

## LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

April 12, 1978

The Assembly met at 2:00 o'clock p.m.

On the Orders of the Day.

### INTRODUCTION OF GUESTS

**MR. SPEAKER:** — I would like to take this opportunity to introduce to the members of this Assembly a gentleman who is visiting today in the Legislature on behalf of Speaker Jerome. He is Mr. Ray Stokes and he is in the Speaker's Gallery. If Mr. Stokes could rise.

**HON. MEMBERS:** — Hear, hear!

**MR. SPEAKER:** — While I have Mr. Stokes here I take the opportunity to mention to members again that I did send information recently to the members of the Commonwealth Parliamentary Association, to the party leaders and to the caucus chairmen about Speaker Jerome's plan to use Grade Twelve students as pages in the House of Commons from across Canada. Mr. Stokes is here today discussing this matter with me and has given me further information should any members wish to consult with me further on the matter.

I would also like while I am on my feet to introduce a group of very important people that are here from Bishop Roborecki School in Saskatoon. They are 44 in number, Grade Eight students. Bishop Roborecki School is situated in the constituency of Saskatoon Westmount which I have the honor to represent in the Legislature.

They are accompanied here today by Mr. Chuey, Mr. Buttinger and Mrs. Serhyenko. I hope all members will join with me in welcoming these students to the Legislative Assembly and hope that they have an enjoyable day here, an interesting day and a safe journey back to Saskatoon.

**HON. MEMBERS:** — Hear, hear!

### WELCOME TO STUDENTS

**MR. H.W. LANE (Saskatoon-Sutherland):** — Mr. Speaker, I would like as well to introduce a group of very important people to you, Mr. Speaker, and through you to other members of the House. We have a group of some 39 students, I believe Grade Seven students from the Cardinal Leger School in my constituency, accompanied by Mr. Frank Hagel and Mr. Dale Bertch.

Mr. Speaker, I will be meeting with this group a little later on in the day. I wish to take this opportunity to thank them for coming here and witnessing the proceedings. I hope they have a very safe journey home and I will take an opportunity later on in the day to meet with you and perhaps answer some of your questions.

**HON. MEMBERS** — Hear, hear!

### QUESTIONS

#### Dairy Workers' Strike

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — Mr. Speaker, in the absence of the Minister of Labour (Mr. Snyder) and in the absence of the Minister of Agriculture (Mr. Kaeding) I would like to direct a question to the Deputy Premier. I think we are all aware that there have been certain marathon negotiations going on over the past evening and this morning about the milk strike. I would ask the Deputy Premier if he is in a position to report to us on those negotiations? Furthermore, I would ask the Deputy Premier if he is prepared at this time to bring in legislation to end that strike and get the workers back to work?

I understand that the Minister of Labour gave a commitment both to the dairy producers and to the unions involved that, unless the matter was settled by 2:00 o'clock this afternoon, such legislation would be presented to this Assembly.

**HON. R. ROMANOW (Attorney General):** — Mr. Speaker, I can report that negotiations have been ongoing, virtually non-stop, I guess now for 24 hours or so. I am advised that some progress has been made. The discussions are still ongoing, apparently fruitfully. As a consequence the government has no further announcement to make at this particular time.

**MR. MALONE:** — A supplementary question, Mr. Speaker. It is our understanding that the Minister of Labour gave a definite commitment to all parties involved, the dairy producers and those in the unions, that unless this strike or this matter was settled by 2:00 o'clock this afternoon, the legislation would be presented to this Legislature for approval to get these people back to work.

Now I ask the Attorney General, how much longer are you going to let this matter drag on? If it is not settled by 3:00 or 3:30 this afternoon, is it your intention to bring legislation before us?

**MR. ROMANOW:** — Mr. Speaker, while I cannot vouch exactly what the Minister of Labour did say, I do believe his words to have been that if a settlement is not arrived at by the appointed time, the government's then duty to consider other options rise rather dramatically. I do not believe that there was a statement in the terms that the Leader of the Liberal Party words it, namely that there will be legislation by 2:00 o'clock.

The question about how long the dispute is to be dragged out, I think is a very important question. This is a very serious matter which I think we all recognize. The government is mindful of this. We are also mindful of the process which is ongoing and the best that I can say to the Leader of the Liberal Party is that, knowing all the circumstances we do know and all the circumstances we have to consider, our announcement will be made in due course.

**MR. MALONE:** — I wonder if the Attorney General would outline to this Assembly what your other options are if this matter is not settled by some reasonable time this afternoon. Furthermore, would you advise us whether or not you have a draft bill ready to present to this Legislature, should that course of action have to come to pass, and furthermore, would you be prepared to let us have a copy of the draft bill so we can be considering it this afternoon?

**MR. ROMANOW:** — Well, Mr. Speaker, I say again that government policy will be announced in due course. I think the Leader of the Liberal Party's question is, I do not mean to say facetious, but it is somewhat speculative. We just have to wait and see what

happens.

**MR. J.G. LANE (Qu'Appelle):** — A supplementary to the Deputy Premier. In the bill being drafted, would you give the House the assurance that there are provisions in the bill providing compensation to those producers who have suffered losses to date, so that they can be assured as well that all problems are solved in the same bill?

**MR. ROMANOW:** — Mr. Speaker, I can only give the same answer that I have given the hon. Leader of the Liberal Party with respect to this question as well. We will have to see in due course what announcements or decisions are taken.

### Education Act

**MR. R.L. COLLVER (Leader of Progressive Conservative Opposition):** — I direct my question to the Minister of Education in the absence of the Premier. Yesterday at this Assembly, on the front steps there appeared to be some considerable difference of opinion in the interpretation of The Education Act and the clauses therein. (Inaudible interjection) . . . not in my view only, as between the president of the SSTA, the spokesman on behalf of the Liberal party, the spokesman on behalf of the Progressive Conservative party and the Minister of Education. The Minister of Education, quite simply and quite succinctly, proceeded to address the people that the president or the leadership of the SSTA was not telling the truth. Now, that was the comment. Mr. Speaker, my question to the minister is quite simply this, in the light of the very obvious difference of opinion, politically, as to the interpretation of the act, why, Mr. Speaker, would the government of Saskatchewan and the people of Saskatchewan pay for a full page ad in The Leader Post, and I am sure that the same full page ad appeared in the Saskatoon Star Phoenix. I said, what . . .

**MR. SPEAKER:** — Order, order! If the minister wants to answer, I'll let him answer.

**HON. D.L. FARIS (Minister of Education):** — Mr. Speaker, I would like to deny that I said the president of the SSTA said things which were not true. I said that we had a difference of agreement as to what the facts were. But I say that the only political speeches that were made on the steps of the Legislature were made by you and the member for Indian Head. (Inaudible interjection.) Yes, good old Cy. I suggest to you that we have attempted in every way to avoid this kind of disagreement, but we believe that parents do have the right to have the facts in regard to this act. I may say that the member for Maple Creek, in his comments on the bill, said: 'In numerous areas, more control to local authorities was granted, pupil and parental rights have been enhanced and obsolete legislation was eliminated.' I give him credit for speaking the truth. I say to you that the parents of this province, the children of this province and the trustees also have the right to have the facts which are, as was stated by that member, that in large areas there has been new powers handed to the School Boards; there are very clear new powers for parents and for students. Now those are facts and I say to you that hon. members may disagree in regard to particular sections but in regard to the whole of the bill, that is the general thrust and I say, those are the facts.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. COLLVER:** — Supplementary question, Mr. Speaker. In light of the fact that the association, the SSTA, does not agree with the minister in any way in those particular statements, is it normal, Mr. Speaker, that the government of Saskatchewan pays for advertising, to counter what after three years of discussion, negotiation and

presentation that the people of Saskatchewan are fully aware of. It is the intention of the government of Saskatchewan to use the advertising medium to counter the legitimate interests of a legitimately elected representative in the province of Saskatchewan.

**MR. FARIS:** — I can only say to the hon. member that he has very clearly not been in touch with this entire process during the past years. From the very beginning of the School Law Review Committee, through the white paper stage and so on at various points, the Department of Education has attempted to try to clarify points and provide the public with the facts and we shall continue to do so.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. COLLVER:** — Final supplementary. Since there is considerable difference of opinion as to what the facts are, Mr. Minister, in your own words today — well, that's what he said, Mr. Speaker, — since there is a difference of opinion as to the facts and since one level of government cannot possibly afford to present this kind of information at this cost to the people of the province of Saskatchewan on a continuing basis, is it the minister's intention to continue spending this kind of money to advertise an act that is being introduced into this Legislature?

**MR. FARIS:** — I would just ask the hon. member to tell me what in that material is not factual? There is no emotional content, there is no attack on trustees or any group whatsoever. Just read that material. The other point is this, that advertisement is exactly the same size of advertisement as was sponsored by the SSTA and they put a levy upon their school boards to pay for that, according to the best information I have. That means they are using money from the taxpayers of Saskatchewan.

### **Dairy Workers' Strike**

**MR. MALONE:** — Mr. Speaker, I see the Minister of Labour has now taken his place and I would like to direct a question to him which I directed earlier to the Attorney General. We have been advised, Mr. Minister, that yesterday you gave a commitment to both dairy workers, I am sorry, the dairy producers and to the union. It was, unless the current dispute was satisfied and completed and resolved by 2:00 o'clock this afternoon you would be bringing in legislation ordering the workers back to work. My question to you, Mr. Minister, is, did you make such a commitment and if you did, when can we expect the legislation to be brought before this Assembly?

**HON. G.T. SNYDER (Minister of Labour):** — Mr. Speaker, I indicated yesterday when I spoke to the group made up of producers, employers and employees, that the government found itself in an untenable position because of the circumstances surrounding the dispute. I indicated to them that if a settlement was not accomplished that we would have to be forced into looking at one of two available options.

**AN HON. MEMBER:** — What are they?

**MR. SNYDER:** — Well, if you'll hang on a moment or two I'll tell you. I was just in the process of doing that. I indicated that we would have the option of doing nothing and allow the strike to continue which appeared to us to be an untenable position and which should not be allowed to happen. Secondly, we would be placed in a position of having to make a move which would bring the strike to a conclusion.

**MR. MALONE:** — Supplementary question, Mr. Speaker. Will the minister give us the

assurance that if this dispute is not resolved today, before this House adjourns at 5:00 o'clock being a Wednesday, that you will bring forward to this Legislature, legislation which will be passed I can assure you very quickly as far as this caucus is concerned to resolve this dispute today?

**MR. SNYDER:** — I can't propose to give the member that kind of assurance because there are other areas that may be explored. It may not be necessary to introduce legislation. There are other options which may be explored prior to the introduction of legislation to bring the work stoppage to a conclusion.

**MR. MALONE:** — The minister indicated there are other options to be explored. You told us earlier you are either going to legislate or do nothing. I would like to know what these other options are and finally how long you are going to wait before such time as these other options are pursued?

**MR. SNYDER:** — Mr. Speaker, the hon. member knows that at this present moment, on the floor below us in this Legislative Chamber, discussions are currently taking place. I have some expectation that we will reach a resolution to the problem . . . well, all right I grant you that negotiations have been going on for something in excess of 24 hours. And there has not been a moment wasted to my knowledge and every effort has been made and no stone has been left unturned. I think the member will have to place himself in our hands for the present moment until those negotiations either are concluded successfully or else they break down. I am confident that there will be a conclusion before too long. Twenty-four hours is a considerable length of time but I am still conscious of the fact that there is a very genuine concerted effort being made on the part of all parties involved to reach an amiable solution.

**MR. W.C. THATCHER (Thunder Creek):** — Mr. Minister, in light of the comments that you have just made which, in effect, appear to be a betrayal of what you have told to the dairy producers, would the minister give the dairy producers, who are outside this Assembly right now, one reason since they are now going to be forced to dump their bulk tanks down the sewer, could he give them one reason why they shouldn't back their bulk tanks up to the stairs of this Legislature and dump it right here?

### Education Act

**MR. W.H. STODALKA (Maple Creek):** — A question to the Minister of Education in relation to the topic that was raised earlier today by the member for Nipawin. Could the minister please indicate the extent of the cost of the advertising program that he has lately taken on with the ads in the daily newspapers. It is going to appear in the Western Producer as well and the likes. How long?

**MR. FARIS:** — I don't know the exact cost but if the hon. member will put the question on the order paper I will be pleased to answer it.

**MR. STODALKA:** — Supplementary question, Mr. Speaker. Would the minister not agree that the party with which he has the greatest dispute at the present time is with the Trustees' Association and an action such as this would probably only add fuel to the fire and therefore decrease any further chance of settlement?

**MR. FARIS:** — Mr. Speaker, I don't think that giving people the facts of a situation adds fuel to the fire. I may say that I heard Mr. Swan on the radio this morning and under questioning and so on he showed the positions they previously took. For instance, in

regard to the words 'teach' and 'instruct', they are far more flexible than could have been thought of before. We are quite willing to and, in fact, intend and are in a process of setting up further meetings, both with trustees and teachers, in regard to matters they may have concerns of and those meetings will be held.

### CPN Accounts

**MR. LANE (Qu'Ap):** — A question to the Attorney General. In this Assembly on January 6 of this year under questioning from myself, you answered with the phrase on page 14-15 with regard to the payment by CPN to Sask Tel for the use of the hardware. You state that if Sask Tel provides equipment to a customer, a customer being CPN or Conventional Cable, it charges that customer for the provision of that hardware. Has in fact, Sask Tel submitted accounts to CPN for the use of the hardware since CPN commenced broadcasting, and if so has CPN been making its requested payments within 30 days?

**MR. ROMANOW:** — Mr. Speaker, I will have to take notice of that question. I don't know. I don't know if Sask Tel has been submitting bills to the Conventional Cable companies for that matter or to CPN. This is in effect, a trial test period for all the carriers.

I will take notice.

**MR. LANE (Qu'Ap):** — A supplementary.

**MR. SPEAKER:** — Final.

**MR. LANE:** — Would the Attorney General not admit that in fact, CPN has not been billing its customers for the last two months, and if payments have been made to Sask Tel that it is drawing down the guarantee and is in fact being subsidized, or if it is not making its payments to Sask Tel, that this is a further subsidy of the government cable operation, CPN, by the government of Saskatchewan, and in fact the cost to the taxpayers of this province is going to be considerably greater than any \$2.6 million loan guarantee, that in fact, Sask Tel or CPN is being heavily subsidized by the government of Saskatchewan with probably very little hope of ever recouping the money?

**MR. ROMANOW:** — Well, Mr. Speaker, I know that the hon. members opposite and the media of this province would want to see CPN fail, but I don't think that we ought to be bound by the words of the member today that that indeed will be the case.

The fact of the matter is that Sask Tel may not be charging — I don't know — either the CPN operation or the Conventional Cable operation while both are equally lit up. If that is the case as I suspect it to be, although I am not sure, one could argue that there is a subsidy given to the private cable licensees such as the ones that exist in Moose Jaw or in Saskatoon or that exist here in Regina. I don't know. We have to find out the facts. But the fact of the matter is that I could see that happening during a start-up period whereby Sask Tel, as a matter of good business practice, would do this and would hope to recapture the cost over the long run with subsequent adjustments.

I will take notice to find out what the situation is.

**MR. R.E. NELSON (Assiniboia-Gravelbourg):** — For the Minister in charge of Saskatchewan Government Insurance. I would like to direct a question to the Attorney

General.

Yesterday, the government announced a special advertising campaign to encourage motorists to renew their licences early in April. In this advertising campaign, will the citizens of the province be told that if they renew in April, they will not receive the five per cent reduction and if they wait until after May they would get five per cent reduced from their licence fee?

**MR. ROMANOW:** — I will take notice.

**MR. R.E. NELSON (Assiniboia-Gravelbourg):** — Supplementary, Mr. Speaker. Without all the information in this advertising campaign, would the Attorney General consider that this ad would be misleading, and in fact, false advertising? Would the Attorney General consider, at this time, that the government would announce a five per cent rebate on all licences purchased for use during 1978?

**MR. ROMANOW:** — Mr. Speaker, I don't know how I can answer that supplementary since it is predicated on the first question, on which I said I would take notice and acquaint myself. So I take notice on the second question.

### Sask Tel Cable Policy

**MR. COLLVER:** — I would address my question to the Premier, since the Attorney General has just given the answer. The Attorney General just a few minutes ago, before the Premier entered the Chamber, announced that it was good business practice by Sask Tel, to allow or have a period during the start up of CPN or Cable Regina, or whatever, during that start up period of time, to allow them perhaps now not to have to be charged for their accounts, or not to bill them that they could get free service. My question to the Premier, is that an announcement of a new policy by the government of Saskatchewan with reference to Sask Tel, that they would allow new start up organizations to get free telephone service for a period of time until they are on their feet?

**HON. A.E. BLAKENEY (Premier):** — Mr. Speaker, I will allow the Attorney General to speak for the government.

**MR. ROMANOW:** — Mr. Speaker, Mr. Premier, I think that I need not make a big issue out of what I believe is a purposeful and deliberate misinterpretation of the words that I said. I think those are clear for the record and goes for I simply said, with respect to the cable and closed circuit operation, the situation is that we are involved here with a test period where the technology is being tested, where there has to be approvals taken by the CRTC and the Department of Communications. This may or may not be the basis of the question the hon. member for Qu'Appelle asks. I don't know. I said I will take notice. But for the leader of the Conservative Party to misrepresent what I said, surely is unbecoming of him.

**MR. COLLVER:** — To the Attorney General then. Since he suggests that it would be all right for Sask Tel — which he did — it would be all right for Sask Tel to forego its billings and forego its receipt of payments while the technology is being tested, even though the technology is there in Alberta, or British Columbia, or Ontario, wherever — would the Attorney General then agree that he is announcing a new policy for the government of Saskatchewan, that Sask Tel will be able to allow any organization that is developing new technology such as the transmission of computer technology over telephone lines

which are billed from Day 1 in the province of Saskatchewan. Would he now be saying that the computer companies in Saskatchewan would get free telephone transmission of that computer technology while the technology is being developed?

**MR. ROMANOW:** — Mr. Speaker, again I am awfully tempted to categorize the question as being one which is totally ridiculous but I do not want to do that for fear that it will further inflame the hon. member for Nipawin. Let me simply say, Mr. Speaker, two points.

First of all, with respect to cable hardware, the Canadian Radio Television Commission needs to have a certification or a proof of the calibre of the quality of the technology with respect to the signal. This is regardless of the fact of whether there has been cable operating in Ontario or Alberta for years or not. There is a period, accordingly, where there is the transmission of the signal, whereby there may be no charge for that signal asked by Sask Tel. I do not know if that is the situation or not. I repeat that again. I have to get the information and acquaint myself and advise the House. That is point number one.

Point number two, we do know the situation with respect to technology on CPN. The member says it is available and yet members opposite (the Liberal Party), point out that the converter filter is something which is new and that the technology is not available. That of course, indeed, is the situation. That is the best answer I can give today.

**MR. E.F.A. MERCHANT (Regina Wascana):** — Mr. Speaker, a question to the Minister in charge of Sask Tel. The Premier, no doubt, will be aware that the three cable companies in Moose Jaw, Saskatoon and Regina all intend to commence litigation against Sask Tel over CPN. They indicate that proceedings to seek injunctions against Sask Tel will probably be launched within the next 24 hours. The matter is imminent and serious. I ask the Premier what the intention of Sask Tel or the intention of the government will be in terms of dealing with this matter when litigation is commenced?

**MR. ROMANOW:** — Mr. Speaker, this question or a similar one was asked yesterday and I believe my answer yesterday was the same as it will be today.

Number one, we hope that no litigation takes place for the reasons that I have articulated in and outside the House. I believe that good business practice would indicate, as far as all the parties are concerned, that some sort of accommodation should be arrived at without the necessity of going to court. If, however, one of the parties (or all of the parties) decides to pursue this matter in court, that decision is something which is beyond the control of the government or beyond the control of Sask Tel. If indeed that should take place, Sask Tel will be guided by legal counsel and take the appropriate action that legal counsel advises it to take and Sask Tel, in its best corporate interests, thinks it should take.

**MR. MALONE:** — A supplementary question, Mr. Attorney General. Is it true that Sask Tel has advised the licensees of CRTC (Canadian Radio and Television Commission), that if they take legal action and seek an injunction from the courts to prevent what is going on to continue, Sask Tel intends to take them right off the air. Have you or has Sask Tel threatened the licencees in this way?

**MR. ROMANOW:** — Mr. Speaker, I have not been in communication with any of the licencees, apart from a solicitor for one of the licencees a short while ago and personally I have not made such communication to any of the licencees. So far as I



know the hon. Minister in charge of Sask Tel hasn't either although I cannot vouch for him. I do not know the up-to-date conversations that Sask Tel has had with the licencees but I would be I think fairly safe in saying that no such statement has been made to licencees by any responsible official at Sask Tel.

**MR. MERCHANT:** — Final supplementary. The minister indicates that he, as the head of the Communications Secretariat, has not been in touch with the cable operators and doubts that the minister has been in touch with the cable operators. What steps are being taken to stop them from commencing litigation when all three say that within this next 24 hours they will be seeking an injunction against the government through Sask Tel?

**MR. ROMANOW:** — Well, Mr. Speaker, I believe that officials at Sask Tel have endeavored to, not recently, perhaps recently, I can't vouch for it exactly today because I have been otherwise preoccupied but I can say that as of Friday of last week Sask Tel has contacted the various companies asking whether or not some sort of an understanding or accommodation could be arrived at for such period as the converters and filters are in fact prepared. That's part of the step, I think, that the member asks is being taken to try and avoid litigation in this area. So far it appears that there has been no success in this situation. I repeat again as I take my place, Mr. Speaker, that Sask Tel is in the position of a common carrier. It has the duty, I won't put it that high, at least it's in business to provide services to customers and we have here two customers; one is CPN which is an independent customer and also the conventional cable company which also is independent. Sask Tel is trying to do its best to accommodate that which may be the competing and conflicting interests of both. I think these are very difficult things to do. It's trying its best attempt under its corporate obligations and I think that all we can do is just see how that develops.

**MR. SPEAKER:** — Order!

### Answer to question on Loan

**HON. W.E. SMISHEK (Minister of Finance):** — Last week I took note as to a question raised by the hon. member for Thunder Creek (Mr. Thatcher). He raised a question with regard to a \$21 million loan from the Chemical bank. Mr. Speaker, the \$21 million is part of the \$44 million loan of the Saskatchewan Power Corporation outstanding with the Chemical bank. Let me briefly explain the terms of the loan that is in operation. The rate of interest is established for six months at a time of each draw down of the line credit. At the end of the six month period a new rate of interest is determined for the next six month period. The hon. member referred to \$21 million that matured on April 4. That is not correct. April 4 was the expiry date of the six month interest period and it was necessary to establish a new rate of interest. It was not the expiry date of the loan. Saskatchewan Power has the option of repaying the loan at the end of any interest period during the term of the loan. The loan was not repaid on April 4, because the line of credit is an interim financing. It will be paid off when permanent financing is arranged. Permanent financing will be arranged in US dollars so that any exchange risk will be spread over a 30-year period. Again it is important to emphasize that it is cheaper to borrow in the US market because of lower interest rates and the difference between Canadian and US interest rate provides sufficient protection against likely long-term movements in the exchange rate.

**MR. THATCHER:** — A supplementary question. Mr. Minister since you have indicated that Sask Tel did have the option of either rolling the loan over or paying it off, would the

minister tell this Assembly today, why, in view of the predictions for a drastically dropping Canadian dollar, going down possibly as low as 80 cents, of course, we hope this is wrong, why the Department of Finance did not seriously consider this option? Particularly when the minister mentioned that he could spread this loan over 30 years. Would the minister also tell us exactly what the changes would be since the minister knows full well the interest rate changes, the entire ball game changes when you change from short-term to long-term financing. So when the minister makes reference to this long-term financing to avoid this discrepancy, what changes are they throwing at you, what are they telling you as far as the new interest in terms of collateral, etc.? The minister knows full well it is a new ball game, would you tell us what this game is?

**MR. SMISHEK:** — Mr. Speaker, I don't know whose predictions the hon. member is looking at. Certainly we are aware of the exchange rate difference but, Mr. Speaker, on a long-term basis, in fact, I just had an opportunity to have a lengthy meeting with the president and chairman of the Investment Dealers Association of Canada who are people who have some idea about borrowing and about exchange rates. We are confident that borrowing in the US market over a long-term period that the Canadian dollar will strengthen over a period of time and the Canadian dollar will be at par or better during that long-term period. When you consider that at the present time the interest rate is about three-quarter per cent difference that it is still to our advantage to borrow in the US market on a long-term basis.

## ANNOUNCEMENT

### CCIL Loan

**HON. W.A. ROBBINS (Minister of Revenue):** — Mr. Speaker, I am pleased to announce an agreement has been reached with the federal government and the governments of Manitoba and Alberta to advance \$15 million in guaranteed loans to Canadian Co-operative Implements Limited.

Mr. Speaker, the agreement will mean that Saskatchewan, Manitoba and Alberta will guarantee loans of \$2,625,000, \$2,800,000 and \$1,575,000 respectively. The remaining \$8 million is in the form of an interest free federal contribution, recoverable over 10 years.

Mr. Speaker, it is gratifying to our government to have the other governments join us in supporting this important co-operative during a difficult short term financial crisis. With over 50 per cent of CCIL sales and approximately one half of its 90,000 members in this province, our government was and is concerned that the operation remain financially viable.

The government guarantees are in addition to funds which major co-operative centrals, already significant investors in Co-op Implements, will also be making. With the infusion of new capital and provision of longer term credit, CCIL will be able to protect the investments of its members and continue to serve them through its distributional system. In addition, up to 3,000 jobs at the factory in the distributional system and its spin off effects across the West will be protected.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. COLLVER:** — Mr. Speaker, let me first say that I am very pleased to hear that CCIL's financial difficulties are temporarily at an end. However, Mr. Speaker, we would like to

have emphasized to the minister prior to the granting of this line of credit, that because 50 per cent of the sales are in the province of Saskatchewan and because we are in the centre of western Canada, that the government of Saskatchewan should have taken the opportunity at this time to insist that the CCIL plants be located in the province of Saskatchewan so that the jobs and opportunities for Saskatchewan citizens from that very worthwhile organization could be introduced to us here.

We think that it is too bad, Mr. Speaker, that the government of Saskatchewan did not emphasize this point with the other governments of Canada and did not emphasize that because 50 per cent of the jobs are here, that we should have had the plant here in the province of Saskatchewan to create new jobs.

## PRIORITY OF DEBATE

### Cable Television

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — Mr. Speaker, before the orders of the day, I would like to move pursuant to Rule 17, seconded by Mr. Merchant (Regina Wascana):

That priority of debate be given to the urgent and compelling need for this Assembly to discuss the decision of the government controlled Crown corporation, Saskatchewan Telecommunications, to refuse the duly licenced cable television operators, Cable Regina, Saskatoon TeleCable and Prairie Coax, the exclusive access and use as of 12 noon, April 7, 1978, of channel 3 Regina, channel 3 Saskatoon and channel 9 Moose Jaw respectively, thereby breaching the written agreement between Saskatchewan Telecommunications and the said cable television licensees and as a result placing the said cable television licensees in jeopardy of being prosecuted pursuant to section 29 of the Broadcasting Act of Canada and being liable to the payment of a fine of \$25,000 each.

**MR. SPEAKER:** — A notice regarding this matter proposed for priority of debate was received in the Clerk's office at 8:30 a.m., for which I thank the hon. member. The matter of the continuing dispute between Sask Tel and cable television operators was proposed for priority of debate three days ago on Monday, April 10, 1978. At that time I ruled that the matter was not of sufficient urgency and public importance to set aside the normal business of the Assembly. This matter is still not of sufficient urgency and public importance to merit a priority of debate under Rule 17. If members wish to debate this matter, they may do so under Rule 38 with proper notice.

**MR. MALONE:** — Mr. Speaker, I wonder if, on a point of order, I could point out to you that the priority of debate I presented to you today deals with a matter of prosecutions and fines of \$25,000. It is not . . .

**MR. SPEAKER:** — Order! I am quite aware of that. I read it in the member's presentation. I think my statement covers the situation.

## ADJOURNED DEBATES

### Second Readings

The Assembly resumed the adjourned debate on the proposed motion of the Hon. D.L.

Faris (Minister of Education) that Bill No. 22 — **An Act respecting Elementary and Secondary Education in Saskatchewan** be now read a second time.

**HON. G. MacMURCHY (Minister of Municipal Affairs):** — Mr. Speaker, I think it would be appropriate if I addressed a few remarks to this particular debate, debate on an act respecting elementary and secondary education in Saskatchewan, Bill 22, since I was the minister who started the process leading to this legislation.

As we debate Bill 22 in this Assembly, I think it's important to remember the larger context in which this particular act fits. I am sure all members are aware of the constitutional framework of education in Canada. The British North American Act delegated education entirely to the provinces and each provincial government, without exception, used the provincial responsibility of education as an important constitutional right and responsibility. In all of the provinces, therefore, in keeping with our parliamentary democracy, the Lieutenant-Governor in Council has delegated the responsibility of education to one of its minister, the Minister of Education. That minister, of course, is provided with a departmental staff to assist him in making provision for education throughout the province. Because of that system the member of the Cabinet, the Minister of Education, is ultimately therefore held responsible for what does or does not happen in education in any province in our country. He is put in place by the electors and he may well be removed by the electors.

Now, Mr. Speaker, the public has also throughout the years felt that it has as much as possible the educational decisions and the control of education should be at the local level, as close as possible to the parents.

Therefore, by design and also by mutual agreement, the Minister and his department have delegated as many decisions as possible in education to that local level. So school boards were established with fiscal responsibility for educational decisions within their geographical area. Now, who should pay for this education? Well, again by mutual consent, the system was designed so that those who used the system paid for it, and so the property tax was born.

Now, statutes evolved over the years to meet the current needs of education. School law in Saskatchewan evolved, therefore, over the 75 years, but with the School Act of 1905 remaining the basic act and other statutes added as the requirement arose. So by 1975, 17 statutes dealing with education were, in fact, in place. The acts were each adopted when specific needs arose which made them necessary - acts which provided for the larger school units, provided for collective bargaining, provided for education for the blind, education for the deaf, vocational education, teacher training, teacher tenure, free textbooks and so on.

Mr. Speaker, in the early stages of our province's history, the department and school boards found themselves each suited to a different role in education. The school boards accepted the major responsibility for fund raising, as the tax dollars collected from local property taxes were the source of funds for the local school. But at that time instructional resources were scarce and the provincial Department of Education was best able to set curricula, to set educational standards, to prepare instructional resources. School boards have always assumed the responsibility of employing teachers and still do so, and the training of teachers has always been a provincial responsibility.

But 75 years, Mr. Speaker, brought changes to the way we live. New modes of

transportation, telephones, rural electrification, those farm lights and those small town lights, the new technologies have revolutionalized all walks of life.

The changes over the years have been reflected in educational legislation, therefore, through the additions of the new acts to that basic School Act of 1905. And what became clear as we entered the last half of the 1970s, however, was that a drastic change had emerged with respect to the roles of the province and with respect to the roles of the school boards.

Now, this government made a commitment in 1971 when it came into office to reduce the percentage of school costs raised through the property tax and to increase the amount raised through income tax, or taxes based on ability to pay. The Foundation Grants Formula was introduced removing the pupil-teacher ratio formula and providing grants on a more equitable basis. The Property Improvement Grant Program was introduced, which with the 1978 Budget has been raised to 25 mills of assessment, 25 mills of property tax that is rebated to the property owner. The money for schools is taken out of the general revenues at the provincial level, which means that the burdens of school costs have been shifted from the property owner to the income taxpayer, or to the taxpayer with ability to pay. That is right and that is just.

So, this year the province will be contributing 58 per cent of the direct cost of education to the Foundation Grants Formula and another nearly 20 per cent through the Property Improvement Grant. In other words, the province picking up through direct and indirect grants almost 75 per cent of the cost of education.

But, Mr. Speaker, at the same time there has been a steady evolution, since the late 1950s, to more and more independence in curriculum at the local level and less and less domination by the Department of Education. Comprehensive schools were built. Superintendents moved from being provincially employed to being locally employed. Departmental final examinations were phased out for the earlier high school grades. Individual teachers became accredited to develop their own programs. Curriculum offerings were tailored to meet the local circumstances and the available facilities. Most important, since the start of the 1950s, the historical rules of the Department of Education and the school boards of education have been reversed. Where the school board, in early days, was primarily responsible for finances and the department handled the curriculum, by the mid 1970s, school boards were making most of the program decisions and the provincial Department of Education was carrying the main burden of providing the money.

The greater flexibility in school programming that emerged better facilities the possibility of transportation to programs if necessary and highly specialized teachers had also brought some questions of to just what was the most important job of our schools in this province.

By the mid 1970s there was some very real questioning as to whether the job of the schools should be teaching basics, if we could agree on what those were, or whether the job of the schools should be preparing the student for a job or whether the job of the school should be preparing the student for life in a more general way through skills and through the use of television and modern technology.

The legislation governing school operation in Saskatchewan did not seem to help us very much with those questions. After all, it had its basis in 1905. The legislation did not even, very adequately, reflect the change in rules, the department handling the money

raising and the school boards deciding the programs which had occurred.

So the time had come said the trustees for the parents and the students and the administrators, to take a look at the school law. There were by now 17 statutes. They were a confusing maze to the layman, at times a confusing maze to the experts. They overlapped and they tended to keep people away from involvement and education rather than encouraging it. But to what purpose would we change the statutes? No one was sure because no one was very sure exactly what kind of an educational system the people wanted for themselves in the 1970s and the 1980s if they were given a choice. So the only thing to do, Mr. Speaker, was to ask them. Do we want schools to lead society or do we want society to lead the schools? What is most important that a student obtain during his years in school?

So the regional conferences on education were held in 1973 asking those questions to all regional conferences in which 200 to 300 interested people came for a day to each conference to discuss just what they saw the role of the school to be, the role of the teacher, the role of school boards, and the role of parents. Each regional conference was followed in local areas by other conferences called mini-conferences and several hundred conferences gave more people, than probably ever before, an opportunity to make themselves heard as to the proper system for education in the day. Those conferences, known as issues and choices, yield a summary of opinion across the province.

While there was naturally disagreement on a number of issues, some general conclusions could be drawn. In general, Mr. Speaker, the conferences told us that the schools in Saskatchewan were doing a pretty good job. There were some small problems, many small needs, lots of people problems, but when it came down to a choice, people were pretty much satisfied with the job that our school boards, our teachers, our administrators and our department doing.

What were those small problems and small concerns? Throughout the conferences there was a greater call for openness within the system. Conferences said, teachers please talk to parents; parents please talk to school boards; parents please talk to teachers; school boards please talk to the department; and for goodness sakes, somebody please talk to the students. When tough choices have to be made, discuss the alternatives openly with those affected, for the stakes for everyone are too high in education for misunderstandings and for lack of communication.

The issue of the teacher as a professional and as an individual in the community was in the minds of conference participants. They expressed the concern over dismissal and tenure; they said local people want more to say as to who is hired and how the criteria should be established to hire them. But most important, people wanted to know that the teacher was a person who could first of all teach or instruct children as well as subjects.

Finally there was a call for schools to remain local. Centralized programs were regarded as an expensive luxury that participants were willing to trade off for simpler programs that could be offered in the local home community.

Mr. Speaker, those conferences also left questions. There was a demand for an accommodation of individual differences, yet there was a demand for a standard core curriculum with rigorous drill in the skill subjects.

There was a call for maximum local decision-making, but there was also a call for the

Department of Education to impose firm standards on the quality of the school's program and the quality of the teaching.

There was a call for parental involvement, but a resistance to a structured or a mandatory form of involvement.

There was a demand for financial support from the provincial government, but an accompanying demand that the local community could override considerations of efficiency in stipulating where the elementary education program, at least, should be offered.

Mr. Speaker, with those guidelines, the Minister of Education of the day appointed a School Law Review Committee to look at the existing 17 statutes to see how they could be rewritten, to see how they could be consolidated, to see how they could be dated to match the concerns expressed in those conferences.

The Committee was chaired by Clarence Amundrud, a long-time and highly respected former minister of the Department of Education. Among its members were leaders in the educational field in this province, Dr. John Egnatoff of Saskatoon; Dr. Fred J. Gathercole of Saskatoon; Dr. Stirling MacDowell; Mrs. L. Coleman and Mr. Lyle Bergstrom, former Deputy Minister of Education, who acted as general secretary for the Committee.

Now, this minister's Committee on school law reported in January of 1976, with a remarkably thorough and far-sighted review of the existing legislation and that committee provided recommendations for a new act to meet current needs in education in Saskatchewan. The committee recognized that each participant in the educational process has a particular role. Each has responsibilities, each has rights. They suggest an act organized around these roles and around these rights and around these responsibilities. The act, they said, should include: provincial administration, local government administration, pupils, programs and services, teachers, and finance.

Now, Mr. Deputy Speaker, let us take first of all a look at provincial administration. Under existing school law, the law that is now in effect today the emphasis is on control and management by the Minister of Education and his department. Most people in this province and I suspect most people in this Assembly would be surprised to learn that in present school law, a carryover from 1905 if a board wants to modify a course, a school board wants to modify a course or a program, they are required to have the approval of the Minister of Education. There are frequent references in the present act to 'with the approval of the minister', 'subject to the minister'. Now, let's be realistic. Many of those controlled mechanisms are no longer in use. Insofar as is possible without jeopardizing the minister's duty under the constitution, really powers have been delegated to school boards. But that in fact, is in practice, the practice as it has evolved over the years but it does not read that way in the existing school law.

Now the new Education Act, Bill 22, shifts the emphasis away from control and management on the part of the minister, and turns his role into one of guidance and one of leadership. In this act the minister has responsibility to set goals and objectives, to provide a goal, to provide a direction for education in Saskatchewan. The minister's functions as set out in the new act, give him the function of leading education. It removes the dictatorial control and management aspects of the old legislation, the existing legislation. And that, Mr. Speaker, makes sense — for it fits with the shift of goals which has gradually taken place over the years, where the main decisions concerning programs are, in fact, being taken at the local level. And Mr. Deputy Speaker, it fits with the modern view of democracy, where the function of the provincially elected minister is to provide leadership. If ever there was a role for leadership required, it is in the field of education today.

**SOME HON. MEMBERS:** — Hear, hear!

You have a situation where you have strong organizations that are doing a good job — the trustees, the teachers. But the people look to the elected provincial official for leadership; they look to him to keep the balance that will reflect the wishes of the public, and allow the schools to get on with the business of educating their children.

Now, Mr. Deputy Speaker, the new act also provides for a more up-to-date view of school boards and their function. Part and parcel of the lessening of direct control management on the part of the minister, has been the growing independence on the part of the school boards — both with respect to educational programs but also with respect to fiscal decisions. Everyone in this House has long supported the growth of local control and the lessening of central control, and it has become a fact of life — no one will deny that. But, if you are looking for support in principle, in the present law, you are not going to find it. It is interesting to note that when you take a look at existing legislation, the only reference to the powers of the boards is that the boards are required to provide instruction to pupils who have a right to attend schools, subject, of course, to the regulations as laid down by the department.

One of the concerns that has been continually voiced by trustees at conferences and meetings and hearings, was that the present legislation did not spell out the role of the board. So the new legislation enshrines in law, the present practice of boards making decisions concerning the programs that they shall offer, the level of programs, with no intervention by the minister. Where the existing legislation sets out limited and prescribed powers for boards, the new legislation widens the definition of specific powers and expands the discretionary powers of school boards. Notice, Mr. Deputy Speaker, the provisions governing the powers of the boards in the new act. 'Boards,' the new act says, 'may administer and manage the educational affairs of the school division in accordance with the intention of this law.' So long, therefore, as boards operate within the intent of the law of this act, they administer and manage the affairs of the division. The residual day-to-day control therefore has been transferred in the new law, in keeping with present practice, from the Minister of Education to school boards.

Now, Mr. Deputy Speaker, the discussion concerning the role of teachers is similarly updated in the new act, from the present legislation. Existing law spells out 18 duties of



a teacher — and that made sense back there in 1905 — but increased opportunities for training teachers has resulted in a shift in emphasis from directing a teacher as to exactly what he must do each day, to making him understand his function — understand his function as a person responsible within the classroom for setting the quality of learning. The decisions with respect to the how, the best means of achieving learning in a practical situation are increasingly left up to the teacher and this is not new. It's not innovative so far as the fact is concerned. It is only a reflection of the way things currently are. It is enshrining in fact into legislation the current practice. This new bill, therefore, Mr. Deputy Speaker, sets to outline the function of the teacher leaving the decision as to how it is taught, the how of the learning up to that teacher.

So there is the minister and there is the department and there are school boards and there are teachers, but what about the two other main participants in the educational process, the students and the parents. I guess that's what schools are all about. No one would deny the importance of students and parents in the educational spectrum. Indeed, so much of the discussion in education the last 10 years has, in fact, centered around the roles and the rights and the responsibilities of these two groups. And over the last 10 years parents have been telling us that the increasing school size, the larger school systems in the cities, the larger units out in the country, the specialized programs, make them feel that they have little input or control when it comes to their children's education. The students question to what extent they should be required to take certain subjects and why they should not be allowed maximum choice in the school program. Both question the amount of influence that they can have in determining what goes on in the schools. It is hard to believe, Mr. Deputy Speaker, but under existing school law the only rights that parents are guaranteed is the right to vote in elections and the right to attend annual meetings. I don't think there is any parent in Saskatchewan who would accept today that those are the only rights they had with respect to their children's education.

With respect to students, the present legislation provides no rights either except to say that no teacher or trustee or superintendent could interfere with a student's right to attend school. I know of few students who would be prepared to accept that those rights were the only rights he had in the school system.

So this new law provides rights for both students and parents. Parents are specifically provided by legislation with the right to become involved with a problem that their child may be having in the school. This extends from the right of access to information, to the right to become involved in where a child is being expelled, the right of parents to review suspensions within one year if they are carried out, the right of parents to become involved in what they feel are the special needs of their child in the school. And these aren't new things. Everyone knows that. That practice is already present. The point is that this legislation ensures the parents the rights that they already enjoy and assures them of those rights in law.

But the bill, Mr. Deputy Speaker, also spells out the rights of students. They are entitled to programs that suit their needs. They are entitled to procedures for investigation of a problem in a school. They are assured the right of mediation through the parents, if desired, for school problems and they are assured the right of review in case of when they are expelled.

Mr. Deputy Speaker, in both cases, parents and students are ensured that they do have rights of access to information and mediation if there are problems in the school. But, most important, both are encouraged to become part of the solution rather than part of

the problem, for emphasis is put on diagnosis and resolution of problems rather than some unilateral decisions in the case of problems which usually hurt and seldom help understanding and future learning for the child.

But those parents and students have responsibilities as well and this is what we expect it to be. The present act, the existing law is silent with respect to both. There is no clear agreement in society as to what constitutes the responsibility of a parent concerning the school system. Most would agree that parents should co-operate, that they should participate in the partnership of learning between the home and the school which is their child's environment but there is resistance to formalize this in any way. The provisions with respect to parental involvement remain permissive. All the rights specifically included in the new act, the right to information, the right to assistance solving a problem at the school concerning their child, carry with them implicit responsibilities.

The opportunities for parental involvement in the schools through formal organization are simplified. Mr. Speaker, where before there was a complex mix of local boards and central boards, this new bill envisions a local board for each school. All parents would have the right to participate in electing this board, who would advise the larger boards on matters concerning their individual school. This is the essence of the present situation in places where local boards are functioning well. It, therefore, merely provides for the participation of all those who are interested and ensures that there is a local forum where parents can, in fact, take concerns related to the school.

With respect to students, the responsibilities are set out in the new legislation in keeping with current thinking. Few teachers would deny that they expect certain things of students. The act merely sets out their responsibilities for all to see so that the whole process can be made more open. Students are required to attend school, to observe school board standards, to be diligent and to conform to the rules of the school. The act states that students will be accountable to their teacher and to their principal and to their school bus driver when they are under his supervision.

Mr. Speaker, let me review. The role of the minister and the department is shifted from control and management to guidance and leadership. The role of the school board — a shift from limited prescribed powers to wide powers and more discretionary leeway. Teachers — a shift in emphasis from specific duties to a function and the responsibility for the learning process in the classroom with the teacher making the decisions as to the best methods. For students and parents — their rights spelled out for the first time in law

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**MR. MALONE:** — Mr. Speaker, I don't like to interrupt the minister's speech and I apologize to him but I do intend on making right now, Mr. Speaker, as I am entitled to do, I believe, pursuant to Rule 39, a motion in case of urgent and pressing necessity. The motion, Mr. Speaker, is:

That this Assembly request the government to forthwith introduce a bill to end the milk strike.

I would like the opportunity, Mr. Speaker, to speak to the motion as it is a matter of urgent and pressing necessity.

**MR. SPEAKER:** — It is out of order. I will take the member for Touchwood.

**MR. MALONE:** — Mr. Speaker, I am sorry, I didn't hear you.

**MR. SPEAKER:** — I said the member is out of order. Order! . . . The member wants to know why? Rule 41.

When a question is under debate no motion shall be received unless to amend it, to postpone it to a day certain, for the previous question or reading the orders of the day, for proceeding to another order, to adjourn the debate or for the adjournment of the Assembly.

**MR. MALONE:** — On a point of order, Mr. Speaker.

**MR. SPEAKER:** — What is your point of order?

**MR. MALONE:** — Mr. Speaker, I move this House do now adjourn.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. SPEAKER:** — Order! The member is out of order because he didn't have the floor. So therefore he cannot move the motion. Order! The member rose on a point of order.

The interrupted debate continues on Bill 22.

**MR. MacMURCHY:** — Mr. Speaker, let me review. Let me once again review before I was interrupted by the hon. member and the Leader of the Liberal Party. Let me review the role of the minister in the department, the shift from control and management to guidance and leadership. The role of the school board, the shift from limited and prescribed powers to much wider powers with more discretionary leeway. For teachers — a shift in emphasis from specific duties to a function, a responsibility for the learning process in the classroom with the teacher making the decisions as to the best methods. Students and parents, their rights spelled out for the first time in legislation. Parents providing responsibilities for contact with the school for co-operation but remaining permissive, and students' responsibilities spelled out.

In all cases, Mr. Speaker, there is a much clearer definition of rules that exist in current legislation and in all cases, the rights and responsibilities are aligned with the current thought, so there is nothing new in the legislation so far. It is merely a re-ordering of present provisions with an inclusion of current practices in a more simplified version.

Now, Mr. Speaker, that brings us to some of the advantages in the new bill. This new bill is infinitely simpler than the maze of 17 statutes now governing school operation in Saskatchewan. How many, I ask, Mr. Speaker, how many in this Assembly have ever opened the covers of each of those 17 acts, let alone understand all of them, or know where to find a particular provision if he needed it? I suggest to you, Mr. Speaker, not many.

If education is to be an open process; if education works best in an environment where each participant feels he understands the process, and has access to another participant; if the school is to be brought back to the community and if parents are to be brought back into the system, then we all need to know where we stand, we all need to understand where we stand and we all need to understand the same ground rules. I say, Mr. Speaker, that this bill makes that possible.

In the existing law no one is ever sure of the rights of the other party, so what are the results? The results are that parents or students will often back off from a problem or dispute rather than risk a more drastic action which they simply cannot anticipate. As far as this bill is concerned, Mr. Speaker, it is written for the layman. It is compact; it is all in one place; it sets out as clearly as it is possible to do at the present time, the current understandings of each participant's roles, each participant's rights, each participant's responsibility in the system. I think this bill will do a good deal to humanize the educational system, to open it and in the long run to improve it because everyone wants to use the act. Now they can use it and now, Mr. Speaker, they understand it.

Mr. Speaker, the second big advantage of the new bill is that it does set out roles and it does set out rights and it does set out responsibilities in accordance with current thinking. We have been fortunate with education in Saskatchewan since 1905 — fortunate to have the benefit of responsible and mature ministers, of responsible and mature school boards, of teachers, of parents and of students, even though there was no assurance of this at all in existing law.

The message I have been getting from so many groups in society who have been lobbying for changes in legislation is precisely that — that they have now no guarantee and no assurance in law and they must depend upon the other party to accommodate them. To update our legislation to bring it in line with current thinking and with current practice therefore, Mr. Speaker, only makes sense, especially in an area so important as education. To pass up the opportunity as some people suggest today — 1978, to pass up the opportunity to do so, Mr. Speaker, I say would be sheer folly indeed.

Now, Mr. Speaker, the third big advantage of the proposed legislation over the present legislation is that it simplifies the organizational structure without taking anything away from current practice. The complicated mix of school districts — high school districts, consolidated school districts, separate school districts, units, boards, unit districts and union districts. It makes it extremely difficult to sort out which is which, with what powers and what responsibilities?

Similarly, Mr. Speaker, at the advisory level, the confusion of local boards and central boards has discouraged, rather than encouraged, parents to participate in their local schools.

This new legislation simplifies these terms into two levels of organization. There will be the school division governed by a school board which has fiscal responsibilities and program responsibilities for the schools in each division, but each individual school, Mr. Speaker, can have its own board of trustees to act in an advisory capacity concerning matters of interest in the individual schools.

Two levels, Mr. Speaker, a structure everyone can understand and a structure that everyone can participate in. Well, now, Mr. Speaker, you begin to see the framework of this new bill, a new bill simplified in volume and in overlapping provisions, in finding in legislation what is already current thinking and what is already current practice in education, outlining the rights and responsibilities and the roles of each level of education, and simplifying the organization of the system so that all are encouraged to participate.

Now, Mr. Speaker, there are some new provisions in this new bill, provisions which make Saskatchewan legislation a leader — in educational legislation in Canada, not only in crispness and not only in clarity, but in content as well.

In no other provincial education bill in Canada is there any mention of providing special education for children handicapped in the opposite direction from normal. In no other legislation or provincial education bill in Canada is there special provision for special education for the gifted. There was provision in existing law, it is true, for education of the mentally and the physically handicapped. That provision is carried forward and is not different from provisions in other provinces, but boards in some jurisdictions have found that they have a number of particularly gifted children in their schools, for which they wish to make special provision. Existing legislation is silent on the matter and legislation in other provinces is silent on the matter, although we know that in Saskatchewan and in other provinces this kind of programming is already being done. Saskatchewan will have the first legislation in Canada which provides for legislative authority for school boards to make special arrangements for these gifted students if that school board decision, in its wisdom, decides to do so.

Now, Mr. Speaker, the burdens of cost in education have shifted from the property taxpayers to taxation in relationship to ability to pay. That is a right and just shift. We are satisfied with that shift. Families who live in apartments send children to school the same as families who own their own homes, but families who live in apartments have as much to say in what goes on in the educational system and what goes on in the school as, in fact, families who own their own homes.

I say, Mr. Speaker, it is only right that these people should have some say, the same say in education as do the property owners. Their increased contribution through income taxes to school costs should be reflected in equal say in the system. This bill, as you know Mr. Speaker, makes provision for the term elector, rather than the term taxpayer, an elector being anyone 18 years of age who is a Canadian citizen and who has resided in the division or the district for a period of at least six months. So this provision not only updates the act but it embodies, Mr. Speaker, a sound, progressive, democratic principle in our education system.

Now, Mr. Speaker, there is a third aspect to this new bill, which is different from the past legislation and in fact, different from the past practice. There has been considerable debate about this particular aspect of the bill, and I refer to the provisions governing the right of appeal for teachers on dismissal. And what does the existing law say? The existing law says that a teacher, either a tenure or a non-tenure teacher, who is dismissed at the end of the school term (in other words, was given notice in the normal fashion prior to May 25,) and dismissed for redundancy, may appeal to a board of reference, such board's decisions being final and binding on both parties.' Mr. Speaker, the existing law says that a teacher who is dismissed during the school year, let us say on Thanksgiving Day or at Christmas time or St. Valentine's Day or on Easter Monday, whether that teacher be tenure or non-tenure, has the right of appeal to a board of reference whose awards are final and binding on both parties.

Under existing legislation, Mr. Speaker, a tenure teacher, who is a teacher who has passed through two years of probation with a school board, and who in fact has been placed on a tenured position by that board and has the right to permanent employment and is dismissed at the end of the school year can appeal to a board of conciliation. That board of conciliation can make only recommendations and cannot make final decisions that are binding on both parties. Is that right, I ask the hon. members? Is that right? Is that structure a good structure?

Mr. Speaker, there are real problems with this policy, not only the obvious problem of inconsistency, but there is also the problem of the right of teachers and there is also, Mr. Speaker, the problem of keeping Saskatchewan legislation in pace with the rest of our country — keeping Saskatchewan in pace with British Columbia and Alberta and Manitoba and Ontario and so on.

I make it clear, Mr. Speaker, that in this new law, the two year probationary period remains for the two year non-tenure period. It retains, Mr. Speaker, the board of reference for a tenure teacher's right of appeal for dismissal during the school year. But it also contains a provision which provides for a tenure teacher's right of appeal to a board of reference whose decisions will be final and binding when dismissal is provided at the end of the school term. So it continues the existing law with respect to dismissals during the school term — dismissals at Thanksgiving Day, at Christmas and Valentine's Day and Easter. But it provides for a board of reference on dismissal of tenure teachers, the decisions of the board of reference being final and binding.

Mr. Speaker, I support this change because not only does it bring our legislation up-to-date with the other provinces, but I know and I say to the hon. members in this House, I have the experience to know, having served as a school unit board member for ten years. I dealt with teacher dismissals during those ten years using the existing law. I also, Mr. Speaker, served as Minister of Education and as such, dealt with hiring and dismissal of teachers at the School for the Deaf, and there are quite a few there. I dealt with hiring and dismissal of teachers at the three Saskatchewan technical institutes, the one in Saskatoon, the one in Moose Jaw and the one in Regina. Those teachers at the School for the Deaf and at those institutes have the right of appeal to a board of arbitration with the same powers that are provided in the new law under the board of reference. There is no question — from that experience there is no question that I know of. Boards have the responsibility and must have the responsibility to hire and if it is necessary, to dismiss, and this new law does not change that one iota. The hon. member for Indian Head-Wolseley knows that.

Now, Mr. Speaker, there is no question that the binding awards issue will require an adjustment because it is different from the past, and it is different from the present practice. When I think about it and when I look at the experience that I have had, I'm not sure that the adjustment is as much required by the school board or by the trustees as it is going to be required in the work of the superintendent of schools and the principals of the schools. I want to make that clear and I want to say to all of the members of this House and the people of Saskatchewan that in my mind, if the superintendent and the principal are competent and are doing the job that they are hired to do, adjustment for the school board as it relates to boards of references in this new law will be very insignificant.

Mr. Speaker, the new law brings us a long way — a long way since 1905. I have talked about how obsolete the law is and everybody knows that. I have talked about how the new law makes education open. It is open because anybody can read it who wants to read it, but most important, for the first time Saskatchewan educational law describes the rules and the rights and the responsibilities of each of the participants to reflect current practice.

Mr. Speaker, I want to congratulate the Minister of Education for introducing this legislation, and I want too to congratulate, in this House, the member for Maple Creek who rose in this debate and made an honest speech. He made an honest speech and a good speech. He said the changes in the new bill are welcome — they provide more

control to local authorities; the pupil rights and the parental rights have been enhanced and the obsolete legislation has been eliminated. He made a good speech; he made an honest speech; he has made an honest assessment. He has made an honest assessment because he understands the system. Not only does he understand the system but he has put his mind ... Mr. Speaker, the member for Maple Creek has put his mind to the legislation. He has put his mind to what the legislation is all about, contrary to the critic from the Conservative Party, and I will have something to say about the hon. member for Indian Head-Wolseley.

**MR. C.P. MacDONALD (Indian Head - Wolseley):** — I would like to continue, Mr. Speaker, on Bill 22. Mr. Speaker . . .

**MR. SPEAKER:** — The member has the floor.

**MR. MacDONALD:** — Mr. Speaker, let me, let me . . .

**MR. SPEAKER:** — What is the point of order?

**MR. MacDONALD:** — The point of order is that the hon. minister sat down in his chair and I took his place on the floor.

**MR. SPEAKER:** — Order! I have not recognized any other member except the member that was speaking. I still recognize him.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. MacMURCHY:** — I want to congratulate the hon. member for Maple Creek (inaudible interjection.) Mr. Speaker, Mr. Speaker, it is unfortunate that the hon. members opposite are so upset about this speech — I feel very sad for them, but I will have some comments for the hon. member for Indian Head-Wolseley.

I want to talk about the comments of the Conservative critic. The Conservative critic said the teachers and trustees should get together. Beautiful! Everybody says that and everybody agreed with that. They should get together, he said, and discuss . . . (inaudible interjection.) Amazing new approach! But he also said they should negotiate all matters concerning the terms of employment and the conditions of employment. Now that says to me we should throw the bill away and negotiate everything — and maybe that is extreme and maybe we should only throw half the bill away — and negotiate everything.

Mr. Speaker, my advice to every one in this Assembly who plans to speak in this debate on Bill 22, An Act respecting Elementary and Secondary Education in Saskatchewan, and everyone should speak, regardless of whether they have been a teacher for 20 years or a superintendent for 10, or a school trustee for 15 years, or a parent for whatever. My advice to all hon. members is that you are going to have to do some homework. You have to do some homework and then you have to do some thinking — now I know that is a problem for the hon. members opposite, except the hon. member for Maple Creek who did some thinking. I say to hon. members that homework means reading the existing school law — reading the existing school law from the beginning to the end — all 17 statutes, that mare's-nest of existing legislation.

I ask all hon. members to read, to read the report of those conferences, issues and choices; and, Mr. Speaker, then read the White Paper on Education; then, Mr. Speaker, read the report of the School Law Review Committee. Now, Mr. Speaker, you noted the

hon. members who are interested at all in education and the Education Act, will note that both don't flow — they don't follow in sequence — but in fact the work went on — existing law, conferences, school law review committee, White Paper — but I bring to the hon. members attention that they read the report of the School Law Review Committee before they sit down to read this bill. They will be amazed, they will be amazed how well this bill under debate compares with the recommendations of the Clarence Amundrud Committee. Then I say to all hon. members to read the bill — read the bill. Then what is really difficult for all hon. members, put their minds to what they have read — to what they have read. I say, Mr. Speaker, that this advice applies to anyone who assumes he should speak in this Legislative Assembly in this debate.

I say, Mr. Speaker, to the members of this Assembly that what the hon. members have been reading letters, plus statements, and I say to all hon. members that that showed up yesterday — that showed up yesterday, particularly with respect to the hon. members opposite, on the steps of the Legislature.

I want to say in this Assembly, Mr. Speaker, that I was proud of our Premier of Saskatchewan on the steps of the Legislature yesterday. I was proud of the Minister of Education on the steps of the Legislature yesterday. I was there listening.

**MR. STODALKA:** — I didn't see you.

**MR. MacMURCHY:** — You were thinking about the bill, member for Maple Creek.

Because they talked about the issues, the real issues as they are contained in this legislation and as they are contained in the change from the old legislation to the new legislation.

I want to say, Mr. Speaker, in this Assembly, that I was ashamed, I was ashamed of the member for Nipawin (Mr. Collver). I don't suppose I should have been because I really don't think he knows any better. But, Mr. Speaker, I want to say this. I was amazed, I was amazed at the member for Indian Head-Wolseley (Mr. MacDonald), whom I respected for a long time as an educator in this province. I have know of him, I have watched his work at Notre Dame College and I was pleased to sit opposite him in the Legislature, because I have respect for him. I questioned that respect yesterday. I say that that teacher from Notre Dame College should have known better in the statements he made to the gathering on the steps of the Legislature, yesterday afternoon.

Now, Mr. Speaker, I listened to what is going on with respect to this bill. There is a lot of talk about words. The hon. member, in making his honest assessment and in making his honest speech, the hon. member for Maple Creek (Mr. Stodalca) talked about words. He talked about words in terms of needing some amendments. He was preparing in his mind some amendments. Maybe we need to work on those words, maybe we do. We really need ones which reflect what is going on now and what can go on in the future. But really, Mr. Speaker, is the student in the classroom going to stop learning because a trustee and a teacher, and a superintendent, and a politician, and some lawyer cannot agree whether the right to use the words, 'of authorized', should be authorized or determined? Or whether the teacher is responsible for the quality of the learning process, or whether the teacher is responsible to co-operate with the staff and the administrative authorities in advancing the standards of education.

I ask hon. members, is that what this law is all about? Therefore, Mr. Speaker, I am appalled. I am appalled at the kind of debate that has been going inside of this Assembly



and I am appalled at the kind of debate that has been going on outside of this Assembly.

Mr. Speaker, this is the most progressive piece of education legislation that has ever been tabled in the Legislative Assembly in this country. Members of this Assembly and interested educators outside of this Assembly, who should know better, have not even taken the time to get a grip in their minds on what this bill and the totality is all about. I say that it is a disgrace.

Surely, surely we all agree. Surely, Mr. Speaker, we all agree on the broad framework. Surely, we all agree on the need to set out the respective roles and the respective rights, and the respective responsibilities. Of course, as the hon. member for Maple Creek is saying. Of course, as the hon. Minister of Education has said, we need to continue to work at the words. That process has always gone on in education and there is no question that it always will. There will always be discussion between the trustees and the teachers, the minister, the politicians, and those lawyers, and the parents about words. But I ask, Mr. Speaker, that we should acknowledge in this Assembly that we accept the concepts that we very much need in this province to process this Bill 22 and that prospecting elementary and secondary education in Saskatchewan has in fact been set in motion. When we do, Mr. Hon. Member for Indian Head-Wolseley, then we will get down to the day-to-day work of educating our children and there is a lot of time. There is a lot of time for the hon. member, in the months ahead and the years ahead, to decide which exact words fit best. What we want to do is make education work in Saskatchewan, and this bill provides the means for it.

Mr. Speaker, Bill 22, in my mind, is another first in education in Saskatchewan. I want to say to all hon. members and to the people of Saskatchewan, there have been a lot of firsts in education in Saskatchewan since 1971. While it is true we did not introduce The Foundation Grants Act; we had the courage to implement the law without the Foundation Grants Act. The trustees, the teachers and the people of Saskatchewan respect us for that decision. The Foundation Grants Program.. (interjection by Mr. Nelson - inaudible).. My goodness, the hon. member is getting upset. My goodness.. My goodness. The Foundation Grant did away with the old pupil/teacher ratio formula and introduced grants on a more equitable basis in this province, the Teacher Collective Bargaining Act, the university legislation, the community college legislation and now, Mr. Speaker, an updated education act.

I said when I started out, Mr. Speaker, that I started the process. I started the process with the conferences and the Education Law Review Committee and that process has led to this bill. I want to say that I am proud of the finished product. It may not be perfect but I say it is good stuff. I say it is good stuff and I say I will be disappointed if all members in this House do not vote for this legislation.

I urge all members to look at this law and support it, Mr. Speaker, in second readings.

**MR. W.J.G. ALLEN (Regina Rosemont):** — It is a pleasure for me, Mr. Speaker, to ..

**MR. SPEAKER:** — What is the point of order?

**MR. S.J. CAMERON (Regina South):** — I rise under rule 23, Mr. Speaker. I saw the member for Lakeview rise and I move:

That the member for Lakeview be now heard.

**SOME HON. MEMBERS:** — Hear, hear!

The motion was negated on the following recorded division.

**YEAS — 0**

**NAYS — 25**

Pepper  
Thibault  
Bowerman  
Smishek  
Romanow  
Messer  
Snyder  
Baker  
Kowalchuk

Matsalla  
Robbins  
MacMurchy  
Mostoway  
Banda  
Whelan  
MacAuley  
Feschuk

Rolfes  
Tchorzewski  
Vickar  
Skoberg  
Allen  
Koskie  
Johnson  
Thompson

**MR. W.J.G. ALLEN (Regina Rosemont):** — Well, Mr. Speaker, while I have about an hour and one half's speech to deliver on this bill, I think that the hour is getting late and in view of the fact that I understand the Minister of Labour has an important announcement to make, I would therefore beg leave to adjourn the debate on Bill 22.

Debate adjourned.

## **ANNOUNCEMENT**

### **Dairy Producers' Strike**

**HON. G.T. SNYDER (Minister of Labour):** — Mr. Speaker, I wonder if I could have the attention of the House for a moment.

I want to say that it gives me a great deal of pleasure to rise in the House and announce to the House, that only moments ago I received word from the parties to the collective bargaining agreement, the unions involved and the employer organizations involved in the dairy dispute, that a tentative agreement had been reached and an indication has been received from the unions involved that they will be returning to their respective work places and will be recommending acceptance of the agreement by their membership.

We have every reason to expect that this will happen and we have every reason to expect that the milk trucks will be in operation and will be making pickups as early as tomorrow.

I think it has to be said, Mr. Speaker, that the negotiations were conducted under difficult circumstances. The circumstances which I refer to certainly were not enhanced by the bells ringing during that point in time.

**MR. MacDONALD:** — Call it 5:00 o'clock.

The Assembly adjourned at 5:47 o'clock p.m.