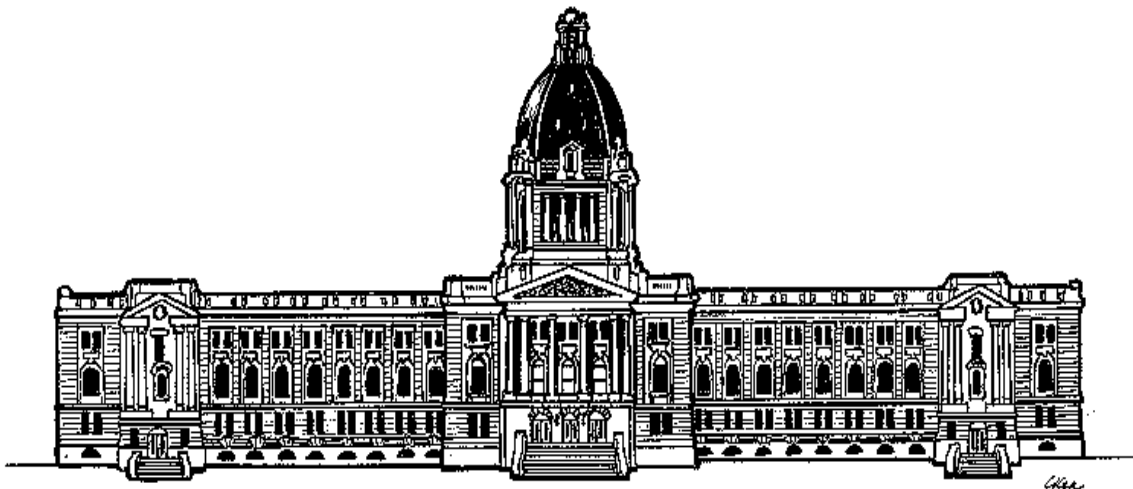




STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES

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**STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES
2005**

Mr. Andy Iwanchuk, Chair
Saskatoon Fairview

Mr. Dan D'Autremont, Deputy Chair
Cannington

Hon. Graham Addley
Saskatoon Sutherland

Mr. Jason Dearborn
Kindersley

Ms. Donna Harpauer
Humboldt

Mr. Warren McCall
Regina Elphinstone-Centre

Hon. Mark Wartman
Regina Qu'Appelle Valley

[The committee met at 15:15.]

The Chair: — Okay, I'd like to call the meeting to order, the Standing Committee on Crown and Central Agencies. The members . . . or Mr. D'Autremont sitting in for Mr. Dearborn; Mr. Chisholm, Mr. McCall, Mr. Addley, Ms. Harpauer; and sitting in for Mr. Wartman, Mr. Belanger.

The agenda items are considerations of Bill No. 26, The Traffic Safety Amendment Act, consideration of Bill No. 9, The University of Regina Amendment Act, consideration of Bill No. 10, The University of Saskatchewan Amendment Act.

Bill No. 26 — The Traffic Safety Amendment Act, 2005

Clause 1

The Chair: — And the first item of business is Bill 26, The Traffic Safety Amendment Act, 2005. Could the minister please introduce his officials.

Hon. Mr. Sonntag: — Thank you, Mr. Chair, and welcome, committee members. I'll introduce my officials and also just provide a very, very brief overview of the legislation since I've already provided a fair bit of detail during the second reading speech.

First of all seated immediately to my right is Jon Schubert, president and CEO [chief executive officer]. To my left is Earl Cameron, vice-president of claims; Elizabeth Flynn, legislative adviser, to the far right. And seated behind me and to my left is Bernadette McIntyre, assistant vice-president of driver and vehicle safety services. And to her right is Deanne Cairns, assistant vice-president of communications.

And now I've just got a very brief overview. The Traffic Safety Act outlines the laws regarding road use in Saskatchewan. It consolidates The Highway Traffic Act, The Vehicle Administration Act, and The Motor Carrier Act and is scheduled to come into effect mid-2006. As I have outlined in the second reading speech, the amendments to this Act are designed to provide safer roads and to aid in the fight against impaired driving.

Alcohol is the leading contributing factor in traffic fatalities in Saskatchewan. Last year 53 people died in alcohol-related collisions, and another 786 were injured.

The amendments include the introduction of the use of the standard field sobriety test, or SFST, for drugs or alcohol and an increase in the administrative suspension period for experienced drivers who choose to drive while impaired. The SFST is considered one of the best methods for detecting impaired drivers. The SFST is a battery of tests which can include a walk and a turn test, a stand test, and a check for involuntary movement of the eyes.

The amendments establish an immediate 24-hour licence suspension for drivers who fail a standard field sobriety test. As well, drivers who refuse a field sobriety test will also face immediate 24-hour suspension of their driver's licence.

The use of the standardized field sobriety test information in conjunction with Breathalyzer results will give law enforcement an additional tool in providing a solid case against impaired drivers.

Another amendment adds a new section to the Act to allow for a 24-hour driver's licence suspension for drug impairment as a result of failing a sobriety test, helping to get impaired drivers of every kind off the roads. Currently there is no immediate suspension for drug-impaired driving.

The amendments also get tough on repeat offenders by seeking to strengthen the licence suspension for experienced drivers to 15 days after a second .04 blood alcohol content violation within a five-year period. This will provide swift, strong, and certain consequences for those who choose to drive while impaired. The suspension will also serve as a deterrent and send the message early in the driving process that impaired driving is not acceptable.

These amendments will enhance the safety of drivers in Saskatchewan and help with the fight against impaired driving.

There are also a few housekeeping items, housekeeping changes, I should say, to the Act that I won't go into detail right now about. But we'd be happy to answer any questions that committee members might have, Mr. Chair.

The Chair: — Are there any questions?

Mr. Heppner: — Yes. Welcome to the minister and to his officials. Starting with the very beginning, there's a change in the term farm equipment and agriculture implements. Now in my mind, they mean much the same. But I'm curious to know what the thinking behind the department was in making those particular changes.

Mr. Schubert: — It was simply to modernize the language.

Mr. Heppner: — So if you made a list of the two types of equipment, one wouldn't show . . . one piece of equipment wouldn't show up on one list and not on the other one.

Mr. Schubert: — No, there was no change.

Mr. Heppner: — Yes. I guess as we're going to go through this we're going to have a number of those particular changes. And the question's going to be: if it doesn't accomplish anything, then why are we tampering with it?

Ms. Flynn: — With the term update we are also going to put the policy into place in the regulations. And currently the . . . the current regulation makes reference to a regulation that is non-existent. So it is simply a housekeeping amendment.

The Chair: — Mr. D'Autremont.

Mr. D'Autremont: — Thank you, Mr. Chairman. Mr. Minister, and officials, how do you make the determination what is farm equipment and what is not farm equipment?

Ms. McIntyre: — Actually we're in the process of rewriting

the vehicle equipment regulations. And we're consulting with the industry and we have some draft definitions. Farm equipment, as an initial start, means a self-propelled or towed vehicle either designed or adapted and intended for farm operations, and includes a trailer or semi-trailer when pulled by a farm trailer or any vehicle designated by the Highway Traffic Board.

The main reason that we're making this change in reference is to ensure that there's no problems when they're towing like a swather or any of the equipment like that. If it isn't defined properly in here and they're towing a piece of farm equipment, it could become . . . it could technically be categorized as a trailer and have to meet all those safety regulations with lights and all of that.

So this actually simplifies it, makes it consistent. And we'll follow up in updating the regulations to make sure that it works to the benefit of the farming community.

Mr. D'Autremont: — Okay. Thank you. Does it make a difference whether or not that piece of equipment is being used by a farmer or by someone else?

Ms. McIntyre: — When we get into the definition of the regulations, it'll depend on what it's being towed by. So if it's towed by a farm truck, then it will be . . . And I think you're probably talking about some of the ones that could be either farm equipment or not. There's some on . . . It's clear the swather is farm equipment.

But we've looked into that. We've got some of the people we're consulting with working with us to define that so that we'll clarify that in the regulations.

Mr. D'Autremont: — Thank you. Well as a farmer let's say I buy a swather, and the farm implement dealership I bought it from is towing it out to my farm. His truck is not licensed as a farm vehicle. Is that still a farm implement?

Ms. McIntyre: — It'll be farm equipment.

Mr. D'Autremont: — Even though it's not a farmer that's towing it.

Ms. McIntyre: — Correct.

Mr. D'Autremont: — Okay. What if my local RM [rural municipality] is towing that same swather?

Ms. McIntyre: — I believe that will be fine too because it will be clearly a self-propelled or towed vehicle which is designed and adapted and intended for farm operations.

Mr. D'Autremont: — But the RM isn't using for it for a farm operation. They're using it to cut the grass in the ditches.

Ms. McIntyre: — Right. But they're transporting it. If they're using it actually . . . in use?

Mr. D'Autremont: — No it's not in use. They're towing it, but the implement will not be used for a farm operation. It'll be used for municipal purposes — for cutting grass. So is that

swather still a piece of farm equipment or is it something else?

Ms. McIntyre: — Actually I'll have to take that back. We'll have to make sure we address that when we draft the regulations.

Mr. Schubert: — The idea would be not to make it complicated and place an onus on people to meet all sorts of special safety requirements just if they're towing it from the dealership to your farm. We'd want to make it as simple as possible.

Mr. D'Autremont: — But it seems that when laws get changed, there is the rule of unintended consequences that becomes involved. So I think you need this clarified before it proceeds. I'll turn this back to my colleague.

Mr. Heppner: — Okay. Just come up with a few more examples that take you right outside of agriculture. So you have a . . .

The Chair: — Excuse me, Mr. Heppner, just so that we clarify it . . . sorry, just so that you get recognition. I would just recognize you, and we didn't get that on the thing here. So I recognize Mr. Heppner.

Mr. Heppner: — There's a number of other uses or situations this piece of equipment could fall underneath. So you have a scrap dealer who's just picked up any piece of farm equipment and he's yanking it behind some three-quarter-ton truck that isn't licensed for farm use either. And so as soon as you do that, you open up every piece of farm equipment to be going down the road behind a truck that's not licensed for agriculture, and then where do you go with that? So I think you're going to end up with an awful long and a strange list.

Ms. McIntyre: — Well I think for clarification, agricultural implement was used in part of one of the old Acts but it had no corresponding definition in the existing vehicle equipment regulations. The only definition used there was farm equipment. So there is some existing there, and we plan to refine it.

So what we were doing is taking out of, when we were moving this to The Traffic Safety Act, we were taking out the obsolete term, agricultural implement — because there was nothing supporting it in the regulations — and just updating the legislation to refer to what was in the existing regulations, which are also under review, to make sure that they are updated and consistent. And as our president said, we're trying to make these simple, safe, and fair for everyone.

Mr. Heppner: — We like the idea of simple and safe. But we're sitting here finding all kinds of little nuances in the situation, and we're hoping that those nuances don't create a problem for an operator in any type of way.

Moving over to section 245, 29. It seems to me we need a broader or a bit more complete definition. It says, "No person shall overcrowd the compartment containing a steering wheel while the vehicle is in operation on the highway".

Now I know . . . I think in most of our minds when you're talking vehicles, you're talking three in a truck or in the front

seat kind of thing. But here we have a definition that doesn't talk about any number of people, so how do you come up with a decision that now it's overcrowded, and you add someone with 10 more pounds, and it isn't overcrowded? Like it's pretty subjective.

Ms. McIntyre: — The change you're referring to there is, the only change we made in that section was that we added the charging offence for a non-driver. So that was a clarification in the legislation to make sure that not only could you . . . If law enforcement chose to charge the driver, they could charge anyone in the vehicle who was overcrowding in the front seat or the cab of a half-ton as I think you're referring to.

So it's really at the discretion of the peace officer at the scene who lays the charge. And that's why the definition is defined in those words.

Now we haven't changed that definition. I want to ensure you understand that. We have purely added the ability for them to charge not only the driver but anyone else in that vehicle who's contributing to the overcrowding.

Mr. Heppner: — Well if I had one of my good agricultural people in my community that dress in black and loaded six kids in there, how do you decide, I mean, which kid is at fault?

Ms. McIntyre: — Well it's at the discretion of the peace officer at the scene. And the purpose is that they would charge with that when it's unsafe.

In those circumstances you're talking about, often it is quite safe — people are seat belted with all the seat belts that they can have.

And the issue that law enforcement requested this change and Saskatchewan Justice supported it, in that there are circumstances where there is people who are out — for lack of a better term — joyriding and piling a whole bunch of people in the front seat of a vehicle or a half-ton. And it's very unsafe. And, you know, we want to have the opportunity that law enforcement can charge when they feel it's appropriate.

Mr. Heppner: — Okay. Another term that . . . This one really strikes me as being uniquely . . . one term's unique from the other one, and that's the phrase — operator has been struck out and carrier put in. And I'm wondering if someone could explain that. Because that's quite a unique switch in what it does.

Ms. McIntyre: — That's the end of a cleanup. Some of you will remember that in the trucking industry, there used to be operating authorities . . . [inaudible interjection] . . . That's right. And what we found, our wonderful legal people went through and we found that there were still some inappropriate references to operator. And it really meant . . . Operator, now, we use more in the context of driver. And carrier we use in the context of a trucking company. So the changes that we made here were to make it totally consistent.

The Department of Highways and Transportation had requested we make those clarifications to make it totally consistent with their legislation and the rest of our legislation. So it was . . . You were here before, and we found a few more of those as we

went through it again. And we fixed them all up. So that's what we've done. Operator now is clearly the driver of a vehicle, and carrier is clearly the trucking company.

The Chair: — Mr. D'Autremont.

Mr. D'Autremont: — Thank you, Mr. Chairman. My colleague from Martensville started at the beginning of the Bill. I'd like to start at the end — clause no. 37, coming into force. I think this is the first time I have seen this kind of coming into force phrased in this manner. I wonder if you could explain that please.

Ms. McIntyre: — . . . coming into force in June. Is that the concern?

Ms. Flynn: — This Act is amending an Act that is currently on the books but hasn't been proclaimed in force yet. So we are tying the proclamation of this Act to the proclamation of the Act that it's amending.

Mr. D'Autremont: — Okay. Thank you. So these changes are changes that are being made to an Act that was passed I believe in 2004 but hasn't come into effect. So these are actually correcting in some cases the errors that were made in that original Act — or omissions — or in the case we were just talking about, use of the word operator in the inappropriate place.

So in that aspect then there is no real urgent and crisis situation to pass this piece of legislation because the original Act, in a year and a half, hasn't even been proclaimed.

Ms. Flynn: — We are hopeful that the original Act will be proclaimed in force. And because there's a considerable number of section changes and form changes that will result as a result of section changes for law enforcement, we need the Bills to be in line and in place so that we can have a significant lead-up for law enforcement before the Bill is actually proclaimed in force. And that is the reason why SGI [Saskatchewan Government Insurance] has some urgency here.

Mr. D'Autremont: — Well the original Act has been in place for a year and a half. There hasn't seemed to be any urgency to get it proclaimed up until now. SGI and law enforcement had the opportunity a year and a half now to get things lined up and set up and there still isn't the proclamation date on here.

If SGI and the government believe that there was an urgency on this, then why wasn't there a fixed date put on as coming into force rather than just some nebulous date in the future?

Ms. McIntyre: — I'll address that. First it was a massive job to put it together and it was this time last year that we got the third reading and approval for The Traffic Safety Act, the amalgamation. What we found, we embarked . . . At that time we had said we believed it would take us about a year to get it into place.

As we were starting our detailed implementation, we did find that there were two small sections inadvertently missed from the amalgamation. One that we could not proclaim that Act, the original one, in the fall of 2004 because we had missed a

section that allowed peace officers to take unsafe vehicles off the road. So if we proclaimed The Traffic Safety Act as is, that would wipe out that whole safe vehicle program that we have.

We work with Saskatchewan Highways and Transportation and all the law enforcement groups throughout the province. So we had to wait for the opportunity to bring that amendment forward. So we deferred our implementation plans till we knew we could get on the legislative agenda for this fall and took that opportunity because we had to get these two sections in.

There was also a small section about authorities for Highway Traffic Board permits that was inadvertently missed.

So we did other housekeeping things and also took the opportunity to add the two amendments on the drinking and driving which we felt were important to the safety.

So we do feel . . . We are working right now with a multi-agency committee. Everybody's on track with a project plan to proclaim this June 1. And the key step is that we get approval in this sitting of the legislature so that we can put everything into motion, to make all the changes, and to be able to proclaim in June 2006.

Mr. D'Autremont: — Well we've had the opportunity to see this now for approximately two weeks or so. And we have a number of concerns in sections . . . Some of them are new sections; some of them are changes to old sections. And quite frankly we haven't had time to talk to the stakeholders that would be involved in this.

I look at some of the changes that you're requesting — the change on the .04 blood alcohol content and going from a one-day suspension to a 15-day suspension — and yet you haven't offered us any evidence to show what the impact of the one-day suspension was and to see whether or not a 15-day suspension would be more proactive and more . . . have a beneficial effect on the drivers of this province.

So I don't see how we can possibly allow this piece of legislation to go through in such a very short time frame without having a chance for us to be able to review it and for those people across the province who are going to have a chance to . . . that would be impacted by this.

You've taken over a year with the previous piece of legislation. You still haven't proclaimed that. You haven't put a fixed date into this proclamation. Why should we give you another year to simply let this sit there and then come back another year later and try and make more changes? I think you got to get your act together here before this passes.

Mr. Schubert: — If I might try and speak to that, I think it's vital that people consult with different stakeholders. And, you know, when you look at the individual components of our impaired driving campaign, it's difficult to say whether a one-day suspension or 15-day suspension . . . or the way that we have them staged, it's difficult to isolate the exact impact of each one of these.

What we're trying to do with this is send a message about impaired driving. When we talk to the police forces, they

strongly believe that this is an effective . . . part of the different ways that we can work on to combat impaired driving. And that's why we want to get this legislation implemented.

Ms. McIntyre: — We've also consulted not only with law enforcement but with MADD [Mothers Against Drunk Driving] and SADD [Students Against Drinking and Driving], the Canadian Association of Automobile . . . CAA [Canadian Automobile Association], with many safety groups. And early intervention is the key to . . . The statistics show that many drivers who are picked up for a .04 have driven after drinking at least 200 times.

And at the national level many of the groups are recommending that these kind of suspensions become more remedial to hopefully intervene at an early stage so that they learn to separate the acts of drinking and driving.

Mr. D'Autremont: — I don't disagree with the need to provide protection and to provide deterrents to people who may be interested in drinking and driving. I actually sat on the safe driving committee that toured the province back in the mid-1990s that came up with a lot of these proposals then. But we went around and gave people the opportunity to have an input and a say into what's happening.

This particular Bill, The Traffic Safety Act, was passed over a year ago and still hasn't been implemented. And in this Act, this amendment to that Act that you're bringing forward, you still don't have any dates in place when it's going to be implemented.

We're not going to give you a carte blanche on this to put it in sometime in future so that you can say today, look at the good job we are doing; we are putting in a 15-day suspension for the second offence of a .04 — sometime. Is it going to be January 1? Is it going to be July 1? Is it going to be January 1, 2015? We don't know that because you haven't stated it, and you haven't implemented the other Bill.

I still say you haven't got your ducks lined up. Get them lined up and come back and answer questions to this committee in the next session.

Mr. Schubert: — I appreciate your comments. And all I can say to you is that we very much want to implement this as quickly as we can because we think that it will help in the fight against impaired driving.

Mr. D'Autremont: — Well, Mr. Chairman, I think that at this time we should adjourn the consideration of this particular Bill.

The Chair: — The Bill, The Traffic Safety Amendment Act, 2005 has been moved . . . adjourned by Mr. D'Autremont. And I would like to thank the minister and his officials at this time. I recognize Mr. McCall.

Mr. McCall: — Obviously it's a debatable motion. And I would welcome remark from the witnesses in terms of how this affects . . . just to . . . if they could recap how this affects their timelines in terms trying to get this legislation forward with its desired goals.

The Chair: — I'd like to recognize Mr. D'Autremont.

Mr. D'Autremont: — Thank you, Mr. Chairman. I believe the motion can be debated by members. But I don't believe that debate includes witnesses.

The Chair: — Yes. Mr. D'Autremont is right. The members can debate the motion but it's . . . There is a motion to adjourn by Mr. D'Autremont. Are we in favour of that motion?

Some Hon. Members: — Agreed.

The Chair: — Okay. Carried. At this time I'd like to thank the minister and his officials for appearing here today. Thank you.

Hon. Mr. Sonntag: — Thank you very much.

The Chair: — Recognize Mr. D'Autremont.

Mr. D'Autremont: — Thank you, Mr. Chairman. I'd like to thank the minister and his officials for coming in today, and I look forward to sitting down and discussing this further.

Bill No. 9 — The University of Regina Amendment Act, 2005

Clause 1

The Chair: — I'd like to call the committee to order. We do have Mr. Elhard replacing Ms. Harpauer. And the first item of business is Bill No. 9, the Act to amend the University of Regina Act. Could I ask the minister to introduce his official, I guess in this case.

Hon. Mr. Thomson: — Thank you, Mr. Chairman. I'm joined by Kevin Veitenheimer from the Department of Learning.

The Chair: — Clause 1, the Act may be cited as The University of Regina Amendment Act, 2005. Are there any questions? Yes, Mr. Elhard.

Mr. Elhard: — Thank you, Mr. Chairman. And, Mr. Minister, thank you for appearing before us this afternoon in the defence of this particular piece of legislation. And I'd like to thank your official for joining us today as well.

The University of Regina Amendment Act is, as we've discussed off the record, probably the shortest piece of legislation we'll ever see, save the one that's coming right after this. But would you, Mr. Minister, for the sake of the record, provide for us the genesis of this particular piece of legislation.

Hon. Mr. Thomson: — This Act is brief but it is substantial in that it changes the composition of the board of governors at the University of Regina. And its companion Act which will follow changes the composition of the board of the University of Saskatchewan.

We have been going through a governance reform at the universities for some time now. It was in the late 1990s that a protocol agreement was signed between the universities and the government to change the way that appointments were made to the boards.

It was previous to this protocol solely at the discretion of the minister to appoint individuals, or nominate individuals for OC [order in council] appointment based on whatever criteria he or she believed were important. As a result of the change with the protocol agreement, it was agreed that the OC appointments — those appointed by the government — would be chosen from a list supplied by the universities.

So this protocol agreement, although it didn't receive a great deal of debate, was quite substantial in terms of how it changed the relationship between the government and the universities. It essentially recognized a more autonomous approach to dealing with the universities.

As that protocol has been in place now for some . . . It was 1999, so almost six years now that we've been using that process. It has worked relatively smoothly. There has been a growing recognition that the universities are autonomous and should operate as such.

I'm just trying to think when we were advised. In the last six months we received a letter of advice from the Provincial Auditor indicating that despite the protocol agreement that it was his view that because the university receives the majority of its funding from the province and a majority of the board is appointed by the cabinet, that in fact the universities are not autonomous institutions, but government agencies.

According to the auditor's Act this would be in fact a correct interpretation. However it doesn't actually match up with the reality of the way the institutions work. And so what we have undertaken is to correct the discrepancy by changing the composition on the board. In effect it changes nothing other than to reflect the existing relationship, although it does mean that the government no longer has a firm majority on the board although it does have a sizeable number of appointees.

Mr. Elhard: — Nor, Mr. Minister, did the protocol agreement recognize the long-standing tradition and history of autonomy that universities enjoy, generally speaking. Has the sort of the loss of equal partnership on the board for the government caused your ministry or your government any reason to be concerned?

Hon. Mr. Thomson: — No. It has not been a concern to myself as minister or to the ministry. There is certainly negotiation that we go through in terms of identifying who and how many names we should be selecting from the list. I have from time to time, I've looked at potential nominees, rejected the lists because I feel they either haven't taken into account gender or regional balances or particular skill set needs. We are now at a point where we largely negotiate out who the appointees are.

There is however, I think fair to say, some debate on the campus — certainly at the University of Saskatchewan, to a lesser extent the University of Regina — about the relationship between the board appointees and the government. There are some people on the campuses who believe that there should be a very direct government presence in the board of governors and that government should in fact instruct its representatives on how to vote on particular matters.

This has not been our practice, and indeed I'm not aware of it

having been the practice under either the Romanow or Devine administrations. And so while I appreciate the debate, I think it's better that we stay on the path that we are that recognizes autonomy.

We continue to have representatives appointed essentially in the public interest as opposed to representatives of the government serving on the boards.

Mr. Elhard: — Having made this decision and moving this legislation forward, does the minister and his department see any significantly beneficial results as having made this change? Are there other factors or other outcomes that might be realized to the university's benefit as a result of this?

Hon. Mr. Thomson: — I do believe there will be debate on the campuses about governing structure. There may well be future amendments coming forward to change the board again once the universities have worked through some internal discussions.

For example, we may well see the University of Saskatchewan request the addition of a grad student to the board of governors. This has been a long-standing discussion as to whether there should, in fact, be a representative of the graduate students' association on the board or not. We had contemplated making the change to reduce by one the government members and appoint a grad student to each of the boards. The difficulty in Regina's case is there is not a formal single grad student association.

We had contemplated also a potential change where we simply leave the additional appointee. We leave the board numbers the same, reduce by one government appointee, and increase by one a senate appointment. Again, what we wanted instead to do was to allow the boards of governors of the two universities to think about what it is they would want, allow the university community to have that debate. And we've made a commitment to them that as they move forward with governance reform, we'd be interested in seeing what additional ideas they have.

So this is an attempt at this point to simply change the balance within the board, recognizing that in all likelihood both universities will come back advocating for an increase in the board size again to add another interested party into it.

Mr. Elhard: — In my conversations with the representatives from both universities, there's been no indication given to me that they have any reservations about this change. In fact they seem quite willing and maybe even eager to operate under the new criteria for board members. And I'm taking their encouragement or support of this as reason to move this legislation forward without any undue delay.

One additional question I have though. Do you anticipate as a result of the change in balance on both boards — and I think we can include both of them in this discussion — will this potentially open the door to any change in the way government funds the universities? Will the government feel less obligation to the universities in terms of their funding support? And on the other hand, does this give the board additional powers to seek out funding from other sources?

Hon. Mr. Thomson: — On the first question, we don't view

this to have any change in the way that we handle our funding arrangements with the universities — I should add not only in terms of the support that we provide to them nor in terms of the accountability we require from them.

And I think that that's very important, to make sure legislators are aware that we still have a fairly high degree of accountability required — given the sizeable contribution taxpayers make to these institution — that we require for our comfort and our confidence that the institutions are appropriately managed, appropriately run, and accounting appropriately. I don't believe this change will impact on that.

The second question that the member asks regards the ability for them to raise additional funds. I don't believe that this will in any way affect that. Both universities have taken a more aggressive approach to fundraising, both in terms of sponsorship of particular programs, sponsorship of particular capital projects and are looking at how they can further enhance their research projects through not only the tri- — what do you call it? — tri-council funding agencies but also in terms of direct private sector sponsorship. This shouldn't have any impact on that.

There are certainly, every time we change a governance structure, there are resulting impacts within the institution, but we're not anticipating any as it affects the funding.

Mr. Elhard: — Mr. Chairman, I don't believe I have any additional questions at this time. I appreciate the minister's appearing here today and enlightening us on the reason for this change and the impact it will have.

The Chair: — Are there any other questions? Short title, clause 1, is that agreed?

Some Hon. Members: — Agreed.

[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: The University of Regina Amendment Act, 2005.

Could I have a member move a motion that we report this Bill without amendment? Mr. Addley. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I would like to thank the minister and his official for being here this afternoon.

Bill No. 10 — The University of Saskatchewan Amendment Act, 2005

Clause 1

The Chair: — The next Bill is Bill No. 10, The University of Saskatchewan Amendment Act, 2005. And I guess would there be . . . Yes clause 1, short title — are there any questions? Mr. Elhard.

Mr. Elhard: — Thank you, Mr. Chairman. There aren't many questions, but as a matter of our, you know, of the discussion we just had on the previous Bill affecting the University of Regina, there was an indication that because of the lack of a single graduate student association at the U of R [University of Regina] there were some implications as to the makeup of the Board of Governors there.

Do you, Mr. Minister, anticipate any similar or equally problematic considerations as it would affect the University of Saskatchewan?

Hon. Mr. Thomson: — The debate, as I understand, at the University of Saskatchewan is about . . . Let me start by saying that President MacKinnon has advised me that he does favour the board remaining at about the same number as it previously was. I think there is some concern, given the size of the institution, that the board not become significantly smaller.

I do anticipate that within the next legislative cycle we may well see the University of Saskatchewan come back with a request for us to expand the board again, to add an additional or two additional members. It would be my speculation — and it is just speculation — that the university is at this point contemplating whether to add a graduate student on to the board and/or to add an additional representative from the senate. From our perspective as a government, either of these would be quite acceptable to us but that discussion is still going on within the institution.

I should also advise members that there is some advocacy work being done on the part of the support workers at the institution believing that they should have a seat in the board of governors. And indeed there is some argument that, given the increased research capacity of the university, there may well be a desire to have a second member of the council instead. These are matters that I believe are really best addressed by the university and guided by President MacKinnon in the work that he's doing there.

Mr. Elhard: — The minister wouldn't care to express an opinion as to the validity of those concerns.

Hon. Mr. Thomson: — The only caution I would indicate is that although we have, on the board, representatives from the students' union and from the faculty, it's important to recognize that both of those are represented within the university structures.

The board is comprised of members from the senate, the council, the student body, and then from, obviously, the ex officio appointments and the order in council appointments. These are not . . . The faculty member is not a representative of the university faculty association, but is rather selected by the council.

There will be some debate as to why we should maintain that approach. My view is that these should remain not . . . The board of governors should not serve as an industrial relations table, but should continue to serve as a management group. And in that regard, I think that the university will need to work through their process.

With respect to adding an additional council member, if that were their desire, again I think that that would be fine. The concern here is to balance or the challenge is to balance the number of governors with the appropriate internal and external balances.

I would offer one other comment on that and that is that I do believe it is important that the universities remain externally focused, that we not end up with a situation where a majority or a very sizeable portion of the board is comprised only of internal stakeholders. This is particularly important given the important traditions of the University of Saskatchewan as a long-standing institution here and an institution that's both critical to our social and economic development. It's important to maintain those ties into the community. I think that that is well understood by the university senate, by the board, and by the administration at the university. And I expect that that would largely shape their debate.

So if we were to see, in the next legislative cycle, changes, my expectation would be that it would either be a grad student representative to deal with a long-standing request or likely an additional representative from the senate.

Mr. Elhard: — In view of the fact that this request may be forthcoming as early as the next legislative cycle, was there any urgency then to push this particular piece of legislation forward now?

Hon. Mr. Thomson: — I did contemplate whether we should bring this forward in this session or wait till the spring. I'm not certain how quickly we will be able to see the university work through its process. I did however want to make sure that we cleared up any potential misunderstanding around the autonomy of the institution in advance of us moving into the next audit cycle. So although it's not as convenient for us as legislators to deal with Bills as we're going through a process, it would be nicer certainly to be able to simply come in and say, we're removing one government rep and replacing it with one or two external reps. But in this particular case, given the challenge and the set of issues we're dealing with, I felt this was a better approach.

Mr. Elhard: — Thank you, Mr. Minister. We have no further questions.

The Chair: — Thank you. Short title, clause 1, is that agreed?

Some Hon. Members: — Agreed.

[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: The University of Saskatchewan Amendment Act, 2005.

Could I have a motion to report this Bill without amendment? I recognize Mr. Addley. It's been moved that the committee report the Bill without amendment. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I'd like to thank the minister again and his official for being here this afternoon.

Hon. Mr. Thomson: — Thank you very much, Mr. Chairman, and I thank members of the committee for their work.

The Chair: — Motion to adjourn. Mr. Belanger.

[The committee adjourned at 16:11.]