



Standing Committee on Private Members' Bills

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**STANDING COMMITTEE ON PRIVATE MEMBERS' BILLS
2003**

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Carolyn Jones
Saskatoon Meewasin

Judy Junor
Saskatoon Eastview

Warren McCall
Regina Elphinstone

Kevin Yates
Regina Dewdney

The committee met at 09:00.

The Western Christian College (Amendment) Act, 2003

The Chair: — Good morning, everyone. Being of that hour, I think we're going to begin. For the members of the committee, you should have before you a package which includes a report of the Law Clerk and the Bill before you.

So I'm going to call the Bill before us which is No. 301, An Act to amend an Act to incorporate Radville Christian College. And we would ask of our Law Clerk to present his report.

Mr. Ring: — Good morning, committee members. I've examined this private Bill and am pleased to report that it is drawn in accordance with the rules of the Legislative Assembly respecting private Bills.

I'm further pleased to report that in my opinion it contains no provisions which are at variance with the usual provisions of private Acts on similar subjects, or which are deserving of special attention. Thank you.

The Chair: — Okay. At this time I'm going to ask our member, Mr. McCall, to introduce the witnesses before us and then there'll be time to make presentations on the Bill. We would call for any witnesses, if there are any, against the Bill. I don't see any at this time. And then we would begin the discussion on the motions that would move the Bill forward.

Mr. McCall: — Thank you, Madam Chair. It's my pleasure this morning to introduce to the committee . . . I think we've all had a chance to informally meet. But formally for the record, we are graced today with Mr. Jim Sedor who's the vice-president at Western Christian College, who travelled here all the way from Dauphin and back and forth for some time yet, I will imagine. We also have a board member from the Western Christian College, an alumnus of the same college, Mr. Curtis Parker. And we also have Mr. Wil Olive, the legal counsel who's been working with the good folks of Western Christian College, and with governments and with the Office of the Clerk to bring this process forward.

So I guess, I bid you welcome on behalf of all members of this committee, and I guess I'd turn it over to yourselves for the presentation.

The Chair: — Before you begin — Mr. McCall's welcomed you on behalf of the members of the committee — we also have someone who is a part of the committee this morning ex officio. It's Daryl Beall from Iowa. He's a Democrat member of their House of . . . state Senate. And Mr. Beall's shadowing me today and will see all aspects of our life as legislators from the government side today.

He was someone shadowing the opposition yesterday with Ms. Draude. So we welcome, on behalf of the committee members, Daryl.

Mr. Beall: — Thank you. It's good to be here.

The Chair: — To the witnesses before us. Mr. Olive.

Mr. Olive: — Thank you, Madam Chair, and members of the committee. It's certainly a pleasure to be here this morning and move this private member Bill forward.

As you know in looking through this material, this Bill originated way back in 1953 with the college as originated in Radville; a subsequent move to Weyburn in the late 1980s. It moved on to Dauphin, Manitoba, and we're pleased to report that it's seen the error of its ways and is now coming back to Saskatchewan.

So effective July 1 the Western Christian College will be taking over the premises that have been formerly occupied by the Canadian Bible College in Regina here, and the steps are moving forward to do it.

The purpose of the Bill that's before you was originally twofold and we'll speak to it. The first purpose, obviously, was section 3 and that's to confer certificates, diplomas, and degrees in theology. And as the Law Clerk has indicated, it's in conformance with the language that is normally accorded for Bills of this nature with Christian colleges recently in the past before committees like this and the legislature.

The second purpose that the Bill was forwarded was to obtain a property tax exemption for the educational facility. And when we at first undertook our work with this we had an original letter approved by city council, the municipality in which the land is located, with the city of Regina approving this and setting out that there was at least three ways in which the tax exemption can move forward.

As we move forward with the Bill, there was a request that we update that letter and get approval from the city specifically dealing with the tax exemption through the private member's Bill. And what has happened is because of the summer recess that the city invokes, they're not able to move before city council and get their approval until June 29.

So what we've undertaken to do and would like to ask the committee to entertain and on to the legislature is that section 4 be dropped from the Bill in the presentation this morning, and instead the Western Christian College will rely on their status as an independent school under the prevalent section under The Cities Act, which gains them the same thing. They gain a property tax exemption and exempt status as educational facility under section 162 of The Cities Act in the same fashion.

So that is what we'd ask you to look at this morning in arriving at that second aspect, simply because of the timing delay. And of course we're aware that if we went to June 29, you folks may still be here, but on the other hand, you may not. So in order to abridge the time and make sure that we're timely and before you, we've asked that section 4 be omitted from the Bill or defeated this morning by motion if you would so entertain. And we would move forward and rely on The Cities Act.

Now that's the information that I wish to put before you. I know if . . . Jim, if you have any additional comments you'd like to make on behalf of the college or any additional information — if so, please do so.

Mr. Sedor: — I would like to just say as well, thank you for entertaining and for hosting us at this time and looking at this legislation. I've brought with me some college calendars which I'll leave for you just so that you can find out a little bit more about the programs we offer and who we are. Is it appropriate to throw things open for questions at this time, if you had?

The Chair: — If your presentation is complete, that's exactly what we will do. I'll entertain questions and comments from committee members on the presentation.

Mr. Dearborn: — Thank you, Madam Chair. I just have a question with regards to dropping section 4. The only concern I would have about this is if you have to come back to us at some point, if your municipal laws changed about the independent schools. Is the reason that you want to drop this because you think that the timing of it would not be prompt? Did I understand that properly?

Mr. Olive: — The reason is, is that we would have to go back to city council for approval. One of the requirements to bring the Bill before this committee and the legislature is that the municipality in which the property is located grants their approval to the process, and we're not able to get the specific approval until their meeting. Normally city council meets every second Monday night throughout the year. What they've now done is gone to summer recess where they're only meeting every . . . once a month.

So they had their meeting in May and of course they don't have their following meeting until June 29. So we're not able to get back in front of the city council for the approval from the municipal point of view until that time period.

Mr. Dearborn: — Understood.

Mr. Olive: — We can achieve the exact same legal consequence by simply relying on The Cities Act, and that's what we are requesting that we do.

Mr. Dearborn: — Thank you.

The Chair: — Ms. Ronyk has pointed out to me that our committee ruling stated that if they were bringing forward something that was pertaining to the municipality, that they would have to have the authority of the municipality before that would go forward. So I think what is proposed, based on my city experience, would do the same thing. But that portion that relies on the municipality agreeing wouldn't happen at this point. It will happen with some other process.

Further questions? If not, we'll start with the motions then on the Bill. And the first one is a motion to adopt the preamble. Moved by Ms. Jones. Seconded by Ms. Harpauer. All those in favour? Opposed? Carried.

Preamble agreed to.

We'll move into consideration of the Bill now, clause by clause, and with the words from the presenter we'll ask members then to, when we come to section 4, be voting against that section.

So the first section, short title. Motion? Mr. Yates. Seconded by

Mr. Dearborn. Any questions or comments? All those in favour? Opposed? Carried.

Clause 2. Motion? Moved by Ms. Jones. Seconded by Mr. Yates. All those in favour? Opposed? Carried.

Clause 3. Motion by Ms. Harpauer. Seconded by Ms. Junor. Question or comment? All those in favour? Opposed? Carried.

A motion on clause 4? A mover? Moved by Mr. Yates. Seconded by Ms. Harpauer. All those in favour? All those opposed? Opposed to section 4. Defeated.

That was an odd procedure. Move and then vote against ourselves. All right, but we've done what we wanted to do so that's the main thing here.

And the coming into force, enacting words:

This Act comes into force on assent.

Ms. Junor. Seconded by Ms. Jones. All those in favour? Opposed? Carried.

With the process that happened before us I now:

Therefore Her Majesty, by and with the assent and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

An Act to amend An Act to incorporate Radville Christian College, No. 301.

I would now entertain a motion to report the Bill as amended. Mr. Yates, seconded by Mr. Dearborn. All those in favour? Opposed, if any? Carried.

And as is usually appropriate for a Bill of this nature, we would need someone to move that the fees respecting Bill 301 be remitted less the cost of printing. Moved by Ms. Jones, seconded by Ms. Harpauer. Question or comment? All those in favour? Opposed? Carried.

So what happens from here in our processes and procedures is the Bill will be presented to the House this p.m. as part of private members' day and the report will be:

Your committee has considered the following Bill and has agreed to report the same with amendment:

Bill No. 301 — The Western Christian College (Amendment) Act, 2003

And further, that the fees respecting Bill 301 be remitted to the petitioners, less the cost of printing.

And that would go forward to our Assembly and from there we'll be in contact with you, let you know that it . . . how it fared. I am sure Mr. McCall would be glad to do that for you.

I thank all members of the committee for your attendance and deliberation on the Bill and we'll see you later this day.

Mr. McCall: — Before we adjourn, again I'd like to extend thanks to all members of this committee and certainly to all members of the House. The process around this Bill as laid out in the preamble has been fairly complex — a little more complex than the average private member's Bill. So in terms of the patience and the co-operation that's been extended, you know, every step of the way and, you know, today and further, my thanks to all the members. And we're that much closer. It's looking good.

The Chair: — On behalf of the committee I thank those who were here to present on behalf of the Bill, and we'll now call for a motion of adjournment. Moved by many members — Mr. Yates, seconded by Ms. Jones. All those in favour? Opposed? Carried.

Thank you very much, everyone.

The committee adjourned at 09:21.

