but the province of Saskatchewan is in a much better fiscal position than it has been in the past. We see job numbers growing in our province for the first time in a long, long time. We see our population increasing in Saskatchewan for the first time in a long, long time. We see our province leading the nation in many, many categories, something that I think members, at least on the government side, are quite proud of and quite pleased to see that things are moving in that positive direction.

And as a result of that, we have also seen our province reach a status that we have, I suspect a lot of people only imagined could be the case in the last numbers of years. Over many, many years, Saskatchewan had the unenviable position of dragging up, if not the bottom, close to it in many areas. Now we've seen that turn around, and I think it's something that we should all be quite pleased to see, the fact that Saskatchewan is taking its rightful place in terms of leadership within this country. And of course along with that comes some challenges. There's no question about it.

Is everything always perfect with the federal government in terms of our discussions with them? Absolutely not. Is it better than what we have seen perhaps in the past? Well I think there would be lots of people would argue, yes it is better than what

we have seen in the past. What we've seen in the past was a government that went to Ottawa and came home largely empty-handed on most occasions. In fact, I can't hardly think of many occasions when they didn't come home anything but empty-handed.

So, you know, I guess we can get into that type of debate if you like, but the fact of the matter is that Saskatchewan is doing much, much better than it has in the past. We're very, very pleased at that. We hope it continues. We're working as hard and as diligently as we can to ensure that it does continue. And I think it speaks to the level of optimism that people have in Saskatchewan right now, when you see the kind of pride that Saskatchewan has in the province and how well it's doing, both on the national stage and in fact on the international stage.

And I can't help but note one of the questions that the opposition has provided to the government, wondering why we are getting such good coverage, and how much the province was paying for some of that coverage. Well the fact of the matter is Saskatchewan isn't paying. When it comes to providing or achieving or realizing on stories in CNN [Cable News Network] and the Business News Network and others, the fact is, is that the statistics and speak for themselves and the accomplishments of the people of Saskatchewan speak for themselves.

The province is doing well. I would ask the member opposite, the member, the former premier of the province, to join with the people of Saskatchewan in the opposition and in the celebration of all of the good news that abounds in Saskatchewan these days.

Mr. Calvert: — Well, Mr. Chair, I find myself in agreement, in fact, with much of what the minister just has laid on the floor of the legislature by way of comment, and I know it well. He talks about an economy that is growing, a population that is growing, a national and North American and international reputation that has certainly changed — all of which, Mr. Chair, was true before a change in government. All of which was true: that this province exceeded what was then described as the have-not category; it became a have province three years in advance of a change in government; that this province achieved that kind of success was at a time when resource prices were in the neighbourhood — if you want the price of a barrel of oil in those days, less than \$30.

So I fully agree with the minister that this province has shown tremendous growth and economic strength. And this opposition is as proud or prouder of that accomplishment than the current government. There is no doubt about that. And any objective observer of history, political or economic, in this province will agree with what I said. There's no doubt about it.

The issue here is the relationship with Ottawa. The issue here is a commitment made by this government that they would achieve fiscally and financially greater things for the people of Saskatchewan than would ever be achieved through a fair equalization formula. And I say a fair equalization formula. And I'm sure members across the way will nod their heads when I say that because when we were fighting for a fair formula, they were on side. They too claimed that the unfairness of the current formulas in this country were causing

the people of Saskatchewan to lose some of the value of their resources. So there's no debate in this House about the fairness or unfairness of the equalization formula.

The debate has to do with commitments made by this Sask Party group, before they became government, to say to the people of Saskatchewan, we're going to throw away the equalization fight. We're going to cut the lawsuit out. But you know why? Because we can achieve more — more defined in fiscal terms than could be achieved through a fair equalization.

Again, in this House, we're all agreed a fair equalization would mean, on an annual basis, return for our resources — the one-time resources — of about \$800 million a year. Well we've come nowhere close to that kind of fiscal return under this new relationship with Ottawa.

And what do I discover, what do we discover, what do the people of Saskatchewan discover when they pick up this year's budget? We discover that instead of enhanced revenues on behalf of our resources, instead of enhanced revenues to the people of Saskatchewan, we see federal revenue transfers sliding — not in the health transfer, to be fair — but in the social transfer and in this category called other.

The minister says this is very complicated, too complicated to be explained here, but he will give us the complicated explanation. Fair enough. But is he satisfied that this track of reduced federal revenues, because we're doing well, is fair to the people of Saskatchewan?

Hon. Mr. Boyd: — Well, Mr. Member, Mr. Chair, I guess I would say this: that everything with the federal government is not always okay. We don't agree with the federal government in every area. Would we want to see Saskatchewan benefit more? Perhaps. I guess that would be my response.

And to comment on your earlier assertions, with respect to your government's track record with respect to population growth and things of that nature, I guess I would just comment in this way: it's just too bad, I guess, that the people of Saskatchewan didn't recognize that better and decided that they wanted to make a change in terms of the administration. I guess you weren't successful in terms of convincing the people that that was the case. The people decided to make a change in direction. I think that they are pretty pleased with the change in direction that they've made so far, and we'll continue to work with respect to that.

I guess, in terms of the whole equalization thing, this has been something that's debated with federal governments through successive provincial governments dating back, I'm told, for some 30, 40 years. And I guess at some point you have to ask yourself, are we making any progress.

And I'm surprised that, as a former premier in Saskatchewan, you didn't once ask yourself that. I only can wonder as to what that discussion was. Was the discussion about, can we score some sort of cheap political points with respect to this, or can we actually achieve something in terms of that discussion.

Even after that length of time — 30, 40 years of time going by, trying to put forward the same point and same case year after

year, discussion after discussion with the federal government, coming home every single time with the same answer and empty-handed — I guess at some point you have to ask yourself, is it worth continuing to pursue. Is it worth continuing to go through with a court case, one that was questionable probably at best, and the success very unlikely.

And you can shake your head all you like. Well the fact of the matter is, is there was arguments both directions. I think we made the final determination that after 40 years of wrangling over some of the points that you tried to wrangle over for that period of time and came back with nothing more than a bill for the plane ride down, there probably was not much sense in pursuing it any further.

You can continue to believe, if you like — and I think you probably do — that you would have at some point, maybe given another 40 years, you might have been successful in that argument. But it didn't seem to make any difference. I'm sorry, Mr. Member, but that ship has sailed.

The people of Saskatchewan, I think, are pleased to see that we've moved on to a new discussion with respect to all of these things, I think, and I guess you can argue. We can throw the numbers out there. Would you have gotten more? Well how much did you get so far in terms of those discussions in equalization? How much of that \$800 million did you receive that you say the province was . . . [inaudible] . . . I'd like to know specifically how much you think that you would have got out of that, when I don't recall there being much of anything.

Well I mean, Mr. Member, I think, as I said, the people of Saskatchewan are pleased to see that we no longer are the beneficiaries of equalization, that we're not the wee province that you describe us as any longer. We are a province that, I think, that is doing very, very well in terms of the context of the rest of economy that the people of Canada are faced with these days.

So I mean, you can pooh-pooh it all you like, Mr. Member, but the fact is is that the discussions have been going on with respect to equalization for longer than I've been around in this place, longer than you've been around in this place. And government after government has come away with little if anything that they can demonstrate has come from those discussions.

So at what point do you cut your losses and move on? We've decided to cut the losses and move on. And I think the people of Saskatchewan probably in large measure, other than one or two callers that I can recall on open-line talk shows who have had a drink of your Kool-Aid would probably agree with you. The fact of the matter is is other people think it's time to move on. The fact of the matter is people decided that it's time to move on, and we've decided to move on.

The Chair: — Mr. Nilson.

Mr. Nilson: — Thank you. I think we've reached the time allocated for this particular area. It's quite unfortunate that we've received a fairly revisionist perspective on what has happened over the last number of years. I think that part of the whole role of being the Minister of Intergovernmental Affairs

includes a fair degree of working together with people in other provinces, in other countries, and also with all the people in Saskatchewan. Unfortunately this evening I think we've also witnessed that we have some problems in this area, and it's unfortunate that that's the kind of representation that we have.

But I'd like to thank the officials for all the work that they've done, and I know that we'll get answers to some of these other questions that we've asked, and I thank you very much.

[21:30]

The Chair: — Mr. Minister, any closing comments?

Hon. Mr. Boyd: — Yes, thank you. I guess I would close by thanking the members opposite for their questions with respect to the issues. It's always interesting debating some of these issues with members opposite who have a definite point of view, there's no question about it. I would disagree, respectfully, with that point of view in many cases. And I think the evidence will be for the people of Saskatchewan to decide whether or not they feel that the discussions were appropriate or not.

I think it's really quite important that we have these types of debates on the floor of the legislature. And I guess I would say to the members opposite, I'm not sure how we could characterize some of the discussions any different than what we have seen here this evening; I think some adequate questions and some very, I think, pointed philosophical debates about the different role of government as we see it and the former administration.

So I would thank the officials that have accompanied me here this evening for their work — ongoing work — that they do on behalf of the province of Saskatchewan.

The Chair: — Thank you very much. And I'd like to thank all members for being here. And this committee is in recess just for a few minutes until the next group comes in — Tourism, Parks, Culture and Sport.

[The committee recessed for a period of time.]

General Revenue Fund Tourism, Parks, Culture and Sport Vote 27

Subvote (TC01)

The Chair: — Good evening, ladies and gentlemen. Welcome you all back to the action here with Tourism, Parks, Culture and Sport, vote 27. And I'd ask the minister to introduce her people, and when they first come up to the microphone to put your name so that the Hansard has it on record who's speaking. So thank you kindly, and any opening remarks.

Hon. Ms. Tell: — Thank you, Mr. Chair. I'm pleased to be here again, and it was just only one week ago that we were all in this Chamber together, most of us anyway. I first off want to introduce the officials from the Ministry of Tourism, Parks, Culture and Sport. Of course Mr. Van Isman, deputy minister. Greg Murphy, associate deputy minister of parks service. Scott

Langen, sitting beside him, is assistant deputy minister responsible for strategic planning, policy, and partnerships. That's a little bit mixed up, but it's close.

We have Ken Lozinsky, assistant executive director, parks service, and sitting beside him is Melinda Gorrill, director of corporate services. In the back row we have Susan Hetu, executive director of culture and heritage. And we have Twyla MacDougall, CEO [chief executive officer] and president of SCN [Saskatchewan Communications Network]. Beside her we have Lenora Toth, acting provincial archivist of Saskatchewan Archives Board. Then we have Grant Godwin, manager of facilities planning unit, parks service. And last but not least, Bob McEachern, manager of business and tourism services, parks service.

I'm not going to repeat what we stated a week ago tonight, and we are here of course to answer any questions. My officials are here to assist in that endeavour, and so we can proceed whenever you are ready, Mr. Chair.

The Chair: — Thank you very much. I understand Mr. Nilson will be asking questions so I yield the floor to him.

Mr. Nilson: — Okay. Well I'll start off with a few sort of short topics that are kind of all over the map, so be ready here for these ones. And then I'll ask some more questions about parks. And I think my colleague has one or two questions as well.

First question relates to the whole issue of building a new stadium for the Saskatchewan Roughriders. Is there any work going on in your department looking at this particular issue?

Hon. Ms. Tell: — No, there is no work going on in my ministry with respect to a stadium for the Saskatchewan Roughriders.

Mr. Nilson: — Is there any work going on anywhere in government related to this whole issue?

Hon. Ms. Tell: — I now understand that there is some research being, and what that entails, member, I don't know. I don't what it entails, but there is some research going in with respect to a stadium. The degree and the nature of the research, I am not aware.

Mr. Nilson: — But it's not going on in your ministry, but in some other ministry. Or can you answer that?

Hon. Ms. Tell: — No. I can't answer that. I just know for sure that it is not going on in my ministry.

Mr. Nilson: — So ultimately, I assume, given the nature of your ministry, this would be where the topic would be dealt with when it goes public, if I can put it that way?

Hon. Ms. Tell: — I really don't know. I guess it all depends on where it's assigned, and where it really falls into, what ministry it actually falls into. And I'm just not aware of that right now.

Mr. Nilson: — Well my sort of last question in that area is that there appear to be some questions about it being reviewed somewhere in government because that's why I'm asking these questions. But can you assure us that, if there is a provincial

review of this whole issue of building a new stadium, that it will be built in Regina?

Hon. Ms. Tell: — I guess the whole issue unto itself . . . I mean we have a stadium currently here in Regina, and my understanding is that it, at the very least, needs some refurbishment and repair. The stadium is here in Regina. I don't see any reason why it, if there were something done in the city, in the province, that it would be done other than the city of Regina.

Mr. Nilson: — Thank you for that. Okay. Another topic. We've seen recently that a valuable asset of Saskatchewan is in danger. And I'm talking about the Pehudoff murals at the old Intercontinental meat-packing plant in Saskatoon. Is there any initiative within your department to see about saving these murals, or providing some assistance to somebody — I guess it would be to the Mendel Art Gallery or maybe the MacKenzie, or some gallery — to see if these murals can be saved?

[21:45]

Hon. Ms. Tell: — As of today we have not received any specific request or anybody coming forward asking us to look into what is going on at the meat-packing plant, and quite frankly I wasn't aware of it.

Mr. Nilson: — Okay. I guess, I mean it's a question that relates both to the artist side but also the heritage side, and so I would ask that perhaps somebody look into providing some assistance there. It is something that is similar to some of the work that was done in Regina to save a lot of the artwork that was at the World Grain Exposition from 1933 and that's been now moved over to the Regina Exhibition — a good portion of those. So if there is something that could be done there, I think it would be smart to do that.

Is your department involved at all in working with community groups and with colleges and universities around developing facilities? And I guess this is basically capital facilities that are recreation in nature. And there are a number of them that are percolating in the community, if I can put it that way, and I was just wondering if any work is being done on these facilities.

One would be some kind of new gym, etc., for SIAST [Saskatchewan Institute of Applied Science and Technology] in Moose Jaw. Another would be the expanded hockey facility at the University of Regina which would I think be tied in with the field house out there. I know that's often been discussed as sort of an adjunct to the building that's there now. I think there are some questions about facilities at places like Swift Current at Cypress Regional College, or Yorkton. Is there any work that's done in that area that comes out of your department?

Hon. Ms. Tell: — We have been made aware of — indirectly — of some of the projects that you had mentioned. However there's been nothing formal. And with respect to any of the capital initiatives, we've had no requests coming through to our ministry.

Mr. Nilson: — Well thank you. And we'll maybe follow up on that one next year. But it's good to hear that there's some discussion about some of these items. Now I know that you

have responsibility for the urban parks, obviously with Wascana, in the Capital Commission. And when you look at the budget, the overall budgets are I think the — what? — 4 per cent increases there. That's pretty well it.

Are there plans to look at some longer term projects that would allow for the, I guess, rejuvenation of many parts of the urban parks, or with some of the newer urban parks actually, to get them going? Can you give us a little bit of an idea what the plan is for the urban parks?

Hon. Ms. Tell: — There is a program with the acronym called RInC. What is it? Recreational Infrastructure Canada. All these acronyms are driving me . . . It's craziness. Anyway, what this program is — and negotiations are still ongoing — is that there'll be federal money which of course would be matched with provincial monies. And with negotiations still ongoing, the specifics and the details of that particular program and how it's going to unfold, I can't say any more at this point. But we are hopeful and anticipate that the urban parks will be high on the priority list for this particular program.

Mr. Nilson: — So this is part of the stimulus money that everybody talks about where the . . .

Hon. Ms. Tell: — Yes, that's what I understand.

Mr. Nilson: — Okay, so that's good news. So we look forward to hearing more about that.

And I know that one of the advantages of the urban park system that we have is that people have spent years working through what kinds of things they need to do. So there's always, if there's extra money, they know exactly where it should go. So I look forward to hearing some positive things in that area.

I assume that all the work around the Capital Commission or that work here in Regina is continuing? Can you give us a status report on that?

Hon. Ms. Tell: — We had recently, probably within the last six months, we had hired a consultant to do some consultations and some dialogues with people throughout the province with respect to a Capital Commission. And the consultant came forward with, you know, different ideas and thoughts on how the Capital Commission could be rolled out. The final report has not been completed yet. And once that final report is done it will be going to cabinet, and cabinet will be making the final decision on the direction of the Capital Commission.

Mr. Nilson: — And how soon? Is that within the next three or four months or is it a year or can you tell us that?

Hon. Ms. Tell: — Well it will be sooner than a year. Three or four months might be pushing it a little bit, but it will be before the year.

Mr. Nilson: — Okay. So we'll look forward to hearing about that as well. Now in the plans for the province that were set out in the election platform of your government, there was mention of creating two wilderness parks. Can you provide us with the status on that work, and give us some ideas of where these parks might be located?

Mr. Isman: — Thank you. It's Van Isman, and I'll respond to that question. Mr. Nilson, I think you may recall from your days as minister responsible for the Department of Environment that there was an integrated land use plan developed for the Missinipe region. And there is a particular plot of land or area within that area where there has been consultations completed relating to the potential development for a wilderness park.

In addition to that, there is another location that we are looking at that it's a bit premature in terms of, because we haven't pinpointed a specific geographic area, just sort of a vicinity if you will, that we are considering. We need to work through a process in terms of going through the duty to consult with First Nations and Métis people with regards to some of these properties or some of these lands which, by the way, are all Crown lands at the present time. But before we can actually convert them to a park, there is some process that needs to be gone through.

Mr. Nilson: — Well, I'm encouraged to hear about the Missinipe project. And if you need help drawing the maps, I know some of those lakes that I'd like to include in a park, so let me know.

And the other one is, I guess, a scenario that you can't talk about yet because you're in the process. Is it in northern Saskatchewan as well or is it in southern Saskatchewan?

Mr. Isman: — It's certainly south of the Missinipe area.

Mr. Nilson: — Well then let me make a suggestion that I know I have often wondered about, but I know also a number of my colleagues in my caucus often talk about — the fact that that whole area of the South Saskatchewan River Valley east of Saskatchewan Landing to the Alberta border is a prime area where we should look at a wilderness park. And so you have our support for anything that you can do in that particular area. So I'll leave it at that. And I know that in Saskatchewan all of our valleys are important areas, but there are some really special spots in that area that could've been included. I think also the area from the dam up to Outlook is another stretch that you might want to look at as well.

Okay. In the budget this year there is a substantial amount for, increased amount for parks. Can you explain how much more money there is and sort of how it is rolling out. It looks like it's about a \$5 million increase over last year. And maybe you could also then say how much last year has increased over the previous year and then describe how and where this money is going to be spent.

[22:00]

Mr. Isman: — Thank you for the question. When you take a look in terms of the actual numbers that are presented for Parks on page 139 of Estimates, you'll see that the increase from '08-09 to '09-10 is approximately \$5.2 million.

I'm going to endeavour to, partially from recollection, deal with '07-08. I don't have all of that data with me here. We can certainly provide it in written form if you would so desire.

I think the key thing to remember is really taking a look at what

has transpired with regards to increases in capital from '07-08 to '08-09 and then on to '09-10. I'm looking at some data here with regards to capital expenditures that my colleague, Mr. Godwin has just provided me. And in '07-08, the actual expenditure within the provincial park system on capital was — I'm rounding off now to the nearest hundred thousand — 5.7 million. That grew to 7.2 million in '08-09, and for '09-10 it is growing again up to \$10.9 million. So that is a significant part of the increases, is in terms of those specific capital expenditures.

Those relate to a couple of different projects. Number one is the expansion of electrified campsites within the provincial park system. Secondly we have moved forward with a somewhat expedited program for the replacement of service centres — washroom facilities, shower facilities — within the provincial parks, and actually have developed a seven-year plan to address what we consider to be any outdated facilities within the provincial park system.

Of particular note, in terms of a couple of the other aspects that enter into it, was increases that were made to the urban parks of a 4 per cent increase across the piece, and similarly this year there was a \$400,000 increase in terms of the allocation, I should say \$415,000 increase in terms of the allocation to Saskatchewan's network of regional parks.

In addition to that, there is a substantial amount of incremental money that will be going towards increased maintenance and maintenance activities within the provincial park system. If you would like a more definitive breakdown of how the transition from one year to the next takes place, we can certainly provide that in written format.

Mr. Nilson: — So from what you've described, there is a plan then, a seven-year plan for enhancement of the provincial park system. Is that correct?

Mr. Isman: — Yes, that's actually addressing what we've deemed to be, what we've referred to as an infrastructure deficit within the provincial park system. By way of example, as a rough rule of thumb, we know that our service centres, our washroom shower facilities, wooden structures are projected to have an expected useful life of 28 years, and cement block or concrete type of structures, a 35-year type of useful life.

And obviously as you get further into the life cycle of each one of these facilities, the maintenance costs go up. Our objective is to get down so that we are within that life cycle replacing all of those facilities on a regular basis and ensuring that we have good modern facilities within the parks. We see that as being a priority. In addition to that, we are addressing some other infrastructure items such as some of the park kiosks, the entry kiosks, boat launches, picnic shelters, some of the visitor centres, things of this nature. And so really we're looking at a bit of a mixed bag in terms of addressing those infrastructure items over the course of a seven-year span.

Mr. Nilson: — So then as I've said for the urban parks where they do the long-term planning, from what I'm hearing this is building on the long-term planning that we were doing when I was the minister as well, and I appreciate that, and I know that the resources that you've got to do this are not sufficient for the

task yet. But it's more than was there before, so I would urge the minister to work and get even more dollars in this area because I know the plan was to have more money than what is here. But it's a good step along the way, and I know that people will appreciate the rejuvenation of the whole park system.

I have a question that relates to the parks. I noticed that our neighbours to the east in Manitoba have announced the elimination of park fees for the next two years in their provincial parks. Is there any consideration to doing something similar in Saskatchewan, and are we worried that some of our customers will just go to the east to get free parks?

Hon. Ms. Tell: — Well I may be wrong, but I think we announced our plan to eliminate the shoulder season — Monday, Tuesday, Wednesday, Thursday, both spring and fall shoulder seasons — to eliminate that camping entry fee. So I think we did it before Manitoba.

Now having said that is that we are certainly not going to immediately look at what Manitoba is doing and immediately change our plan. We're going to stick with our plan that we have here. We're going to evaluate it and see how it works. We're certainly amenable and agreeable to making changes if required, depending on the evaluation and what it says.

Mr. Nilson: — I appreciate that response and I think it's a good response. But I would also say that there's an interesting thing that's happened over the years that we've ended up with the fees going up for provincial parks, is that there are quite a number of people who just don't know the parks anymore because they don't go there. And it may be time, maybe next year or the year after or something, to end up with open entry for everybody for a couple of seasons just to have people come and recognize how crucial they are and how important they are in the system. And I'm not sure if that's the rationale in Manitoba, but I know that a number of people say, well I just don't go to the park any more because of the fees that are there. And that's unfortunate.

Just a very specific question: has the solar-powered washroom been finally up and running up in Meadow Lake Provincial Park?

Mr. Isman: — Yes.

Mr. Nilson: — I mean there's all kinds of uses in the park. And one of the things that does happen is that there are some quite innovative things. And one of the facilities is quite isolated. There's no power going there. They've set up a very green system, and so I'm glad to hear that that's now fully operational and encourage people to use it as the summer comes forward.

One of the issues that has come up a bit is the use of all-terrain vehicles on the edges of parks. I know they're not supposed to be in the parks. Is this continuing to be a problem, and has there been some further development of policy in this particular area? But I know especially when you get more leased spaces within the parks, you end up having greater problems as it relates to all-terrain vehicles.

Mr. Lozinsky: — I'm Ken Lozinsky. I'm the assistant executive director of park service. Mr. Nilson, to answer your

question, actually *The Parks Act* doesn't allow ATV [all-terrain vehicle] use in parks unless there's designated trails for them. And we actually have three parks where there are designated trails — Narrow Hills, Moose Mountain, and Chitek Lake. Now there is ATV use that occurs also in conjunction with hunting — they have to get a permit for that — and then several parks that have outfitting allow ATV use in conjunction with the outfitting business only.

Certainly it's a use that has both its supporters and its opponents, and it's something that we're taking, you know, a look at because we know that it's a use that's increasing. We have cottagers that use ATVs short distances and so on. And there is interest, like I said, from both sides. So it's an issue that we're taking a serious look at to see where we end up with it because some provinces, like Manitoba for example, they have a little more . . . Well they allow ATV use in a number of their parks, and it's certainly something that is supported to a certain extent. But we do have trails in a few parks only, because *The Parks Act* specifies that you need to have designated trails, specifically to use them.

Mr. Nilson: — Okay. Well I appreciate that answer because I know it becomes an issue, as you say, on both sides — people that want to use them and people that are wanting to be as far away from them as possible within the parks.

So when you talked earlier about this federal money, is any of that money available for the provincial park system, or is it only available for the urban park system?

Hon. Ms. Tell: — We're not anticipating that this money under this particular program is going to be a huge amount. Now what the dollar value is, we don't know. And having said that, if it is a fairly small pool of money, we think it's best to keep it somewhat contained, possibly between the regional parks and the urban parks, making application under that particular program.

Mr. Nilson: — Speaking of regional parks, you indicated there's a \$415,000 increase. Is all of that money going to the Regional Parks Association so they can use their committee and then allocate it out to all of the parks? Or is some of it designated for some other purposes?

Hon. Ms. Tell: — No, it will fall in line with the current adjudication process. It'll just be added to that pool of money that the Regional Parks Association actually adjudicates and allots, depending on the applications.

Mr. Nilson: — So how much will be in that fund each year then approximately?

Hon. Ms. Tell: — It'll be just over a million, but I'm just going to look here and see. Regional parks, it'll be 1.015 million in this budget year.

Mr. Nilson: — But there is some of the money that goes to the regional parks, that goes to their administration and things like that. So it has to be somewhat less than 1.015 million that goes into the fund for use.

[22:15]

Hon. Ms. Tell: — Yes, and we'll check and see what their administrative costs are for . . . Their administrative costs are \$75,000 a year. So we just minus that from the total amount here.

Mr. Nilson: — Okay. Well it's good news for the regional parks, and it builds on the process of the money we had around the centennial which was 2 million over four years. And they did very good work with the money then, and so I'm assuming it'll be well used now.

My colleague has a couple of questions so I'm going to turn it over to the member from Moose Jaw.

Ms. Higgins: — Thank you very much. Madam Minister, back to the urban parks and while the larger parks . . . I mean I guess Meewasin and Wascana have some larger expenses and are covered off a little differently. The smaller urban parks didn't receive a 4 per cent straight across. You've got some that received zero increase and otherwise, I guess, in the ballpark of 4 per cent. But why the difference?

Hon. Ms. Tell: — In relation to the smaller urban parks such as Wakamow or this . . . Oh okay, with respect to Swift Current, Prince Albert, Battlefords, Weyburn, there are contracts in place that allow for increases based on population growth. And I mean those contracts have been in place for many, many years. So if we see no increase in those particular parks, it's because of the population growth, based on the population growth.

Ms. Higgins: — So is there any planning or any programs you may be looking at into the future, just purely on provincial dollars, where you may be looking at increasing the budgets to these parks, the smaller parks and smaller urbans?

Saskatoon and Regina seem to get fairly regular increases because of the increased demand. But I also know, specifically the park in Moose Jaw, the Wakamow Valley, it's a \$6,000 increase for them, which basically is status quo, covers off some of the increased costs and may not even cover increased costs.

But they are looking to do a number of capital projects as use of the park has just skyrocketed in the past couple of years. I know they're always looking for additional funding and have some projects that are going to be more costly. And it's really difficult to raise the money ongoing for different projects in the park. So any view to the future of putting together better increases or more appropriate increases for the urbans or having some kind of fund that they can access for capital projects?

Hon. Ms. Tell: — I mentioned the RInC program earlier, and capital projects could possibly be accessed through that particular program which is federal and provincial matched money. Again we don't know, you know; we're not sure about the specifics.

Wascana received a 4 per cent increase in this budget year — no different that what Wakamow received — based on, I mean it's percentages, and they all receive the same amount of money relative to their base amount. So I mean, at this point in time we're looking to the RInC program. We're not sure, you know, where that's going to play out and we'll wait and see what it

reveals.

Ms. Higgins: — So then if this recreational infrastructure Canada, this RInC program comes into play, you said it would be matched money?

Hon. Ms. Tell: — Yes, that's my understanding.

Ms. Higgins: — So then it would be something that may come into play this year or not until next year?

Hon. Ms. Tell: — We're anticipating finalizing the details of that program and getting all the right answers within the next month, so it'll be something that'll happen this year.

Ms. Higgins: — So then do you currently have extra dollars in your budget that you would be able to match dollars with, or would this be money from the parks, that they would be expected to come up with more money?

Hon. Ms. Tell: — I don't know if you had an opportunity to go through the budget through Municipal Affairs, but there is an allocation set aside for this type of concept or process. We no longer have a capital or infrastructure program through our ministry, and whatever we did have will now come through, perhaps in a different form, but come through Municipal Affairs.

Ms. Higgins: — Now kind of associated with this or kind of along this line, at the SUMA [Saskatchewan Urban Municipalities Association] convention there was a number of people that I had spoke to that had been in a dialogue room. Now I'm not sure if it was the dialogue room, the breakout room that you had had the one morning. That was my understanding. But they thought the comment was made that there would be extra funding in the budget for recreational projects that have been ongoing for a couple of years. But because of the way the economy has gone over the last couple of years and costs have escalated for a variety of reasons, they were under the assumption that there would be additional dollars to help fund these projects.

And I've been since told by some that they received a letter stating no, there would be no more funding in the budget for this type of a project. I'm dealing with a bit of second-, third-hand information here. So were you maybe referring to this RInC program, or was there at one time some consideration for additional money being in the budget to help municipalities who had been moving along through projects and the costs had escalated kind of out of control?

Hon. Ms. Tell: — Well again I don't know where these people would have got that from. I mean it's been the position of our government and in particular our ministry that we will not be funding any cost overruns. If monies had been assigned through our past infrastructure program, that's what the monies are there for. There was no process available that would address cost overruns through inflation or costs of labour or whatever the case may be, so I believe I was pretty clear on that particular issue.

We no longer have an infrastructure program through our ministry — or capital program — so perhaps where the

confusion came in would have been at the time of those dialogues. We weren't sure where that infrastructure program was going to land — whether it was going to land and stay in my ministry or it was going to go with Municipal Affairs. So we were proceeding on the premise that we will likely . . . We were trying to ensure that we would have a continued infrastructure program, but there were no guarantees at that time because of course it hadn't gone through budget. So that's the way I left it with them, so I'm not sure where the confusion came from.

Ms. Higgins: — Thank you very much. And I would just encourage you to, if there's a good word you can put in because I know there's a number of communities that have done a great deal of fundraising on their own to put the dollars forward for their projects. They mean a great deal to the communities. And if you can help, it's always appreciated. But thanks for your answer.

The Chair: — The Chair recognizes Mr. Nilson.

Mr. Nilson: — Yes, just a couple of questions in the whole area of the lotteries and the administration of that. My understanding is that the lottery licence agreement has expired or almost expired, and it's been extended on a three-month basis. And can you give us some idea if this is close to being sorted out, or are there some dramatic changes going to happen or what? There's many, many groups that are quite concerned when the whole lottery licence agreement hasn't been sorted out.

Mr. Langen: — Thank you, Mr. Nilson. Scott Langen. It's been a week since I spoke so . . . You're correct. There is currently a three-month extension to the lottery agreement. I guess giving some background, the current climate around lotteries has precipitated a bit of an examination of the system. I think first and foremost in terms of the integrity of the system, we have a great deal of faith and commitment within that and the role that Sask Sport and . . . [inaudible] . . . play in its oversight role. There is a report that we're anticipating from the auditor that is examining our oversight role. There's also a second report that we'll also be looking into: how do we make more robust our accountability system within that lottery piece?

So rather than sign the agreement at the end of March, we thought it would be prudent to extend for an additional three months and then allow that information to inform the agreement going forward and to inform and to develop our oversight and stewardship role within the lottery system.

Mr. Nilson: — So the extension of time then relates to these accountability issues as opposed to any major change in policy or major change in direction as it relates to the use of lottery funds?

Mr. Langen: — Correct.

Mr. Nilson: — I know that many groups would be happy to hear that because it does create a lot of anxiety among groups that are reliant on these funds. And we've developed, I think, pretty solid support for groups right across the province, and we don't want to have any damage done to them.

Hon. Ms. Tell: — We have advised our partners in the lottery

agreement, the recipients of lottery funds, the reasons why we're doing what we're doing. So they do understand.

Mr. Nilson: — Any time there's something that's a little out of ordinary, it causes concern whether people understand or not, and I think I'm just registering that there is some concern because it hasn't been finalized and so the sooner the better. And I'm fully supportive of having an accountable system, and I assume we'll probably see the reports and examine them in the Public Accounts Committee when we're dealing with that, but anyway.

I appreciate your answers there. So I think we've reached the time of adjournment tonight so thank you very much and look forward to continuing questions. Thank you.

The Chair: — Thank you, one and all. Minister, if you have any closing comments.

Hon. Ms. Tell: — No, except to thank everyone for being here so late at night, and I hope everyone has a good sleep. That's it.

The Chair: — Thank you, one and all, this committee stands adjourned. Thank you, one and all, good night.

[The committee adjourned at 22:30.]