

EVENING SITTING

COMMITTEE OF FINANCE

Consolidated Fund Budgetary Expenditure
Education
Ordinary Expenditure — Vote 5

Item 1 (continued)

Ms. Smart: — Mr. Minister, I'd like to ask you where the money for the northern library services is coming out of in the education estimates. Is it coming out of the Saskatchewan library money, is it coming out of the grants for libraries, or is it coming out of some other fund, and if so, which fund?

Hon. Mr. Hepworth: — The money for the new northern headquarters is in the grants to libraries subvote 30, I think that is.

Ms. Smart: — The total amount of money for the northern library services, then, is coming out of the grants for libraries? Well, Mr. Minister, if it's coming out of the grants for libraries, that's an additional amount of money that's coming out of that grant money which, as I pointed out to you already, has only gone up by \$87,000 over the last six years, and you said \$260,000 was going for northern library services.

Now I'm very pleased to see northern library services developed. It's long overdue, and they should have a lot more money for library services in the North. But if it's coming out of the grants for libraries which is already only at a one and a half per cent increase since 1983, and you've had an 8 per cent decrease in that amount of money over the last two years, then that means less money even for the regional libraries and the municipal libraries; is that correct?

Hon. Mr. Hepworth: — In constructing this year's library budget, there was a 2 per cent increase for regional libraries and the cities, but similar to our thinking last year, it was the northern libraries that, I think, we needed to focus on because there is some catching up to do there, and part of that is the northern headquarters; and as well there was a substantial increase to the northern libraries from 88,500 to 111,000 there.

What I'm saying is there's a 6.8 per cent increase in grants to libraries, and on a percentage basis, northern libraries gets a very big increase, but all the regionals and the city libraries get the 2 per cent. So I think you can see what we're intending to do here — some extra focus on the northern libraries; other than that everybody else got the same increase as other parties in education did.

Ms. Smart: — But other parties in education didn't take a 10 per cent decrease last year, Mr. Minister. And I just want to make the point that all your hype about the information age is — all that — it's hot air; there's no substance. You've decreased the budget and you've added other library services to it.

I have two questions — you can answer them probably at

the same time — one about the distance education council and where the money is in the budget for that, and how much; and where the money is in the budget for the literacy council, and how much?

Hon. Mr. Hepworth: — Relative to the distance education council, Mr. Chairman, and hon. member, and as well the literacy council, both are budgeted for under subvote 27, the education outreach fund, and you'll be happy to know that we're budgeting 330 thousands of dollars to the distance education council, and a whopping \$816,000 for the literacy council. And we're proud of both of those initiatives, those new initiatives in last year's budget, Mr. Chairman.

Ms. Smart: — Mr. Minister, I just want to point out that in the estimates last year when we asked about the distance education, you mentioned \$3 million in new money last year for the distance education. The education outreach fund is 3.2 million last year, the same this year. As I understand it, the distance education is coming out of that; the literacy council is coming out of that. And that was money that was also set aside — am I not correct? — for the resource centres in the school libraries as well, for extra programs in that, or am I not correct on that?

Hon. Mr. Hepworth: — No, there's nothing to do with resource centres or libraries for the kindergarten to grade 12 system when it comes to the education outreach fund. The other items, the other highlights — not all of them, necessarily, but the other highlights in this fund would be over and above the distance education council.

With the literacy council would be the women's conference that we're going to have; the native services division is \$345,000 — that's on our contract with Gabriel Dumont Institute; some initiatives relative to the disabled — it would be \$300,000 spent there.

Our rural and northern training would be about \$640,000; university extension — a fairly handsome sum there, over half a million; and a Trade Language Centre, the Summer centre for International Languages out of the University of Regina, in conjunction with Luther College — \$100,000; and the Agricultural Commodities Institute, in conjunction with the University of Saskatchewan — 100,000 for a total of approximately 3.2 millions of dollars.

Ms. Smart: — Well, Mr. Minister, that doesn't begin to give enough money for the distance education program, which you said last time would have \$3 million in new money. You said that last year. I suppose this is just another one of your government's examples of money, where you say there's going to be millions of dollars for funds for a new project, and then you dribble it out in small amounts of money for years to come. And yet you get away with a big PR (public relations) announcement that you've got a lot of money to spend.

I want to end, then, on saying that I'm really disappointed in the fact that the budget — amounts of money that you've put for libraries — the kinds of ways you've treated the distance education council and literacy show the lack of policy of your government towards developing

anything remotely resembling an organized and planned and thought-out information system for this province — one that's available to the public and funded properly by the government and available to people regardless of where they live and their ability to pay.

Mr. Minister, it was interesting this afternoon that when we were talking about what was happening with the Wheatland Regional Library system and the fact that the PC Party convention committee was running their PC Party convention out of the Wheatland Regional Library system. And the questioning in the House was getting so intense on that issue that your Minister of Finance saw that as the opportunity to introduce the *Public Accounts* into this Assembly, the *Public Accounts*, which we've asking for a long time. And I'm rather pleased that the intensity of the questions regarding libraries moved you to deliver yourself of the *Public Accounts*.

At least you've finally seen the need to give us some information here in the House, and we can look forward to lots of questions about the *Public Accounts* in the weeks ahead, Mr. Minister.

But when I read, for example, The Public Libraries Act, and I see that the regional library board has the authority to deal with library business — it has the authority to rent library spaces, to buy library resources, to spend money and to raise money regarding library services — then I realize that that was the answer to your challenge to me earlier when you said, what should I do? Libraries have autonomy, and if they want to run the PC Party convention out of the Wheatland Regional Library, then you don't condone it, but there's nothing you can do.

According to the public library Act, you, Mr. Minister, can hold that regional library board accountable if they use the money for doing something other than library services. And let me tell you, that running the PC Party convention committee out of the Wheatland Regional Library system has nothing to do with public library services — absolutely nothing. You should be held accountable for the fact that they did that, that the taxpayers' money was spent on that, that money and staff time was used for that — and quite a lot of staff time, because you don't run a PC Party convention on very little time.

There was a lot of time and a lot of money involved running that PC Party convention out of the Wheatland Regional Library system, and you are responsible for that. The public library Act has been contravened. It's your responsibility as a Minister of Education to see to that, and I'm really holding you accountable for that.

Some Hon. Members: Hear, hear!

Ms. Smart: — Yes, you're being negligent; you're not developing proper library policies; you're letting the libraries go downhill in terms of the funding; and you're letting things go on in the public library system, like running the PC party convention, which is totally unheard of in a public institution.

It's a shameful thing that you have not taken a stand against that. And it's shameful that you haven't funded the

university so that the University of Regina library is not looking at selling off its resources to a company owned in Toronto in order to lease back the resources that are already owned by the people of this province.

(1915)

Some Hon. Members: Hear, hear!

Ms. Smart: — That's your information age, Mr. Minister; I tell you, I don't want to have anything to do with it. And we are not going to go into the 21st century limping along like that with these ridiculous policies in place. I can tell you when we form the government after the next election, there'll be a lot more support for the universities and for the libraries and for information, and a lot better government than you've been able to deliver.

Mr. Rolfes: — Thank you, Mr. Chairman. Mr. Minister, I asked yesterday for you to provide me with some information, and I was wondering whether you have that information now. I asked for a couple of things; one, I asked you about the number of people that you had, the people that you had hired in the Department of Education; and also, the increases in your personal staff, the rate, the salary increases in your personal staff. You said that you would provide that for me.

Mr. Minister, I just want to ask you a few questions. Could you tell me is K. Gallagher still with you?

An Hon. Member: — Kelly Gallagher?

Mr. Rolfes: — Well I don't know who the person is.

An Hon. Member: — Well then, why do you ask?

Mr. Rolfes: — Well if the minor minister, if the minor minister who was so well characterized by Roy Norris the other day on open line as the height of arrogance would just stay quiet, we might be able to get some business of the people done here.

An Hon. Member: — Which minister? Let's clarify it.

Mr. Rolfes: — The Minister of Urban Affairs. The minor minister, the minor minister who likes to make comments from his seat but very seldom says anything intelligent only when he gets up.

Mr. Minister, would you mind telling me if K. Gallagher is still working for you and ... well, first of all, what's the responsibility of the individual, if he or she is still working for you.

Hon. Mr. Hepworth: — Mr. Chairman, the material you asked for, my officials are just getting it together here. In the meantime, Kelly Gallagher — I presume is K. Gallagher — works in my office as a ministerial assistant to me relative to the Public Service Commission.

Mr. Rolfes: — Then, Mr. Minister, the list of people that you gave me the other day was just the list that you had of ministerial assistants as pertains to Education. Is that correct?

Why, Mr. Minister, if that . . . (inaudible interjection). . . Yes, well okay, but I just want to ask if that is correct, why then would you list minister's support staff, out-of-province travel? In *Estimates* for Education, you have noted here K. Gallagher went to one, two, three — three different places, and I just assumed, since we were in Education estimates, you have noted him here. Why did you note him here and now say that he doesn't work for you in this capacity?

Hon. Mr. Hepworth: — Now if he is included — and I, to be honest with you, didn't even scan the material that was prepared, but it was for them to . . . My officials were just trying to be as complete as possible in terms of the out-of-province travel.

The only other correction or clarification I would make is that we listed all the secretarial staff, which under our administration, are of the ministerial assistant category, unlike when you were the minister. And they're all listed in that list I gave you relative to Education, although it's fair to say that probably, I suppose, a half to one might end up on any given day full time on Public Service Commission. But for simplicity's sake they were all listed in Education.

Mr. Rolfes: — Mr. Minister, I don't want to follow up as to why K. Gallagher, if he is with the Public Service Commission, why he attended with the minister a tour of the Canadian Grains Institute and 100th anniversary of commodity exchange; why he went to Kansas City to attend with minister National Fertilizer Solutions Conference. What that has to do with the Public Service Commission I don't know. But anyway, I thought it pertained to Education, and I thought, fertilizer? Yes, the minister has so, and he's got lots of it. I thought that's maybe why he attended that conference with you.

Mr. Minister, very quickly if I may, and this pertains to B. Martin. Would you tell me why B. Martin, what the purpose of the trip was to Sydney and Halifax for legislative secretaries duties at Ketico Lodge and Halifax? What were the purpose of going to that, and then . . .

Hon. Mr. Hepworth: — That specific trip, as I recall, and I'm virtually certain I'm correct here, was to attend with, as Legislative Secretary to the Minister of Education, to attend with the Minister of Human Resources, Labour and Employment the minister's meeting, ministers of labour and manpower and women's secretariat minister's meeting in Halifax, or wherever it was. A minister's meeting is what it was and he was there . . .

An Hon. Member: — Ministers of education meeting.

Hon. Mr. Hepworth: — No, ministers' meeting of labour, manpower and women's issues, and since I have the manpower side in advanced education and manpower, he attended there for myself in conjunction with the other minister.

Mr. Rolfes: — All right, fair enough. He says he made a fair contribution, and that's fair enough, too.

January 13 to 14, '88, two days — two days — B. Martin went to Flin Flon for Legislative Secretary duties at the

cost of . . .

Mr. Chairman: — Why is the member on his feet?

Mr. Martens: — Mr. Chairman, the member from Saskatoon South has been using the name of the member from Wascana Centre on at least three occasions.

Mr. Chairman: — Order, order. Order. I'd ask the member for Quill Lakes . . . Order, order. I'd ask the member for Quill Lakes to allow the member from Morse to make his point of order.

Mr. Martens: — Thank you, Mr. Chairman. The member from Saskatoon South has, on at least three occasions, used the name of the member from Regina Wascana, and I don't believe that that is in order, and I'd like you to check on that for me please.

Mr. Rolfes: — Mr. Chairman, just on a point of order, I have no idea who B. Martin is. It's given here, B. Martin. I'm simply asking why he . . . (inaudible interjection). . . That's right; I didn't know who K. Gallagher was either — no idea who they are. And so I want to know who B. Martin is and why he went on these trips. I've not idea who B. Martin is.

Mr. Chairman: — Order, order. Order. The member knows now who the legislative . . . Order. The minister answered the question as the member being a Legislative Secretary, and from now on I'd ask the member for Saskatoon South to refer to him as the Legislative Secretary.

Mr. Rolfes: — On a point of order, Mr. Chairman — on a point of order, Mr. Chairman, it simply says here, Flin Flon, for Legislative Secretary duties. That could be anybody attending a legislative secretaries conference to find out what the duties are of legislative secretaries. I have no idea — I have no idea, Mr. Chairman, who this person is. Now maybe you do; I don't. and I'm quite prepared to go on and say, Mr. Minister, would you mind telling me if this . . . But how am I going to do it? I mean, I want to inquire about this person. If I don't read it to him, how does he know who am I talking about?

Mr. Chairman: — The member for Wascana. Does the . . . Order. The member for Wascana is the legislative . . . was the Legislative Secretary to the Minister of Education.

Mr. Rolfes: — Mr. Chairman, in order to proceed with the matter, look . . . yes, but you don't know that. If you do then you're . . . Oh, here comes the intelligent person, the man from prehistoric age who never went beyond.

Mr. Minister, would you mind telling me if the Legislative Secretary, the member from Wascana — I guess I can get away from that — Mr. Minister, would you tell me if the Legislative Secretary, the member from Wascana, attended a conference in Flin Flon and for what reason?

Hon. Mr. Hepworth: — The Legislative Secretary to the Minister of Education was in Flin Flon to meet with the Creighton school board relative to northern education matters.

Mr. Rolfes: — Mr. Minister, a further question. I know you can't do this tonight, but would you mind itemizing the cost for the Legislative secretary? I notice he spent three days or four days in Sydney and Halifax at a cost of \$1,630. I assume that Flin Flon is Flin Flon, Manitoba, at a cost — two days only — at a cost of \$1,853. Would you mind itemizing those for me? I know you probably don't have them now, but could I get them some time next week? Is that agreed?

Hon. Mr. Hepworth: — Yes.

Mr. Rolfes: — Thank you, Mr. Minister. I would like to, Mr. Minister, now very quickly get to some other items. We have some other things we want to do this evening, and I would appreciate, Mr. Minister, very quickly. There has been some concern, Mr. Minister, in the field of education, both by school boards, trustees, and teachers — I think very legitimate concerns that they really can't plan far enough ahead because of the uncertainty of the school year, not knowing, for example, when the school year begins, how many days there will be in any particular school year, and they don't know that until into the school year.

And some people have suggested that maybe what we ought to do is work three years in advance and let school boards know and teachers know that for the next three years the school year will begin on such and such a day, and there will be so many years in each one of these school years. Would you mind telling us: have you done any research on it? Would this be possible to do this? I know that would be appreciated by the people in the field and also by school boards. This has been drawn to my attention both by teachers and by school boards. Would you mind commenting on that for me, please?

Hon. Mr. Hepworth: — Well, Mr. Chairman, I know the hon. member might find this an incredulous statement coming from myself, but I think we've seen a historic event here tonight. The hon. member has actually come forward with what could be a constructive suggestion, and I thank him for it. He is suggesting that perhaps the school year ought to be set one or two or three years in advance so everybody can do some better forward planning.

Historically how we have determined whether there will be 196 or 198 or 200 days, which is basically what is set out by The Education Act, is at the annual convention of the school trustees in the fall. The teachers' federation officials, the SSTA (Saskatchewan School Trustees Association) officials, and my department officials get together and come to some mutual agreement on 196 or 198, or whatever it should be, and that gives a lead time of 10 or 11 months which is not bad, but your point is well taken about two or three years. So I will raise it with these other bodies that have a vested interest in this.

The other point that is raised by parents on occasion is the whole question of the length of the school year, and it is set out to be 200 days in the Act. It has varied somewhat, for the most part, downward, not upward, and there may be some merit as well in looking at getting back to a good, solid 200 days year, but I'll take your suggestion forward to the other parties, and if it meets with

everyone's approval, then it's something I would give serious consideration to, and I thank the hon. member for his suggestion.

(1930)

Mr. Rolfes: — Thank you, Mr. Minister. Mr. Minister, I don't want to prolong it, but I would like you to clarify, because I don't want to leave any — I know you didn't mean to leave any misconceptions — the business of making the school year into — what was the term you used? — solid 200 days. I think you ought to clarify that, what you meant by it, because we don't want the wrong impression left out there. When you say solid 200 days, I hope you're not suggesting that it should be over 200 days and without serious consultations, to begin with, with the trustees and with the teachers. I don't want to prolong, then, because I have a number of other items I do want to discuss.

Mr. Minister, have you given any consideration at all to the driver education program? There have been some suggestions made — and I think wrongly — that the driver education program is not meeting its objectives, and the concerns have been that many of the young people who go through the driver education program really aren't reliable drivers once they receive their driver's licence. I don't buy that. I don't buy that, and I don't think that there is any evidence to show that young people at the age of 16 or 17 cause any more accidents than people of other ages, except maybe those in their middle 20's. I think they probably are fairly reliable drivers.

I wanted to ask you, Mr. Minister; have you done any studies at all on the driver education program, or are you quite content to leave it where it is? And are you fairly content with the job that is being done?

Hon. Mr. Hepworth: — Well, our view is unchanged relative to the fact that driver education is a useful exercise for teachers, for schools to be involved in.

There was a change in the focus, scope and rationale for the driver education program over this last year. There was a pilot on a new and enriched course of studies designed to address specifically, or to put some additional emphasis, if you like, on the kinds of accidents in which young people or young drivers tend to be over-represented relative to the normal population, if you like, or the rest of the population. And if that pilot, and research and analysis conducted as a result of the pilot, proves that this enriched kind of program is useful, then it may well replace the traditional program. But I would see an enrichment as a strengthening, not a weakening, okay? And I think that should allay your fears, so to speak.

Mr. Rolfes: — Mr. Chairman, Mr. Minister, I appreciate those remarks, and I do hope that if that pilot project does show that there may be some evidence for a thorough review, that you do involve all the people concerned before making your own decision as to what you might think, or your department might think, what the new program ought to be. Let's make certain that we involve those people who are carrying out the program right now.

Mr. Minister, I want to turn very quickly now to another

topic or two. Mr. Minister, this refers to standardized testing. You have made a number of statements on standardized testing, and you have indicated that you have the impression, I believe, that there are parents out there who are simply not happy with, or satisfied with, the evaluation that is being carried out in the school system, and that you would like to see some form of standardized testing take place.

Mr. Minister, before we get into that, I want to read to you — oh, I got the wrong file here; here we are: standardized testing — I want to read to you just very quickly on the comments that have been made by people in the field: Mr. Wiens, the head of the trustees association. It says here:

Wiens drew strong applause from the 250 delegates when he said standardized, province-wide examinations would be a step backwards. (He said) Tests that focus on marginally relevant information learned by memory do not take into account efforts by teachers to develop students' thinking and problem-solving skills.

Mr. Minister, here's another heading which says, "Simplistic student tests misleading, teachers are told." "Standardized exams get failing marks," by the incoming president of the STF (Saskatchewan Teachers' Federation). Another comment, "Teachers oppose standardized exams." Another one, Mr. Minister, "Teachers' global leader condemns standardized testing." And, Mr. Minister, I have a number of others — both practitioners, the teachers, and the trustees — who see this as a backward step.

Mr. Minister, let me — before you comment on this, let me make it absolutely clear to you and the members here that the teachers and trustees and parents of this province are not reluctant to examine evaluation practices that are taking place . . . (inaudible interjection). . . No, we're not, but when you say . . . when you comment and go a step further — and therefore maybe we need some external marking or method of evaluating — meaning standardized tests — then we part company.

Those of us who started teaching in the '60s and the late '50s and were . . . (inaudible interjection). . . Yes, the late '50s, and worked with standardized tests, we know that they did not meet the objectives. In early April and May, teachers just simply pulled out the old exams, departmental exams. Many of the older members in this House, I'm sure were coached in that fashion. And you simply took the tests of the last five, six, seven or eight years, and you knew it you knew those tests, you were bound to hit questions that would be on the upcoming test.

It simply does not test, Mr. Minister, the kind of thing you have been talking about in this house. You have said that we have to get our students to do critical analysis; they must know how to think critically. Well, standardized tests don't measure that kind of thing, and I want to ask you, Mr. Minister, first of all, two things: what evidence do you have, can you bring forward in this House, that shows that a considerable number of parents are

dissatisfied with the evaluation procedures that are presently taking place? Because you are the one that made the statement, so I assume you have some evidence. And secondly, do you not agree that standardized tests simply will not accomplish the objectives that we wanted to accomplish, namely, to measure critical analysis, critical thinking, problem solving, and so on? Would you please comment.

Hon. Mr. Hepworth: — Well, Mr. Chairman and hon. member, as it relates to the question of standardized exams, that's one part of a much larger question that we are currently engaged in looking at. That's the whole question of assessment and evaluation of students and schools and that whole area.

I have consistently taken the position, and will continue to take the position, that it's an area that we must examine. I have said before it's not an area that I have preconceived notions on, particularly, but I am very much of the view that there are some substantial numbers of parents who expect — indeed, I would even go so far as to say are to the point of demanding — assurances that the system is fair to their children, that it is equitable, that it is indeed a system that provides their children with the opportunity to do work from a level playing field. And by that I am talking about the fact that parents in Meadow Lake want to know that if their child gets a 68 on an exam, that may be a factor in so far as whether they go on to university, or a technical college, or an institute, or a regional college, that a 68 in Meadow Lake is the same as a 68 in Nipawin, is the same as a 68 in Swift Current, is the same as a 68 in Weyburn, is the same as a 68 in Regina, is the same as a 68 in Unity and so on, and so on, and so on.

And I certainly . . . I'm certain I get that from parents. Now I know on the other side, I know on the other side of the coin, there are those certainly amongst the profession itself who will raise a number of points in opposition to standardized testing. It's a bureaucratic invasion of the class-room, I think some have described them as. Others have said, it will not; somehow it's machine testing. Others have suggested all teachers would do is teach to the exams. Some would suggest it's merely a survival of the fittest mentality, that kind of thing.

So I know there are objectives out there; I know it's a contentious issue; I know the whole question of assessment and evaluation is much broader than merely the standardized exam question. But if you're asking me if that's going to stop me and the department, along with SSTA, and STF, and LEADS (League of Educational Administrator, Directors and Superintendents), who are involved in a committee structure examining this whole question of assessment evaluation — no, it's not going to stop me.

And for all those reasons I've just given you, because parents do want fairness and do have that expectation, for that reason alone it would be good enough for me to be engaged in this exercise.

But over and above that, the *Directions* final report, action recommendation no. 7, that the minister initiate a review of evaluation procedures in the province, and it goes on to outline them: types of evaluations that aid

teachers, and teach accreditation policy, and program evaluation, and so on, and so forth. The clear expectation of *Directions* in that recommendation was that we should do this. And, finally, the *Issues and Options* paper at the University of Saskatchewan raised the questions of entrance exams and exit exams or standardized exams as well, and what role they may or may not have in the future. So for all those reasons we will be examining that question, and I hope to have some recommendations forward from that committee within the next month, I think it's safe to say something in that order.

Mr. Rolfes: — Mr. Minister, I appreciate those remarks, but I do think it shows some naivety on your part, and I don't say that in any derogatory sense. I think for someone who has not been in the field, who is not a practitioner in the field, yes, you would expect an answer like that. But if you're a practitioner in the field and you understand, for example, that teachers are accredited. Teachers are accredited and therefore they have to follow certain . . . they have to meet certain standards. They are professional people, and they have objectives that they want to accomplish in the schools, and we set those educational objectives for them. One of them, yes is information. One of them is that students learn certain information, and everybody expects them to reach a certain standard. But you can't measure by an external exam.

(1945)

And by the way, Mr. Minister, as an aside, there is nowhere, nowhere in *Directions* do they allude to external exams at all. They simply say that the minister initiate a review of evaluation procedures in the province. Mr. Minister, if you deduce from that that they were referring to standardized exams, you have misinterpreted the whole report. I have talked to the author, the chairman of that report, that is not what he meant at all and that's not what his committee meant.

I indicated from the outset that we have to have continuous evaluation over teaching methods in our school system — continuously. And there is nothing wrong with that. Constantly we should evaluate the methods we use in assessing our students. No one argues with that — no one. But if you assume from that, Mr. Minister, as you have done in your public statements, in your public statements that we ought to look at standardized testing, then I think you have misinterpreted. And the reaction from the trustees' association and the teachers' association clearly indicate to you that you've made a mistake.

And I think if you would be man enough, you would say, all right, sorry, I misinterpreted what you people meant. Evaluation — yes, and we will look at how we should evaluate students, how we should assess them. But, Mr. Minister, if you are saying today, as you have done, that a 68 in Meadow Lake will mean the same as a 68 in Regina, then you are taking our system back 50 years. No one wants that — no one.

If you mean to tell me that a student who gets a division 1 mark — or whatever they call it now — an A at the university, from the University of Saskatchewan, and

someone gets an A at the University of Regina, and another one gets an A at the University of Alberta, and you say they're all the same, then you're showing your naivety. It's a general range. This is a range of the top student but that doesn't mean that someone . . . that those students all are 97s or 96s or 95s, neither should they be.

You're trying to put education into a strait-jacket. You're saying, if anybody doesn't fit into this strait-jacket then you're outside the bounds of what I think we should have in education, and I can't allow that. So, Mr. Minister, I think you didn't mean that.

I don't think you meant that, and I appreciate very much that a committee has been set up, and I really hope that that committee looks at the evaluation and the assessments that are being done in our school systems and see whether or not we can make certain that we have true evaluation methods.

But, Mr. Minister, please don't go back where the accreditation of teachers no longer means anything. We went through that. The teachers who are accredited are professional people; they know their knowledge; they know their methodology. It's incumbent upon you not to say that you know best.

These people know, they're experts in their field, but that doesn't mean that we shouldn't search for outside assistance. That doesn't mean we shouldn't ask parents and trustees and others to help us in the evaluation and the assessment. But for Heaven's sake, Mr. Minister, don't set yourself up as the expert, because if you do, you do a real disservice to the field of education in this province.

Some Hon. Members: Hear, hear!

Mr. Rolfes: — Mr. Minister, I do want to leave that particular area because I think I've said what I wanted to say and you've said what you wanted to say and we'll, I think . . .

An Hon. Member: — One more thing to say here.

Mr. Rolfes: — Okay . . . (inaudible interjection). . . No. Oh, no. Mr. Minister, I do want to ask you a very specific question — have you got a question on standardizing . . .

An Hon. Member: — On this testing.

Mr. Rolfes: — Okay, go ahead, because I want to change topics. My colleague has a question on standardized testing.

Mr. Kowalsky: — Mr. Minister, when I look at the budget and the particular item which would deal with this testing, it appears to me that you would have budgeted a fair amount for it and my estimate would be, judging from item 8, that it's approximately \$600,000.

Now, if it isn't, I would like to ask you two questions. First of all, how much money did you budget for standardized testing? And secondly, would you consider taking that amount of money and putting it in along with the \$1 million that you've budgeted for teacher in-service for working towards a core curriculum? Because if you did

that, that move would be viewed very very positively by the educators of Saskatchewan.

Hon. Mr. Hepworth: — Well, just two or three points here. First of all, the hon. member talks about standardized testing in the past tense. And what I said earlier, and I will repeat for you, is that no decisions have been made. I know there are pros and cons on both sides, I know it's contentious. I know it's just one part of a much larger issue related to assessment and evaluation. Because there are many faces to that whole area of assessment and evaluation, that's why I put the committee together. And when they bring some recommendations forward, then we can discuss what the recommendations are. I also know that all the focus . . . the attention has been focused on this one thing. But as the *Directions* report itself said, there are many types, and yet the debate has got subsumed by that one thing.

The second point is the budget that you refer to is the \$300,000 roughly, is do to with assessment, but not student assessment. It's to do with the core curriculum, okay?

Mr. Kowalsky: — I just want to clarify, is there not any specific item in your budget that you will put aside for testing — for a standardized testing scheme, or the possibility of a standardized testing scheme? Is there an item in the budget, in the detail of the budget, that deals with that?

Hon. Mr. Hepworth: — No, Mr. Chairman.

Mr. Rolfes: — Okay. Mr. Minister, yes, I wanted to ask you, have you reconsidered, Mr. Minister . . . I asked you yesterday, several times, whether you would make that survey available to me — the one that was done by Tanka somewhere in December or January. You've had now 24 hours to think about it. Mr. Minister, I was wondering, have you rethought about it, and would you make it available to me, and on a confidential basis?

Hon. Mr. Hepworth: — My view is unchanged from the last time we were in estimates. I made a commitment to you then and I'll . . . My commitment is the same.

Mr. Rolfes: — Are you saying, Mr. Minister, you will not make that . . . although it was a survey done on teachers, and asking questions about teachers, and really insulting the teaching profession, you now say you're going to keep it secret and you won't make it available to us. I find that appalling, but that's your decision and you're going to have to live with it.

Hon. Mr. Hepworth: — Mr. Chairman, I object to the hon. member characterizing that survey in the way that he has, knowing full well that all the information I gave him, I said that clearly such was not the case. And he continues to persist with that line of rationale when it's clearly not so.

The committee reported progress.

INTRODUCTION OF BILLS

Bill No. 32 — An Act to provide for the Continuation of

Regina Police Services

Hon. Mr. Andrew: — Mr. Speaker, I beg to inform the Assembly that His Honour the Lieutenant Governor having been informed of the subject matter of the Bill, recommends that it be considered to the consideration to the Assembly, and I move, by leave of this Assembly, that a Bill, an Act to Provide for the Continuation of Regina Police Service, be now introduced and read a first time.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be read a second time later this day.

SECOND READINGS

Bill No. 32 — An Act to provide for the Continuation of Regina Police Services

Hon. Mr. Andrew: — Thank you, Mr. Speaker. I'd like to make a few brief comments with regards to second reading of this Bill — the Bill entitled The Regina Police Service Continuation of Service Act.

Mr. Speaker, I, and I would assume most people in this Assembly, would have hoped that this type of legislation would not have to be brought forward, but in my judgement it must, Mr. Speaker.

If I could set out the situation in the city of Regina with regards to this dispute, would be as follows: The City Police Association and the Regina Police Commission have been involved in negotiations for some period of time. Those negotiations, while they involve a number of issues on both sides, clearly centre around two fundamental questions: the question of wages and the question of the so-called 12-hour shift.

Mr. Speaker, I'm satisfied that obviously both sides feel very strong about these two issues, and I believe that there is very little likelihood of a negotiated settlement, particularly as it relates to the issue of the 12-hour shift.

As I said, these negotiations have been going on for some period of time. Various methods have been attempted to find an agreement, including the employ of Sieg Walter to try to conciliate this deal.

I think it would also be fair to say that both sides have expressed, both publicly and certainly to myself, their desire not to strike if that could be averted. And I think in fairness to both sides, I think they recognize the ramifications of what a strike of this nature would have. And it, in that sense, I think perhaps sets it beyond, obviously, a normal labour dispute.

(2000)

Both sides to this agreement have, in the last week, asked for or suggested some form of binding arbitration, initially put forward by the Regina Police Commission and rejected at that time. About a day or two ago the Regina Police Association indicated publicly and to the board that they would be prepared as well to go to binding arbitration. They placed a caveat, obviously, on that request and that caveat came in the form of who would be the arbitrator or the chairman of the board of arbitration.

I think it fair to say then, Mr. Speaker, that this dispute has come down primarily to a question, quite frankly, of who should be appointed the arbitrator in the event of, or in the situation where they would both go to binding arbitration. Mr. Speaker, today the notice of strike was served on the appropriate bodies.

Mr. Speaker, I have no intention, nor do I believe I should comment on the merits of the issue between, the two parties. I don't think it's proper for me or for, quite frankly, anyone in this level of government to become involved in that part of this dispute.

We then are left with what options? Obviously the first option is that strike notice is served at 3 o'clock today. That would allow for a strike to be commenced at 3 o'clock this Saturday afternoon. Now obviously, we all know that that falls in the middle of a long weekend.

That could find ourselves in the following two possible positions: one, if the house is adjourned until Tuesday, the strike would then continue on at a minimum until Tuesday; or the members of the Assembly, I think, could stay on call, prepared to come in should that emergency require that. And I think in fairness to all members, I think all members of this House would probably be prepared to in fact do that. So you have that option.

You have the option of calling in the RCMP or some other force, but most likely the RCMP. I indicated to both parties early on in this dispute that I did not favour that, and I did not favour that for a couple of reasons, Mr. Speaker. one is, the RCMP do not have a great deal of extra members that they could use, and to bring those members to Regina would mean that you would leave policing falling short in other parts of Saskatchewan. and I think as important, you would find yourself in a situation where you would be calling upon the RCMP to, in effect, be asked to become involved in strike breaking and, therefore, to find themselves at odds with the city policy — I think a process that no one in this House would really want to see. The two forces must work together on many, many cases, and I think it's only appropriate that they not be put in that type of a compromising position.

Therefore, the next option would be that we could legislate. If you look at that option, I think we have to look at it from two points of view. Firstly, what is at stake for the people of this community and this city, and what is at stake for the two parties involved?

Obviously, Mr. Speaker, what is at stake for the community is, I suppose, a difficult situation should we find ourselves in a strike situation. And that's not been experienced very often in our province, and I think that's to the credit of the people that work in the police force and to the police commissions of this province.

The last time there was a strike, it was a short strike that ended up being resolved by the parties and forced into binding arbitration. But during the time of that strike, there was a great deal of lawlessness that went on in this city — lawlessness, Mr. Speaker, that I think we as elected members have a responsibility to at least address. How we might address that, I suppose, is open to debate, but

clearly we must address it. And when I say we must address it is that if people are allowed to drive in a reckless manner through the streets of Regina without protection, that is a problem; if stores are being broken into, clearly that can pose a problem. So clearly that's an issue of law and order.

On the other side of the coin, you have the right of the police, which they do have in this province, to go on strike. And I suppose a debate has raged for some time with regards to whether or not there should be essential services legislation passed in a blanket form that would cover these type of situations; that you just simply turn the switch and are not called upon to come into this Assembly and deal with. I happen not to agree or support that type of legislation.

It still begs the question though, I suppose, Mr. Speaker, as what is meant then by the right to strike by the city of Regina police, or any police force, for that matter, in our province. Obviously the right to strike for the police, if we are to look at it practically, means if they have the right to strike, obviously that right would tend to be used only in a very narrow time frame. Clearly I don't think anybody could contemplate a strike that would run on for days, or certainly run on for weeks. Something would have to respond.

The question, then, that I find, and the difficulty I find in balancing those two is: how in fact do you balance them? and I think you find that balance, Mr. Speaker, by looking at how this particular event unfolded and what is now the case at the moment.

As I said earlier, Mr. Speaker, both sides agree to binding arbitration, and that's what this Bill will propose. Clearly there is a dispute as to who should be the arbitrator; there's no doubt about that. Mr. Speaker, if we were to say to ourselves, well let's let the strike unfold, and then if we have to step in, we could step in and appoint the arbitrator.

I don't believe, and from my talking to both sides I do not believe there is common ground to find an arbitrator that both sides would agree to; therefore, what I propose in this Bill is to appoint the arbitrator. And to appoint the arbitrator, put the two parties to binding arbitration, simply stated, that's the Bill.

The large question then, I suppose, for the Bill is: who should that arbitrator be? I think, as you want to address that question, it had to be influenced by the events of the last day or two. Let me put it in this way: the police association proposed Dan Ish, which many of us in this House know, a class-mate of mine from law school, former dean of the College of Law — I don't think anyone would disagree that Dan Ish could do an appropriate job in this particular case.

But the way events have unfolded, I'm not sure it would be fair for the process, and I'm not sure it would be fair for Dan Ish that he be appointed. He was placed in, I believe, a very difficult position, and that difficulty position would be this: if he was to be appointed, he would be said to be in the pocket by some — not by all, but by some — in the pocket of the association because they said Dan Ish, and

only Dan Ish.

That would then force him, I believe, into a very difficult situation. If he was to rule in favour of the police association, they would say it was a set-up, or some would say it was a set-up, and I think that would not be fair to that particular individual; or, by therefore being in that position, would it then give him a force, or try to force him over into a more moderate position, even though that moderate position was not the right one to take in this case. And for that reasons, Mr. Speaker, I have decided that that would not be appropriate. And I do not in any way wish to reflect upon the character and the personality of Dan Ish in so doing. And I think perhaps the two parties have done, in my view, a disservice to that man through the way this matter has unfolded.

That still puts me to the position, Mr. Speaker, of appointing an arbitrator. And it would be my proposal, and proposed in this legislation, that Mr. Bob Laing of Saskatoon by appointed as the arbitrator. Let me say why. I think Bob Laing can bring something to this than can be balanced, and can be and will be seen as fair.

Bob Laing, for those that do not know him, is a former member of the RCMP. Bob Laing is an established and well-regarded lawyer in this province and in the city of Saskatoon, past member of the Law Society of Saskatchewan. He comes from outside of Regina, which I believe is important so that he is not caught either by any suggestion that he might be involved by the push and pull of whatever of the city of Regina. And he has recently been involved, and I say successfully involved, in the dispute arising between SSTA, the government on the one side, and STF on the other side, and brought that matter to a resolve that I think most sides were happy with.

So it would be my proposal in this legislation that this individual would be appointed. I have talked to both sides of this issue this afternoon. I advanced the name of Bob Laing, and while I do not want to speak for them, because at least some of them do an adequate job of speaking for themselves on television — some would say otherwise — so I do not wish to speak for them, but I did not get a negative response from either side to the name, Bob Laing. I believe Bob Laing is a very credible . . . I believe he will be seen as fair, and I can assure you, in my judgement he will be fair in this particular situation.

Mr. Speaker, the legislation, as I said, basically does that. It appoints the arbitrator; it provides for an eight-day cooling off period. The arbitrator will hear the issues, not established by this legislature but issues as submitted to the arbitrator by both sides. And he will come down with his judgement, and both sides will abide by it, Mr. Speaker.

This legislation is a copy of built on the basis of legislation introduced in this House earlier, back in 1974-75.

Let me close by saying this, Mr. Speaker, as again I do not want to comment on either side in the handling or the issues involved in either side. I had the feeling, Mr. Speaker, that at least one party to this dispute, quite frankly, relied upon this institution to come forward to solve its problem. I say I had that feeling, and I think that is

unfortunate if that is in fact true, that they were not able to solve that dispute themselves.

I think it is also unfortunate that much of the negotiation, at least over the last month or last week or week and a half, has in fact been done in public, and I think it is justification the negotiations done in public seldom, in fact, serve their purpose.

(2015)

I will refrain further, Mr. Speaker, from making comments with regards to the process pursued by either party. Suffice it to say two things. Today the mayor indicated that I had advised him that it was my intention to bring this legislation forward. I can say, Mr. Speaker, categorically that I did not speak to the mayor, nor did I tell him that.

I would further say, Mr. Speaker, with regards to the spokesperson for the police commission, it is my view as well that some of the statements rendered that I saw on television did not do justice to that office, and did not do justice to this particular negotiation.

With that, Mr. Speaker, I move second reading of this Bill.

Mr. Shillington: — Thank you very much. Mr. Speaker, for the last 20 minutes, 25 minutes, we have listened to a speech from the Minister of Justice which has been in part a lengthy and, I think, a trite rendition of the events leading up to today. One would have had to have travelled a long distance and travelled very fast to have been unaware of the background to this, given the play it's made in the daily media.

The rest of his speech involved something that members of this government can't resist, and that's an attempt to take a poke at Regina city council, some of their apparently arch-enemies. I think, Mr. Minister, the public of Saskatchewan would be better served if you took the sliver . . . if you took the beam out of your own eye rather than the sliver out of theirs.

I think, Mr. Minister, the public would feel a great deal better if your speech had dealt not with the events leading up to, and who you think your enemies are, but I think the public would have been better served if your speech had dealt with some of the fundamental underlying causes of this most regrettable event.

Mr. Minister, and Mr. Speaker, there was no question but that the root of the problem is inadequate funding to municipal governments in this province. There is no question about that. Mr. Minister, and Mr. Speaker, one has to note further in the documents published by this government, their estimates in 1983, in round terms, this government provided \$60 million in urban revenue sharing. Their estimates published this year, in round terms, provide \$67 million in revenue sharing. That's almost exactly 11 per cent increase during the period of time in which inflation has gone up by in excess of 30 per cent. That, Mr. Speaker, and Mr. Minister, is the root of the problem.

The Minister of Finance, as is his habit, made a comment and then quickly left before anybody could respond to it.

The Minister of Finance wants to know why other municipal forces don't have the same problem; in fact, they do. There's only one municipal force in this province that has a contract. The rest are waiting to see what happens in the city. The problem is all over.

One has to look no further than the estimates which you yourself published. Therein lays the root of this problem. The strains being shown by local authorities, by the inadequate funding to local authorities, are everywhere.

The Minister of Urban Affairs, who makes such a brilliant and incessant contribution from his seat, who spoke a moment ago, might remember the other evening when we were talking about the estimates of the Wascana Authority and the criticisms which I had of your funding for the Wascana Authority. I complained about something not quite so serious: weeds, grass that's not properly looked after and a place . . . a spot of great beauty that is generally deteriorating.

A few weeks ago, Mr. Speaker, and Mr. Minister, this Assembly had to deal with a stroke by the professors at the University of Saskatchewan brought on, again, by inadequate funding to local authorities. As I drove here this evening, I couldn't help but be reminded of some of the more obvious results of inadequate funding to the municipalities, the streets — destructive, Mr. Speaker, of any vehicle more delicate than a 4 by 4 jeep. The member from Moose Jaw has suggested that the Lights On For Life motto be scrapped, and instead we substitute hand on for dear life. It's very true.

Mr. Speaker, and Mr. Minister, I want to state something that everybody states, and that is that we have a high quality police force in Regina, one that this city takes justifiable pride in. And in any city of 150,000, Mr. Speaker, being a policeman is a dangerous as it is essential. The members of the force will respond that; anybody will tell you, it's a dangerous but essential job. But senior governments currently in office won't give the municipalities the resources they need to adequately fund this force.

I don't want to get in, in any great detail, to the issues involved. The police commission no doubt have their difficulties. I think I've outlined the source of most of them; it's this government which has given away, to the like of Weyerhaeuser and Pocklington, the resources which should have gone to the likes of the police force.

The policemen, for their part, want a 12-hour shift. I may say in passing, they have some impressive evidence that suggest that the current shifts produce an unacceptable strain on them and their lives and their families. They've asked for a pay increase which, by any stretch of the imagination, doesn't seem to be too immoderate. Once again this government has frittered away, wasted and given away the resources of this province so that they're no longer able to adequately fund this service.

In passing, I think all we can do is wish Mr. Laing good luck in trying to, in bringing this thing to a successful conclusion.

An Hon. Member: — Let's vote against it.

Mr. Shillington: — The member from Cannington, if you'll show some patience, I'll come to that in due course.

I want to make a comment about the right to strike. We of the NDP strongly support the right of free men and women to organize themselves in democratic institutions and to organize themselves in a democratic union and to bargain collectively. And if the right to bargain collectively is to have any meaning at all, it must include the right to withdraw services. This government has — in a fashion which I think there are very few parallels — this government has trampled all over those basic democratic rights of free association and we, Mr. Speaker, stand opposed to that. This government seems to have no guiding principles except patronage and privilege for them and their friends.

This legislation is somewhat unusual in that it precedes any strike. Under normal circumstances we would vociferously oppose such a Bill. There is, however, a difference this time and the Minister of Justice alluded to it. That is that both sides have agreed to arbitration. All that remains is a small step of choosing an arbitrator. There is no side that believes that a strike should take place. And that makes this a little bit different.

It also raises the issue, Mr. Speaker, of what the Minister of Labour, the Minister of Human Resources has been doing. In other provinces and in this province in former times, one of the most important functions of the Minister of Labour was to use the prestige of his office — and there are some who remember when the occupant of that office carried some prestige — they used the prestige of his office to bring people together, to bridge these gaps which may seem insurmountable to the parties involved in the heat of the moment, but which can often be bridged by some diplomacy and some jaw-boning.

But, Mr. Speaker, we don't have a Minister of Labour; we have a parody of one. We have someone currently occupying the office who has discovered the power of a live mike. He's discovered, Mr. Speaker, that if you make an outrageous comment in a live mike you get a lot of publicity. So he has sought to wrap, and he has spent his time wrapping himself in a good deal of publicity, and I think finding — it's fair to say — a few friends among that small group of our population who seem to find some gratification in discriminating against minorities.

It's apparent this minister is unable to do his job; he's just too busy searching our new minorities to charge. And one can understand he may be having some problems, having in a cavalier fashion disposed of such ruffians as the United Church of Canada. He may be having some difficulty finding worthy victims. Obviously, Mr. Speaker, he has no time to attend to the responsibilities of his office. And it's probably unparliamentary for me to make any comments with the fact that he left, and I won't do it.

Mr. Speaker: — Order, order. I'd just like to remind the hon. member that in fact it is, as he well knows, that a direct or indirect implication of members' absence or presence is not acceptable.

Mr. Shillington: — Mr. Speaker, in the six years that this government has been in office the back-to-work legislation which, as brought in, has been so harsh and so destructive of the basic democratic rights to which I've referred earlier, that we have come to expect — when I say “we” I mean the opposition and most of the Saskatchewan public — have come to expect the very worst.

And when our worst fears aren't realized we tend to breathe a sign of relief, as I did when I saw this Bill. But I think the members opposite may take it as eloquent testimony to the reputation they've developed in dealing with labour problems, that when a Bill comes through which isn't too bad, everybody breathes a sign of relief. I don't think I could state your reputation much more eloquently than that.

Mr. Speaker, this Bill was unnecessary in the sense that this government created the problem through irresponsible, short-sighted policies. It was unnecessary in that the Minister of Labour should have used his office to bridge what is really a very small gap. However the legislation is necessary in the sense that no city of 150,000 can be without a police force for very long without risking serious problems.

In any city of this size there are large numbers of people who contribute mightily to life in the city and there's a small group who play a somewhat different role. It's that other group that during such a period can do some real damage.

It's therefore, Mr. Speaker, with considerable regret and no small degree of anger that we find ourselves with no viable option but to vote in favour of this legislation.

Motion agreed to and, by leave of the Assembly, the Bill referred to a Committee of the Whole later this day.

(2030)

COMMITTEE OF THE WHOLE

Bill No. 32 — An Act to provide for the Continuation of Regina Police Services

Mr. Chairman: — Would the minister introduce his officials.

Hon. Mr. Andrew: — Yes. With me is Darryl Bogdasavich from Department of Justice.

Clause 1

Mr. Goodale: — Thank you very much, Mr. Speaker. I refrained from making remarks in the course of the second reading debate because I think the concerns that I want to raise can be raised most adequately in the questions that I have to put to the minister. And I'd like to start with two or three basic questions, Mr. Minister, having to do with the process by which we arrived at the point in time where this legislation was introduced.

I would be anxious to know if you would be in a position to describe to the House the steps in this process that involved the Government of Saskatchewan. Could you

indicate to members of the House what efforts were made by the Government of Saskatchewan, formally or informally, as this long dispute went on, to facilitate a solution to it at the bargaining table without the ultimate recourse to the legislation that we are talking about this evening?

Hon. Mr. Andrew: — Mr. Chairman, perhaps let me try to respond to the hon. member in the following way. People within the Department of Justice have obviously — or I should not say obviously — have been monitoring this and have been involved with both sides of this in a watching brief for some period of time.

Approximately two weeks ago I called both sides to my office to determine whether or not there was some way by which Department of Justice might be able to facilitate or assist in a negotiated settlement. I think we were indicated, both sides indicated some of their concerns with regards to the issue. I think we clarified for certain sides as to what could or could not be done.

The negotiations have then gone on for some period of time, often in the media. Again I have been in touch with both sides, perhaps in touch with Mr. Hudson perhaps more often than the police commission — my deputy had been involved with them a fair degree. With regard to what the nature of that conversation was, I think it probably better to leave that unsaid.

Mr. Goodale: — Mr. Minister, you've described in the last few moments what sounds, on the surface at least, to be a pretty passive exercise from the point of view of yourself, as Minister of Justice, or your colleague, the Minister of Labour.

And I wonder if you might not have thought it more appropriate, at some stage in this process, to be a little more creative in trying to bring about a negotiated settlement so that legislation would not ultimately be necessary. Could you not have, at some stage much earlier, been more useful in the bringing to bear on this situation of the good offices of members of the cabinet of the government?

Hon. Mr. Andrew: — Well clearly, you know, the option would have been there. First of all, it is an issue that is in another level of government and I think it somewhat dangerous to interfere to a great deal. I was not public in anything I did and this became a very public debate very often. And so if you mean by your question whether or not I should have been more publicly involved, I don't think that would have served any purpose.

Mr. Shillington: — Thank you. Mr. Minister, I want to take you back to your comments about the chairman of the Regina Police Commission. Mr. Minister, you seem to indicate you thought that's where the fault lay or at least a goodly part of it. The only criticism which you enunciated was that you felt that they had relied upon the legislature to solve this problem.

Quite frankly, Mr. Minister, that's my precise criticism of you. Instead of you or the Minister of Labour going and using your offices, the prestige of your offices to settle that, you did nothing except to criticize the police

commission in public and very little else. You referred to a meeting in an answer to the member from Assiniboia, but you did very, very little to push those parties. Asking them if there's anything you can do is something quite different than jaw-boning the parties into getting together.

Mr. Minister, I am beginning to resent the continued attacks on the council of this city and any offices of it. And the public of Regina resent your blaming them for every conceivable ill. Mr. Minister, you say that the chairman of the police commission might not . . . You perhaps suggest you might have made some decisions different. Well, Mr. Minister, you weren't there; you were sitting in the cool, calm, collected confines of your office. The chairman was on the job, in the heat of battle, making the decisions. You might have made the decisions differently; I might have made the decisions differently; but he had to make them and he made them sincerely.

The problem, Mr. Minister, is not the chairman of the police commission or the city council, try as you might to blame every conceivable problem on them. The problem is you and your colleagues who have done such an inadequate job of running this government and who have so woefully, inadequately funded municipalities. We gave you the statistics earlier.

I think, Mr. Minister, you ought to withdraw that comment you made about the chairman of the Regina Police Commission. It's unfair and it's really uncalled for.

Hon. Mr. Andrew: — Mr. Chairman, let me say this, that obviously we are in a political speaking forum. But I don't think the member opposite can genuinely say in this particular case that the only cause of this problem is the provincial government.

Now I think for him to say that is not being very credible to what has transpired over the last period of time. And I know there's a political forum; I know oppositions attack government; I know governments attack opposition. But surely in this situation — to the hon. member — that is going a long step, I would suggest.

Now, would I withdraw the statements I made? I think it would be fair to say that I indicated . . . (inaudible interjection). . . No. But the hon. member asks that I attack the . . . I take by his tone that I attacked only the chairman of the police commission. I thought I also made some statements about the mayor, which I didn't think were in order. And so I think I was playing that fairly balanced, quite frankly.

I thought quite frankly, if you get down to it, that the final offer by the city police to go to binding arbitration was ruled out, what I believe, in a rather . . . I don't think it was given, perhaps, the due consideration it should have been.

Mr. Shillington: — Just very simply, Mr. Minister, what did you make such a comment at all for? It's not at all constructive, and simply destructive of the job that Mr. Laing is going to have to do to bring these parties together. What did you make such a destructive, ill-conceived, unnecessary comment for?

Hon. Mr. Andrew: — Mr. Speaker, I guess I was honestly reflecting my view of this particular issue.

Mr. Hagel: — Thank you, Mr. Chairman. Mr. Minister, as my colleague from Regina Centre pointed out in his remarks, it has been a practice in years gone by in disputes of this nature for the Minister of Labour to become personally involved with both sides to attempt to facilitate an agreement without it coming to the state that we find ourselves in today — both in terms of the strike having been called and the legislation before the Assembly this evening.

I would ask, Mr. Minister, what role the Minister of Labour of your government played in this dispute in terms of attempting to facilitate an agreement between the two parties?

Hon. Mr. Andrew: — I would refer the hon. member to The Police Act and I think it sets out a different situation — and maybe a lot of other Acts as it relates to this — and that is that while he, the Minister of Labour, would be served with the notice, that is the long and the short of it.

The rest of it, when it refers to cabinet, refers to Lieutenant Governor in Council and that has traditionally been, in these particular cases, the Attorney General. And it is the Attorney General, in this particular case, that took that position. Therefore our interpretation, the interpretation by the Department of Justice, is that quite frankly it was an issue for the Attorney General, and that's who pursued it.

Mr. Hagel: — Mr. Minister, I would ask you on what basis you say that that has been the tradition, because it is not my understanding, as a matter of fact, that that has been the tradition. On what basis was a decision made to conscientiously prohibit or to conscientiously decide not to be involved in facilitating a conclusion by the Minister of Labour of your government?

Hon. Mr. Andrew: — Well all I can tell you is the advice that we were given is that under The Police Act that responsibility falls on the Attorney General, and I took that responsibility.

Mr. Hagel: — Well, let me simply express the opposite point of view, Mr. Minister.

It would be my view that the last time that there was a similar set of circumstances in the city of Regina, that the Minister of Labour did become involved in attempting to facilitate some happy conclusion to that set of circumstances. I think it does not speak well at all for your government that you have a Minister of Labour who has been anything but helpful in the process of facilitating an acceptable agreement to both parties in this.

I think the argument that you put forward here is a weak one and perhaps more than anything else, what it states is that there is not a level of confidence in your Minister of Labour to be the facilitator of equitable agreements when parties find themselves at odds in a disagreement about the conditions that they are negotiating.

Hon. Mr. Andrew: — Well I mean, I'll simply answer the question again. I think the hon. member must understand

too, in this particular dispute, that the key issue expressed to me by both sides — and as I say, I talked to both sides very often over the last two weeks — the main issue at hand here was the 12-hour shift and it became more than really a money issue, it became the principle of the way the system was going to work, and clearly there was strong loggerheads on both sides on that particular issue.

(2045)

So I can only say to the hon. member that we in fact tried to resolve that in a variety of ways. I think in fairness, both sides tried to come to a compromised position whether it's the 10 hours or what. But it tended to focus on that issue far more than, let's say, a normal labour dispute which would tend to focus on the dollar question much more than perhaps this particular dispute did. And so that clearly was the key point of it. And then I suppose the second one is sort of the . . . I won't get into the other question.

Mr. Hagel: — Mr. Minister, I accept at face value your statement that your involvement prior to this evening in communicating with both sides of the dispute was done to the best of your ability. I accept that at face value.

I simply make the point again, Mr. Minister, that it is not my view that is a matter of fact, the absention of the Minister of Labour from a process of trying to bring about solution without that solution involving legislative action, is a matter of fact a unique circumstance. And I think it is . . . if we stand in this Assembly and do not recognize that, that we are not serving all parties that find themselves at odds in arriving at conclusions to collective agreements in which there are disputes, because it would appear to me, Mr. Minister, and I think it would appear to the people of Saskatchewan, that we have in this province today a Minister of Labour who is either unwilling or unable to facilitate the arriving at equitable solutions for parties who are at dispute related to their collective agreements. And perhaps, Mr. Minister, it is fair to say that that is not a criticism levelled towards yourself, but perhaps levelled more towards the Minister of Labour, although I quite understand that collectively the government must assume responsibility for that.

And I simply say, Mr. Minister, I personally believe that it is a shame that in the province of today, the minister responsible for matters related to labour and to collective agreement sin this province is either unwilling or unable to be involved in . . .

An Hon. Member: — Both.

Mr. Shillington: — Or perhaps both, as one of my colleagues suggests — either unwilling or unable to be involved in a matter which I think, as we have said here in this Assembly tonight, has had the potential of arriving at a solution a number of times. And it certainly must be a condemning statement for your Minister of Labour that he neither became involved or wanted to become involved.

Hon. Mr. Andrew: — Well, Mr. Speaker, I'm not sure that we will do a great deal to this debate to continue on with that particular question. Let me say this, that The Police Act, which we are operating under here, involves the

question of law and order. And that matter, when it came to cabinet, it was the decision of cabinet that it would be the Attorney General who handled this issue. We saw it as a law-and-order issue.

I attempted, to the best of my ability, to do what I could with both sides in bringing them together. So I think it's not a question of whether or not the Minister of Labour did not, or would not become involved. That was the decision of cabinet, that it would be focused on the Attorney General and that's how we proceeded.

Mr. Shillington: — Thank you very much, Mr. Chairman. Mr. Minister, the courts have at long last begun to curb your rapacious appetite for union-bashing and ordering people back to work.

In the dairy workers' strike, that strike was declared contrary to the charter of rights because there was no apprehended danger to the public. Mr. Minister, this . . . an interpretation which might be placed on this is, the legislation was passed before the strike has actually taken place or in fact been called. What steps did you take, Mr. Minister, to determine that you wouldn't suffer a similar fate on a charter argument — which may well ensue — that you suffered with respect to the dairy workers' strike?

Hon. Mr. Andrew: — Well I would only say to the hon. member that he should a) read the Supreme Court decision on the dairy workers' strike; that they in fact reversed that. Number one and number two, I have been advised, and must rely upon the advice of the people of the Department of Justice that in fact this complies with the constitution of this country.

Mr. Goodale: — Thank you, Mr. Chairman. Just one or two other questions to the minister.

In his second reading speech, the minister indicated that both parties, at certain times in the bargaining process in the last week or so, have suggested themselves that arbitration is the most likely route to a settlement, and that the dispute then reduced itself to a question of who the arbitrator ought to be. And the minister indicated in his speech that this legislation effectively names that person in one R.D. Laing, Q.C., of the city of Saskatoon.

The minister mentioned that he had raised this particular name with both parties in conversations that I understand took place earlier today. I wonder if the minister made any effort in raising this particular name in his conversations with the two parties to this dispute, any effort to invite them to accept this appointment without the necessity of some recourse to legislation. Would it have been possible in your view, Mr. Minister, to have Mr. Laing appointed and go to work without actually resorting to legislation in this House to legislate that conclusion?

Hon. Mr. Andrew: — Clearly, that was my preferred option. Clearly, that was what I attempted to do, I think probably in fairness that both sides, again because of their media position and public position that we saw unfold with this issue, found themselves in a difficult position to give ground on that. I would not want to assess blame on either side with regard to that, but it did not and would not

come together. And that's what we would have hoped to do, is that they both would have agreed and then we would not have to be here today.

Clause 1 agreed to.

Clauses 2 to 9 inclusive agreed to.

Clause 10

Mr. Shillington: — Mr. Chairman, I wonder if I might take the minister back to section 10. This is not a strongly felt criticism, it's just a question of the minister. There's one unusual provision in it, and that is subsection (3), which states:

The arbitrator may, in his discretion, accept evidence of, or give consideration to, submissions respecting any proposal made by the employer or the association to the other in bargaining collectively prior to the coming into force of this Act.

Under normal circumstances those sort of communications are privileged, and while it might be useful for the arbitrator to have, I would think that you would want the consent of the parties before the arbitrator made use of those proposals which, as I say, are often treated as having a privilege and made without prejudice.

I'm not going to be very satisfied if you tell me that this appeared in some previous legislation which another administration may have passed. I'd like to know why, Mr. Minister, you decided to include it.

Hon. Mr. Andrew: — I'm advised that the rationale of that is that it is in there so the arbitrator has the flexibility to look at what the negotiations have been leading up to it in the history of that bargaining, to come to a fair and reasoned decision.

Mr. Shillington: — Well without, as I say, without making a federal case out of this thing, suffice it to say that it's not my understanding of how most arbitrations proceed. Proposals which are made to attempt to settle it are not given to the arbitration . . . to the arbitrator rather, without the consent of the parties involved.

It's a perfectly sensible proposal if the parties agree, somewhat offensive if they don't agree. And it's just a little unusual, Mr. Minister.

Hon. Mr. Andrew: — I'm advised the following rationale: number one, is discretionary in the hands of the arbitrator. Counsel is there, counsel can object if there's something that is inappropriate that they do not wish to have in the . . . The arbitrator can then use his discretion to determine that. So if the hon. member's question is, is there some devious method in this, there is not.

Mr. Shillington: — I, quite frankly, Mr. Minister, I suspect you copied it out of a previous Bill without giving the matter a whole lot of thought.

Mr. Chairman, I'll leave the matter by saying I think it's fortunate that we have the arbitrator we do. I have every

confidence in Mr. Laing; he's a class-mate of mine; other distinguishing characteristics, Mr. Chairman, as well. He led our class; in fact, I think, received more than one academic award in his graduating year. he's past president of the bar association, a person whose discretion and judgement I think we can trust. In this case, I think it may do less damage than it might if the arbitrator had been left to the tender mercies of someone like the Minister of Labour.

Hon. Mr. Andrew: — I welcome the statement with regard to Bob Laing by the hon. member, and I would hope that the two sides in this dispute would see him as a fair and reasoned person as well.

Clause 10 agreed to.

Clauses 11 to 13 inclusive agreed to.

The committee agreed to report the Bill.

(2100)

THIRD READINGS

Bill No. 32 — An Act to provide for the Continuation of Regina Police Services

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

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

ROYAL ASSENT TO BILLS

At 9:03 p.m. His Honour the Administrator entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bill:

Bill No. 32 — An Act to provide for the Continuation of Regina Police Services

His Honour retired from the Chamber at 9:05 p.m.

The Assembly adjourned at 9:06 p.m.