

AFTERNOON SITTING

ROYAL ASSENT TO BILLS

At 2:03 p.m. His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bills:

Bill No. 9 — An Act to amend The Gas Inspection and Licensing Act  
Bill No. 10 — An Act to amend The Boiler Pressure Vessel Act  
Bill No. 12 — An Act to amend The Management Accountants Act  
Bill No. 14 — An Act to amend The Saskatchewan Telecommunications Superannuation Act  
Bill No. 16 — An Act to amend The Time Act  
Bill No. 17 — An Act to amend The Corporation Capital Tax Act  
Bill No. 18 — An Act to amend The Tobacco Tax Act  
Bill No. 19 — An Act to amend The Education and Health Tax Act  
Bill No. 20 — An Act to amend The Superannuation (Supplementary Provisions) Act  
Bill No. 23 — An Act to amend The Rural Municipality Act  
Bill No. 24 — An Act to amend The Controverted Municipal Elections Act  
Bill No. 27 — An Act to amend The Income Tax Act  
Bill No. 41 — An Act to amend The Provincial Auditor Act  
Bill No. 42 — An Act respecting the Consequential Amendments to Certain Acts resulting from the Enactment of The Provincial Auditor Amendment Act, 1987  
Bill No. 43 — An Act to repeal The Public Utilities Review Commission Act  
Bill No. 44 — An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Public Utilities Review Commission Repeal Act  
Bill No. 49 — An Act to amend The Change of Name Act  
Bill No. 48 — An Act to amend The Saskatchewan Hospitalization Act  
Bill No. 50 — An Act to amend The Hospital Standards Act  
Bill No. 15 — an Act to amend The Student Assistance and Student Aid Fund Act, 1985  
Bill No. 22 — An Act to amend The Municipal Revenue Sharing Act  
Bill No. 86 — An Act for granting Her Majesty certain sums of Money for the Public Service for the Fiscal Year ending on March 31, 1988.

His Honour retired from the Chamber at 2:06 p.m.

ORAL QUESTIONS

Immunization Against Hepatitis B Virus

**Ms. Atkinson:** — Thank you, Mr. Speaker. My question is to the Minister of Education. The minister will be aware that the medical lab technology course at Kelsey Institute in Saskatoon involves students working with blood supplied by the city's hospitals. This type of work always comes with a risk that blood infected with hepatitis B could be accidentally supplied by the hospital. Because of this, Mr. Minister, the school instituted a policy last

year where it would provide students with immunization against hepatitis B virus. This year, however, students were informed that government money is no longer available for this immunization. Mr. Minister, can you tell us why, and explain why the government has ceased paying for this immunization program?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Hepworth:** — Mr. Speaker, I will take notice of the question relative to immunization of technologist students against the hepatitis B virus. It's something I'm not really familiar with, and I'll take notice and endeavour to bring back a response to the House, Mr. Speaker.

**Ms. Atkinson:** — Mr. Minister, while you're taking notice you should realize that these students, along with medical students and nursing students, must now pay up to \$180 for this immunization. Some of these students advise us that they can't afford to do this. Now I realize that \$180 doesn't mean a whole lot to a free-spending government and the free-spending members over there, but I'm wondering, Mr. Minister, are you prepared to put several dozen students, in fact 60 students, at risk for \$180 each, which is less than \$11,000 for the entire class. Are you prepared to do that, Mr. Minister?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Hepworth:** — Mr. Speaker, what I'm prepared to do is look into the details of the case. I, quite frankly, am not aware of immunization policies there. I guess I can only go back to my days in a post-secondary institution in college where we had, for example, in the area I was working at, a high risk for rabies . . . a high risk of contact with rabies, and there was a program in place. And I'll take notice and endeavour to bring back the details.

And while I'm on my feet, Mr. Speaker, if I may, I would respond to notice I took three or four days ago relative to the question.

**Ms. Atkinson:** — Further supplementary, Mr. Minister, this is \$11,000 — this is less than one-tenths of what the Premier's office spends on postage. There's no fiscal justification for this decision by your government. There is no fiscal justification whatsoever to put these students' health at risk by your mean-spirited and tight-fisted policy.

So I would simply ask you this: will you instruct your department to see to it that this immunization program is restored to those students?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Hepworth:** — Mr. Speaker, it's a little difficult for me to instruct my department or health officials or anybody else to do anything until I have some understanding of the details and make sure that we have the story right.

Television Advertising Campaign

**Mr. Tchorzewski:** — Mr. Speaker, I would like to address a question to the Minister of Economic Development and Trade, and my question deals with a matter of misplaced priorities.

Mr. Minister, your department has launched a series of splashy, expensive television ads which are little more than Conservative Party campaign commercials. Now you're doing this at a time, Mr. Minister, when your government is preaching restraint to average people and raising taxes and doing away with immunization programs.

I ask you, sir: how much did this political propaganda, which is disguised as government advertising, cost the taxpayers to produce and place on province-wide television?

**Hon. Mr. Andrew:** — Well, Mr. Speaker, the ads in question deal with the important issue in this province of trying to diversify our economy, trying to build our economy to create a positive environment in this province to build our economy. Now we campaigned throughout the last election saying that our government was committed to diversifying Saskatchewan's economy, to building on Saskatchewan's economy.

We are doing that in many ways, whether it's through building a new paper plant in Prince Albert, or a variety of other new businesses and new industries in this province. We are doing it through a bilateral trade agreement with the United States, and this is simply part of the overall package that we wish to use to build Saskatchewan, to diversify our economy, to create more jobs, and to make a better environment for our people to live.

**Some Hon. Members:** Hear, hear!

**Mr. Tchorzewski:** — Mr. Speaker, now that the minister has got his speech out of the way, maybe he might address the question.

**Some Hon. Members:** Hear, hear!

**Mr. Tchorzewski:** — Mr. Minister, how much is the cost of this advertising that you're talking about?

**Hon. Mr. Andrew:** — Mr. Speaker, I, at my fingertips, do not know the whole cost of what the particular program is. I can assure you that it's a modest cost, but I will get that information and bring it back to the House next sitting.

**Mr. Tchorzewski:** — Mr. Speaker, I have a new question to the minister. It seems to me that the only diversification that's taking place here is more money for certain advertising agencies which this government puts out tens of millions of dollars to already.

Mr. Minister, are you saying that a province-wide television advertising campaign, that likely costs hundreds of thousands of dollars in production and placement, is something that your department would undertake without your prior approval?

In view of this, Mr. Minister, and in view of the fact that

the Premier, who is here today, keeps claiming that cabinet ministers are counting every penny these days during these days of restraint, how can you say that you don't know how much your department is spending when they're spending hundreds of thousands of dollars without your approval?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Andrew:** — Mr. Speaker, I don't believe that. I said that the money was spent without my approval. I said I wanted to get the exact amount that was being spent so the House fully was aware of what was in fact being spent.

Now this particular advertising program, along with the strategy one — the strategies of this government to diversify and build the economy — is a method by which we can have more procurement within our province by local Saskatchewan suppliers to develop a supplier base within the province of Saskatchewan.

Let me give you an example, Mr. Speaker, of Sask Power. Prior to our coming to government, Sask Power purchases in Saskatchewan were about 20 per cent of what they purchased — 80 per cent was purchased from outside. By encouraging local businesses to know that (a) they could access and bid on some of those contracts, they have in fact started to build supply industries within the province, and now supply something like 80 per cent of what Sask Power in fact bought. Now if that works for Sask Power, that can work for Weyerhaeuser; that can work for the Co-op upgrader; that can work for a whole host of other programs.

This advertising is designed to inform people of that so that we can in fact build a supplier base and create more jobs in our province.

**Some Hon. Members:** Hear, hear!

**Mr. Shillington:** — Mr. Minister, these ads are nothing but an attempt to boast of your government's record. They tell you nothing about programs that businesses might apply for.

Mr. Minister, your Premier says you don't have any money for a prescription drug plan for seniors. He says you don't have any money for a dental program for children. Now we find out that we don't have money for immunizing children, and yet you have hundreds of thousands of dollars for an advertising program which is nothing but an attempt to bolster the sagging fortunes of the Tory party in this province.

**Some Hon. Members:** Hear, hear!

**Mr. Shillington:** — I ask you, Mr. Minister, how do you justify taking immunization programs and dental programs away from children and spending the money trying to save the political hide of the PC party?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Andrew:** — Mr. Speaker, we are proud in this party and in this government about the record of

economic diversification in this province over the last four years, and look forward, quite frankly, to the next four years of further diversification, and then on into the next five years after that. Mr. Speaker, as it relates to the hon. member who asks a question about the drug plan, the Premier has said, on many occasions, we had to take a decision; should we put the dollars that we have in health care into free drugs for people, or should we put that money into drug rehabilitation program in Yorkton to assist people that are suffering from drug abuse and alcoholic abuse.

This government took the decision that the priority was to put those dollars into drug rehabilitation rather than total free drugs for the people of Saskatchewan. That's been our policy. We've debated that in the House, and I think we accept that.

**Some Hon. Members:** Hear, hear!

**Mr. Shillington:** — Mr. Minister, there's yet another problem with these ads, and it's called truth in advertising. Mr. Minister, any attempt to portray the last four years of your government as a ban-up success in job creation is the equivalent of trying to make chicken salad out of chicken feed, Mr. Minister. There's no basis for it.

Mr. Minister, you must be aware that today there are 22,000 jobs in manufacturing in Saskatchewan. That's 2,000 fewer than there were a year ago. You must also be aware, Mr. Minister, that there's about the same number there was in 1982. Mr. Minister, is there nothing to be said for truth in advertising? Do you feel no responsibility to bear some semblance to the truth when you spend public taxpayers money bolstering the fortunes of your political party?

**Hon. Mr. Andrew:** — I would suggest, Mr. Speaker, that truth, the word "truth" sitting on the lips of the member from Regina Centre probably quavers more than on any other member in this House. If we were to look at the development record and the building record of this government over the last five years . . .

**Mr. Speaker:** — Order. Order. Order, please. Order. Order. Order, please. Order, please.

**Hon. Mr. Andrew:** — Let me go through the list of the best job creation record in western Canada, right here in Saskatchewan. Weyerhaeuser, Weyerhaeuser, that the members opposite: (a) are opposed to and said we'd never build; (b) the Co-op upgrader, the members were opposed to and said we'd never build — both of them are being built; major expansion of Intercontinental Packers; the building of Hunter's new RV business in North Battleford; Gainers; Marubeni; we're going ahead with the Shand project.

I could go on and on and take up the rest of question period just going through the new businesses that have been developed. And I can say to the hon. members, Mr. Speaker, just hold tight because there'll be that many again and that many again over the next 10 years when this government is in power.

**Some Hon. Members:** Hear, hear!

### Call for Saskatoon Eastview By-Election

**Hon. Mr. Blakeney:** — Mr. Speaker, my question is to the Premier. We have just heard about the outstanding record of the government.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Blakeney:** — And I know you will want to find out, Mr. Premier, whether that view of your outstanding record is shared by anybody outside this Chamber. And therefore I know you'll want to give the people of Saskatoon Eastview an opportunity to vote on your record just as soon as possible.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Blakeney:** — Mr. Premier, since it's now four months today, I believe, since the member for Saskatoon Eastview resigned his seat, are you able to announce when that by-election will be, and what is the date?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Devine:** — Well I will announce today that the Leader of the Opposition will be among the first to know when I do announce the date of the by-election in Eastview, Mr. Speaker.

**Hon. Mr. Blakeney:** — Thank you, Mr. Speaker. A supplementary. I'm pleased that I will be among the first to know, but there are 18,000 people in Eastview who want to know even more than I do.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Blakeney:** — Is it your position, Mr. Premier, that these 18,000, more than 18,000 voters are not entitled to representation in this House, and is it your position that a wait of four months is appropriate? Shouldn't you now give these 18,000 people an opportunity to be represented in this House, and will you now do it?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Devine:** — Mr. Speaker, I've said to the hon. member several times, as he knows, it's up to the Premier to call the by-elections and the general elections, and I will certainly be doing that.

I'm reminded, Mr. Speaker, that the NDP across the country are asking to have a vote on free trade, and it's particularly led, Mr. Speaker, by Mr. Bob White, who is the union leader from Ontario who says we should all vote on this right away. Mr. Speaker, I want to point out when they ask Mr. Bob White why he didn't take a membership vote when he decided to pull the union out of the international union, Mr. White said the following:

A few thought we should not proceed without a referendum vote of the entire membership. I couldn't let that happen. If we went out to the locals, opening the door for corporate interference and internal politics and personality clashes, by

the time we counted the votes the union would be split into pieces.

Well, Mr. Speaker, I think that shows that the NDP . . .

**Mr. Speaker:** — Order. Order, please. I believe it might be said that was somewhat off the topic.

**Hon. Mr. Blakeney:** — Supplementary, Mr. Speaker. I don't know whether the Premier misunderstood my question or not, but I was talking about the constituency of Saskatoon Eastview in Saskatchewan — 18,000 people there in Saskatoon, looking for representation.

Mr. Premier, they had a member, one Kim Young, whose name you will know because he resigned his seat to take a patronage appointment. They had a member, Mr. Martineau, who resigned his seat. Will you now give them an opportunity to elect an MLA who will represent them in this House, represent them as they deserve to be represented? Or will you continue to procrastinate, continue to put off this by-election, continue to deny them their right to representation?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Devine:** — Mr. Speaker, I mean we heard this all during 1985 and during '86. And, Mr. Speaker, we finally got to the point where we called an election, and obviously we won for the second time. And now they want another election, and they want an election on Meech Lake, and they want an election on free trade, and they want an election on every issue you can think of. They'll want an election on farm policy.

Because, Mr. Speaker, they lost the last election, all they can do is sit there and be against every single, solitary thing that comes down the pike. And secondly, they want an election all over again because they lost for the second time in a row.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Blakeney:** — Supplementary, Mr. Speaker, one final supplementary. Mr. Premier, I ask you whether you think your last answer had anything to do with the question put to you?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Devine:** — Well, Mr. Speaker, I said to the hon. member who has stood in his place for four consecutive questions — I answered him the first time — that I would make the announcement when I'm ready to make the announcement. And he stood up and asked it four more times. He doesn't deserve an answer, Mr. Speaker, in terms of any more detail — he's asked and he's asked and he's asked. If he wants to ask me again, I will make the appropriate announcement when I decide, Mr. Speaker, as he did when he was Premier.

So he knows the rules as well as I do and anybody else. And I just point out, the NDP won't even let their own membership vote when it comes to unions. They won't even let their own membership vote. They deny . . .

**Mr. Speaker:** — Order. Order. Order. Order.

**Some Hon. Members:** Hear, hear!

### Cuts in Grants to Cosmo Day Care Centres

**Hon. Mr. Hepworth:** — Mr. Speaker, I took a question related to a \$1,300 a month grant . . .

**Mr. Speaker:** — Order, please. Order. Order, please. The hon. member took notice of a question. he wishes to answer the question today, and I'm giving him that permission. I believe the House should do the same.

**Hon. Mr. Hepworth:** — Mr. Speaker, I took notice of a question related to a \$1,300 a month grant to the Cosmo Day Centre for special needs children in Saskatoon, and to a similar day care centre in Lloydminster.

I advise the House, Mr. Speaker, that several factors led to the decision to discontinue the pilot project that was started in 1981. It was a pilot, a test run, if you like, Mr. Speaker, and hence had an evaluation at the end of the time when the pilot came to an end. It was determined that pilot projects are an inequitable process for identifying and admitting children to the program.

The department, together with the University of Saskatchewan, conducted a research study which demonstrated significant difficulties associated with the identification of learning disabled children at a pre-school level. So one of the reasons why the program was discontinued is because it was inequitable in its identification process.

The second reason, and perhaps an equally important one, or even more important, Mr. Speaker, is that there was other programs developed to meet this target group. There were several new governmental initiatives developed to meet the needs of mildly disabled children. The early childhood intervention program has developed since 1981 and provides a home base service to children and their families identified as disabled or at risk for disabilities.

In addition, the Department of Health has expanded its service mandate to pre-school children . . .

**Mr. Speaker:** — Order. Order. Is the hon. member almost concluded, because it's getting to a rather long question? So if he wishes to wrap up his remarks I'll give him a couple of seconds, but he shouldn't take about three minute to answer.

**Hon. Mr. Hepworth:** — The program was discontinued. The point I'm trying to make, Mr. Speaker, is that there were other programs put in place to pick up that target group in part, some through boards, some through Social Services, and some through Health, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Mr. Speaker:** — Order, please. Order.

### Saskatoon Eastview By-Election

**Mr. Koskie:** — Mr. Speaker, my question's to the Premier. In respect to calling the by-election in Eastview, Mr. Premier, there's a special circumstance that you should be aware of, and the special circumstance is that your member who ran in the last election and within six months deceived the people of Eastview and resigned for his own personal reasons and deserted the people that elected him.

You have an obligation, a special obligation, don't you feel, to call that by-election so the people can once again get a representative. And hopefully they won't look at another Tory because the last two deserted them.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Devine:** — Mr. Speaker, I responded to the Leader of the Opposition asking the same question four times. This is the fifth question that's being asked by the NDP, and now they won't even hold their mouth quiet as we respond. I said . . .

**Mr. Speaker:** — Order. Order, please. Order, please. The Premier is attempting to answer the question, but he can't if the person who asks the question continually interrupts him. I think he's answered it, and we'll go to the next question.

#### Cuts in Grants to Cosmo Day Centres

**Mr. Prebble:** — Mr. Speaker, a new question to the Minister of Education in response to the announcement that he just made with respect to his justification for cutting the grants at the Cosmo Day Care Centre. My question to you is this, Mr. Minister: you know full well that the results of your cuts at the Cosmo Day Care Centre have first of all resulted in staff cuts at that centre to support children who are speech impaired, children who are physically disabled, children who have serious behaviour problems who are being served right now at that centre, and as a result of your cuts will not get the special professional support that they need?

And my question to you, sir: in light of the fact that your department has a million dollars a year alone for advertising with one single agency, Dome Advertising, will you explain to this Assembly how you can get your priorities so severely messed up that you can't even find \$1,300 a month to help several small children in a day care centre that are speech impaired and physically and mentally disabled? Will you explain that to this Assembly?

**Hon. Mr. Hepworth:** — Well as I said earlier, Mr. Speaker, we are committed to that target group of individuals. But the decision was made that rather than just target our services to two locations only in this province, that we ought to perhaps look at a broader approach, one for the entire province. And because of that there have been initiatives in health, the early childhood intervention program, the commitment by school boards across this province, Mr. Speaker. And as well, present day care regulations provide a grant when and if the centre provides service to special-needs children.

**Mr. Prebble:** — Final supplementary, Mr. Speaker, to the minister. The minister says he wants to expand services to the whole province. Why then does he begin by cutting services to these two day care centres?

My question to you, sir, is this: will you now then give this Assembly your commitment that you will provide special support for speech impaired, and children with other learning disabilities, in pre-school centres right across this province where the demand is needed — right across this province so that we can begin addressing their problems and put in place a preventive program at the pre-school level instead of waiting until these children have to get into school before addressing their problem? Will you do that and will you reverse these cuts now which are just symbolic of your uncaring government?

**Hon. Mr. Hepworth:** — Mr. Speaker, that's exactly why the pilot project was discontinued so that we could expand the program across the province. That's why since 1981 there has been put in place an early childhood intervention program; the speech pathology and educational psychology pre-school services provided by the Department of health; the pre-school programs for moderate and severely disabled children provided by local school boards with funding from Education; and also that special grants are available to accommodate those children with special needs best served in a day care setting through the Department of Social Services, Mr. Speaker.

#### GOVERNMENT ORDERS

#### COMMITTEE OF THE WHOLE

#### Bill No. 46— An Act respecting the Saskatchewan Institute of Applied Science and Technology

#### Clause 1 (continued)

**Mr. Mitchell:** — Thank you, Mr. Chairman. We were talking about the labour-related sections of the Bill last evening, Mr. Minister, and you were trying to impress on me how concerned you were about the employees who will be employed by the new institute and how concerned you were about protecting their benefits and ensuring that they were well off. And I want to talk specifically about seniority rights in the context of the remarks that you made last night.

Now as you know, most of these employees have incurred seniority over months or even years of service for the Government of Saskatchewan, doing the same kind of work that they will be doing for the institute. There will be no break in their employment. They'll continue to do tomorrow, or the day after this Bill is passed, exactly the same work as they've been doing before the Bill is passed — working for the province of Saskatchewan, for the people of the province of Saskatchewan, helping to deliver those programs, doing so at a rate of pay that is the same as they've been getting. That won't change. You told me that last night. The benefits are going to be right up there.

But with the respect to the question of seniority, as I understand the effect of your Bill, that will be wiped out. I

talked last night about the effect of this Bill being to tear up the collective agreement, to junk it, to wipe it out, to throw it into the waste basket. And when you do that, I'm afraid that you're going to be throwing with it the seniority rights that these people have built up over years and years of dedicated service to the people of this province.

And I don't think it's fair, and the Deputy Premier agrees with me. My question to you, Minister, is: if you agree with the Deputy Premier, will you amend the Bill — and will you amend the Bill, at least to the extent of preserving the seniority rights of the employees who will now become employees of the new institute?

**Hon. Mr. Hepworth:** — In response to all the member's questions, the first thing I would say, Mr. Chairman, is I think your interpretation of the employees doing the same jobs because it's the same old thing, obviously I have a fair amount of disagreement with that.

The reality is this is a new educational institution. We will indeed have people that were doing jobs in a community college setting, in an institute setting, that come together now. A good example, it seems to me, that I could give you of how there are going to be jobs that are not the same and just carrying on business as usual would be, for example, the career counselling area. We have those involved on the college side; we have those involved in the institute side, and now they're coming together. In fact I think I recall seeing in the Moose Jaw newspaper the official opening of the new career counselling office, that now the two had come together — the Moose Jaw Community College and as well the former STI. So I think your observation about somehow that it's just business as usual, in the same old job, probably isn't a valid observation.

Having said all of that, I wouldn't want to suggest for a moment that seniority isn't a problem area. It is a problem area because its application differs among the various employee groups.

For example, community college seniority now applies only to individual college. So one might ask: how does that fit in the larger contest? The institute will have to determine when and how it might be applied. Depending on the employee's choice, collective bargaining may be a means of defining this. Accumulated service will be taken into account on promotion, etc.; service-related benefits such as pension credits and vacation entitlement will carry forward to the new institute. This is true for accumulated sick leave credits as well.

So those are the points that I would make in so far as what we can say about the whole seniority issue this very moment. First of all, I don't think your observations are totally valid in that somehow it's business as usual. It is a new institute; as it relates to vacation and pension credits and that kind of thing, that's carried forward, but there are some issues as it relates to seniority.

**Mr. Mitchell:** — Mr. Chairman, and Mr. Minister, I thank you for that answer. I don't think we should get into a debate about whether it's business as usual. I think you'll concede, and I think you have conceded, that there will be instructors who have been instructing and who will

continue to instruct. There are maintenance people who have been maintaining buildings and who will continue to be maintaining buildings. And I think that you concede me that as I concede you the fact that some people may be doing a different . . . may have different job duties.

My concern, though, is for the people who will be employed by the institute who were employed by an institute or community college in the past. And as I said to you in my previous question, these people have given years . . . months or years of service to the people of this province. And one of the effects of this Bill ought not to be to strip them of any of their benefits that should go along with this long service.

Now I take it from the answer that you gave me that you will not agree to amend the Bill to explicitly preserve their seniority rights. Let me ask you this, Minister: will you undertake that in the discussions with the trade union following the establishment of the institute, the full seniority rights of employees will be recognized? In other words, no one will have to start over again accumulating seniority; no one will lose the seniority that they have.

Now I understand, Minister, that I've asked you a complex question. I know that it's a problem to adjust seniority right that may carry different benefits with them, and that some collective bargaining will be necessary in order to tidy up those questions. But what I'm looking for is a fundamental assurance from you — an assurance from you on the fundamental question of seniority, that the seniority rights that these employees have accumulated to this point will be recognized, subject only to such adjustments as may be necessary when you're melding the different rights that have been accrued under the various collective agreements into the new collective agreement that will be negotiated in respect of the institute. You got that? I can ask it again, if you like. You've got a puzzled expression on your face.

The question is just simply: will you start from the position that you will respect their seniority rights, subject only to whatever adjustment is necessary as you're melding the eight separate collective agreements into one?

(1445)

**Hon. Mr. Hepworth:** — Well what I can tell you is that we'll respect the issues around sick leave, vacation time, not losing service-related benefits. I think we've given that assurance; it's in writing in the update that went out to them.

The other assurance — fundamental assurance, I think is how you put it — that I give to you and give to them, is that we want to do right by our employees. And I guess I would be upset if you thought we would try and do otherwise. But I think as well it would be unfair for you to, as it relates to any other issues around seniority, unfair for you and I to start to bargain in this House.

But if you are looking for a fundamental assurance as . . . the fundamental assurance I give you is, we want to do right by our employees, and that's why we've tried to be as explicit and as clear with them, as up-front with them

as we can, in all these areas. And I don't deny that there are some areas that do have to be worked out. And I talked earlier about community college seniority that now applies only to individual college and how does that fit in the overall context, and obviously that's something the institute will have to wrestle with.

But if there's any question in anyone's minds about, you know, the attitude that I come into this legislation with, in so far as our view of these employees, albeit that they will be new employees of the SIAST (Saskatchewan Institute of Applied Science and Technology), of the institute, is that we want to do right by them. And that's why we've got those provisions in . . . not provisions, but that's why we are prepared to explore the notions of sabbaticals and professional development, all those kinds of things.

We recognize that this institute is only going to be as good as the people in it, and I don't know if I can say much more than that. And you may want me to say more than that, and I don't think I can, in all fairness.

**Mr. Mitchell:** — I think I thank you for that answer, minister. I think you said the things that I wanted to hear you say.

I want to now ask you, in the preparation of the sections dealing with collective bargaining and the orders of the Labour Relations Board, whether your officials or you or your staff took the opportunity to consult with the considerable expertise that's available within the government. I'm thinking of the chairman or vice-chairman of the Labour Relations Board, or any of the senior people in the Department of Labour, to determine whether your legislation met the commonly accepted norms in labour relations.

**Hon. Mr. Hepworth:** — In so far as the expertise that we drew upon, given that this Bill wasn't hastily constructed — and as you well know, some of the consultations that I undertook went back as far as last January for restructuring our post-secondary education system — the first point I would make is, no, we did not consult with the Labour Relations Board. I think that clearly would be a conflict of interest.

But certainly, over this process, not only did we consult with the people who are going to be affected by the change, if you like, but more importantly we consulted with that large cross section of people out there who gave us the sense of what post-second education ought to look like as we move towards the 21st century. That's on the policy side, in so far as making sure that we're doing everything in a right and proper fashion, if you like.

Obviously we had the highest level officials possible available from the Department of Labour — as well, Justice, the Public Service Commission. It was not something hastily thrown together, as you well know, and I think we've been fortunate to have the expertise of not only the citizenry of this province but as well those specialized areas.

**Mr. Mitchell:** — Well I have one final comment and a question. I'm a bit depressed by your answer. As I said last night, what you've done here is a radical thing from a

labour relations point of view. You have, in my submission, abused your power as a government to pass laws. You've abused your power by taking a situation where you, as an employer, have used your power as a government to radically change the relationship between you and your employees.

Now you will tell me that these people were employed by the government and are now employed by a new institute, a new employer. And I will answer to you that in labour law that's a situation that's been covered for decades. For decades we've had successor rights and transfers of obligations. And as I said last night, if this were in the private sector, there would be no question that the board orders would continue to apply, the union certifications would remain in place, and the collective agreements would continue in force.

And you've used your power as a government to legislate those board orders and those collective agreements right out of existence. And that's not fair, and it's not right. And your advisers, if they know anything at all about labour relations in this country, know that that's an abuse of a government's power, that it's not right, and that it ought not to be done.

All the changes that you want to take place can take place at the bargaining table. The only one that can't are the description of the bargaining units which you, by legislation, have set up. You divided them into two, academic and non-academic.

That's a role which in this province and every other jurisdiction in Canada has been fulfilled by labour relations boards, by expert boards who know what they're talking about. And if it makes sense to split the academic and non-academic unit in the new institute, you should have relied on your board to come to that judgement.

It's not up to the employer to make the judgement as to what the bargaining unit should look like. That's not a decision for the employer to make. That's a decision for the labour relations board to make, and you've taken that decision away from them. Again, you've abused your power as a government to get some advantage for yourself as an employer. And that's wrong, minister, and your officials ought to have told you that was wrong.

Now my question relates again to consultation. In these consultations that you had, did you consult with the trade union representing these employees to get their views as to appropriate bargaining units; to get their views as to how the collective agreements could be melded together; to get their view as to how some of those other problems that you foresee could be worked out? In other words, did you try and work it out with the union ahead of time to try and head off the kind of radical, draconian measures that are contained in this Bill?

**Hon. Mr. Hepworth:** — The essential question that in a way that you ask is how did we get where we got to with this legislation, and why is it framed as it is? And the hon. member from Regina Centre talks about pure, unadulterated ignorance, and that's exactly what that statement belies, my friend. Because the reality is — and

I'll give your colleague credit from Saskatoon University. He came to a national forum and listened to 5 or 600 people from across this country talk about the kind of post-secondary system we need in this province and in this country, if we're in fact going to enjoy the social well-being that we do this very day, and the economic well-being that we do this very day, over the next two decades, and to ensure that our children do.

So the notion that somehow this legislation that's before us is to take us back in time or backwards or a step backwards, is ignorance. That is an ignorant commentary. We want to take our nation, our province, and our country forward. And if you doubt that, then I submit to you, talk to your other colleagues who have heard what the kinds of demographic and economic and social changes that we're going to have to deal with over the next several . . . two or three decades at any rate.

This is educational legislation, first and foremost. I respect the hon. member's comments about his views, and I know he has a lot of expertise in this area, but the fundamental fact that we must all address first and foremost here is this is now an educational institute. And that's very difficult, I know, for some NDP to get their heads around, that this is not going to be an educational institution now that's run by a department of the government. It's going to be an institute like a university. It's going to have its own board, so they do not work for government any more.

And you can talk about, sort of, the fundamental kinds of . . . some fundamental issues in your mind that have been breeched. The fundamental issue in here that has not been breeched, and that must not be breeched, is their right to choose. Their right to choose, given that they now will work for this brand new institute with new objectives and new goals and new mandates. I don't think it would have been fair for me to impose anything else other than that on them. And I know you and I are probably going to have a different view on this, and that's what this forum is all about.

But the essential thing, and I think that my colleagues, some of them across the way have to come to realize that you may not agree with the changes that we make in these two companion pieces of legislation, but the thing, I think, if you examine it at all, you'll recognize that it is imperative that we make changes. And that was clear, certainly the three days early this week at the Saskatoon forum. We can argue about what kind of change, but there's no sense arguing that we ought not make changes.

Now is so far as what consultations I had over this past year with the trade-union movement, trade-union leaders, the union leaders, union members at the consultation meetings, the 20 held across the province — at those meetings were invited, labour-union representatives. As well, before this Bill was introduced, I met with, I don't know, something in the order of 1,200 of the employees themselves to give them some sense of what we were looking at; to try and answer as best I could any of their questions; to give them a notion, our view of how this institute could serve their children and your children and my children well into the future; to in fact put some rumours to rest; to say yes, we've had to do

some lay-offs this past spring, but all of that is behind us now.

And as well, only a couple or three weeks ago, I as well met with the table officers from the . . . or at least two or three or four of the table officers with Saskatchewan Government Employees' Union. So certainly I don't expect you to agree perhaps with the "what" that we have chosen, but I think you cannot deny the "why" and the "how."

**Mr. Shillington:** — Mr. Chairman, it's certainly my intention to deny you the "how" that you're doing it.

Mr. Minister, I am intrigued by your continuing use of the sentence: we'll do right by our people. I have never heard that sentence used outside the movies. And indeed I heard it used in the movie Norma Rae, and the script-writer who used the sentence, used that intending to portray something very important, Mr. Minister. First of all, the atrocious grammar in the sentence was intended to portray someone ignorant from the backwoods, as they call them, red necks. But much more important than that, that sentence drips with an autocratic attitude that "I'll make the decision about what's best for my employees."

Mr. Minister, let me try to bring you north of the 49th parallel and talk about how heretofore it has been handled in this jurisdiction, Mr. Minister, heretofore in this jurisdiction it hasn't been the boss doing right by his people, because inevitably there's a large measure of self-interest in how the boss does right by his people. Heretofore it has been a negotiated process, and that's what this was. The employees and the employer agreed upon a contract, and this was a proprietary right, a contract — not very different than a contract whereby you agree to buy and sell something that's tangible; each side got something.

Mr. Minister, as my colleague from Saskatoon stated, this kind of thing has been prohibited with private companies for very good reasons. The reason is because it's abused. If it weren't for the rule, all you'd have to do is change companies and there'd be no contract — same people doing the same jobs, serving the same people, same person paying the bills, but no contract because they changed companies. That's exactly what we have here — the same people doing the same jobs in the same building serving the same people, the same person paying the bills, but now they don't have a contract. This is an outright, straight abuse of power, Mr. Minister. There have been several such instances of abusive power when this government's been in office, but few more blatant than this.

Mr. Minister, you've taken away their contract, you've taken away their union. Why? — because I'm going to do right by my employees. Well, Mr. Minister, if you've got enough guts to call a by-election, those employees and the other people in Saskatchewan are going to do right by you, and you'll get what you deserve.

(1500)

Mr. Minister, I would appreciate it if you would tell us why you think that contract which your government had



entered into in good faith with the employees is no longer in the public interest? Why was it not in the public interest to honour that contract?

**Hon. Mr. Hepworth:** — Well I think we've said it many times in this House, in question period and certainly last night as well as we debated this Bill, why we are doing, what we are doing with these two companion pieces of legislation is to make sure, in fact, that we have, as best as we can determine along with the people who have helped us, the right education and post-second education system for the 21st century.

I want, because I think the people sensed the need, we want to make changes. Our government believes that changes are necessary. You do not want to make change, and we're probably going to have the fundamental disagreement. Part of those changes ends up . . . or part of those changes entail the setting up of this new institute — strictly an educational institute, not part of government any more, employees that will no longer work for the Department of Education.

As I said last night, I don't know . . . you know, the issue six months ago for the NDP, eight months ago for the NDP was, we wanted to change the form of governance, get it out of the Department of Education, advanced education. Now we do that and you're still not happy. That's what the employees wanted. It seems to me that for me to do anything than what we're doing, other than providing them with that fundamental right that they should choose whom and how, I think would be irresponsible of me.

Now you will argue that this is not a new institute with new goals and a new mandate, that there is nothing changed. I will argue, and I hope that your colleague from Saskatoon University is starting to come around to that view, that the world is changing socially, demographically and economically. And so, too, must our adult education system change.

It's no longer going to be good enough to have it as an arm of the government. It's not flexible; there's duplication; it's too slow; it doesn't respond quickly enough to the needs. You can't even entertain, really, without a tremendous amount of road-blocks, notions like professional development and sabbatical leave and applied research. For all those reasons and other technical ones, that's why we're making these changes.

And, you know, the thing that intrigues me to no end — and it intrigued me through 42 hours of budget estimate debate in this legislature, and again now, last night and today — we can debate and debate educational legislation, and I'll tell you what: it's a rare day that the NDP mention the word young people, or quality, or excellence, or looking after those groups that don't have access to our system like they should today . . . and somehow turn the entire focus down to: that this piece of legislation is somehow a labour legislation.

The goal of this legislation is to make sure that we do look after that ever-increasing group of 18- to 65-year-olds and, as well, your children and my children who will come behind them — no other goals.

**Mr. Shillington:** — The minister is avoiding the question, and very well you know it. I asked you, Mr. Minister, why you thought it in the public interest to take this contract away from these people?

There's no question but what, if you didn't have the legislative . . . if you didn't specifically include it in the Act, if you hadn't especially abused your power by saying in the legislation, there's no contract, the Labour Relations Board would have followed decades of established practice, and the contract would have gone forward. Why did you think it in the public interest to take these employees' contract away from them?

I don't particularly need, for the 81st time, your comments about why you think the legislation as a whole is good. I'm asking you to address yourself to a very serious blemish on this Bill, and that's your abuse of power in taking a contract away from people that was freely, openly, and democratically negotiated.

**Hon. Mr. Hepworth:** — Well, Mr. Chairman, hon. member, you say we're taking something away. Last night I heard the rhetoric used — “radical,” “stripping.” I say we're providing that choice, that fundamental choice, that now this is a new educational institution, they ought to have the right. And it seems to me it would only be right for them to choose how and whom.

**Mr. Shillington:** — Is the minister aware that they've always had that right?

**Hon. Mr. Hepworth:** — That right is a fundamental right in this province, and I suspect it'll be there for a good long time.

**Mr. Shillington:** — Then why did you feel the necessity to take their contract away if, as you admit, they've always had the right to change unions.

**Hon. Mr. Hepworth:** — Because this is a brand new educational institution with new goals, new mandates. It's not going to be an arm of the government. Technically, the reasons that I suppose are, in some people's minds, equally important is the fact there's eight or nine or ten bargaining units now, and all kinds of other different technical situations. To me those aren't the real reasons, I mean, important as they may be. The real reasons, in my mind, are those fundamental ones about what kind of post-secondary education system do we want, and addressing the fact that we do have a brand-new institute and giving the people the choice that are in that institute.

**Mr. Shillington:** — Mr. Minister, I wonder if you really appreciate what a trade union is. It's not an enemy of the state, as you people sometimes pretend. It's not some eastern dominated institution which sucks the very blood of western Canada dry. A trade union is a voluntary association of employees, which they can form at any time, or leave at any time, or change at any time. Any time they wished, they could have got out of the union; they could have changed unions. And, Mr. Minister, there isn't a bit of substance nor a bit of sense to your comment that you're giving them their freedom of choice. As you just

admitted, they always had it.

Mr. Minister, are you going to be honest and admit the reason why you're taking away that contract is because you're going to take away the benefits, some of the benefits, too? The same people may be doing the same job, but not under the same conditions. If you're not going to take away some of their benefits, then, Mr. Minister, this makes no sense at all, and you've bought yourself a pile of trouble without any apparent benefit to the government or the taxpayers. So will you admit the truth. They're not going to carry all of their benefits forward into the new situation.

**Hon. Mr. Hepworth:** — Well I know the hon. member would like to — as some of them before him have done — try and create an atmosphere of fear, uncertainty and insecurity for those employees. I dealt with this kind of rumour-mongering a month ago or more when I was at the institute — that somehow when the new institute was formed, people would lose their jobs. I clearly said that's not the case. That somehow when this new institute was formed, because the collective bargaining ceased to exist, that somehow there would be a cut in pay — we dismissed that one. I have no doubt that tomorrow if I was to put another 20 of those to bed, tomorrow you would come up with another one.

And I think you and I are going to fundamentally disagree. I want to talk about education; I want to talk about young people. I want to talk about accessibility for our young people, and making sure that we have institutions that can meet the opportunities and, indeed, the challenges over the next two decades. You maybe do not; I do. And I think we're mile apart on what you see as the vision for this institute as far as what I see for it.

**Mr. Shillington:** — Does the minister even remember what my question was, and if you do, would you answer it.

**Hon. Mr. Hepworth:** — Well as I said earlier the . . . I'm not about to . . . As I told your hon. colleague from Saskatoon, anything that we can say has been said, and if you're trying to draw me in somehow to start doing some negotiating in this Chamber, it will not work. This is not the place for it.

And you may not believe me. History will be the test of time, as I said to another member last night, but if you think I, or my government, don't want to see these . . .

**An Hon. Member:** — We do right by our people.

**Hon. Mr. Hepworth:** — And yes, you'll suggest that somehow condescending statements, and you can make light of it all you want. You can make light of it all you want, but I'm telling you these are our valued employees. We're interested in their professional development because they are the ones who will keep us on the leading edge.

Now you can try and create whatever distortion you want. That's your right. You and I are fundamentally going to disagree, and I don't know if there's anything more I can add.

**Mr. Shillington:** — Well, Mr. Minister, there is something more you could do. You could drop the bizarre statement that we're going to do right by our people, and you could make an unqualified, categorical statement that the employees hereafter will have all of the benefits which they had heretofore. Just make that categorical, unqualified statement, Mr. Minister. That's what more you could do.

**Hon. Mr. Hepworth:** — Well if you don't accept my fundamental reasons, for some technical ones that would be impossible to do. There is 10 or 11 bargaining units. It wouldn't even be fair. Some of them work different hours, different classifications, all of those things. And would that be fair to bring in an employee, for example, who's had a secretarial or support staff job at 32 and this one's at 37, and somehow they can continue to go like that. I mean, for some technical reasons you're reducing — you cannot. And I think to try and suggest it, that you can reduce this issue to that simply duality, is indeed an over-simplification.

**Mr. Shillington:** — Well, Mr. Minister, I think the employees may draw — and the public of Saskatchewan may draw — their own conclusions about your refusal to answer the question. And the conclusion which they're going to draw is this is a naked use of power, to take away a proprietary right that was freely and fairly negotiated in a contract.

Mr. Minister, you people seem to have no understanding, none at all, about how . . . and that is why I made the comment when you said, you may want to know where all this came from. And that's why I made the comment from my seat, "it was borne out of ignorance," because indeed it was borne out of ignorance.

You don't understand what trade unions are. You don't understand that they're voluntary associations, freely entered into, which they may freely leave. You don't seem to understand that labour contracts are something that are negotiated, it's a contract, they're fairly negotiated. You don't understand any of that. You simply sweep it away for your own narrow purposes, because what the heck, they're only a few hundred people and they're not going to prove conclusive in any particular seat. They're not going to defeat us.

Well, Mr. Minister, just keep it up. Because there are more and more groups of people, in and by themselves, can't defeat you, but who together are forming a fairly impressive little alliance.

I noted with some interest the lack of success which the Minister of Social Services had in trying to get the senior citizens off the drug plan the other day. I've noticed some of the success which the Minister of Health has had with quite a different variety of groups. The Minister of Labour has made no attempt at all to get along with organized employees — picked a fight with them since the beginning.

And I say, Mr. Minister, you've done the same thing to the teachers. I have . . . and the staff. I have people calling me asking me, is there nothing that can be done. My response

is, by and large, that's one of the limitations of a parliamentary democracy, government with a majority may abuse it. And there's not much you can do until the next election.

Mr. Minister, there's going to be a next election because you're not going to be able to put off that by-election in Eastview for ever. And you're going to get a taste of all the goodwill which you've built up by your abuse of so many different groups who in and by themselves may not be capable of handling you, but taken together they're going to leave a bitter taste in your mouth when that by-election's over.

**Mr. Prebble:** — Mr. Chairman, I just want to ask the minister a couple of remaining questions before we go into moving amendments on the section by section debate on this Bill. The first amendment is simply a supplementary to the questions asked by the member for Regina Centre, my colleague.

Mr. Minister, do you deny that as a result of Bill 46 you will be taking away the seniority rights of every employee in the technical institute and community college system of this province? And I ask you, how can you justify telling people who've worked for the institute system for 15 or 20 years and provided long-time service and excellent service to this province, that their seniority in that institute or their seniority in that community college, counts for nothing any more as a result of Bill 46? Will you explain that to this Assembly?

**Hon. Mr. Hepworth:** — I think my answer . . . I mean the question is the same as was asked before and my answer can only be the same. We recognize that the seniority area is a complex one. There are some issues around it. The point that we have made, and that we have made in writing to the employees is this, this very clear statement. We put a question/answer insert together that has been delivered to each and every employee. And the question that was asked because they were probably asking, will the collective bargaining agreement still apply? And there's 10 or 11 of them I think there is.

(1515)

And the answer is no. And then it went on to say:

However, the majority of the terms and conditions which employees currently have will be continued with their employment with the institute. For example, the 200-day year, vacation leave, and sick leave will continue.

We've already talked about the job security and pay security. Some of the issues that you would want us to resolve and clear up in black and white here, we cannot do. I mean there's community college seniorities that now applies only to individual colleges. How will the new institute deal with that complex issue? That's something the institute is going to have to deal with.

It's not that simple; it's a complex one, it's an area that deserves some attention. And I think you believe me — at least I'm hoping you do — that we have . . . we want to see this new institute have the employees best interests at

heart, and that's why we've attempted to give every assurance in every area that we can because there has been a fair amount of rumour and speculation and for the most part, all of it unfounded.

**Mr. Prebble:** — Mr. Chairman, the minister has simply failed to answer the question. He's failed to justify why employee seniority cannot be recognized in the collective agreement. When you abolish the collective agreement as you're doing, Mr. Minister, you abolish seniority which was one of the most important rights of teachers and staff at our institutes and colleges.

And, Mr. Minister, my next question to you is: you are setting up an interim governing council to govern this institute that you are creating, this super-institute for a seven month period. That interim governing council, as you well know, is mostly made up of your own departmental staff.

Isn't one of the reasons why you want to abolish employee seniority the fact that you want to give your new interim governing council free rein to dismiss employees who you can't get at because of their seniority, but who you can get at after you pass this Bill.

Will you give this House your guarantee that seven months after this Bill has passed, has been proclaimed, and has become law, when your interim governing council is done, not one single employee will have been dismissed from the system. Because if you don't give that guarantee, it's clear that the reason you're abolishing employee seniority is so that your interim governing council can get at those employees.

**Hon. Mr. Hepworth:** — You know, the question that you ask is not unlike employees asked when I visited the four campuses. And I think, in fact, you may well have been at the one meeting.

And somehow anybody that has the view that this interim governing council, once the legislation is passed, is somehow going to go out there and wreak havoc is simply untrue. And as I've said before and I say again, I mean if you've got a job the day before, you're going to have one the day after, and you can take that in its broadest sense, if you like, as well.

I mean, I know we've had some lay-offs, and every one of those people was given a subsequent opportunity, which you will not acknowledge, and I asked you in all fairness to acknowledge. And that is the absolute truth as well . . . (inaudible interjection). . . Yes, we had to because of some program duplication, some program rationalization.

But as I said to the employees and I say to . . . that day that I was there, and I say to you today, that is behind us. Now we're into the very exciting part of this new institute —its formation. And I have no doubt that as we get into forming this new institute, there's going to be some glitches. You know, there's going to be mechanical things. The computer won't work right for awhile or whatever the issue might be.

But I'll tell you, I have no doubt as soon as this thing is

given some time to get up and running that you're going to see what it's all about, and that these changes are indeed the right changes.

**Mr. Prebble:** — Just one more brief question to the minister, Mr. Chairman, before we go into the amendments. The minister will have received petitions from some of the institutes asking for assurance that the names of those institutes can continue to be used for things like fund-raising purposes. I want to just use as an example, Kelsey.

Kelsey wants to be assured that they can continue to use the name Kelsey Alumni Association and the Kelsey Institute Foundation, and that the Kelsey name can be used to describe their campus. Will you be permitting that, Mr. Minister, for each of the four campuses in the institute system?

The issue here, of course, is that people don't want to lose their identity. They don't want to lose the identity of their campus, and they want to be able to maintain the support of their alumni in such initiatives as fund raising.

**Hon. Mr. Hepworth:** — As it relates to . . . And I, too, have met with some of the people relative to the Kelsey Institute Foundation, and I appreciate the . . . that special feeling, I suppose, that they have because of their attachments, and I might add that they've been very successful in their fund-raising efforts.

We recognize, that, and there's provision for them to continue to raise funds or carry on the activities surrounding the Kelsey Institute Foundation. As I understand, that's the only campus that has that kind of structure. But I guess that's the kind of thinking we take into this process, or has been in the process from day one. And as you may well know, there's two committees looking at new logos and new names, and I don't think it would be fitting for us to decide. And that's why we put a mechanism in, to involve those who are on the campuses to help determine those kinds of things.

Clause 1 agreed to on division.

Clause 2 agreed to.

### Clause 3

**Mr. Chairman:** — Amendment moved by the member for Saskatoon University to clause number 3:

Amend section 3 of the printed Bill by adding "non-profit" before "corporation" in the second line.

**Mr. Prebble:** — Mr. Chairman, just very briefly. It's our view that the new institute should be a non-profit corporation, Mr. Chairman, not a corporation designed to make a profit. Profit education takes place either at the expense of quality education or at the expense of students having to pay higher tuition.

Mr. Chairman, this isn't to say that extra contracts cannot be entered into where the institute does make a profit on that particular contract, but that profit should always be

used to improve the quality of education at the institute and not for any other endeavour.

And therefore we think that the term "non-profit corporation" ought to express the objectives that this institute has, rather than simply using the terminology "corporation."

**Hon. Mr. Hepworth:** — A quick comment, Mr. Chairman. I mean, why we have framed it as we have is that we . . . if there is, in fact, profits, which may well be desirable, in terms of increasing accessibility and the quality of education, it's that kind of profit that we've talked about that can go into staff development, purchasing the latest in terms of technology and equipment. And that's why it's framed the way it is. I would hate to handcuff them, when there's such tremendous up-side potential there.

**Mr. Prebble:** — The minister's incorrect. They're not being handcuffed at all by using the terminology "non-profit corporation." All the things that you claim to desire can easily be accommodated under the heading of a non-profit corporation.

The point is that we're not into profit education here, and we're not into encouraging the privatization of education — two things that your side of the House appears to support.

We believe that education is to be a service, above all for students, and yes, also a service for such things as staff development. And that's why the term "non-profit corporation" is the appropriate term to use in this Bill.

Amendment negatived on division.

Clause 3 agreed to.

Clause 4 agreed to.

### Clause 5

**Mr. Chairman:** — Amendment to clause 5, moved by the member for Saskatoon University:

Amend section 5 of the printed Bill:

- (a) by striking out "at least once in every five years" in the first two lines of subsection (1), and substituting, "in 1989 and in every third year thereafter";
- (b) by striking out "minister" in the first line of subsection (6), and substituting, "Speaker"; and
- (c) by adding the following subsection after subsection (6):

The Speaker, shall, in accordance with The Tabling of Documents Act, lay each report received pursuant to subsection (6) before the Legislative Assembly.

**Mr. Prebble:** — Mr. Chairman, just very briefly. It's our

view, Mr. Chairman, view, Mr. Chairman, that the institute would be much better served by a review to take place two years from now, not waiting five years; and that that review should take place independent of the Minister of Education; that that review panel should report to members of the Legislative Assembly and not to him; and that the review should not only examine the super-institute but also the role of the Department of Education is playing in relation to the institute. None of those things are provided for under this Bill, and hence the amendment.

**Hon. Mr. Hepworth:** — Mr. Chairman, hon. member, just quickly here. I think the question as to whether the review should be every three years or something up to and including every five years, obviously that's a point that we can debate.

Our view is that we ought to at least give ourselves the leeway to go as long as five if we need it. Obviously with the way it's worded we can . . . If there was some major issue that would need to precipitate a review after two years, the way the legislation reads, we could do . . . I think we could do that.

And the other point is relative to the . . . you know, to whom the review should go. I mean, I think that's sort of standard procedure that it would come to the minister, and if there was something that needed to be forthcoming from the review in terms of legislation, then he would bring it to the House. And I'm sure it would have no . . . as we have had a practice of doing in this House, make those documents available. I think it may come in a good sense to come to the minister and to the minister's attention.

Amendment negated on division.

Clause 5 agreed to.

Clause 6 agreed to.

#### Clause 7

**Mr. Chairman:** — Amendment to clause 7, moved by the member from Saskatoon University:

Amends section 7 of the printed Bill:

by deleting clauses 1(c) to (f) and renumbering the remaining clauses accordingly.

**Mr. Prebble:** — Well, Mr. Chairman, this is one of the important amendments to this Bill. This gets directly at the question of the minister's powers versus the powers then of an autonomous board.

As we said earlier in this debate, Mr. Chairman, the minister is not setting up here a board that is akin to the university board of governors at either of our two provincial universities. Instead, the minister is setting up a board over which he ultimately exercises real control. And in effect we have here what is virtually a puppet board, in legislative terms, where the minister passes on so-called responsibility to the board and claims that it's autonomous, but where in effect he can continue to provide direction and make decisions and, in fact, intervene to a ridiculous degree of detail in the operations

of the board, setting down everything from detailed courses that are to be offered, through to intervening on detailed budget matters, through to even determining what nature the accounting system of the institute should take.

And we say that the minister has no business having those powers, and hence, Mr. Chairman, we are suggesting that all the powers relating to the matters that I've just mentioned be transferred out of section 7 and away from the minister and into section 11 and given to the board of this institute.

**Hon. Mr. Hepworth:** — Mr. Chairman, hon. member, just so everyone is clear. We know we're not talking about, in this section, is not a situation where somehow I, as minister of the department, want to get into day to day operations. I'm talking about our responsibility on behalf of the public to ensure quality and accessibility and . . . As I did earlier with the universities this year, when I met with them, you know, I presented them with the province's view, in terms of our social and economic goals which, quite frankly, they asked for.

(1530)

I think what you're probably having trouble differentiating from here is, on the one hand, autonomy, and on the other hand, accountability, which I think you would expect that we should retain.

From a public policy administration standpoint, if we're going to send a cheque over to this institute for 50 or \$60 millions, it seems to me that they ought to expect me to be accountable to you and to others across this province in this legislature. Or to put it another way, let's suppose we didn't have this provision in there. It seems to me then your criticism would be: Mr. Minister, are you telling me that your department is going to write a cheque out for 50 or \$60 million and ship it over to this institute, no questions asked. Is that what you're telling us? Is that what you consider good government, Mr. Minister?

I use this example — perhaps you will argue that I over-generalize, or I'm not fair — to show what we mean in terms of the difference between autonomy and accountability. And you yourself will know, because we went through it for 42 hours in the legislature earlier this year, but you do quiz me on what the programming is and why are you doing this and why are you doing that? You have that expectation.

What we're saying here is, I think, that expectation is here in the institute Bill as well, because you do have that expectation, as do the people of this province. So I think you ought not get this out of perspective in terms of those two issues — on the one hand, autonomy; on the other hand, accountability in terms of good government and the proper practice for public policy administration.

Amendment negated on division.

Clause 7 agreed to.

Clause 8 agreed to.

**Clause 9**

**Mr. Chairman:** — Amendment to clause 9, moved by the member for Saskatoon University:

Strike out subsection 9(1) of the printed Bill and substitute the following:

- (1) The Lieutenant Governor in Council shall appoint a board of each campus of the institute consisting of:
  - (a) two persons who are elected by the instructors and staff at the campus;
  - (b) two persons who are elected by students at the campus;
  - (c) five persons who are elected by the members of the community adult education councils established as required by subsection (1.1);
  - (d) three persons designated by the minister, one of whom represents an employer that uses institute services.

(1.1) A community adult education councillor is to be established in each area in which a campus of the institute is located, in the manner prescribed in the regulations.

(1.2) Any interested organization in an area in which a community adult education council must be established is eligible to be a member of the council in that area.

(1.3) The Lieutenant Governor in Council shall appoint a board of directors for the institute, to be known as the Technical Institute Co-ordinating Council, consisting of two persons elected by each of the boards of the campuses of the institute, and two persons selected by the minister.

**Mr. Prebble:** — Mr. Chairman, this gets, I think, at the fundamental difference between our model on this side of the House for the technical institute and community college system of this province versus the minister's model. We believe, Mr. Chairman, that the minister should be establishing autonomous boards, and that the way to ensure accountability in the system is, first of all, by giving the boards the kind of power that our universities have, and secondly, Mr. Chairman, by ensuring that those boards are largely elected boards rather than appointed boards.

I think the key difference between our model and your model, Mr. Minister, is that you believe in a centralized system with appointed members, and we believe in a more decentralized system with elected members who we think will be accountable to students, who will be accountable to faculty, who will be accountable to the community at whole, and will be accountable to employers in the community who use institute and college service. And the way to ensure that accountability, Mr. Chairman, is to ensure that each of

those groups have the right to elect representatives on to this board.

Now, Mr. Chairman, it's our view that the model that worked so well over the years at the Prince Albert Regional Community College with respect to a partially elected board ought to be applied now to the whole college and institute system. And it's our view therefore that at each of the centres, Saskatoon, Regina, Moose Jaw, and Prince Albert, a local community education council ought to be established. That council ought to be open to any interested organization that wants to have membership on it and is concerned about adult education.

And that council in turn, from the members which various organizations sent to represent them on the council, should elect five members on to the board governing each local college and institute. Mr. Chairman, we think that that's going to be a model that is responsive to community need, and it's only by being responsive to community need that the new institutes can really serve students and the community. We think, Mr. Chairman, that the time is long overdue for students to have representation on the boards. And we think that's best done again by having students elect their own representatives at the local level on to the boards governing each campus.

And the same with faculty, Mr. Chairman. We believe that faculty and staff at the institutes deserve to have a role in the decision making process that the institutes will play. And hence we're proposing two faculty and staff representatives on each board. And we also think that the former alumni of the institution, former students of the institution, ought to be represented by electing one representative on to the board. That would make for a truly responsive board — responsive to community, faculty, and student needs, Mr. Chairman.

We think that there's also a need for each local board to have a province-wide perspective. And hence we are suggesting that the minister have the right to appoint three people, and they do not need to be from the region in which the institute and college are located. They can come from various parts of the province to bring a province-wide perspective to the board; or to bring the perspective of a special-interest group, whether it be the native community or the business community or any other special interests that the minister thinks it's important to have represented on the board.

And, Mr. Chairman, we think it's important that employers who use institute services are represented on the board, which is one of the reasons why we're suggesting in this Bill that one of the three minister's appointees be an employer who uses the services of the institute. We think that's a responsive model.

We say, on this side of the House, that not everything can be done at the local level — not all decisions should be made at the local level. Decisions like the bargaining of a collective agreement or ensuring that credits are transferable between institutes or ensuring overall co-ordination between the various institute campuses in this province, is best done by a central co-ordinating

council.

But we believe that council should not be appointed by the minister. We believe that each of the local boards should elect two representatives to sit on that council, and presumably then the minister can add two of his own. We think that'll be a truly responsive model to the system.

That's what we mean by autonomy, Mr. Minister. That's what we mean by granting governance — not one central provincially appointed board, all of the members of whom are appointed by you. That's not what technical institute staff and community college staff and students and community groups interested in seeing autonomy for this post-secondary education part of our system meant, Mr. Minister, when they talked about autonomy and governance.

And what you have done is taken their ideas and scrambled them so badly that they're hardly recognizable any more, and we therefore ask you to withdraw your Bill, or at least accept this very important amendment to the Bill, which I think gets right at the heart of how we deliver quality education in this province. It means we have to have a system that's responsive to community and student needs, and the system you're putting in place isn't responsive to either the needs of students or the community.

**Hon. Mr. Hepworth:** — Well, the points that you essentially raise in the debate here on this issue — and it's one we gave some fair degree of thought to before we made the decision on the model that we did, and I might say we had some rather strong input on the single institute model — the issue comes down to these three things essentially. What should the structure be? Then who might serve on that structure? And thirdly, I think, and the element I think you and many out there across the province, including those in the media I might add, have consistently missed, and that is looking at this in isolation as opposed to seeing how does the institute fit in with the entire post-secondary education spectrum. I repeat that for the hon. member.

The other point that I think you're missing on this is that you are looking at the piece instead of the whole. And by that I mean when you make these comments about the board structure, I think you're not understanding how this institute will fit into the entire spectrum of post secondary education across the province. By that I mean, how does it interrelate with the universities, the institute part of it, and as well the regional college network which is the other vital link that I think addresses your concern very much so relative to decentralization. And I think that either you forget that, or you don't acknowledge what that is meant to do.

And the fourth reason why I say we chose this structure, because we could have that integrated approach, is for the very reasons that you and I listened for three days at that Saskatoon forum — that whole notion of lifelong learning and the integration that's needed across the system and, I might add, the linkage even that's needed with the K to 12 system.

To elaborate a little bit further, we chose the only board

model because this is an institute for the entire province. It's to serve the entire province. And rather than have four centres, each one with its own board as you would suggest, trying to be all things to all people, and in so doing not being able to all buy the latest and the best equipment, or not all being able to have the best staff in every area, we decided to go with the one model and have each established as a centre of excellence so that you could concentrate your resources, whether it be for equipment or other technology, at given centres. As well, it would lead to co-ordination as opposed to duplication.

And thirdly, it would serve not just a provincial focus but indeed . . . or not just a local focus but a provincial focus. And that doesn't mean to say that we won't have people from those four campus centres where the community colleges and the institutes are located on this board, because it would be very much my view that we would have, and I've given some commitments in that regard.

And that fourth element is, of course, the notion of — and this is the one that you didn't mention in your remarks at all, but if you don't realize it, then I think you would see how your structure would be flawed — is how the institute connects like a pipeline to that regional college network. So that we take our programming at universities, our programming at these four centres of excellence in the institute side, and we feed it out to that feeder network called a regional college network. I think you've continued to disacknowledge or not to acknowledge that second companion piece of legislation and how they work together. That's why the single institute model.

The other thing I might say, if you're worried that somehow I won't have enough, or the government won't have enough — or indeed in this case, more appropriately, the institute won't have enough — advice, if you like, from across the province, this very day the advisory boards on institute education comprise some 70 in this province. One out of every 600 adults in this province is this very day represented on an advisory board.

And fourthly, you know I hear a lot of talk from the NDP about elected boards. But what is your track record when it comes to elected boards? And elected boards, particularly in education, what is the NDP track record? Was it about 1978, I think — we have a couple of past presidents of the Saskatchewan School Trustees Association here who could probably give me the exact dates — it was about 1978 when there were elected collegiate boards, and the NDP government of the day blew them away. So I hear what you're saying about elected boards, but in fact you have never practised it in reality.

And the final point that I would want to make here relative to student representation and faculty representation is, I have in very recent day in fact just communicated or sent some communication to them — I doubt that they've even received it yet — relative to the undertaking that I will be putting in place to receive nominations from the faculty and from the students. I've already had some discussions with both bodies on this about having a representative, and clearly we will be having representatives and taking nominations from those two

bodies so that a faculty member and a student will be on this board, Mr. Chairman.

**Mr. Kowalsky:** — Thank you, Mr. Chairman. I want to bring to the minister's attention, because I wouldn't want him misleading the public in terms of what has happened to the collegiate boards.

The collegiate boards in Saskatchewan were replaced. They were elected boards, but they were replaced and their work was taken over by elected public boards. So don't give us any idea about having elected boards being knocked out.

(1545)

**An Hon. Member:** — Did I hit a nerve?

**Mr. Kowalsky:** — Secondly, and I want to ask a question . . . The minister asks if I hit a nerve. I would just think that you should tell the truth and the whole truth on a matter like this, Mr. Minister.

And the question I want to pose to the minister is: will you table the evidence or the documents or the representation that you referred to regarding submissions in favour of one single institute?

**Hon. Mr. Hepworth:** — The submissions didn't come by way of a poll such as you've conducted saying, would you favour this model versus that model versus that model? The rationale for the model came out of the myriad of comments about lack of flexibility, a lack of co-ordination, duplication.

And you yourselves, I think, in the press release that you put out when you undertook the poll, or after you got the results back, talked about the need for a co-ordinating body. I don't see that in your amendment here because you yourself recognize it would be of no use to anyone to have four separate institutes going off in four separate directions even with four separate boards, as opposed to being another Department of Education.

And that is the kind of thing that we heard time and time again across the province. And it wasn't as though we went out and did a poll, if you like, and I can come with you and show you that 62 per cent favoured this one versus 22 per cent that one. But the message was there, clear, and those various kinds of observations.

**Mr. Prebble:** — Mr. Chairman, the minister is sadly mistaken when he says that the central co-ordinating council isn't provided for in our amendment. I'd just invite him to look at section 1.3, which says that:

The Lieutenant Governor in Council shall appoint a board of directors for the institute, to be known as the Technical Institute Co-ordinating council, consisting of two persons elected by each of the boards of the campuses of the institute and two persons selected by the minister.

Mr. Minister, you know you are developing a model of centralization and decision making which, apart from having been adopted by Maggie Thatcher in Britain for

the college system there, and apart from, I think, existing in New Brunswick, I am not aware of it existing anywhere else in this province . . . or, I'm sorry, in this country.

Mr. Minister, you are developing a system, which is simply going to be a bureaucratic hierarchy that is going to be unresponsive to community needs or student needs.

And, Mr. Minister, beyond that, I want to say to you that if you look at any other province in Canada, whether you take Quebec with its CEGEP's (Collège d'Enseignement Général et Professionnel) or whether you take Alberta where they recently moved towards autonomous boards for their technical institutes, it's the principle of local control that has made the new college and institute system successful in those provinces.

And what you are doing, sir, is choosing to abandon that principle, and I suggest to you, you're making a very serious mistake in doing that. What we need is locally elected boards that will be responsive to student, faculty, and community needs, and not one centrally appointed board as you are proposing in this legislation.

You are adopting a model that has proven to be unsuccessful in other parts of the world where it's been tried. For the most part, that centralized model has only been implemented by right wing governments as a means of the Minister of Education in that jurisdiction attempting to continue to exercise his control and his tyranny over the post-secondary education process and his vehicle for interfering with academic freedom.

And I say to you that we are not, as a result of proposing four locally elected boards, going to be interfering with the province-wide perspective that this super-institute needs. That's why I suggested that you retain the power to appoint three members to each of the local boards that will bring a province-wide perspective to their work. That's why we've proposed the central co-ordinating council in this Bill.

But we say, Mr. Minister, that decisions with respect to things like staff hiring, program development, specific decisions about budget allocations and purchases, those sorts of things are best made at the local level. They're best made with the input of local representatives from the community, faculty, and staff.

And you have betrayed the people of this province, educators in this province, and the students of this province, by failing to heed a message that I and my colleague, the member for Prince Albert, have heard as we went around this province. Whether it was a meeting with college employees in Prince Albert, or a meeting with college employees in North Battleford, or a meeting with students and instructors at Kelsey Institute, or a meeting with SECTIS (Student Executive Council of Technical Institutes in Saskatchewan), the representative from the various student councils around this province, we heard the same message every time that they wanted local autonomy and they wanted the opportunity for locally elected boards.

And I venture to say that you don't have a single letter from a single letter from a single educational organization that supports this



centralized model. If you do, I'd like to see you table it; and if you don't, I'd like to see you withdraw this Bill.

**Hon. Mr. Hepworth:** — I think what we have, Mr. Chairman, is lots of support for changing the form of governance. And there are different views on the structure that one can use. What I found, quite frankly, when I went around the province, was the notions that I expressed earlier about the co-ordination, duplication, centres of excellence, that kind of thing. Obviously one could have gone to the model where you had each with its own board.

What I found really among people is that they didn't express the notion so much on the model of governance; they just wanted it out of the Department of Education so you had some flexibility and those kinds of things. And why would they say that, Mr. Chairman?

Well what we put together here was we had four institutes and four urban community colleges and then things like ATTC (Advanced Technology Training Centre). Indeed what we had was 10 different educational institutions and they, by the very nature of 10 different institutions, how really could they plan in the face of no co-ordination, no body overall, how could they plan to make sure they were all headed towards the same common purpose and vision and goals? And how could they plan to serve an entire province with that kind of perhaps local focus as opposed to a provincial focus, Mr. Chairman? That's why we've gone to this.

I think the hon. member is somewhat over-reactionary in this rhetoric, and once again he went on for probably five minutes but didn't mention that other key part in this new integrated system, the regional college network — the centres of excellence feeding out programming, not just serving, and not just having a board for around the city of Saskatoon, or the city of Regina or Moose Jaw. We want to serve Meadow Lake and Nipawin and Melfort and Maple Creek and Estevan and Weyburn and La Ronge — and the list goes on and on. That's why we have this model, Mr. Chairman.

Amendment negated on division.

**Mr. Chairman:** — Another amendment. Order, order. Amendment to section 9 of the printed Bill:

Amend subsection 9(1) of the printed Bill by adding after "members" in the last line:

that adequately provides for regional representation on the board:

- (a) at least two of the members of which are students of and are representatives of students of the institute; and
- (b) at least two of the members of which are faculty or staff of and are representative of the faculty and staff of the institute.

Moved by the member for Saskatoon University.

Amendment negated on division.

**Mr. Chairman:** — This is moved by the member for Saskatoon University.

Strike out subsection 9(7) of the printed Bill and substitute the following:

- (7) The board may elect one of its members as chairman and another of its members as vice-chairman.

Amendment negated on division.

Clause 9 agreed to on division.

#### Clause 10

**Mr. Chairman:** — Amendment moved by the member for Saskatoon University.

Strike out subsection 10(2) of the printed Bill.

Amendment negated on division.

Clause 10 agreed to.

#### Clause 11

**Mr. Chairman:** — Amendment moved by the member for Saskatoon University:

Amend section 11 of the printed Bill:

- (a) by renumbering clauses (a) to (i) as clauses (1)(i) to (q) respectively, and by adding the following clauses before renumbered clause (1)(i):
  - (a) give directions to the institute on programs, courses, functions or activities to be provided or undertaken or discontinued by the institute, including any core program specialities to be provided at any campus of the institute, and where they are to be provided or undertaken;
  - (b) establish policies or procedures for the approval of programs, courses, seminars or other instruction to be provided by the institute;
  - (c) give directions to the institute on educational, operational, administrative, management or other standards or procedures to be established or maintained by the institute or any changes to any of them;
  - (d) give directions to the institute on the establishment of any accounting or information systems for the institute or changes or additions to existing accounting or information systems;
  - (e) set a global budget for each campus of the institute;
  - (f) ensure transferability of credits between

campuses of the institute;

- (g) negotiate with employees on behalf of all campuses of the institute; and
- (h) set tuition fees.

**Mr. Prebble:** — Mr. Chairman, the powers of the board, as you read out in the amendment, are the powers that we believe the board should have.

The board does not have those powers right now. The minister exercises free rein with respect to everything from interfering with detailed budget decisions through to setting tuition fees and giving direction on specific courses and programs. We believe that's the role of the institute board. Unbelievably the minister has not provided the institute board with those powers, and we believe that this amendment gets right at what we believe would provide for real board autonomy rather than leaving those powers with the Minister.

Amendment negated on division.

Clause 11 agreed to.

Clauses 12 to 14 inclusive agreed to.

#### Clause 15

**Mr. Chairman:** — Amendment to clause 15 of the printed Bill, moved by the Minister of Education:

That paragraph 15(3)(a) of the printed Bill be amended by:

- (a) deleting the word "or" in subparagraph (ii); and
- (b) by adding the following after subparagraph (iii): "or;  
(iv) The London Life Pension Plan DA 20046."

**Hon. Mr. Hepworth:** — Just to clarify the house amendment, Mr. Chairman. This was to ensure that everyone who was in a pension plan that it would continue, and in our drafting we missed the fact that there was one pension outside those mentioned in section 15(1), and that was with London Life, and hence that's the rationale for that in the Bill.

Clause 15 as amended agreed to.

**Mr. Prebble:** — Mr. Chairman, I wonder if we could have leave to go back to section 14?

Leave granted.

(1600)

#### Clause 14

**Mr. Prebble:** — Mr. Chairman, this section of the Bill is very objectionable to us for a number of reasons. First of all, in section 14(1) we believe that rather than saying "the institute may employ any officers or other employees," it

should say the "board may." That seems to be a very unusual provision which in effect continues to give power to the minister with respect to the hiring of employees.

We have very strong objection to subsection (3) of section 14 which makes it very clear that, contrary to the provisions of The Trade Union Act, the legislation here is spelling out what the appropriate bargaining unit shall be, and specifically is putting academic staff in one bargaining unit and another staff in another bargaining unit, contrary to The Trade Union Act and the provisions in The Trade Union Act that require the Labour Relations Board to do that.

We take strong exception to you spelling out, sir, in this Bill that the board may designate categories of employees of the institute as academic staff, and may designate individual employees of the institute as academic staff. You, sir, should not be giving the board the right to do that. That is not the role of the board of the institute; that is the role of the Labour Relations Board, and we take strong objection to that.

We also take strong objection to the fact that you are spelling out here, contrary to the long-standing tradition in this province, what members of the management group of the institute are not eligible to belong to a trade union in the event that a trade union is formed by the employees at the new super-institute.

You have no right by way of the tradition, the long-standing tradition of labour law right across this province, to determine who shall be outside the trade union and who shall be a member of the trade union. That is always done by the Labour Relations Board.

And therefore, Mr. Chairman, since the minister chooses to ignore the authority and responsibility of the labour Relations Board, and chooses to rewrite labour law for himself, I move, seconded by my colleague, the member from Prince Albert:

That section 14 of this Bill be deleted.

**Mr. Chairman:** — Order. An amendment to delete a clause is not in order. But being that the committee gave leave to go back to section 14 of the printed Bill, they can vote again on section 14. So the question before the committee is section 14 of the printed Bill.

(1609)

Clause 14 agreed to on the following recorded division.

#### Yeas

Duncan	Sauder
Andrew	Johnson
Taylor	McLaren
Smith	Hopfner
Swan	Swenson
Muirhead	Martens
Maxwell	Gleim
Gerich	Neudorf
Hepworth	Gardner

Klein  
Martin  
Toth

Kopelchuk  
Saxinger  
Britton

(1615)

Clause 34 agreed to on division.

Clause 35 agreed to on division.

— 24

### Nays

### Clause 36

Blakeney  
Prebble  
Brockelbank  
Shillington  
Koskie  
Tchorzewski  
Mitchell

Kowalsky  
Atkinson  
Hagel  
Calvert  
Lautermilch  
Trew  
Koenker

**Mr. Chairman:** — Amendment to clause 36 moved by the member for Saskatoon University:

Amend clause 36(6)(a) of the printed Bill by striking out “seven” and substituting “three.”

**Mr. Prebble:** — I want to know from the minister, very briefly, two specific questions. First, why are you giving this interim governing council such a long term in office unless it's for the purpose of putting your staff on this new super-institute, because most of the members of the interim governing council are your departmental employees.

— 14

Clause 15 as amended agreed to.

Clauses 16 to 19 inclusive agreed to.

### Clause 20

**Mr. Chairman:** — There is an amendment to clause number 20, moved by the member for Saskatoon University that:

Strike out subsection 20(2) of the printed Bill.

Amendment negated on division.

Clause 20 agreed to.

Clauses 21 to 30 inclusive agreed to.

### Clause 31

**Mr. Chairman:** — Amendment to clause 31, moved by the member for Saskatoon University is:

Strike out section 31 of the printed Bill.

The amendment is not in order, and accomplish the same by voting against it.

Amendment negated on division.

Clause 31 agreed to.

Clauses 32 and 33 agreed to.

### Clause 34

**Mr. Prebble:** — Mr. Chairman, we take strong exception to clause 34, particularly the section that again chooses not to recognize the rights that employees, in this case of the Advanced Technology Training Centre have under section 37 of The Trade Union Act. it's another example of the Minister's attempt to rewrite Saskatchewan labour law under the auspices of an education Bill. It's another attempt by this minister to engage in union busting. We particularly object to the provision in section 34 that states that any order of the Labour Relations Board determining a trade union as representing, for the purposes of collective bargaining, employees is ignored under section 34 of this Bill. And therefore, we will be voting against it.

And why is there no provision in this Bill for the interim governing council to work with the new board that you should be putting in place right away, Mr. Minister, so that there is a brief period of co-operation between the two, and then the new board takes over?

Why does this council need seven months to go about its work, unless this isn't just another attempt by you to control the way in which the new super-institute is developed? Because it's your employees who are on this interim governing council.

And will you provide this House your assurance that the interim governing council will not dismiss a single employee in the institute and college system during the period in which it has responsibility for running the new super-institute?

**Hon. Mr. Hepworth:** — Mr. Chairman, why the . . . this interim governing council is structured as it is, and it's been up and running for some good long time, since last May I think, when we embarked on this process; it reads that:

The council shall continue to exist until the earlier of: seven months after the day in which the section comes into force or the commencement of the first meeting of the board.

And the reason that it reads like that is merely for . . . to get around the unknown that we were dealing with as drafters of legislation, that unknown being, we didn't know when this legislation would get passed.

And we couldn't say, you know, that the interim governing council shall cease to exist and the board shall start October 30, because we didn't know what day legislation would be passed, and we had to cover all scenarios.

Well we did not know what day it would pass. I mean, what day is this Bill going to get royal prerogation? We certainly didn't know. So that is absolutely the reason.

But at the same time we want to get the new board in place as quickly as possible, and that's why it's the lesser of.

And the third point is: yes, we intend to meld the two boards so that we do have a smooth transition, which I think is what you're interested in as well.

Amendment negatived on division.

**Mr. Chairman:** — The second amendment, moved by the member from Saskatoon University:

To section 36:

Strike out subsection 36(8) of the printed Bill.

**Mr. Prebble:** — Well, Mr. Chairman, this gets right at the heart of the matter. If this interim governing council is simply supposed to be a caretaking body, I want to ask the minister why you're giving this interim governing council the right to designate categories of employees of the institute as academic staff members, why you're giving them the right to designate individual employees of the institute as academic staff members, and why you're giving them the right to change any designations?

Why are you giving this interim governing council powers that are ordinarily held by the Labour Relations Board of this province if this interim governing council is simply supposed to be a caretaking body? Because if it is simply supposed to be a caretaking body until the new board takes over, rather than a body that continues to do your dirty work for you as Minister of Education, then you will remove this section of the Bill.

**Hon. Mr. Hepworth:** — All I can say simply is, there's no ulterior motives here. It's not a case of dirty work, and I think that's a bit of rhetoric and over-reaction. A caretaker board, an interim governing council's got to pay the bills, if you like, and all we're saying in this section is that the interim governing council has to have the same powers, if you like, as the real board when it gets up and running; nothing more, nothing less.

**Mr. Prebble:** — One more question, Mr. Chairman. Just to . . . once more to the minister: why are you giving the interim governing council of this super-institute board, Mr. Minister, the power to make decisions that are normally made by the Labour Relations Board of this province? Will you explain that to this Assembly, because not only are you violating the long-standing tradition of Saskatchewan labour law that says it's the role of the Labour Relations Board to make decisions with respect to who is in a particular bargaining unit, but beyond that, Mr. Minister, you're actually giving the authority to do that to what you call a caretaker governing council? And I suggest to you that you are being highly deceptive with respect to the real intent of the interim governing council as you've established it.

**Hon. Mr. Hepworth:** — Well, Mr. Chairman, there is no ulterior motives. I'm not having anybody do any dirty work for us, etc., etc., and all I guess I can say, relative to all sections of this Bill where they have ascribed some

ulterior motive, history will tell. And history will show that this is indeed a fine institute.

Amendment negatived on division.

Clause 36 agreed to.

Clause 37 agreed to.

### Clause 38

**Mr. Prebble:** — I just want to say to the minister that he has indicated that this bill will be coming into force on January 1. I hope he honours that obligation. I hope, Mr. Chairman, that he does not intentionally extend the date on which this Bill will come into force so as to try to ensure that the work done by Saskatchewan Government Employees' Union over the past several weeks to sign up members again of college staff, and of technical institute staff, will not all be for nought.

Because he knows full well that trade union membership cards are only in effect for six months. He knows full well that if he delays the date of proclamation of this Bill that those trade union membership cards will become invalid. I want his assurance that he will not now unduly attempt to undo the work of Saskatchewan Government Employees' Union. Clearly the members of the technical institute staff and community college staff of this province want to continue to be represented by a trade union. The minister knows that full well. I hope he will not unduly delay the proclamation date of this Bill.

I want to say once again to the minister that we on this side of the House oppose this Bill strongly. We oppose it because it denies the legitimate rights of the employees of the institutes. We oppose it because it fails to respond to the need for locally elected boards in this province. And we oppose it because it fails to grant autonomy to the newly established board.

And we hope now that the minister will at least live by his claim that he will treat the new employees fairly. We hope that at least some of the pressure we've put on him in this House will force him to do that. And we think this is a very sorry day for education, that this Bill is passing which we think sets this post-secondary education institution system back in our province by at least a decade.

Clause 38 agreed to on division.

(1629)

Enacting clause agreed to on the following recorded division.

### Yeas

Duncan	Sauder
Andrew	Johnson
Taylor	McLaren
Smith	Hopfner
Swan	Swenson
Maxwell	Martens
Gerich	Gleim

Hepworth	Neudorf
Hardy	Gardner
Klein	Kopelchuk
Martin	Saxinger
Toth	Britton

between 50 and 100, come together to elect the majority of members who sit on each of the rural community college boards. We think the time has come for that.

— 24

Meetings that I've held with groups such as ... in North Battleford, have favoured that idea. We think it's also time, Mr. Minister, that the faculty and staff of the community college system have representation on that board.

### Nays

Blakeney	Kowalsky
Prebble	Atkinson
Brockelbank	Hagel
Shillington	Calvert
Koskie	Lautermilch
Tchorzewski	Trew
Mitchell	Koenker
Upshall	

Mr. Minister, the other point that we take strong objection to in this Bill is that you have once again chosen to single out a group of educational employees — this time in our northern community college system — and deny them their trade union rights.

Many of those employees, particularly the ones at Beauval, just joined a trade union, namely SGEU (Saskatchewan Government Employees' Union), this summer. The certification order from the Labour Relations Board recognizing that union as the legal representative of the employees just passed on September 15, and yet you are telling those employees that they have to vote over again with respect to whether or not they want to join a trade union. And you are decertifying the union that they just joined.

— 15

The committee agreed to report the Bill.

## Bill No. 47 — An Act respecting Regional Colleges

### Clause 1

**Hon. Mr. Hepworth:** — Before we get into committee on Bill 47, I'd like to introduce my officials if I could. To my right is the assistant deputy minister in the department, Elizabeth Crosthwaite, and to her right, Russ Cape, from the human resources branch; behind Elizabeth is, Jake Kutarna, director of the community colleges; to his left, Gordon Russell, human resources branch; and to my left, Larry Anderson, Department of Justice.

**Mr. Prebble:** — Thank you, Mr. Chairman. Mr. Minister, as I've said before in this Assembly, we support one of the basic principles of this Bill which is to deliver first and second year university and technical institute programming to the rural community college system and to establish the rural community colleges as regional colleges.

What we take exception to, Mr. Minister, under this Bill, is your decision to delete from the mandate of the rural community college system both responsibility for initiating community development programming, which was one of the important responsibilities under the old college system, and secondly we think it's unfortunate that you have chosen to delete from the mandate of the rural regional colleges the offering of community interest courses.

We think, Mr. Minister, that it is also unfortunate that you have chosen not to respond to the desire that many people in rural Saskatchewan have, to have elected regional college boards, to have our community college system run largely by elected rather than appointed officials.

We think it's time, Mr. Chairman, as I've said to the minister before on the debate on Bill 46, that local community education councils be established in rural Saskatchewan, that those councils be made up of representatives from any organization in the community that is interested in adult education and that those representatives, which will no doubt number from

I have two questions for you, sir. And the first is: why is it that you are choosing to deny those northern community college employees their legitimate rights to belong to a trade union? And why are you saying to the employees in Beauval, who just got their certification order on September 15, that that certification order is invalid and that they have to vote again? Can you explain that to members of this Assembly?

**Hon. Mr. Hepworth:** — Well relative to the situation with Northlands, I think the essence of the arguments are no different than what we debated in Bill 46, and I'll be brief. Once again, the new Northlands Career College — we brought three together, very much a broadened, changed mandate — the same rationale as I described in Bill 46.

Relative to your earlier question of, you know, the repriorizing and in so doing, repriorizing and having greater opportunity for adults across this province in the area of institute/ university programming. In so doing, yes, we have discontinued the leisure and the hobby courses, if you like.

We don't want to see those gone from the communities, and indeed, if I look at my own community — I also get the local newspaper from the community where I was raised, Assiniboia. What I see there is, indeed, community groups picking up that programming, whether it be the local photography group ... I know I saw an ad in the paper in the Assiniboia Times listing a number of classes in that category of hobby and leisure that groups other than the community college or the regional college are putting together. So it is being done by the communities, so they're not lost — the community. We, as a government, because of what the people told us, have decided to get out of the leisure and hobby, concentrate more on the institute and the university programming.

And secondly, that shouldn't surprise us, because they were voting, if you like, with the hours of time they were spending in these classes. We've gone from a position of 80 per cent of the programming down to 5 per cent in that area over the last 10 or 15 years. Simply, the interest was there for the more sophisticated — although I hesitate to use that word — programming.

Clause 1 agreed to.

Clauses 2 to 4 inclusive agreed to.

### Clause 5

**Mr. Chairman:** — Clause 5, section 5 of the printed Bill has an amendment as proposed by the member from Saskatoon University:

Amend section 5 of the printed Bill by renumbering clause (f) as clause (h) and by adding the following clauses after clause (e):

(f) community interest courses;

(g) community development programs;

**Mr. Prebble:** — Mr. Chairman, just a question to the minister with respect to this. Obviously we believe that this ought to continue to be a part of the mandate of the regional colleges, notwithstanding their expanded mandate in other areas, which we support.

But I say to the minister that he's misleading this House and the public when he simply talks about the percentage of time that people were taking community interest courses. He knows full well that the reason why the percentages changed is because there are a lot more people now taking adult basic education courses.

But his figures imply that there are less people than there used to be taking the community interest programs, and he knows that that's not the case. There is just as much interest and just as much support for community interest programming as there was when the community college system began, and he knows that full well. And there are many communities in rural Saskatchewan that can only look forward to having community interest courses being offered in their communities.

He knows that full well too, by deleting those interest courses they will have nothing being delivered by the community college system in their particular communities. And I think therefore that he's being very unfair about misrepresenting the popularity or lack thereof of community interest courses. There is lots of support out there in rural Saskatchewan for them, and there is no good reason why they couldn't be offered by the new regional college system.

And so I ask the minister to acknowledge that in fact there has not been a significant decline in the number of people who take community interest courses. On the contrary, there are hundreds and hundreds of them that were offered by the college system this spring before you deleted them, and that you're making a mistake by simply focusing on the notion of education for a job and

disregarding the notion that somehow education doesn't have a role in our society for pleasure, for enjoyment, for personal development. You are saying that that part of the community college mandate is no longer relevant, and we disagree with you, Mr. Minister.

**Hon. Mr. Hepworth:** — Well just to have the facts on the record, because the hon. member has somehow suggested that . . . I don't know whether he went so far as to say misleading the public, but the reality of these . . . and my officials have provided me with even more up to date numbers of what we had in estimates when we debated this very point three or four months ago. Community college participant hours by type of program per cent. Some 10 years ago or more this figure would have been 80 per cent, Mr. Chairman, thereabouts. And what is it now? — 3.8 per cent. The facts speak for themselves.

Secondly, as it relates to in your amendment, the desire for community development programs, in fact that's covered off in clause (b) of section 5.

**Mr. Prebble:** — But, Mr. Chairman, the reality is that the community development programs of most of the colleges have been waning. There's a need for a new community development initiative to be encouraged by the province and to be funded by the province for the college system.

But I want to come back to these numbers. I've no desire to hold this Bill up but, Mr. Chairman, I refuse to let the minister get away with the pretence that there is somehow a lot less support than there used to be, by quoting hours.

What's happened, Mr. Minister, is that the number of courses that the college system has offered has greatly increased, and I want you to give me the numbers for the number of community-interest courses in the province that are now being offered as compared with, shall we say, five or 10 years ago. Because I suggest to you that the number had not decreased at all, and that the number of total participants as compared with 10 years ago hasn't decreased either. Will you acknowledge that?

(1645)

**Hon. Mr. Hepworth:** — We don't have numbers with us for back between 10 years and now. All I can do is, based on what I have here, is read to you again. Hobby, leisure, recreation courses . . . From an 80 per cent volume of hobby courses in '74-75, it was 5.3 per cent of student instruction in '85-86.

I think . . . I'm trying to make the point is that, you know . . . I'm not trying to say that they aren't important, but in this new repriorization we have said that, I think, based on what people were saying out there, is institutes, programming, and university was even more important.

And that 5.3 per cent number, which is the number we used in estimates, I think, is now replaced, when we have the more recent number, by the 3.8 per cent. And our other recent data that we have with us is: in the hobby courses there was 14,594 enrolments out of a total of

79,136. I think, there again, I would make the case. I don't say there isn't some interest there, but it's a relative decline, number one; and number two, is that there's more and more people looking for the more and more "sophisticated" programming.

Amendment negated on division.

Clause 5 agreed to.

Clause 6 agreed to.

#### Clause 7

**Mr. Chairman:** — Clause 7, by the member from Saskatoon University, an amendment on section 7 of the printed Bill:

Strike out subsections 7(1) to (3) of the printed Bill and substitute the following:

- (1) A board consists of (a) six members who are elected by the members of the community adult education council in the region; (b) one member who is elected by the faculty and staff of the regional college for which the board is established; and, (c) one member who is appointed by the Lieutenant Governor in Council.
- (2) A community adult education council is to be established in each region in the manner prescribed in the regulations.
- (3) Any interested organization in the region is eligible to be a member of the community adult education council in that region.

Amendment negated on division.

Clause 7 agreed to.

Clauses 8 to 10 inclusive agreed to.

#### Clause 11

**Mr. Chairman:** — Clause 11 has an amendment by the member from Saskatoon University:

Section 11 of the printed Bill to be amended:

Strike out "subject to the approval of the minister" in the first line of clause 11 (b) of the printed Bill.

**Mr. Prebble:** — We don't think the Minister of Education should have the right to determine remuneration and terms and conditions of employment of community college staff. We think that's best done by what ought to be a locally elected board. Obviously the Minister doesn't agree.

**Hon. Mr. Hepworth:** — I think what I would say here to the hon. member is, it's not a question of us doing something in isolation here without — or not in co-operation and in conjunction with the board — but we'd just as soon have all the regional colleges operating

on the same wavelength because it ultimately comes a question of fairness for all and not having this board with one set of remuneration, if you like, and another one here. And let's have some sense of fairness across . . . remuneration across the system.

Amendment negated.

Clause 11 agreed to.

Clause 12 agreed to.

Clause 13 agreed to on division.

Clauses 14 to 31 inclusive agreed to.

#### Clause 32

**Mr. Prebble:** — I want to say to the minister, Mr. Chairman, that we strongly disagree with this clause in the Bill for two reasons.

First of all, we do not think that the three community colleges in northern Saskatchewan ought to be disbanded. We do not agree with the proposed centralization in this Bill, where these three colleges will be centralized into one.

This is in sharp contrast, Mr. Minister, to the direction you seem to be moving in the K to 12 system, where you're going to be splitting up the centralized Northern Lights School division into separate divisions in the North, and yet here at the same time you are centralizing the decision making with respect to the community college system.

And I want to ask you, Mr. Minister, two questions. First of all, why won't you agree to locally autonomous boards in the three local areas in northern Saskatchewan that are now being served by the current community college boards? Why won't you agree to have those as elected boards?

And why, Mr. Minister, are you refusing to recognize the rights of employees who work in that system by specifically singling them out and, in section 32 of this Bill, denying their rights under The Trade Union Act to belong to a trade union?

**Hon. Mr. Hepworth:** — Well why we're doing what we're doing here, once again, is to address the needs of the North, and what we think will be a situation that's better for all of them.

The basis for it is to provide a continuum of learning, the lifelong learning, a fully integrated system. The co-ordination and the strength that you get with the single institute, and that doesn't mean to say that we won't have, as we will have, the strong community network still. But the issue is to have them as part of that fully integrated system.

I could have talked, and we didn't get into it, in the institute Bill about the tremendous initiative relative to our native adolescent population and in terms of the agreement that we've just signed with Gabriel Dumont Institute in the native studies division. There's some very

exciting things going on there. This is part of them.

The employee thing I think we've already debated earlier on in clause 1 of this Bill. I don't know there's much more I can add there. As I understand it this is being very well received in the North. And I think if there's something that we can do that's absolutely important economically and socially, it's to have these people have access to a fully integrated educational system, and as well the initiatives that we're undertaking relative to distance education are going to be tremendously powerful in serving the North to a much better degree than we have.

So I'm excited about our initiatives relative to the North, and I think once again when you see them unfold, as we have described them, that you will be excited as well.

Clause 32 agreed to on division.

### Clause 33

**Mr. Chairman:** — Clause 33 of the printed Bill has an amendment moved by the member of Saskatoon University:

Strike out subsection 33(4) of the printed Bill.

**Mr. Prebble:** — Very briefly, Mr. Chairman, the reason why we're moving that this section be struck is because once again it violates employee rights under section 37 of The Trade Union Act.

Amendment negated on division.

Clause 33 agreed to on division.

Clauses 34 and 35 agreed to.

**Mr. Prebble:** — Can I just ask a question to the minister, if he could indicate when proclamation for Bill 46 and 47 will take place?

**Hon. Mr. Hepworth:** — I can't give you a date at this very moment. Now that we obviously have the legislation in place, we can plan to do this in an orderly fashion — for example, Bill 46, look to structuring, taking the nominations from faculty and students to put the board together, get the melding of the boards, a ballparkish figure would be in the new year. I don't want to be held by that particularly, but to give you some idea, sooner than later. We also . . . We're in a hurry to do it right and so it is smooth.

Mr. Chairman, before I report the Bill I'd just like to take this opportunity to thank my officials, not only the ones that have been here with us today, but the many officials throughout the department who have worked long and hard, probably some of them something close to two years as we put together this post-second education blueprint that's led to this legislation.

And they're a tribute to dedication and integrity and a sense of all that we can be in this province, and I would want to take this opportunity to acknowledge them and thank them for their input.

And with that, Mr. Chairman, I move that the committee report the Bill.

The committee agreed to report the Bill.

### **Bill No. 28 — An Act to provide for the Postponement of the Tabling of Certain Documents (No. 2)**

#### Clause 1

**Mr. Chairman:** — Does the minister have any officials to call in?

**An Hon. Member:** — No.

**Mr. Shillington:** — We have no objection to this Bill. You can proceed in any fashion you wish to.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

The committee agreed to report the Bill.

(1700)

### **Bill No. 26 — An Act to amend The Notaries Public Act**

Clauses 1 to 3 inclusive agreed to.

#### Clause 4

**Mr. Chairman:** — A House amendment by the Hon. Minister of Justice, section 4 of the printed Bill:

Amend clause 4 (b) of the printed Bill by adding a comma before "for" in the first line.

Amendment agreed to.

Clause 4 as amended agreed to.

#### Clause 5

**Mr. Chairman:** — Section 5 of the printed Bill has been amended by the Minister of Justice:

Amend section 5 of the printed Bill by striking out "October 1, 1987" and substituting "a day to be fixed by proclamation of the Lieutenant Governor".

Amendment agreed to.

Clause 5 as amended agreed to.

The committee agreed to report the Bill as amended.

### **Bill No. 32 — An Act respecting the Emission of Air Contaminants**

Clauses 1 to 5 inclusive agreed to.

#### Clause 6

**Mr. Chairman:** — Clause 6 has an amendment. Section 6



of the printed Bill:

Amend section 6 of the printed Bill by adding “or” after clause (l).

This has been moved by the Hon. Minister of the Environment.

Amendment agreed to.

Clause 6 as amended agreed to.

Clauses 7 to 21 inclusive agreed to.

#### **Clause 22**

**Mr. Chairman:** — An amendment of the printed Bill by the Hon. Minister of the Environment:

Amend section 22 of the printed Bill by striking out “against this Act and is liable” in the line before clause (f), and substituting, “and liable on summary conviction”.

Amendment agreed to.

Clause 22 as amended agreed to.

Clauses 23 to 27 inclusive agreed to.

The committee agreed to report the Bill, as amended.

#### **THIRD READINGS**

#### **Bill No. 46 — An Act respecting the Saskatchewan Institute of Applied Science and Technology**

**Hon. Mr. Andrew:** — Mr. Speaker, I move the amendments be now read a first and second time.

Motion agreed to.

**Hon. Mr. Andrew:** — Mr. Speaker, with leave, I move that the Bill with the amendments be now read a third time and passed under its title.

Motion agreed to on division, the Bill read a third time and passed under its title.

#### **Bill No. 47 — an Act respecting Regional Colleges**

**Hon. Mr. Andrew:** — Mr. Speaker, I move the Bill be now read a third time and passed under its title.

Motion agreed to on division, the Bill read a third time and passed under its title.

#### **Bill No. 28 — An Act to provide for the Postponement of the Tabling of Certain Documents (No. 2)**

**Hon. Mr. Andrew:** — Mr. Speaker, I move the Bill be now read a third time and passed under its title.

Motion agreed to, Bill read a third time and passed under its title.

#### **Bill No. 26 — An Act to amend The Notaries Public Act**

**Hon. Mr. Andrew:** — Mr. Speaker, I move the amendments be now read a first and second time.

Motion agreed to.

**Hon. Mr. Andrew:** — Mr. Speaker, with leave, I move that the Bill as amended be now read a third time and passed under its title.

Motion agreed to, Bill read a third time and passed under its title.

#### **Bill No. 32 — An Act respecting the Emission of Air Contaminants**

**Hon. Mr. Andrew:** — Mr. Speaker, I move the amendment be now read a first and second time.

Motion agreed to.

**Hon. Mr. Andrew:** — Mr. Speaker, with leave I move that the Bill with amendments be now read a third time and passed under its title.

Motion agreed to, Bill read a third time and passed under its title.

#### **COMMITTEE OF FINANCE**

The Assembly recessed until 7 p.m.