

Midterm Convention Resolutions and Responses

Convention resolutions and responses are all posted on www.sarm.ca as they are received.

Matters Pertaining to SARM

Resolution No. 1-06M

Tendering Section on the SARM Website

WHEREAS, the cost of publishing tenders in the daily provincial newspapers is extremely costly; and

WHEREAS, the practice of contractors checking for tenders online is becoming increasingly more popular;

THEREFORE BE IT RESOLVED, that SARM investigate the possibility of introducing a tendering section on their website for RM construction projects in an effort to eliminate or reduce advertising costs.

Response from SARM:

Rural municipalities are being encouraged to submit tenders to SARM to be put on the website. SARM will be lobbying the Federal and Provincial Governments to accept this tendering process for any future programs they help fund.

Resolution No. 2-06M

Municipal Rescue Services Fund

WHEREAS, the Municipal Rescue Services Fund (MRSF) was established to more fully compensate municipal fire and rescue units for performing emergency services at vehicle accident scenes; and

WHEREAS, the money provided by Saskatchewan Government Insurance (SGI) and Saskatchewan Highways and Transportation to MRSF is grossly inadequate resulting in the depletion of the fund on an annual basis and thereby leaving many emergency responders without sufficient compensation; and

WHEREAS, the present compensation rate for services rendered is inadequate to cover basic rescue costs in today's economy;

THEREFORE BE IT RESOLVED, that SARM lobby the Province, SGI and Saskatchewan Highways and Transportation to either:

- a) amend *The Automobile Accident Insurance Act* to require SGI to compensate emergency crews for all costs incurred at vehicle accidents, debris cleanup, traffic control, and standby; or

- b) increase the amount of funding to the Municipal Rescue Service Fund to allow for an increase to the present hourly rate and to provide for the complete compensation of all services rendered at accidents by emergency crews.

Response from SARM:

SARM is working with SUMA officials on a lobbying effort to encourage SGI and Saskatchewan Highways and Transportation to increase their funding to the Municipal Rescue Services Fund.

Point of Privilege No. 5-06M

SARM's Role on CWB

WHEREAS, the resolution to support the Canadian Wheat Board (CWB) that passed at the 2006 Annual Convention has caused significant division within the membership;

THEREFORE BE IT RESOLVED, that we recommend to the delegates to reconsider SARM's position; and

BE IT FURTHER RESOLVED, that the future of the CWB be left to the decision of the Federal Government and grain producers.

Response from SARM:

Since the passing of this resolution, SARM has remained neutral on the issue of the future of the Canadian Wheat Board.

Point of Privilege Resolution No. 8-06M

Primary Weight Roads

WHEREAS, many rural municipalities are allowing primary weights on designated roads; and

WHEREAS, many RMs received PGRP funding or other government funds, be it federal or provincial;

THEREFORE BE IT RESOLVED, that any road that is in these grants automatically become primary weight roads.

Response from SARM:

Infrastructure Canada and Saskatchewan Government Relations were notified of the policy request by letter.

Saskatchewan Government Relations

Resolution No. 3-06M Sewer and Water Rates

WHEREAS, the implementation of *The Municipalities Act* has been heralded as a major step forward in granting local autonomy for decisions made by local municipal councils; and

WHEREAS, section 23(3) of *The Municipalities Act* limits the authority for municipal councils to establish local water and sewer rates and requires the approval of the Saskatchewan Municipal Board, which is a non-elected, non-accountable, Provincially appointed board; and

WHEREAS, Section 23(4) of *The Municipalities Act* grants authority to the Saskatchewan Municipal Board to unilaterally vary water and sewer rates as it sees fit;

THEREFORE BE IT RESOLVED, that sections 23(3) and 23(4) of *The Municipalities Act* be repealed.

Response from Honourable Harry Van Mulligen, Minister of Government Relations:

- *The Municipalities Act (MA)* was developed in partnership with the Saskatchewan Association of Rural Municipalities (SARM) and the Saskatchewan Urban Municipalities Association (SUMA) and both municipal administrator associations. The MA provides broader powers to rural and urban municipalities and is consistent between urban and rural municipalities, where possible. Approval of water and sewer rates by the Saskatchewan Municipal Board (SMB) was a requirement under *The Urban Municipalities Act, 1984* and applied to all towns and villages. The MA now includes smaller communities, such as hamlets and organized hamlets, in rural municipalities.
- During the development of the MA, there were discussions with the SMB regarding its role. SMB's review and approval of municipal water and sewer rates complements and supports its review and approval of municipal borrowing. The SMB plays the role of financial watch dog for smaller municipalities.
- Under the MA, the SMB examines and approves water and sewer rates for towns, villages and smaller communities in rural municipalities to ensure they cover operating costs and debt repayment, so that these systems are financially sustainable. The SMB is also available to provide advice on developing rates for municipal water and sewer systems.
- SMB's review of water and sewer rates and expert advice helps municipalities ensure their water systems provide safe drinking water to their residents and their sewer systems do not contaminate surrounding areas and water sources.

- *Smaller communities in rural municipalities will benefit from SMB's review of, and advice on, water and sewer rates, as towns and villages have in the past.*

Resolution No. 4-06M Assessment Options

WHEREAS, under the current assessment system, multiple neighborhoods can exist within the residential and seasonal residential classes; and

WHEREAS, under the market related neighborhood system huge boundary shears can exist with adjacent properties; and

WHEREAS, municipal councils do not have tax tools to mitigate the inequities of the assessment and corresponding education property tax;

THEREFORE BE IT RESOLVED, that municipalities be allowed the option of either the current multiple neighborhood assessment or a single market adjustment index applied to all properties under that class within the municipality.

Response from the Honourable Harry Van Mulligen, Minister of Government Relations:

- *The Saskatchewan Assessment Management Agency (SAMA) is an independent agency that operates at arms length from the government. The agency has a Board of Directors that is comprised of representatives of urban and rural municipalities and school divisions, plus provincial appointments that include the chair.*
- *Government's role in the property assessment system is fairly limited, primarily related to ensuring an appropriate legislative framework and governance model. The province has no authority to interfere with the preparation of property fair value assessments.*
- *SAMA is delegated the authority to develop the assessment manual that sets the rules, principles and methods used to determine property assessments in Saskatchewan. In the case of rural municipalities in Saskatchewan, SAMA's assessment appraisers prepare the property fair value assessments.*
- *This issue falls within SAMA's jurisdiction. Concerns with SAMA's policies and practices regarding valuation, should be brought to the SAMA Board of Directors for consideration. SARM could also forward the resolution to the next SAMA Annual Meeting for consideration.*

Resolution No. 6-06M Education Tax

WHEREAS, education is a provincial responsibility and there is little local control remaining within the school districts,

THEREFORE BE IT RESOLVED, that SARM demand that all education funding be financed from the provincial budget.

No response received at time of printing.

Resolution No. 7-06M

Mill Rate Factors

WHEREAS, special interest groups are lobbying to have a municipality's ability to have Mill Rate Factors applied to a school district's mill rate removed from legislation,

THEREFORE BE IT RESOLVED, that SARM oppose any change to legislation that would restrict a municipality's ability to use Mill Rate Factors and demand the Province keep this 'Tax Tool' for municipalities.

Response from the Honourable Harry Van Mulligen, Minister of Government Relations:

- Section 287 of *The Municipalities Act* establishes that a municipality may only apply its mill rate factors to the rates of other taxing authorities by agreement with the other taxing authority on whose behalf it collects the taxes for which the rate is set.
- It is up to school divisions to decide whether mill rate factors will be applicable to their uniform mill rate. The resolution suggests municipalities have this authority when that is not the case.
- Government appreciates receiving direct input from SARM's membership on the question of whether to retain this provision.

Saskatchewan Government Relations and Infrastructure Canada

Resolution No. 8-06M

Fire and Rescue Services Vehicles

WHEREAS, rural municipalities are authorized by *The Municipalities Act* to supply fire fighting and rescue vehicles and equipment to service their ratepayers; and

WHEREAS, in some rural municipalities fire and rescue vehicles are called on to assist passing motorists and other non-ratepayers from other areas of Saskatchewan, Canada, and the world; and

WHEREAS, the Federal and Provincial Governments glean revenue from everyone using the highways through taxation in one form or another; and

WHEREAS, there currently are no government grants available to rural municipalities for the purchase of fire and rescue vehicles which have become extremely expensive;

THEREFORE BE IT RESOLVED, that SARM lobby the Federal and Provincial Governments to include fire and rescue vehicles as eligible infrastructure acquisitions under the MRIF and JEPP grant programs with the maximum grant being set at \$100,000 per municipality.

Response from the Honourable Warren McCall, Minister of Corrections and Public Safety:

I have forwarded your letter to the Honourable Mark Wartman, Minister of Agriculture and Food, for his careful Consideration regarding the Municipal Rural Infrastructure Fund (MRIF) program.

The JEPP program in Saskatchewan is used to build emergency management capacity at the municipal and provincial level of government. Saskatchewan normally received funding of approximately \$200,000 per year (based on population) from the federal government to offset project expenses (typically a 50% reimbursement formula). As funding is limited, we have typically used half of the support for provincial training and the other half for municipal projects. With this limited funding scope, it is crucial that we carefully review all projects against established priorities to ensure optimization of the funds available.

JEPP is a federal/provincial/territorial cost-shared program, designed to enhance emergency response capacity across Canada. The federal government established criteria for this program. Fire suppression equipment (such as fire trucks) is not eligible under the JEPP guidelines. The province will continue to review individual rescue vehicle applications on a case-to-case basis. Supported applications will then be forwarded to the national JEPP committee for final review, approval, and funding.

Response from Honourable Harry Van Mulligen, Minister of Government Relations:

- Government Relations (GR) delivers in Saskatchewan the Municipal Rural Infrastructure Fund (MRIF) program jointly with Western Economic Diversification Canada (WD). For the federal government Infrastructure Canada has overall responsibility for the program.
- MRIF is managed according to a Federal-Provincial agreement.
- The MRIF Agreement does not include fire and rescue vehicles as an eligible infrastructure type. The program generally excludes any type of mobile equipment (except transit vehicles), which is common to most infrastructure programs.
- The 2006 Federal budget announced additional funding for MRIF, which will require negotiation of amendments to the existing agreement, or a new agreement. If there is a desire by municipalities and the province to expand the eligible

infrastructure types, determined as a result of consultations with municipalities, municipal associations and others, GR will attempt to include fire and rescue vehicles.

Saskatchewan Agriculture and Food

Resolution No. 9-06M

Assistance for Victims of Weather Related Disasters

WHEREAS, drastic weather conditions (flooding, drought, frost, etc.) to seeded and unseeded land resulting in negative economic margins in both urban and rural communities;

THEREFORE BE IT RESOLVED, that Saskatchewan Crop Insurance dispense the total of \$50 per acre payout without deductions (i.e. 5% deductible, seeding intensity and insurable intensities); and

BE IT FURTHER RESOLVED, that SARM lobby the Provincial Government for an additional \$25 per acre disaster payment to all Saskatchewan producers affected by weather related disasters; and

BE IT FURTHER RESOLVED, that SARM and the Provincial Government lobby the Federal Government for additional weather related disaster funding for 2006 and beyond.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

The unseeded acres provision in the crop insurance program is available to all farmers participating in the crop insurance program.

The seeding intensity is used to calculate the number of acres the farmer would normally seed. The five per cent deductible is used to account for normal year to year variations in seeded acres. Crop insurance should not be paid on unseeded acres due to normal year to year variations. The insurance intensity is used to account for the amount of insurance the crop insurance customer normally purchases. Coverage can only be offered on what the crop insurance customer normally purchases. If they only insure 50 per cent of their eligible crops, they can only receive 50 per cent of the payment. To do otherwise would be unfair to farmers who insured 100 per cent of their eligible crops. All of these components are required to offer unseeded acres insurance and to be able to offer an actuarially sound program.

The best long-term solution to addressing weather related disasters is to ensure we have an appropriate crop insurance program and an appropriate disaster program that can deal with any situations beyond the scope of crop insurance (and Canadian Agricultural Income Stabilization program). We will have to wait and see whether the proposed disaster program will provide additional coverage for weather disasters.

The federal government also wants the province to 60:40 cost-share any new disaster program. This is not acceptable to Saskatchewan, as traditionally, disaster assistance has been funded almost exclusively by the federal government.

It is also important that additional funding for on-farm livestock water development be available to help producers address water access.

Resolution No. 10-06M

ADD Boards

WHEREAS, the Agriculture Diversification and Development (ADD) Boards in this province provide an important extension service to farmers; and

WHEREAS, extension services of Saskatchewan Agriculture and Food are limited in local capacity;

THEREFORE BE IT RESOLVED, that the Provincial Government provide financial support to active ADD Boards on a yearly basis to support ADD Board extension activities.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

Saskatchewan Agriculture and Food (SAF) already provides effective technical support and development assistance through services provided by the Agriculture Knowledge Centre and our nine Regional Offices spread throughout Saskatchewan. Regional offices are staffed by specialists in the areas of agri-business development, business planning, crop development, forage development and livestock development. Specialists work at the local level to provide agriculture development assistance to individuals, groups and communities.

The Agricultural Knowledge Centre can be accessed toll-free by telephone or by e-mail and is the first point of contact with the department for technical and general inquiries. The Agriculture Knowledge Centre is staffed with resource agents to handle general inquiries and specialists with expertise in crop production, livestock, forages, grazing management and production economics.

Resolution No. 11-06M

Conservation Easements on Crown Land

WHEREAS, conservation easements should be a decision of private land owners; and

WHEREAS, Saskatchewan Agriculture and Food (SAF) Land Branches have been putting conservations easements on crown land; and

WHEREAS, in the future, this land may become privately owned and the new owner will be unable to improve the arable land because of decisions made previously by government bodies; and

WHEREAS, SAF, being a government body, should be an agent in buying and selling the land but should not have the right to decide what happens to the land in perpetuity;

THEREFORE BE IT RESOLVED, that SARM lobby Saskatchewan Agriculture and Food to stop putting conservation easements on crown land.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

SAF uses conservation easements (CE) as a method of protecting native habitat prior to the sale of Crown Land during the tender sale process. This is done to protect sensitive lands.

SAF's use of CEs allows for sale of Crown lands that otherwise would remain under lease. While CEs prohibit cultivation or disturbance of the natural cover on the land, activities including grazing of livestock, fence line clearing, water development, oil and gas/sand and gravel exploration, and timber harvest may occur with proper approval.

It is our belief that conservation practices and agricultural use can co-exist and actually serve to benefit each other.

**Resolution No. 12-06M
Terms of Conservation Easements**

WHEREAS, the main purpose of non-profit corporations such as Ducks Unlimited Canada and Nature Conservancy Canada is to ensure that the present natural habitat on land is preserved in perpetuity by restricting certain developments such as clearing and cultivating land, and restricting the construction of additional buildings, structures, roads or facilities other than replacement of existing structures; and

WHEREAS, in order to fulfill this mandate, these organizations sign and register conservation easements with landowners in exchange for a monetary settlement; and

WHEREAS, these conservation easements are perpetual in nature and are registered on the Certificate of Title and remain with the land and any subsequent owner of the land forever; and

WHEREAS, there are no safeguards in place to correct errors later found in perpetual agreements; and

WHEREAS, if a large area is forever restricted from building, or new development, it will lower the value of surrounding land, and the survival of the social infrastructure will be at risk; and

WHEREAS, there are presently no limits as to the number of conservation easements that may be registered in a municipality;

THEREFORE BE IT RESOLVED, that in regard to a time frame, the words "exist for a fixed term or for perpetuity" be removed from

Clause 3(2)(a) of *The Conservation Easements Act* and be replaced with "exist for a maximum time period of 30 years."

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

CEs were developed as a tool to protect ecological attributes such as native grassland, native aspen, endangered species areas, wetlands, and special breeding habitats.

It provides an additional tool over and above the actual ownership of the land for conservation purposes. A CE can protect the ecological attributes while allowing other economic activity to occur on the land.

*SAF places CEs on sensitive lands at the request of Saskatchewan Environment under the authority of *The Conservation Easements Act and Regulations*, enacted in 1997. If you would like further information on the terms, restrictions and regulations of conservation easements, I encourage you to contact Saskatchewan Environment directly.*

**Point of Privilege Resolution No. 1-06M
Weather Related Disasters**

WHEREAS, the Provincial and Federal Governments made a payment to producers that suffered as a result of excessive moisture; and

WHEREAS, producers in other parts of this province suffered as a result of lack of moisture; and

WHEREAS, we feel that all producers in the province should be treated equally in a weather-related disaster;

THEREFORE BE IT RESOLVED, that SARM request the Minister of Agriculture to setup a meeting with the Farm Support Review Committee and the Southwest Drought Committee as soon as possible.

No response received at time of printing.

**Point of Privilege No. 4-06M
Fencing of Animals**

WHEREAS, in many cases, animals are at large because the owners of the same have failed to provide adequate fencing; and

WHEREAS, while *The Stray Animals Act and Regulations* define what constitutes a lawful fence, they do not go on to say that the owner must have a lawful fence; and

WHEREAS, a rural municipality likely does not have the authority to prohibit the keeping of animals without a lawful fence under the *The Municipalities Act*;

THEREFORE BE IT RESOLVED, that SARM lobby the Provincial Government to amend *The Stray Animals Act* to make it an offence to keep animals on land not surrounded by a lawful fence.

Response from Honourable Mark Wartman, Minister of Agriculture and Food:

The Stray Animals Act and the Stray Animals Regulations, 1999, do provide authority to municipalities for dealing with stray animals. SAF has met with the SARM Board to gather their views of problems with the current Act and Regulations. A number of issues have been identified, including fencing requirements. SAF is currently examining options to address these concerns and will be discussing possible changes with municipal and livestock industry representatives.

Saskatchewan Highways and Transportation

**Resolution No. 13-06M
Tri-Axle Trucks**

BE IT RESOLVED, that solid-frame trucks with a single axle at the front and triple axles at the back be permitted on Saskatchewan roads.

No response received at time of printing.

**Resolution No. 14-06M
Highway No. 155**

WHEREAS, economic development in our province is dependent on road infrastructure to facilitate the receiving of supplies, the shipping of goods and the travel to and from the area by the workers; and

WHEREAS, the proposed huge expansion of resource development in the north-west will depend heavily on a connection to the province's primary highway system;

THEREFORE BE IT RESOLVED, that SARM promote the inclusion of Highway No. 155 from Green Lake to Laloche in the Primary Highway System.

No response received at time of printing.

Saskatchewan Environment

**Resolution No. 15-06M
Wildlife Management**

WHEREAS, the wildlife population has exploded in recent years, especially the deer population (mule and whitetail deer), which is causing serious issues such as:

- increased traffic accidents,
- concern of spreading Chronic Wasting Disease,
- significant crop loss,
- downgrading crop quality, mainly due to excreta for which there is zero tolerance resulting in the crop becoming an unusable commodity,
- the spread of invasive weed species, and
- potential herd health issues for domestic livestock;

THEREFORE BE IT RESOLVED, that Saskatchewan Environment respond to the need to deal with these issues and ensure that wildlife populations are properly managed and that compensation be increased to reflect the actual total costs and losses to farmers.

Response from Honourable John T. Nilson, Q.C., Minister of Environment:

With respect to this resolution, Saskatchewan Environment is aware of landowner concerns regarding high deer populations in some areas of the province, notably high white-tailed deer numbers in the forest fringe, and high mule deer populations in western areas. Deer densities are not uniform across the province and therefore different approaches are required for each species.

To address increasing mule deer populations, Saskatchewan Environment has increased antlerless quotas in many Wildlife Management Zones (WMZs) and in response to increasing white-tailed deer populations, Saskatchewan Environment has implemented antlerless seasons in some southern WMZs and nearly all forest fringe and forest WMZs. In 2004, Saskatchewan Environment developed a Big Game Management License that is used to direct hunting pressure toward a specific component of a deer herd. These licenses are valid for a specific area and may include a portion of a WMZ, an entire Rural Municipality (RM) or a group of RMs.

With respect to the issue of increased vehicle accidents with wildlife, deer density is one factor in deer/vehicle accidents. Traffic volume and speed are two contributing factors to increased traffic accidents. These are factors over which SE does not have any control. The spread of invasive weed species by deer is not supported by any studies or scientific literature that Saskatchewan Environment is aware of.

Saskatchewan Environment is concerned about the possible spread of Chronic Wasting Disease (CWD) and has developed programs to reduce deer populations in areas where CWD has been documented. RMs and landowners have played a key role in developing this program and their continued cooperation is acknowledged and sincerely appreciated.

Saskatchewan Agriculture and Food is the agency responsible for establishing the terms and conditions of the Wildlife Compensation Program. A copy of this resolution has been forwarded to Honourable Mark Wartman, Minister of Agriculture and Food, to respond to issues pertaining to that program.

Resolution No. 16-06M
Predator Control

WHEREAS, ratepayers in northern RM areas have experienced an increase in torn, maimed and killed livestock over the past several years; and

WHEREAS, Saskatchewan Environment (SE) has not provided adequate assistance or compensation; and

WHEREAS, SE should cover the costs of control of these animals because they have protected them in various ways;

THEREFORE BE IT RESOLVED, that we defend our ratepayers who are threatened with the loss and danger by coyotes, wolves, cougars, and bears; and

BE IT FURTHER RESOLVED, that SE remove all restrictions immediately so farmers and ranchers or their agents are allowed to protect their property; and

BE IT FURTHER RESOLVED, that financial assistance be provided to assist with predator control.

Response from Honourable John T. Nilson, Q.C., Minister of Environment:

Resolution 16 raises a number of concerns surrounding increased carnivorous predator numbers and an increase in incidents where livestock owners are facing loss or damage to livestock.

Saskatchewan Environment has taken an aggressive and targeted approach to dealing with livestock predators. For the purpose of protecting property or livestock, the owner or occupant of any land may without licence use any legal means to kill any coyote, wolf, cougar, or bear on their own land. The killing of cougars or bears must be reported to SE. Coyotes and foxes outside the Northern Fur Conservation Block may be taken without a licence at all times of the year by any Saskatchewan resident.

Saskatchewan Environment revised its predator policy in October 2006 following meetings with representatives from nine Rural Municipalities in the northwest. Key changes contained in the revised policy include the establishment of a Wolf Management Area (WMA) where RMs may designate individuals to remove wolves from RMs within the boundaries of WMAs and use of power snares for wolves may be approved under Special Permit from SE. There is no cost for any Special Permit issued to remove predators; however, a producer is required to purchase a fur licence if he wished to sell the pelts.

Saskatchewan Agriculture and Food provides \$200,000 annually to fund the Saskatchewan Livestock Predation Program. This program assists livestock producers with predation problems by assigning predator control specialists to remove problem animals. There is no cost to producers to access the assistance of predator control specialists under the Program that is administered by the Saskatchewan Sheep Development Board.

Saskatchewan Justice

Resolution No. 17-06M
Cemetery Transfers

WHEREAS, there are many cemeteries in rural Saskatchewan where the registered owner of the cemetery is deceased, or dissolved in the case of a cemetery owned by a religious organization, or cannot be found; and

WHEREAS, community groups, other than the registered owners, provide exemplary maintenance, upkeep, and records for the cemeteries, but the ownership has not been transferred to the community groups; and

WHEREAS, community groups are often volunteer based, operate on limited resources and liability insurance can be difficult to obtain and cost prohibitive for these community groups; and

WHEREAS, liability insurance protection for these cemeteries could be provided under the municipal insurance policy, at no additional cost to current policies providing the cemeteries are municipally owned; however, the costs of the municipality gaining ownership can be cost prohibitive for such things as historic estate searches, court applications, or application for probate;

THEREFORE BE IT RESOLVED, that SARM lobby to encourage a simple and inexpensive method of transfer of cemeteries to municipalities, which would make affordable liability insurance protection possible.

Response from Honourable Frank Quennell, Q.C., Minister of Justice and Attorney General:

You seek a simple and inexpensive method of transfer of cemeteries to municipalities, which would make affordable liability insurance protection for volunteer-cased community groups caring for cemeteries possible.

When the current Cemeteries Act, 1999, was being developed, the issue of care and maintenance of abandoned and neglected cemeteries was discussed a great deal by the working committee formed to develop a new Act. Both SUMA and SARM participated in the working committee. Their interests were to remove expensive impediments to municipalities, should they assume ownership of an abandoned cemetery, and to make the process leading to ownership simple and inexpensive.

In most instances, The Cemeteries Act, 1999 achieves both of these objectives. A municipality in which an abandoned cemetery is located may, by bylaw and with the prior written approval of the Registrar of Cemeteries, provide for the maintenance of the cemetery. In that case, the municipality is, for the purposes of The Cemeteries Act, deemed to be the owner of the cemetery. On the

other hand, the municipality may expropriate the cemetery in accordance with *The Municipal Expropriations Act*.

I am advised the process to register the title with the Information Services Corporations supporting the first option noted is user-friendly and inexpensive.

In summary, I believe the existing legislation can accommodate the needs of municipalities wanting to assume ownership and care for a cemetery within their municipality without incurring great expense to do so.

Saskatchewan Finance

Resolution No. 18-06M

PST Refund

WHEREAS, the Federal Government refunds 100 per cent of the Goods and Services Tax paid by municipalities; and

WHEREAS, municipalities of the province of Saskatchewan are spending a considerable amount of money on the provincial sales tax to provide essential local services;

THEREFORE BE IT RESOLVED, that SARM lobby the Provincial Government to refund 100 per cent of the provincial sales tax to municipalities.

No response received at time of printing.

Saskatchewan Culture, Youth and Recreation

Resolution No. 19-06M

Heritage Studies

WHEREAS, municipalities are now required to contact many government departments including the Heritage Resources Branch of Saskatchewan Culture, Youth and Recreation if a road or bridge expansion or upgrade is proposed by the municipality; and

WHEREAS, trying to contact all the various departments is very time consuming and can hold up a project; and

WHEREAS, completion of a heritage study can cost a minimum of \$2,500 per project;

THEREFORE BE IT RESOLVED, that if the Heritage Resources Branch requires completion of a heritage study for a road or bridge project, that the Heritage Resources Branch:

1. complete the study at their own expense;
2. complete the study immediately upon notification from the municipality of the proposed road or bridge project; and

3. if the Heritage Resources Branch cannot do a study immediately, the municipality can proceed with their project and the Heritage Resources Branch can do the study after the municipal project is complete.

Response from Honourable Glenn Hagel, Minister of Culture, Youth, and Recreation:

In response, let me begin by describing the heritage regulatory framework in Saskatchewan which is administered by Culture, Youth, and Recreation.

Saskatchewan's archaeological heritage, including sites of Aboriginal, Euro-Canadian, or other ethnic origin, is an important and valuable source of knowledge about the history and development of our province. More often than not, archaeological sites are the only means of understanding the past. I entirely agree with you that all citizens of the province benefit from the protection of these heritage resources.

Heritage resources are protected in Saskatchewan through the various provisions of The Heritage Property Act, including s.63. Section 63 places the responsibility for conducting impact assessment studies, or any other salvage or conservation action, on the person whose activity is likely to result in the alteration, damage or destruction of heritage property. In this regard, an oil and gas developer is responsible for the costs of assessing the project's impact on heritage sites in the same way that Saskatchewan Highways and Transportation is responsible for assessments related to their road building activity. Every provincial and territorial jurisdiction in Canada has comparable legislation based on the principle of "user-pay." Like environmental assessment and other regulatory requirements associated with land development, heritage resources impact assessment and mitigation is a normal business cost.

Furthermore, because land developments will disturb or destroy heritage sites located on or with the ground, it is impractical to allow development to proceed and to carry out impact assessment studies afterward. By then, the damage or destruction will have occurred and is irreversible.

The Heritage Resources Branch continues to work with individual rural municipalities to help build their capacity to manage heritage property issues and to streamline impact assessment procedures. One example is creating (rural municipality) heritage sensitivity maps which clarify when heritage needs to be considered in land use and development planning and where no such concerns exist. Rural municipalities are also encouraged to regularly utilize the department's online self-screening tool (accessible at www.cyr.gov.sk.ca/sensitive_locations.html) when planning new land developments. The Screening Tool will expedite land development review for many rural municipalities. If your members feel that the department can be of any further assistance on any particular municipal land development project, I would further suggest contacting the department as early in the planning process as possible.

Office of the Premier

Resolution No. 20-06M

Downloading

WHEREAS, at one time, the Province of Saskatchewan was financially responsible for all costs associated with the assessment services which were received by all municipalities in the province; and

WHEREAS, prior to 1999, rural municipalities were not responsible for any costs associated with the provision of Royal Canadian Mounted Police (RCMP) services being provided to their municipalities; and

WHEREAS, municipalities are now financially responsible for the provision of assessment and RCMP services to their municipalities and these levies have dramatically increased over the years; and

WHEREAS, other levies and costs which have been further downloaded on municipalities from senior governments include regional library service, and even requests for financial commitment from municipalities for funding towards the capital costs for new health care facilities within their communities; and

WHEREAS, it is felt that our national and provincial economies are substantially stronger now; and

WHEREAS, the economic welfare of rural Saskatchewan is in a financial crisis situation;

THEREFORE BE IT RESOLVED, that our senior governments respond in the affirmative to this economic crisis in rural Saskatchewan by reversing the downloading of assessment, police, regional library services, and health care capital infrastructure funding, and that municipalities no longer be financially responsible for any of these services being provided to their municipalities.

Response from the Honourable Harry Van Mulligen, Minister of Government Relations:

Assessment

Assessment services for rural municipalities in the province are supplied by the Saskatchewan Assessment Management Agency (SAMA), an independent agency that operates at arms-length from government. SAMA's field services include revaluations, general property inspections, maintenance re-inspections and defense of assessment appeals, for example. These services are of direct benefit to local governments, both municipalities and school divisions. SAMA levies the requisitions on municipalities and school divisions to pay for the agency's assessment valuation services.

Hunters: Please respect private land.

Don't let your actions cause a 'No Hunting' sign to go up!



- contact the landowner whenever possible, even when land is not posted
- it is illegal to hunt on posted land without permission
- be respectful of the landowner's wishes while hunting
- don't drive on crops, including seeded, muddy or swathed fields
- close all gates
- be careful with fire
- report any hunters damaging crops or property
- report illegal hunting to the TIP line



Saskatchewan
Environment

1-800-667-7561

The provincial property tax system is an important source of financing of both municipal services and the provincial education system and is based upon property assessments. Municipalities and local school boards base their taxes on the value of property within their boundaries. It is a way to ensure that owners of property with similar property assessment values pay similar taxes. This source of funding has given municipalities and school boards the autonomy and flexibility to meet their particular local needs and circumstances, while making them directly accountable to local residents for their financial and program decisions.

Assessment funding is based upon who the main beneficiaries are for the assessment and property tax system, including municipalities, school boards and the province as a whole. The Department of Learning has recently introduced funding of \$2.5 million on behalf of school boards.

Policing

In 1995, the government, in partnership with representatives from the Saskatchewan Association of Urban Municipalities (SUMA) and the Saskatchewan Association of Rural Municipalities (SARM), formed the SUMA/SARM Task Force on Policing and the Administration of Justice. The formation of the Task Force was a direct result of many municipalities asking for changes in the way police costs were recovered.

The objective of the Task Force was to find an equitable and fair way to allocate RCMP municipal police costs. The Task Force considered many options and agreed on the formula that was adopted by the government in 1999. It was understood that the contributions from the participants would pay the entire costs for policing the communities. This formula resolved inequities between municipalities that had to pay for policing services and those that were receiving the same services at no cost.

Libraries

The ten public library systems are required by legislation to use their provincial grants for resource sharing, to allow all citizens equitable access to library materials and services. Municipal levies paid to regional library boards support local services such as staff and books; the decisions about municipal levy rates are made by representatives appointed by municipalities. As in other provinces, municipalities provide the local library building.

Health Care

The provincial capital funding policy for construction of health care facilities provides 100% funding for eligible costs related to facilities where there is an expectation that they will provide care, not just for local needs, but also for residents from across the province.

Facilities that primarily serve a region's local population are cost-shared according to the provincial policy of 65% provincial and 35% local share.

Provincial expenditures on health care continue to grow each year as a percentage of total government spending. It is difficult to recommend further increases in spending to increase the provincial

share of the cost-sharing ratio for health capital when the result may be that that spending will crowd out other non-health related provincial priorities.

Rural Revenue Sharing

With the elimination of the Public Health Levy, the Social Assistance Levy and the Hospital Revenue Tax Levy since 1997-98, municipalities have had a substantial gain in expenditure room over the last 10 years. Over the three year period of 2002-03 to 2004-05, government increased revenue sharing funding by 54%. The province announced a further revenue sharing top up (one time) of \$12.2 million for 2005-06. Including the 2005-06 fiscal year, all municipalities together will have received \$102.2 million more from revenue sharing than they otherwise would have during this time period.

The government also announced a \$12.2 million increase in revenue sharing starting in 2006-07. This brings the revenue sharing total to \$97.2 million, or a 14.35% increase for 2006-07.

Government also committed \$110 million for the 2005 and 2006 property taxation years for 8% education property tax credits. The province subsequently announced it would further enhance the credit to agricultural land by \$52.8 million, thereby establishing an average, province-wide 60/40 province/local education financing split for agricultural land, which will be ongoing and sustainable.

Response from Honourable Len Taylor, Minister of Health:

Premier Lorne Calvert has forwarded me a copy of your November 16, 2006, letter regarding Resolution No. 20-06M, passed at the Midterm Convention of the Saskatchewan Association of Rural Municipalities. I appreciate the opportunity to reiterate the existing policy around the Capital Cost Requirement for Municipalities on Health Care facilities.

The provincial Capital Funding Policy for construction of health care facilities provides 100 per cent funding for eligible costs related to facilities where there is an expectation that they will provide care, not just for local needs, but also for residents from across the province. This includes the tertiary hospitals in Regina and Saskatoon, as well as Saskatchewan Hospital in North Battleford. Facilities in the far north are also 100 per cent provincially funded in recognition of the unique challenges facing these communities.

Facilities that primarily serve a region's local population, including those in Regina and Saskatoon, are cost-shared according to the provincial policy of 65 per cent provincial and 35 per cent local share.

Provincial expenditures on health care as a percentage of total government spending continues to grow each year. It is difficult to recommend further increases in spending to increase the provincial share of the cost-sharing ratio for health capital when the result may be that spending will crowd out other non-health related provincial priorities.

Given that there is limited funding available for capital projects, if the province were to consider increasing its share of funding in the future, it follows that fewer capital projects could be undertaken province-wide.

Communities are encouraged to work with their respective regional health authorities and Saskatchewan Health officials, and communicate their concerns and suggestions regarding facility planning and capital project commitments.

I assure you that we continue to work with health regions to make certain that our system provides the best possible services, while keeping health care sustainable into the future.

SaskTel

Point of Privilege Resolution No. 3-06M High Speed Internet

WHEREAS, the climate in agri-business is fast paced and world wide; and

WHEREAS, farmers need to communicate with the marketplace in an expedient and comprehensive manner; and

WHEREAS, SaskTel is wholly owned by the citizens of Saskatchewan and equal access should be assured to all.

THEREFORE BE IT RESOLVED, that SARM and its members lobby SaskTel to supply high speed internet to rural subscribers at a rate and usage equal to its urban subscribers.

Response from Honourable Deb Higgins, Minister Responsible for SaskTel:

SaskTel offers high speed internet service in more Saskatchewan communities than any other company. SaskTel High Speed Internet service is available to more than 74% of the population in 237 Saskatchewan communities.

SaskTel is in the midst of a three year expansion plan called CommunityNet II. CommunityNet II will provide wireless high speed internet access to a minimum of 71 communities in the province and their surrounding areas.

Upon completion of this initiative, at the end of 2007, SaskTel will have invested nearly \$173 million in expanding this service and approximately 86% of Saskatchewan's widely dispersed population will have access to high speed internet.

The cost structure for wireless internet is entirely different from SaskTel's lower priced DSL High Speed Product which uses pre-existing landline copper. The equipment is much more expensive because it requires an antenna to pick up an RF signal. The start up cost of \$249 for equipment is already subsidized by SaskTel. The actual cost to SaskTel for this equipment runs approximately \$750 to \$800.

The higher monthly fee for the service reflects the higher costs to SaskTel to provision the wireless internet service, which includes erecting towers and providing extra tower equipment.

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Agriculture and Agri-Food Canada

Resolution No. 21-06M Increased Anthrax Compensation

WHEREAS, there is an Anthrax problem in some areas of the province causing high financial losses to livestock producers; and

WHEREAS, the present compensation levels for the disposal of infected animals are based on levels set in 1974;

THEREFORE BE IT RESOLVED, that SARM lobby the Canadian Food Inspection Agency to increase the compensation levels to more closely reflect a realistic level of compensation for proper animal disposal.

Response from Christine Bakke, Policy Advisor, Office of the Minister of Agriculture and Agri-Food Canada:

You may be aware that on August 25, 2006, Treasury Board Ministers approved amendments to the Anthrax Compensation Terms and Conditions to expand the list of animals for which indemnity is available to include bison, cervids (such as white-tailed deer), llamas, and alpacas. At that time, officials reviewed the amount of indemnity available to livestock losses due to anthrax. It was decided that the industry amounts will remain the same, at \$500. For details on this policy revision, please refer to the Anthrax Compensation Terms and Conditions on the Canadian Food

Inspection Agency website at www.inspection.gc.ca/english/reg/apppor/actloi/anthrax.shtml.

The purpose of this indemnity is to cover or offset the costs associated with carcass disposal in cases of anthrax. The market value of the animal is not a consideration when determining indemnity amounts. The size and weight of the animal and the challenges associated with disposal are considerations in determining the amount producers are to be reimbursed.

Health Canada

Resolution No. 22-06M Gopher Control – Strychnine

WHEREAS, the gopher population has caused much loss to farmers in regions infested by them and need to be better controlled; and

WHEREAS, the current pre-mixed products are ineffective; and

WHEREAS, liquid strychnine has proved to be the most effective gopher control product;

THEREFORE BE IT RESOLVED, that SARM continue to lobby for liquid strychnine gopher poison to be made available to RMs.

No response received at time of printing.

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Justice Canada

Resolution No. 23-06M Sex Offender Legislation

WHEREAS, a ten-year-old boy from the Whitewood, Saskatchewan area was abducted on July 30, 2006, by a known pedophile; and

WHEREAS, our Saskatchewan law enforcement agencies were not aware that this predator was in the area;

THEREFORE BE IT RESOLVED, that SARM lobby both the federal and provincial governments to enact legislation enabling our law enforcement agencies to develop a system whereby known pedophiles are tracked and whereby the public is notified of the whereabouts of these predators; and

BE IT FURTHER RESOLVED, that SARM also lobby for legislation that would impose harsher penalties for convicted pedophiles and for a designation of "dangerous offender" for repeat offenders.

Response from Honourable Frank Quennell, Q.C., Minister of Justice and Attorney General:

I understand that you discussed this issue with Deputy Minister Moen at your meeting of November 29, 2006. As was agreed at that time, the Department will prepare an article on these issues for you to share in your newsletter. You will receive the proposed article in the next couple of weeks.

You seek federal and provincial legislation to enable known pedophiles to be tracked and the public notified of the whereabouts of predators. You also call for harsher penalties for convicted pedophiles and the designation of "dangerous offender" for repeat offenders.

The criminal law is federal responsibility and the authority to monitor pedophiles post-sentence is contained within the Criminal Code peace bond provisions. I wrote to the Federal Minister of Justice requesting that the peace bond provisions be expanded from the current one-year term to allow for peace bonds for up to two years, to help track pedophiles. I am pleased to note that Bill C-27 tabled by the federal government in October contained such an amendment.

In terms of notification of the public about the whereabouts of predators, Saskatchewan has recently implemented a public web site which would allow for the publication of police notifications of pedophiles considered at risk to the community. The web site is found at: www.saskjustice.gov.sk.ca. This is similar to the web sites in place in Alberta and Manitoba.

I also note that penalties for convicted pedophiles and dangerous offenders are matters dealt with under the federal criminal law. Bill C-27 did move to try to clarify the dangerous offender provisions

of the Criminal Code. Saskatchewan supports the need for such clarification. However, I have also indicated to Minister Toews that the proposed reforms do not fully address my concerns regarding the need for clarity.

Transport Canada

Point of Privilege Resolution No. 7-06M Railway Transportation

WHEREAS, transportation costs represent the single largest expense for Canadian farmers; and

WHEREAS, inefficient and deteriorating railway service for grains shipments is inhibiting farmers ability to access and capture timely opportunities in both domestic and international markets; and

WHEREAS, the current Canada Transportation Act fails to hold railway financially accountable for inadequate service;

THEREFORE BE IT RESOLVED, that the Saskatchewan Association of Rural Municipalities lobby the Government of Canada to bring forward immediate legislative changes to the Canada Transportation Act that fulfill the agreements reached between Transport Canada and shippers on May 5th, 2006, including the initiation of a review of the level of service being provided by railways.

BE IT FURTHER RESOLVED, that the Saskatchewan Association of Rural Municipalities work with the Government of Saskatchewan, farm groups, and industry to push the necessary legislative amendments forward and to ensure that the required level of service review is initiated.

No response received at time of printing.

Department of Fisheries and Oceans & Transport Canada

Point of Privilege Resolution No. 2-06M DFO Costs and Road Maintenance

WHEREAS, Transport Canada and the Department of Fisheries and Oceans have created stringent requirements that municipalities must comply with when doing any work in or around any type of water body which is or is suspected of being fish bearing and/or navigable by a canoe; and

WHEREAS, these requirements result in very significant road maintenance and construction cost increases which municipalities are then responsible for;

THEREFORE BE IT RESOLVED, that as these costs are federally mandated that SARM lobby the Federal Government to cover the additional costs inflicted by Transport Canada and the Department of Fisheries and Oceans on our municipalities; and

BE IT FURTHER RESOLVED, that SARM request the Provincial Government's assistance with this lobby.

Response from Honourable Lawrence Cannon, P.C., M.P., Minister of Transport, Infrastructure and Communities:

Thank you for your correspondence of November 27, 2006, in which you informed me of a resolution adopted by the Saskatchewan Association of Rural Municipalities pertaining to the costs associated with adhering to the requirements of the Navigable Waters Protection Program (NWPP).

The NWPP regulates the construction of works built or placed in, over, through or across navigable waterways. The NWPP fall under the Navigable Waters Protection Act, which is a federal statute designed to protect the public right of navigation and to facilitate safe and shared use of Canada's waterways. It is important to note that the NWPP does not regulate road construction or maintenance; therefore, the federal government, representing the interests of Canadian taxpayers, should not be responsible for the costs associated with such work.



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