

# THE VOICE MAGAZINE

*Volume 15 Issue 43  
November 16, 2007*



## *The Sky Is Falling*

*But Burnthe8track have it covered*

## *Road Trip*

*Sights along the way*

## *A Matter of Intent*

*Following the spirit of the law*

*Plus:  
Chronicles of Cruiscin Lan  
The Mindful Bard  
Click On This  
AUSU This Month  
and much more...*

## Welcome To The Voice PDF

*The Voice* interactive Table of Contents allows you to click a story title to jump to an article. Clicking the bottom-right corner of any page returns you here. Some ads and graphics are also links.



## features

EDITORIAL

Sandra Livingston



## columns

CHRONICLES OF CRUISCIN LAN

Wanda Waterman St. Louis

MUSIC TO EAT LUNCH TO

Mandy Gardner

THE MINDFUL BARD

Wanda Waterman St. Louis

FROM WHERE I SIT

Hazel Anaka

AUSU THIS MONTH



## news and events

INTERNATIONAL NEWS DESK

Mandy Gardner

CLICK ON THIS

Lonita Fraser

EDUCATION NEWS

Ksenia Prints



## from the readers

LETTERS TO THE EDITOR

CLASSIFIEDS



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and please indicate if we may  
publish your letter.

## THE VOICE MAGAZINE

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## A Matter of Intent

There's a historic case in front of an Alberta court right now, a judicial question that will unfortunately affect many Canadians in future.

I say unfortunately because the case in question involves whether or not a habitual drunk driver may be labelled a dangerous offender. (The unfortunate part is that, so long as both vehicles and alcohol exist, there will be men and women who decide to combine the two

and who the courts will be forced to deal with.)

The case in question involves a man who stole a truck. When police tried to pull him over, he accelerated, crossed into oncoming traffic, and killed a mother and her three young daughters. The man was drunk at the time, and has recently pleaded guilty to four counts of dangerous driving causing death.

The latest drunk-driving charges are part of a pattern; the accused has several previous convictions for the same offence. According to a report in the [Globe and Mail](#), he "had three previous impaired-driving-related convictions that date back to the 1990s. In total, he has been convicted of 65 criminal charges ranging from robbery to assault." Now, as part of his current sentencing, the Crown is trying to have him declared a dangerous offender. If they succeed, it will be a first in Canadian history.

The argument hinges on a key requirement of the [dangerous offender legislation](#): whether or not the man set out to deliberately hurt people. It's a point that, as one observer noted, will likely see the Crown's efforts fail. Sanjeev Anand, University of Alberta criminal law professor, said in a [recent interview](#) the accused in this case "is engaging in criminal activity, but his goal is not to harm other individuals."

And that's where I can't help but disagree, because to consciously and repeatedly engage in behaviour that you know has a high likelihood of injuring someone shows intent to do just that. The legislation spells it out clearly: a particular offence must have been "essentially violent or potentially violent and [carry] a potential maximum sentence of at least 10 years or more." The offender must also demonstrate "a pattern of repetitive behaviour . . . showing a failure to restrain his or her behaviour and a likelihood of causing death or injury to other persons . . . through failure in the future to restrain his or her behaviour."

The same section goes on to clarify that along with "a pattern of persistent aggressive behaviour by the offender," there must be "a substantial degree of indifference on the part of the offender respecting the reasonably foreseeable consequences to other persons of his or her behaviour."

Failing to try and change that behaviour only adds to the argument of intent. In this case, even the man's defence lawyer admits that he has "routinely rejected treatment programs for his drug and alcohol addictions."

There is no way to know exactly what intentions were running through this offender's mind when he made the decision to drink that day knowing, before he began to consume alcohol, that he had a history of potentially deadly behaviour (i.e., drunk driving) when using it. Nor is it possible to know his precise thoughts when he chose to commandeer a vehicle.

For a young mother and her three girls, their killer's intentions hardly matter. But for the sake of all the deaths it's not too late to prevent, it's important to remember a different intent: that of the dangerous offender act, which is to stop chronic offenders from taking more innocent lives.

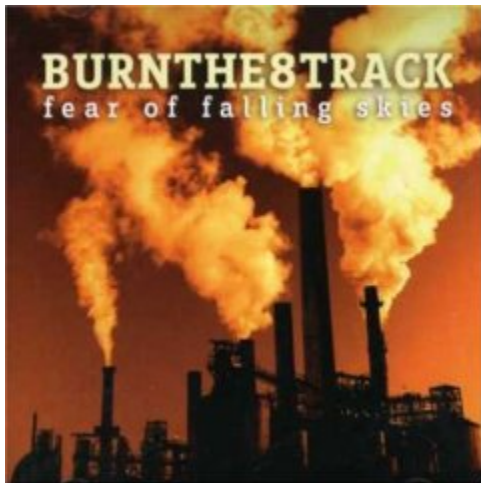


# The Chronicles of Cruiscin Lan

by  
Wanda  
Waterman  
St. Louis



Burnthe8track - *Fear of Falling Skies*



Release date: June 6, 2007

Label: Curve Music

Tracks: 12

Rating: 9

For anyone, like me, who is of the opinion that AFI lost the plot with their last record, let me introduce you to Burnthe8track.

This four-piece Winnipeg band formed 10 years after AFI but their album *Fear of Falling Skies* seems to pick up right where *Sing the Sorrow* left off in 2003.

Jason Kun and Ethan Osland have perfected their respective guitar riffs and bass lines to create that kind of seamless, racing melody that almost makes you feel they're just having fun showing off to each other in the basement. Derek Kun hits the vocals in what is a flawless Davey Havok tribute, and Sam Osland takes over the drum kit to flawlessly round out the sound. If this is the kind of unfaultable collaboration that comes from two sets of brothers who make music, more bands should work from this example.

Despite my initial reaction to this record, Burnthe8track is not what I would call an AFI tribute band, although if that's what they wanted to do I don't think there's anyone better suited to the job. *Fear of Falling Skies* encompasses a wide range of lyrical content that focuses on the social state and environmental issues. The title track is a mellow song that sardonically asks its listeners whether they should be placing more importance on the air we breathe instead of letting other people worry about the future.

This is the sort of record that is instantly likeable; at the end of every song I had already formed an attachment and was sad to see it go. The songs work their way into your head immediately and, given the gaping hole left in recent emotive-punk rock by the over-synthesization of AFI, I for one am very happy to welcome Burnthe8track onto the big stage with this major-label debut.

*Fear of Falling Skies* follows the full-length *The Ocean* and the EP *Division* in 2005, two releases that helped gain the boys a spot on the Vans Warped Tour as well as opening slots for Sum 41, Comeback Kid, and, fittingly, AFI.

After booking hundreds of shows on the strength of the single "The Ocean," Burnthe8track decided to sign with major label Curve Music and work on their next album. Looks like it couldn't have worked out better for the band, because as well as intense Canadian touring they're now in growing demand south of the border and in Europe.

If you're in Winnipeg on December 22, I suggest you head to The Zoo and check these guys out live.



## *Books, Music, and Film to Wake Up Your Muse and Help You Change the World*

DVD: *París Labyrinth*

Release date: 2006

Written, produced, and directed by Guillermo del Toro

Starring Ivana Baquero, Sergi López, Maribel Verdú, Doug Jones, Ariadna Gil. A joint Mexican-Spanish production

"Magic does not exist. Not for you, me, or anyone else."

So says Carmen in response to her daughter Ofelia's obsession with fairy tales. Having placed all her hopes for happiness in the hands of a dashing sociopath, Captain Vidal, Carmen has long abandoned belief in magic and expects her daughter to fill the role of a charming accessory to her new, upwardly mobile mode of life.

But magic *does* exist; it is the place where nature and the world of the spirit embrace each other in a dance of deep and lasting benevolence. *París Labyrinth* delivers pointed insights into the composition of this benevolence, or at least into what it is not. The labyrinth is a metaphor for 1944 Spain, which, like every main character in this film, is at a crossroads. The Spanish Civil War is here a context for an exploration of Goodness Itself, but *París Labyrinth* is far from your standard morality tale. It is at first unclear, for example, whether the faun and fairies are nasty or nice, or whether the freedom to disobey is a moral hazard or a priceless gift.

The fascist Captain Vidal demands total, blind obedience. The good doctor, knowing he will be killed for it, asserts: "To obey—just like that—for the sake of obeying, without questioning, that's something only people like you can do, Captain."

And yet the faun also demands blind obedience: "Do you promise to do what I say? Will you do everything I tell you, without question?"

So much is staked upon obedience, both in the real world and the fantastic, but in the end it is obedience (and not, as the fascists would have it, human life) that is inconsequential. As Rilke put it in *Letters to a Young Poet*, sometimes the dragons in our lives are actually princesses in disguise, waiting for us to act nobly and courageously. Ofelia fails two out of three tests but this doesn't matter; her essence remains intact. In other words, she has not lost her immortality.

"The door is locked," Ofelia observes.

"In that case," says the faun, "create your own door."

Del Toro holds up the real world and the world of fantasy to face each other like mirrors, permitting them continually to reference and ultimately to influence each other. The violence of the real world is echoed in the dining room of the pale man, a ravenous creature with piles of delectable food in front of it who nonetheless prefers to eat children. A pile of children's shoes in the corner is painfully reminiscent of concentration camp exhibits in Holocaust museums.

Del Toro describes our spiritual origins with the use of pagan symbols, reiterating again and again the intimacy between nature and the world of spirit. Symbolism lurks around every corner: a knifed half-smile is sewn shut by its fascist owner; in a demonic parody of the gospel story the fascist captain gives up his son to

the rebels; these rebels have until this point represented a kind of 20th century faun, neutral and natural, flitting through the woods in search of the redemption of the sons of men.

I would not have expected a Spanish film to have so vividly portrayed the magic of Celtic culture, but apparently Celtic culture came through the north of Spain, exerting an influence on peasant culture there and leaving behind architectural elements evocative of a Druidic spirituality.

I was also pleasantly surprised to find the Spanish language so strangely evocative of the faerie world. (Recent attempts to find an Acadian word for the wee folk proved fruitless in spite of my asking dozens of Acadians of different ages. Words for fairies are multitudinous in my Celtic-Anglo-Germanic background but I have yet to meet a French, Hispanic, or Italian person who has even one word for the little buggers.)

The soundtrack includes the most haunting and evocative melody by Javier Navarrette, and the visual clues to the meaning of the story are dense and compelling. But the greatest visual pleasure this movie has to offer is the face of young Ivana Baquero, who plays Ofelia. Seeing the play of light and shadow on her sensitive and responsive face, and watching the seamless transitions of emotion in her great chocolate egg eyes is like listening to Liszt on a Stradivarius.

In his comments del Toro observes that the 19th century dealt with children as ambassadors of a higher culture and that with all our good intentions we ruin their minds with what we call education. Immortality, according to del Toro, is the act of refusing death. As in the fable of the rose, you have to dare to die in order to achieve immortality.

The natural world is a manifestation of love. It is imperfect only because it is not Love Itself, and yet as evidence of the tenderest generosity it is indisputable, a sure sign that you too, when you refuse death while daring to die, are of royal origin, awaited by your royal parents in halls of splendour.

*The Bard could use some help scouting out new material. If you discover any books, compact disks, or movies which came out in the last twelve months and which you think fit the Bard's criteria, please drop a line to [bard@voicemagazine.org](mailto:bard@voicemagazine.org). If I agree with your recommendation, I'll thank you online.*





## Road Trip

Driving has taken on a whole new groove since we purchased a Honda CR-V EX-L. It's prompted some behavioural changes. The two or three miles of gravel standing between home and pavement has meant going only 40 or 45 kilometres an hour to save the paint job. The well-intentioned pledge not to eat or drink in the new vehicle was short-lived.

Even more important than the sleek new look is the reliability of a brand new vehicle. With that new-found confidence I set out on a road trip to Hinton. The timing was not mine. I was going to spend a couple of days with my niece Hailey while her mom and dad were livin' it up in Vegas. At 15, Hailey didn't really need a chaperone or babysitter. It was more a reassurance for all of us that in fact she was okay.

I left home Sunday afternoon, checked out a flea market, bought a Mandarin chicken salad at Wendy's, and settled in at Hilary's for the night. Hilary and her roommate were in New York so I was on plant watering detail. I kept the appointment for my shoulder surgery one year checkup at the Grey Nuns Hospital Monday morning.

Before heading out to Hinton I spent an idyllic hour or so at Chapters. Knowing our dollar was topping out at \$1.07 U.S. made book prices seem all the more outrageous. I did pick up *Beyond the Words* by Bonni Goldberg from the sale table. I've never left a bookstore empty-handed.

I wanted to be in Hinton by the time Hailey got out of school. I loaded up the disc player with (don't laugh) Celine Dion, Keith Urban, Michael Buble, Enya, Andrea Bocelli, and Pachelbel's Canon in D. An odd mix, granted.

I set cruise at 100 kilometres and was off. I didn't care one whit when everyone and his brother passed me. I was enjoying the drive, the music, the fuel economy. The dash and gauges on the Honda remind me of an airplane cockpit. One of those gauges illustrates instant fuel consumption, average trip consumption, and kilometres left before the tank is empty. Through a series of calculations and conversions I know that the trip averaged about 35 miles per gallon. That's old school, I know, but some of us are old school.

My thrill with the trip began eroding the farther west I went. There were snowmobile tracks in the ditches. There was sand and salt, snow pack, and glare ice on the road. What's up? I'd left just a dusting of snow behind. Would my VSA (vehicle stability assist) come through for me in the hills of Hinton, especially after the freezing rain fell Monday night? The forecast for Tuesday and my return trip to Edmonton on Wednesday is textbook Alberta in winter. Yuck.

Maybe a summer road trip with an open moon roof and the music cranked will be better. Only seven months 'til I find out, from where I sit.

## AUSU THIS MONTH



### Response to AUSU's open letter from Joy Romero, Chair, AU Governing Council

Athabasca University

Office of the Governing Council

October 31, 2007

Dear AU Students:

I am very pleased to learn, through your elected AUSU representatives, that you share our excitement and satisfaction at the recent Government of Alberta allocation of \$30 million in capital funding for the new Academic and Research Centre on our Athabasca campus. This level of government support does indeed, as your student leaders say, clearly demonstrate the province's strong commitment to post-secondary education and to AU students in particular.

In response to your question about how AU will use these funds to enhance student services, it is first important to emphasize that, as dedicated capital funding, this \$30 million grant is specifically earmarked to cover construction costs of the new building in Athabasca. None of the money may be diverted to operational uses. That said, however, acquisition of our new building will allow us to enhance student services in many ways.

As you may know, AU academic and support staff members have for some time now been suffering from a critical shortage of work space. Our main campus was designed to house a staff serving the academic and support needs of a 10,000 member student body. Last year, in contrast, 37,000 students enrolled at AU. In the past five years alone, our staff complement has grown by more than seven per cent annually, and finding adequate office space, meeting space, research space, etc. has grown increasingly difficult. Many staff members have been forced to work in environments that are not suited to their professional needs, and such compromises have impacts on operating efficiencies and, inevitably, if not addressed on the quality of service provided to students.

The new Academic and Research Centre will greatly strengthen Athabasca University's leadership role in addressing distance education challenges and opportunities. In addition to providing badly needed space and services for the academic and research centres of the university, including work space for 210 additional staff members, it will enhance and support increased collaboration between researchers and academics giving impetus to research into teaching practices, innovations and implementation strategies associated with e-learning. It will also house the university's new Technology Enhanced Learning Research Institute—an Institute dedicated to using technology in learning. All of these improvements are destined to have a direct positive impact on the quality and quantity of the university's academic and research programs.

In addition, in 2010, when academic and research staff move into the new building, the space they now occupy in the existing main Athabasca campus building will be renovated to house student support staff. The altered building will be transformed into the Athabasca University Learning Centre and, in addition to expanded student service facilities, will house a significant teaching laboratory.

These are indeed exciting times for AU and for current and prospective AU students. These and other proposed capital projects as well as the planned introduction, over the next several years, of a number of new academic programs, the creation of several new research institutes, including the Technology Enhanced

Learning Research Institute mentioned above, the adoption or creation of innovative educational technology in support of distance learners and the planned expansion of our student financial supports are positioning AU to both broaden its outreach and expand its services to students. Over the coming few years, AU students will benefit from a broader range of academic choices and enhanced opportunities to participate in research, and they will be supported by a broader (and deeper) range of non-academic services.

Thank you for your letter and your interest in the changes affecting your university. At AU, the focus is on you, the student, and all developments, whether they involve bricks and mortar, technological innovation or academic research, are calculated to enhance the opportunities that we can provide to you.

Sincerely,

Joy Romero, P.Eng., MBA PM

Chair

Athabasca University Governing Council

cc: Frits Pannekoek

## An open letter to Joy Romero, Chair of AU Governing Council

Dear Ms. Romero:

On behalf of the students of Athabasca University, we are excited and encouraged by what Dr. Frits Pannekoek has called the “second greatest milestone” in the history of Athabasca University. The approval of \$30 million toward AU’s new administrative and research center, as announced today by Minister of Advanced Education and Technology Doug Horner, is a tremendous step toward ensuring that AU will remain one of Canada’s finest educational institutions.

This funding demonstrates Alberta’s strong commitment to Alberta’s students, and the students of Athabasca University. Athabasca University also demonstrates this commitment through its focus on increasing affordability, accessibility, and quality of education for our members. Recent limits imposed on annual tuition increases are an important first step toward ensuring affordability. Today’s funding announcement will further address accessibility issues for AU students.

In early 2007, AUSU presented the government and AUGC with a document detailing our Vision for a Skilled Alberta. It is clear that our concerns have been heard and that steps are being taken to ensure that students’ views are incorporated into revisions to our education system and university services. We are encouraged that we have reached this milestone to improve the main campus of our university and ensure that AU has sufficient staff to address growing student needs.

We now look forward to learning how AUGC and Athabasca University will use these funds to enhance the quality of AU’s offerings and we request a communication from AUGC to our members explaining how this new funding will enhance student services.

We continue to look forward to reaching future milestones that will ensure that AU can address the urgent need for enhanced learning and virtual communication technologies, more courses and programs, and research opportunities for students.

AUSU



## At Home: Ontario town seeks federal inquiry into radiation pollution

Mandy Gardner

A small town in Ontario has become so despondent over the failure of the federal government to organize an inquiry into the alleged uranium pollution being dumped into the area for decades that it has arranged and paid for its own study.

Port Hope conducted a scientific study on nine of its residents to determine whether the nuclear processing facilities present in their town had contributed to poor health; according to urine sampling, scientists concluded that several people in the study had very high levels of radioactive isotopes in their bodies.

Dr. Asaf Durakovic told reporters at a news conference that “people of Port Hope have been continuously and chronically subjected to inhalation of radioactive dust, including depleted uranium and different levels of enrichment of uranium isotopes.”

The source of the depleted uranium is thought to be the Cameco refineries, which process uranium for use in American nuclear power plants. From about 1944 to 1988, the refinery operated as a Crown corporation called Eldorado Nuclear Ltd., which provided material for the nuclear bombs dropped on Japan in 1945. It was privatized in 1988 to become Cameco Corporation.

Despite the seemingly obvious connection between Cameco and radioactive isotopes found in Port Hope residents, the company’s stance on the matter is that their facilities are clean and free of any unrestricted pollution.

In 2002 Port Hope underwent a large-scale removal of contaminated beachfront soil. However, the contaminated material was simply moved into other areas of the town and, according to the Port Hope Community Health Concerns Committee (PHCHCC) website, the radioactive material can now be found in “private homes and yards, the municipal landfill, roadbeds, ravines, the public beach and harbour.”

In 1994 Cameco was federally investigated to ensure it posed no health risks to the community; subsequent to a clear report and no observed polluting, the government left it at that.

Now Health Minister Tony Clement will look at the residents’ own study findings and determine whether further investigation needs to be done.

## In Foreign News: Scientists have discovered another human ancestor

A previously unknown hominid named *Nakalipithecus nakayamai* is the second poignant African discovery to recently shed more light on the story of human evolution.

A Japanese and Kenyan team have been studying a fossilized jaw bone of the new hominid and are theorizing that this creature was in fact one of the last relatives of humans, chimps, and gorillas. The placement of this vegetarian’s jaw bone and other fragmented pieces found in a large area suggests not only



that these animals lived in groups but that perhaps the apes that evolved into humans were still present in Africa during the latter stages of evolution.

The popular theory that apes destined to evolve into humans migrated out of Africa before doing so has met stronger opposition since this discovery.

Team co-leader Yutaka Kunitatsu of Kyoto University explained that the existence of many other primate fossil remains at the Nakali dig site changes the perception of many anthropologists that such diversity didn't exist at this point in pre-history: the fossils have been dated as 10 million years old.

With researchers now looking at a more diversified African hominid and primate population, they are forced to reconsider established theories related to human evolution and consider that perhaps fully evolved humans developed not only in Europe and Asia but in Africa simultaneously due to regular migration.

Kunitatsu hopes that this find is just one of many that will start to fully develop the African Miocene fossil record, and his team continues to search for a complete *Nakalipithecus nakayamai* skeleton that could produce more clues to the diversion of chimps, gorillas, and humans.

The researcher says the greatest discovery he could ever make is the direct link between chimps and humans: "That's the most interesting link. We would like to know, finally, how humans and chimpanzees diverged from each other."

## [CLICK ON THIS - Oddio](#)

Lonita Fraser

Elvis Costello once said that "radio was a sound salvation," but I'm not certain he anticipated what some people would end up doing with music—and music-related things—as their victims. Sound files, and pictures, and words, oh my!

[100 Worst Cover Songs](#) - I'm not even going to attempt to describe this for you. Enjoy the horror all on your own!

[Music](#) - I can just see you all hauling out the old LEGO box to try this out for yourselves: a collection of album covers reproduced in LEGO!

[Record Envelope](#) - A repository of those little paper sleeves that our vinyl came in.

[The KNOCKOFF Project](#) - Album cover spoofs, goofs, tributes, send-ups, near misses and coincidences. This site is fab, but would be even better if the images were larger.

[Let Them Sing It For You](#) - This odd little web-based application will use the sung lyrics of songs to sing the text you input.

[Leonardo's Last Supper Hides True Da Vinci Code](#) - Interesting, but I think perhaps a bit of reaching might be going on.

[Gracenote Music Maps](#) - Artists, songs and more, sorted by geographical region. See what's hot, and where it's hot at.

[Vinyl.com](#) - And for those of us who remember platters . . . here's a source to reissues, releases, and more.

## EDUCATION NEWS



### Saskatchewan Party's victory appeals to students

Ksenia Prints

WINNIPEG (CUP) - One of Canada's most talked-about elections ended with a groundbreaking 37-seat majority for the Saskatchewan Party, ending the NDP's 16-year reign in the province.

The win could spell big changes for post-secondary education.

The Saskatchewan Party ran on a platform of change, promising "new ideas" for families, health-care and environmental issues.

The big debate for students was choosing between a tuition cut or rebate.

While the NDP promised to lower the province's tuition by \$1,000, add 10,000 new seats in the training sector and continue the newly-introduced Graduate Tax Exemption, voters were lured by the Saskatchewan Party's flagship promise of a new post-graduation tuition rebate of up to \$20,000 over seven years.

The party also committed to increase funding to post-secondary institutions by 28 per cent, create a \$3 million-a-year Saskatchewan scholarship fund, and allow \$10,000 annually in tax-free earnings for entrepreneurs and self-employed people under the age of 30.

The Saskatchewan Party also promised to promote business education in the province.

"Any increase is going to be a benefit to students and universities," said Barbara Pollock, vice-president of external relations at the University of Regina. "We're certainly looking forward to talking to them on the key priorities we all have."

"The government and the opposition have been very supportive of post-secondary education, and we're looking forward to this continuing," she said.

This platform's policies were partially geared towards keeping Saskatchewan's graduates in the province after they complete their education and was well-received by the province's technological institutes.

"A lot of our students are looking to stay in the province, go in and start their own businesses in urban and rural Saskatchewan," said Brittany Holderness, president of the Kelsey Students' Association at the Saskatchewan Institute of Applied Science and Technology.

The party's overall post-secondary platform, however, received mixed reviews.

A recent report card issued by the Canadian Federation of Students' Saskatchewan chapter gave it a mediocre C+.

While the scholarship fund and tuition rebate got high marks, they were overshadowed by failing grades for a lack of initiatives in student housing and improved access to education for aboriginal students.

"The province is well off, they have the money to do more than they promised," said Mike Burton, CFS representative for Saskatchewan and president of the University of Regina students' union.

"We believe [improving access for Aboriginal students] is a sacred obligation," he continued.

Burton said that affordable student housing is crucial to improving Saskatchewan's economy and accommodating the growing population.

"We need to avoid what happened in Alberta, where students and low-income earners were left with no options," he said.

The province's technological and trade institutes have special funding and space needs, which Holderness said were overlooked in the election platform.

"Our students don't look at the here and now, they have different needs than university students," Holderness said. "Funding needs to come to technological institutions in different ways."

Burton believes while "trade schools wanted increased spots, and universities wanted lower tuition," no one got everything as requested.

But Holderness said that election platforms need to be taken with a grain of salt.

"In all platforms, things are said but there is no money to back it up," she said.

"It would be premature to know what funding we're talking about," said Pollock. "We need to sit down and be able to talk to them first."

CFS-SK said that its representatives will work with the new government and push for additional tuition reductions and need-based access grants.

The students' unions of other technological colleges are expected to lobby for additional training spots, equipment upgrades, more budget-related autonomy from the government and long term budget commitments.

"In a province as small as ours, we get to know the government and the opposition on a personal basis," said Holderness. "We look forward to working with the new opposition and government to make the best education we can."

At only 10 years old, the relatively new Saskatchewan Party was led by Brad Wall to win a majority government with 37 seats and 52.2 per cent of the popular vote.

The Lorne Calvert-led NDP pulled in the remaining 21 seats in the 58-seat legislative assembly, with 36.2 per cent of the popular vote.

At 9.3 and 2 per cent of the vote respectively, the Liberal and Green parties failed to win any seats.

# classifieds

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## THE VOICE

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