

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN  
August 14, 1992

The Assembly met at 9 a.m.

Amendment negated on the following recorded division.

Prayers

**Yea**s — 9

**ORDERS OF THE DAY**

**CLOSURE MOTION ON TIME ALLOCATION MOTION**

**Hon. Mr. Lingenfelter:** — Mr. Speaker, before the orders of the day is called for resuming adjourned debate on the motion to allocate time for the proceedings on Bill No. 87, I move, seconded by the member for Churchill Downs:

That the debate on the motion to allocate time for the proceedings on Bill No. 87, An Act respecting amendments to Certain Farm Income Insurance Legislation, and on any amendments or subamendments proposed thereto shall not be further adjourned.

I so move.

The division bells rang from 9:03 a.m. until 9:13 a.m.

Motion agreed to on the following recorded division.

**Yea**s — 28

Van Mulligen	Lorje
Thompson	Calvert
Wiens	Murray
Tchorzewski	Johnson
Lingenfelter	Sonntag
Shillington	Flavel
Koskie	Cline
Kowalsky	Scott
Carson	McPherson
Mitchell	Keeping
Penner	Carlson
Cunningham	Renaud
Upshall	Langford
Bradley	Jess

**Nay**s — 9

Muirhead	Britton
Neudorf	Toth
Swenson	Goohsen
Boyd	D'Autremont
Martens	

**GOVERNMENT ORDERS**

**ADJOURNED DEBATES**

**MOTIONS**

**Motion for Time Allocation**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter and the proposed amendment thereto moved by Mr. Muirhead.

The division bells rang from 9:16 a.m. until 9:26 a.m.

Muirhead  
Neudorf  
Swenson  
Boyd  
Martens

Britton  
Toth  
Goohsen  
D'Autremont

**Nay**s — 28

Van Mulligen	Lorje
Thompson	Calvert
Wiens	Murray
Tchorzewski	Johnson
Lingenfelter	Sonntag
Shillington	Flavel
Koskie	Cline
Kowalsky	Scott
Carson	McPherson
Mitchell	Keeping
Penner	Carlson
Cunningham	Renaud
Upshall	Langford
Bradley	Jess

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. I would like to take this opportunity to, for the last time, try to make the government members realize the significance of what they are embarked upon. And when I look over the group, Mr. Speaker, this morning, all I can think of is how the mighty have fallen, how the mighty have fallen.

We find, Mr. Speaker, that here we have a government that received an overwhelming mandate from the people of Saskatchewan in this last election. And they make light of it. They make light of it and they poke fun at that. But I want to remind members opposite of how they have deceived the people of Saskatchewan in the fall of '91 and got elected on the premise that they would be an open and forthright, honest government and respond to the wishes of the people.

Mr. Speaker, we are witnessing now the travesty of this government's actions. We are witnessing right now the time allocation motion which is going to inhibit us as members of this Assembly to legitimately debate issues. But travesty upon travesty, we have witnessed this morning further that they have put closure on that time allocation, Mr. Speaker — closure on closure. That is what we are witnessing here.

Mr. Speaker, what is so damning to the government is the essence of what the time allocation motion is all about. The time allocation, Mr. Speaker, the closure, the throttling of free speech in this Assembly begins by saying: That, notwithstanding the rules of this Assembly . . . Notwithstanding the rules of this Assembly, Mr. Speaker.

In other words, what they are saying is, we don't care two hoots about the rules of this Assembly. We don't care two

hoots about the constitution of Saskatchewan because we are going to have our way. Why are they going to have their way, Mr. Speaker? Because they have been found with their hands in the cookie jar.

When we look at the GRIP (gross revenue insurance program) situation that has precipitated this entire travesty, we find out that they did not abide by the rules of this province. They did not abide by the rules of the constitution of this province. They broke contracts. They were found out. And the Minister of Agriculture and the Minister of Justice and the Premier of Saskatchewan say, we don't care. If we broke the rules, we're going to change that. We're going to change it retroactively. And we're going to make any changes that are necessary.

And if the opposition here, the members in the opposition are going to stand up and speak for the rights of the people of Saskatchewan, they say, notwithstanding the rules, we don't care. We're going to get our way anyway. That is what this is all about, Mr. Speaker.

And I want to remind the people of Saskatchewan that yes, closure has been used sparingly over the last 75 years . . . pardon me, 85 years, 87 years in the history of this province. Yes, it was used twice. Once it was used in the potash debate. After 120 hours of debate, closure was used. Second time it was used during the E&H (education and health) tax debate after two months of debate, Mr. Speaker, I remind people. After two months of debate, it was used.

Mr. Speaker, I ask members opposite, when was the time allocation? When was the closure introduced by members of the government opposite? I'll tell you when it was introduced. It was introduced after one member had spoken — one member. And the opposition stood up in his place to defend the rights of the people of Saskatchewan and immediately we find the Government House Leader saying, that's enough folks; we want our way.

And then he says, notwithstanding the rules of the legislature, notwithstanding the constitution of Saskatchewan, notwithstanding the rights of the people of Saskatchewan, we're going to do away with that. We're going to do away with debate in this Assembly.

Now, Mr. Speaker, this is not the only situation that we have found in this Assembly that is doing away with the rights of the people of Saskatchewan. We find now that this is not the first or second time in one morning that we have witnessed closure, where we have witnessed the throttle of free debate. This is the fifth time already, Mr. Speaker, that this government has throttled the opposition and said, you don't stand up for the people of Saskatchewan; we won't let you speak in this House.

We find out that they did that for the rules changing — bell-ringing on rules. We found that out under interim supply — same thing. We found that out on the introduction of GRIP, and we found that out on the time allocation that was given, and we found that out on closure this morning, on the time allocation — closure on closure.

This government, Mr. Speaker, is not responsible to the people of this province. Their ministers are not responsible to the people of this province. We found that out last fall. This is the first budget that this government, in almost a year in office, has had the nerve to bring down. We recall last fall, Mr. Speaker. Did they come down with a budget? No. They piggybacked on ours. Were we given, as the opposition, the opportunity to question their ministers? No. We were throttled. The Premier said no, my ministers will not speak; you go through the Minister of Finance. And this opposition was not allowed to ask any questions of the ministers, Mr. Speaker.

And now that we've had an opportunity to address a few of them for a few moments, we're finding out why, Mr. Speaker — why the Minister of Finance and why the Premier of this province was not allowing us access to the ministers because we're seeing the debacle of what is happening.

We're seeing the mistake of putting ministers up to answer for their own . . . just for their own actions. Mr. Speaker, we will find that the justification that the Government House Leader, that the Premier, that the Minister of Justice gives for this act is, well we have to get on with the business of this House. What nonsense, Mr. Speaker. What nonsense.

Any time that the government has had the courage to bring forth legislation and business in this Assembly — any time — that business has taken place forthrightly, lickety-split. There was no obstructionism because this opposition is not intent on obstructionism.

We have seen the business of this House move forward rapidly, Mr. Speaker. Because if you take a look at the *Votes and Proceedings* you will find out that we have already passed 48 Bills, Mr. Speaker — 48 Bills. Two more Bills are waiting for Royal Assent as I speak — 50 Bills literally taken care of in spite of the government's insistence on ramming through GRIP.

We are a co-operative opposition that will extend that spirit of co-operation as far as we can. It does not extend to the extent of diminishing and extinguishing the rights of the people of this province. We are not prepared to go that far, Mr. Speaker. Then we will stand up and then we will be counted.

Yesterday, as an example of a co-operative spirit, once we were off GRIP, what happened, Mr. Speaker? We took care of government business where four or five Bills were passed into the Committee of the Whole through the adjourned debates so rapidly that when we went into the Committee of the Whole, the government was caught completely by surprise. They did not even have their officials from Energy and Mines ready.

The Assembly was held up for 20 minutes yesterday, Mr. Speaker, because the government did not have their business ready. We were ready to work. We had to sit. We had to wait until the government was finally ready. We're ready to work, members of the government, that is what I am saying.

Our beef, Mr. Speaker, our biggest beef is perhaps not

even with GRIP at this stage. Our biggest beef is not with GRIP itself. What we are saying is, to the people of the province of Saskatchewan and to the members opposite — and particularly to the Minister of Justice and to the Premier of this province — we are saying you are wrong, fundamentally wrong in removing the rights of the people of Saskatchewan. You're removing their rights to have their day in court. What you are doing with that Bill is you're putting yourself above the law. You know that you broke the law. You know that you broke contracts. Now you're saying, that doesn't matter. Notwithstanding the rules of the legislature, we're going to continue it and we're going to legitimize that process. And we're going to ask the legislature of this province to legitimize that process.

And we're saying, you won't do that with our co-operation. Because it's wrong. You are not above the law. You are saying to the farmers of this province, you can't take us to court. You're not going to have your day in court, because we don't want to go to court. That's what you're telling the people of this province. And what's so damning about it, Mr. Speaker, is that this is just the first step. Farmers are only the first step.

We know full well . . . Look at the example of closures. Once you use closure, it's like water running off the back of a duck. It becomes easier and easier and easier every time you do it. We've seen it twice this morning. In the first 12 minutes of this legislature this morning, we experienced closure already.

That's what we've done. That's what we've seen. So what I'm saying to you and the people of Saskatchewan, the province has seen fit to raise themselves above the law, in conjunction and in cahoots with the Premier and the Minister of Justice, whom we have consistently over the last while asked to stand in his place and justify this. You are breaking the constitution of Saskatchewan. That's what you are doing.

And you are saying no, we're not. But at the same time you're extinguishing the rights of farmers to take you to the court. And we're saying, you're breaking the charter of rights. And we're saying, do what we did in '89 with the boundaries Act. Do what we did. Take it to the Appeal court — Saskatchewan Court of Appeal. Let it go to the highest court of the land, because ultimately it's going to wind up there anyway.

And you've got to take that stand. And you've got to say, people of Saskatchewan, we know we're right, and we're prepared to take this step.

Now what you're forcing them to do is, a group of farmers at high cost to themselves is going to have to come forward and do it on their own against the government. That's the flaw in this whole process, Mr. Speaker.

Now the irony of the situation as I see it, the irony of the situation is that while we see the jackboots of dictatorship echoing down the halls of this democratic institution, when we take a look at who fills those boots we find, Mr. Speaker, that it's none other than the Premier of the province of Saskatchewan, the Premier of the province of Saskatchewan.

Because what I find so devastating is that the Minister of Justice and the Premier of this province are spending literally I don't know how many thousands of dollars of taxpayers' money to go to Ottawa. Why go to Ottawa? To uphold the Constitution of Canada. To keep Canada together.

And that's a noble effort, but the irony of it is that in the meantime the constitution, the constitution of Saskatchewan is being wrecked by these selfsame individuals. And therein, Mr. Speaker, lies the great irony of the situation, and therein is what I find the greatest disappointment in this government right now.

And to GRIP, as I have said on a previous occasion, to me is not the significant issue, but rather the larger, all-encompassing issue what we are dealing with.

Now, Mr. Speaker, I find that when we take a look at some of the situations that have developed previous to this, and I have already alluded to the two, we find that government members actually agree with what I'm saying. Government members are sitting back in their seats right now and reflecting deeply about what is about to happen in this legislature. And I appreciate that because it is a serious, serious situation that we're addressing. And you folks over there, I know recognize that. I know from the back-benchers and the front-benchers who are new, who have not experienced this before in the Assembly are thinking and reflecting deeply about the consequences of this Act that is going to be perpetrated upon the people of Saskatchewan.

I know for example that the Government House Leader is exactly in tune with the words that I am speaking right now. He understand them; he knows them, and he knows that they are doing right because on August 7, Mr. Speaker, on August 7, 1989, the Government House Leader said:

Well I say that the closure is the most despicable rule that this government could invoke . . .

That's what he said, and I believe that he believed it — he's an honourable man. He would not have said those words if he did not believe them. But I guess when circumstances warrant, when you're caught betwixt and between, we're seeing what this government is capable of doing — going against their own principles, going against what they believe in because of the ulterior motive of political decisions for political expediency of the moment.

Well I say to you, the political expediency of the moment is going to come at a high cost to you, at a high cost.

I want to further, Mr. Speaker, do one more quote. That's all. I know we've had lots of them, but I think this one bears repeating time after time because it so eloquently summarizes what I believe this is all about. The member from Moose Jaw Wakamow, August 7 from *Hansard*, said:

I'll put my name on record against this limiting of free speech in the Saskatchewan legislature. And

when the day comes and I no longer have a right to sit in this legislature and (to) speak here, when that day comes, I will at least not go away with the shame of knowing that I was part of a group of men and women who sought to limit those rights in this House.

Those are the words of the member from Moose Jaw Wakamow, spoken in a great deal of sincerity, no doubt, that he will not be part of the shame of a group of men and women who will limit the free speech in this Assembly.

(0945)

Well, Mr. Speaker, times change, emotions change, moments change. But I wonder if the sincere thoughts of that member, spoken in 1989, have changed. He has the opportunity now to rise in his place and put his thoughts on record once more, where he will say to his Government House Leader, where he will say to the Minister of Justice, and where he will rise and say to the Premier of this province — don't, don't heap the shame upon us of limiting free speech for political expediency.

Because I say to the Minister of Justice and I say to the Premier that the events this day are going to go down in infamy. Your record on the history books is not something that you're going to want the school children of the future generation to read about. Your legacy, your legacy is going to be something that is going to be shameful, as the member for Wakamow Moose Jaw has so eloquently put.

That is what the people of this province, that is what the people and the future children of this province will never be able to forgive you for, for that betrayal of the trust that you asked the people of Saskatchewan in the fall of '91 to give you. And they believed you and they gave you that trust. And now you are turning around and heaping shame upon the legislature of this Assembly.

So I would ask members opposite to at this last moment before the dark hour, to give it some serious thought, serious thought. And let's go back to that amendment that we have put forward in the GRIP legislation, where it will be brought forward to the Court of Appeal and to the Supreme Court of Canada so that indeed we can uphold the Constitution of Canada and the constitution of Saskatchewan that your Premier talks so fondly about.

That is the challenge, ladies and gentlemen, that I put forward to you. Thank you, Mr. Speaker.

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Speaker, there's no pleasure being in this place this morning, with closure upon closure. There's no pleasure being here to try and speak on behalf of my constituents, on behalf of the taxpayers of Thunder Creek. There's no pleasure in participating in this charade that we see, this mockery of democracy that is being perpetrated in this House this morning.

There's no pleasure, Mr. Speaker, because people throughout our history have spoken out against procedures like this. People from the time that this province has had the right to have its own democratically elected Assembly have spoken out loudly, often, against

procedures such as we see in this House this morning.

Every single member of the New Democratic Party that sits in this House from prior to 1991 spoke out very strongly against procedures like this. And I think, Mr. Speaker, as we enter this very limited, this constrained, this strangled debate this morning that we should remember some of those words. And I have often quoted, Mr. Speaker, the words of the members of the New Democrats, the hypocrites that sit, evidently, across the floor from us this morning.

But I think there's once again one that I would like to quote because it sums up so eloquently what we're doing here this morning. And this is the Premier, the member from Riversdale on May 11, 1989:

What new-found democrats are these, Mr. Deputy Speaker? What new-found democracy is this? What kind of charade is this?

Yes, Mr. Speaker, what kind of a charade does the member from Riversdale perpetrate on this Assembly this morning? The Premier of the province who, for the last month has criss-crossed our land, spends innumerable hours and days and weeks in Ottawa and other places to defend the constitution of our province, while here at home in these very hallowed halls his political party perpetrates on the people of Saskatchewan exactly the opposite.

This member from Riversdale who has been off saving the constitutional rights of the people of this country for the last 11 years, formerly as the attorney general and the deputy premier, sitting up all night long in hotel kitchens to make sure that our constitution was brought home so that we all had our day in court; this member from Riversdale who has sat in this Chamber for nearly a quarter of a century — and now in this next round of constitutional negotiation, he goes to Ottawa day in and day out and he says, I'll stand and fight for western Canada. We'll have a Triple E Senate. We'll make sure that western Canadians' voices are heard in the halls of power in Ottawa.

Well I can tell you, Mr. Speaker, there's a group of western Canadians whose voice is not being heard at all. They are being denied their right to their day in court. They are being denied their right to have their representatives speak on their behalf — that very member from Riversdale, the Premier, who can spend all sorts of time in the national limelight defending the rights of Canadians.

Well I say to you, Mr. Speaker, the member from Riversdale should come home, should come home to this Chamber and spend whatever time is necessary to protect the rights of individuals in this province.

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

**Mr. Swenson:** — To come home and spend some time in this Chamber and protect the rights of the farming families of this province who signed a contract, who signed a contract that said that they would abide by certain rules, and they expected their representatives and the federal

and provincial governments to abide by theirs. And I don't think any one of them, Mr. Speaker, ever thought that the member from Riversdale, who so eloquently defends the rights of people in other parts of Canada, would not want to come home and do it here.

How can farm families believe that the member from Riversdale would say that everything that has happened since January 1, 1991 is void — it's gone; it's disappeared — when every farm family in this province knows that in 1991 they and their families went out and by the sweat of their brow worked hard to make sure that there was the financial wherewithal to pay their bills, to be members of their community, to support Saskatchewan.

And now they've been told that all of that endeavour is void, that because certain ministers of the Crown, ministers chosen by the member who's from Riversdale, have not been up to the mark, have not been up to the job, that now the heavy hand of the Legislative Assembly has to be used to set aside their rights, their day in court, their ability to be equal citizens in our country.

Mr. Speaker, it's a travesty that those that so eloquently defend, so eloquently defend everywhere else in Canada, don't want to defend at home.

I'm wondering, Mr. Speaker, I'm wondering seriously that those people out there that either didn't vote New Democrat in the last election or because of the constitutional problem that we have with Bill 87, if they said tomorrow, I'm not going to pay my taxes any more to a government that would strip away my day in court, what would happen to them?

If they said, I don't feel like paying the salary of an Attorney General, the highest lawgiver in our province, I don't feel like paying the salary of someone who won't stand up and defend me, who won't give me my day in court, I wonder where they would be.

There's a lot of people out there today, Mr. Speaker, who feel like that, that they shouldn't as taxpayers have to contribute from their hard-earned money, from the sweat of their brow, to these individuals who would take away their constitutional rights, who would take away their day in court.

And it's very frustrating to stand here this morning, Mr. Speaker, under this time allocation, under this double closure, knowing that there are only a few minutes available to speak on behalf of these people, a few minutes to know that the Minister of Justice, the Attorney General, will go on day after day after day purporting to represent these people in their constitutional rights, the Premier will travel across the land day after day spending these taxpayers' dollars, but they aren't here to defend them, to defend them in their own Legislative Assembly, to defend them on that basic right.

And I say to the members of the NDP (New Democratic Party), this government that came to power on all these promises of openness and accountability and the rights of the small person being protected, what is so scary to these people about a court room? What is so scary about a judge and 12 of their peers sitting in judgement? Why

does the minister from Rosetown-Elrose fear a judge and 12 of his peers?

Is not that the system that we have all ascribed to through the generations, that our forefathers have fought and died for, that people through consensus rather than conflict have judged to be the way that decent men and women, that people that believe strongly in citizenship, have sought to settle their differences, is that they would get someone — a judge, a member of the judiciary, someone much like you, Mr. Speaker — who sits in impartiality over a presiding, and then there are 12 peers, 12 peers chosen from society, who sit and analyse, analyse the debate. And at the end of that debate, those 12 peers bring forth a verdict.

Well I can tell you, Mr. Speaker, the system has not been absolutely perfect over time, but it has proven to be better than any other system developed by mankind to sit in judgement and sit in judgement fairly. And now we have a government that says that that is a flawed system, that says that that system we walk in fear of, that we walk in fear of having 12 of our peers pass judgement on us. And because we got elected to the Legislative Assembly, because we had an election where we can basically promise anything in the world, where there is no truth in advertising laws, because on a given day we stood as a member for this Assembly and were elected, we no longer have to subject ourselves to being judged by 12 of our peers. That we are better, that we are smarter, that that process becomes inconsequential, it becomes insignificant.

That is what the members of the New Democratic Party, the Attorney General of this province, the Premier of this province, are saying to us, to the taxpayers I represent — that there is something to be feared in a court; there is something to be feared from 12 of my peers. That they aren't capable of judging me because I am a New Democrat MLA (Member of the Legislative Assembly).

Well, Mr. Speaker, it's a sad, sad day for the province of Saskatchewan when all of the taxpayers' money can be turned around and used against that very taxpayer in a court of law. But it's even sadder when the taxpayer, given all of those odds, can't even get into the court of law.

I mean it is a tough row to hoe, I'm sure, for the five farmers in Melville to even think about taking on the entire taxpaying body of this province through their duly elected government. But when you're willing to go that extra mile, when you're willing to pony up out of hip national to take on the government, and then the government says you don't even have that right, it must make people stop and wonder.

(1000)

And I say to the newly elected members of this Assembly, the ones that weren't here to make those eloquent speeches in 1989 in defence of democracy: are you ready, are you ready to say that that system that allows 12 of your peers to sit in judgement of you . . . are you ready to throw that system out? Are you ready to cringe every time that someone says, I think that we should have our

day in court, to cringe and have this Assembly use its weight to override those rights, so early as elected members of this Assembly?

Well, Mr. Speaker, the opportunities have been numerous. The amendments have been numerous. The solution is very simple. It could have occurred three months ago. This open, accountable government could have sought that reference a long time ago.

And I would suggest to you, Mr. Speaker, that that ruling probably would have been down by now and out of the road because it has been done in the past. That reference to the constitutionality of that particular piece of legislation could have been out of the way. And instead of running around this country looking after the constitution in other provinces, maybe we should have thought about looking after the home front first.

And then, Mr. Speaker, while that reference was on, and I've clearly looked at the particular piece of legislation . . . It says: while that reference is on, that the court action in Melville has to stop, that the government can no longer be sued while the reference is on, that the five farmers have to desist in their action, therefore the costs to government stop, there are no government lawyers engaged in that particular action any more, that that action must stop, and that any reference in this Legislative Chamber probably could have stopped while that reference was on.

In other words, that became a non-entity, Mr. Speaker. All the rule changes, all the precedent-setting actions that have occurred in this Assembly in the last five months would have not occurred because that reference would have been on. And if we had had a caring, open, and accountable government, that is a very logical conclusion.

When you have a Bill, and I don't have it here, Mr. Speaker, this morning, that has 10 whereas's in the preamble — 10 whereas's — I can assure you that every one of those whereas's has a constitutional reference attached to it. Every one of those whereas's is there for a very specific reason. Every time it goes, "Whereas the Government of Saskatchewan . . ." there will be a reference attached to it. There will be some body of precedent that the Government of Saskatchewan is trying to use in order to subjugate any constitutional challenge.

Now, Mr. Speaker, when a government takes the time to put 10 whereas's in place, they know that there is a serious, serious problem with a Bill such as this. And that reference to the Appeal court would have either proved that this Bill, in the Appeal court's opinion, was totally legitimate and should come back before this Legislative Assembly, or it would have said, Government of Saskatchewan, you have seriously infringed upon the rights of individuals. You have not shown enough precedent, you have not shown enough reason to set aside the God-given constitutional rights of individuals. And in either case, both parties have the right to go to the Supreme Court of Canada.

And I would suggest to you, Mr. Speaker, from what I have seen under section 7 of the charter, that there is enough precedent, probably, that that court would want

to see this piece of legislation. But in either case, all of the things that have transpired in this Assembly, that have transpired in court rooms, all of that could have been put aside if this government had truly believed, truly believed its own rhetoric, had truly believed the speeches made in 1989, had truly believed that the words of the member from Riversdale that are mouthed on the national television almost every night in this constitutional debate, that the words that are mouthed for the consumption of the taxpayer in this province were true, they were believed, they were heartfelt; that had some soul, that weren't void, as the legislation says — that weren't void in the hearts and minds of these New Democrats, these new-found democrats who stand in this legislature and bring in closure after closure, who fear the judgement of 12 of their peers. Those words that are mouthed by the member from Riversdale each night on our television screens, how can they possibly be believed when in this Assembly the absolute opposite occurs?

Well, Mr. Speaker, I can tell you today, I can tell you today that this void, that this void that the government wants to perpetrate on 60,000 farm families, this void will be filled with anger. This void will be filled with people who say, I don't want to be represented by people who say one thing and do another. This void will be filled with a will and a determination to give back to this Assembly the rights that it so richly deserves. And it will give back to this province a government that will believe in the right to be judged by 12 of your peers.

Mr. Speaker, there is nothing else left for this Assembly.

**The Speaker:** — Order, order. The member's time has elapsed.

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

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Mr. Speaker, since the day this NDP government has been elected, they have been intent on pushing through their own political agenda by whatever means is available. This government has resorted to closure three times and now on this motion they have used closure to end debate on closure.

Closure on closure. Before this session, closure had been used twice in 85 years. In the last four and a half months, this government has used it five times. We know how many times it has been used up till now, but, Mr. Speaker, how many times will it be used before this session is finally over?

Closure had been used only twice by the Government of Saskatchewan, twice in 85 years. The former government used it twice in nine years to end debate of 120 hours of the privatization of the Potash Corporation, and once to end two and a half months of debate on the Education & Health Tax Act.

The NDP are using closure to ram legislation through this House. They've used closure five times this session and this session, Mr. Speaker, is not yet over. The first time was to change the rules on bell-ringing. The second time, after only five hours, was on interim supply, and the third time, Mr. Speaker, was to force the introduction of the

GRIP legislation. Now they are using time allocation to push this Bill through. They're ramming it through the various stages — closure on second reading and on Committee of the Whole.

It is very disappointing, Mr. Speaker, that closure is used to limit the questions that we could have asked in Committee of the Whole. There are 16 pages in the GRIP legislation and over 20 clauses that we need to go through, Mr. Speaker.

We're not surprised, Mr. Speaker, that the government is using such strong-arm tactics. This government's style is and can only be to ride down anyone who does not agree with them. This arrogant government during the first sham that the NDP have called a session, a sham in December of '91, it was then, Mr. Speaker, that the NDP made a historical move — a move of becoming the first government in the history of Saskatchewan not to pass a budget, but instead to pass an Appropriation Bill.

At that time, the NDP introduced a motion unprecedented to this province, a motion that stripped opposition members of the right to freedom of speech. This motion only allowed members to question the member from Regina Dewdney. But, Mr. Speaker, we didn't want to question the member from Regina Dewdney. We wanted to be able to ask question of the ministers on where they were spending the money. Where were the members for the various departments spending the Queen's money? That was the questions we needed to ask and find out. We received many times answers from the Minister of Finance: sorry, I can't answer that question. We were stopped from asking those questions. The NDP proponents of open and honest government did not want their ministers to answer any questions. The NDP were very successful at ramming their appropriations Bill through this Assembly.

Now the NDP are ramming time allocation motions through on GRIP. The NDP, Mr. Speaker, must be tired, they must be tired of listening to logical and reasoned debate. They don't like to be reminded of how devastating their retroactive GRIP legislation is. And, Mr. Speaker, that is why they insist on limiting debate. That is why they keep forcing motions such as time allocation on this Assembly.

Mr. Speaker, they want their summer. They want their summer vacations. But, Mr. Speaker, if they wanted summer vacations, why did they run for this Assembly? There is work to do here, Mr. Speaker, and we are willing to stay in this legislature and perform our duties. We too, Mr. Speaker, would like to be at home with our families, but we won't sacrifice the needs and the rights of farmers in order to do so.

Is it ethical, Mr. Speaker, to repeatedly impose closure and time allocation on debate in this Assembly? Is it moral? Do the members opposite even care? I think not, Mr. Speaker. The NDP government bullying a motion through this House like this abuses their majority and it's reprehensible. The NDP government has become so caught up in its power that they are willing to push through any legislation that suits their needs, even if that legislation is destructive or infringes on the individual

rights.

The NDP government has included measures in the various laws it has passed that will take away the rights from groups and individuals and increase the powers of cabinet ministers to act without scrutiny. GRIP is not the only Bill in this House that strips away individual rights.

So far the NDP have introduced or announced plans to introduce Bills that will allow government employees to enter private property without a search warrant, as in Bill 3, An Act to amend The Environmental Management and Protection Act; or in Bill 83, An Act respecting Pension Benefits. A minister to divulge personal records to the public, NDP Party members, or anyone else that a cabinet minister may choose to reveal that information to — and this is under Bill 14, An Act to amend The Child and Family Services Act. A minister can forbid a court of law from hearing or receiving evidence held by a government employee that might be relevant in determining a person's innocence or guilt — Bill 13, An Act to amend the Adoption Act.

A minister to retroactively increase taxes on oil, gas, or mining companies — Bill 10, An Act to amend the Crown Minerals Act. A minister to deem that a company or person in the mining or energy industry has wilfully avoided paying royalties and on the strength of the minister's opinion only, send that company or person a bill for the amount the minister deems appropriate — again Bill 10, An Act to amend the Crown Minerals Act.

A minister to take over the role of the labour board to determine proper union certification in the construction industry, a recommendation of the NDP's hand-picked labour committee.

(1015)

The member from Riversdale's government justifies its moves to increase the power of cabinet ministers at the expense of individual Saskatchewan voters by saying that the measures are necessary to protect the public from unscrupulous or unacceptable practices. Of course the Minister of Justice has not commented on the trend to reduce individual rights and there have been no legal opinions or studies released indicating what impact the various measures will have on the justice system.

These moves to cut individual freedoms are frightening. The government will go to any extreme to carry out these actions, as we have seen by the use of closure repeatedly in this House. The NDP think we should allow them to break into private property without a warrant because it will protect the environment; that we should allow them to remove the rights of miners because the mining companies are evil corporations; that we should take away legal rights of farmers entrenched in the Charter of Rights and Freedoms so that they won't lose in court, so that the government won't lose in court.

The government should be providing the public with opinions and outside advice from the legal community providing that these reductions in civil liberties are absolutely necessary and not harmful to the citizens at large.

Mr. Speaker, I feel for the NDP back-benchers. They are being led around by their nose and they think they know why. I would suggest, Mr. Speaker, to the back-benchers, that they go home to their constituencies and find out exactly what the people think of their government. This heavy-handed government is so intent on pursuing its own political agenda that it is blind to the concerns and to the opinions of Saskatchewan people. The labour legislation that will be presented is a pay-back for election favours in 1991 but it doesn't assure the government an election in 1995.

So I say to the government, legislation like GRIP '92 is your ticket back to the opposition benches. You have had ample time to start acting like a government of the people for the people, not just for NDP MLAs.

Soon Progressive Conservative economic initiatives will have taken hold — FCC (Farm Credit Corporation) and Crown Life, as the example, moving to Regina — and you will have to offer something of your own to the Saskatchewan people.

You promised to be open. You couldn't say it often enough during the election. An NDP government will be open, honest, and a non-partisan administration. Your leader said that, Mr. Speaker. The Premier from Saskatoon promised that over and over like a broken record.

Well, Mr. Speaker, for a government to pledge to be open, the public is running into closed signs everywhere they turn — closed meetings, closed agendas, closed commissions, closure on debate, and the most appalling and glaring example of tyranny we see here in this House today, closure on closure.

One wonders if the Premier keeps a copy of Machiavelli at his desk, because in that book, the Prince says deceit, hypocrisy, and perjury are necessary and excusable for the sake of holding on to political power.

Mr. Speaker, this sentence exemplifies the leadership being provided by the government opposite. That is not what the people of Saskatchewan voted for; that is not what they were promised on October 21, 1991. Thank you, Mr. Speaker.

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

**Mr. Martens:** — Thank you, Mr. Speaker. I want to voice a few remarks of my own in relation to this closure debate on time allocation, and I want to point out to the House and to the people of the province and to those in my constituency those things that I think are disgusting about the actions taken by the government here today.

In the discussion in the throne speech as we had it read to us by Her Honour, the government agenda set forward its vision of itself. And there are three statements in that vision that are being contradicted today.

People want (my) government to be more open, honest and fully accountable.

That was a statement made by the Lieutenant Governor on behalf of Executive Council. The second statement says:

People want my government to be fair and compassionate in all its actions.

The third statement says:

People want my government to rekindle the Saskatchewan spirit of community and co-operation.

Mr. Speaker, what we have and what we're witnessing through this whole session is exactly the opposite of that. Where is the co-operation? Where is the sense of community? Where is the sense of compassion and fairness, accountability, honesty, and openness?

We have today closure on discussion on a Bill that is going to limit the capacity of individuals in the province of Saskatchewan to have their day in court. It is going to limit the time that people will have and the opportunity in a free and democratic society to take the opportunity to take the people that they believe have wronged them and allow the court to decide.

And, Mr. Speaker, I guess in making my observation I want to point out a number of reasons why I think this government is afraid. I think this government is afraid, Mr. Speaker, and it's evidenced by the very Bill itself. When in presentation to this Assembly, they put down a number of terms of reference for themselves, and they say, whereas and whereas and whereas, they are trying to defend the position of the Bill in its content so that they know that they will have to deal with it in the matter of a court ruling, a court ruling that will be in the Appeal court and the Supreme Court of Canada.

Mr. Speaker, the whereas's as it relates to this Bill have significance. They have a great deal of significance because ordinarily that's not done. Ordinarily that's not done, Mr. Speaker. And the reason why it's not done is because on the majority of the Bills there isn't a constitutional reference required because people will have an opportunity to qualify the decisions made by this Assembly in a court of law.

And what do we have today? When the province of Saskatchewan in 1989 decided that it was going to put into this Legislative Assembly a Bill that would change and structure the electoral boundaries in the province of Saskatchewan, this Assembly passed that Bill — and there was a lot of debate on it. They passed this Bill.

And the minister of Justice and the attorney general at the time said, what we will do to make sure that everyone has his day in court . . . because there were professors at the University of Saskatchewan or university here in Regina that said, this is not dealing with the fundamental rights of the people of the province of Saskatchewan for equal representation. The attorney general and the minister of Justice said, I will allow it to go the Court of Appeal.

And the taxpayers of the province of Saskatchewan were allowed the opportunity to have a court decide. Well that

court decided that the people in the University of Regina were correct. They decided they were correct.

And what did they do then? Then, Mr. Speaker, the decision was made to go to the Supreme Court. Why to the Supreme Court? Because the very essence of justice and freedom for representation was in some ways being infringed on and that was the thought of people and a viable thought. It was being infringed on. And, Mr. Speaker, when that process was completed, the justices of the Supreme Court in Canada said that the Bill was good as it related to the constitution. It would stand a constitutional scrutiny because they had decided it would.

And, Mr. Speaker, who did that? Who did that? The government of the day did that, Mr. Speaker. And why? They wanted to present themselves as being open, honest, and accountable. In a court of law where people say what they logically believe to be the facts . . . was given an opportunity in the Appeal court and in the Supreme Court. And the government said to the people of Saskatchewan, because there's a legitimate point being made by professors at the university, we will take the opportunity to do that.

What have we got today, Mr. Speaker? Today we have a government, number one, it's afraid to go to trial. It's afraid to go to court. And why are they afraid? Why are they afraid, Mr. Speaker? Why do they put the whereas's in here and then void incidents happening, and the Minister of Agriculture will make regulations that stipulate the kinds of things that are going to be done? Why?

It's my contention, Mr. Speaker, that the people in this government and this executive branch of government know they're wrong. They know they're wrong. Mr. Speaker, if they were required to testify on the basis of fact in a court of law, they would have to tell the truth or perjure themselves.

In my view, Mr. Speaker, they would not be able to say what's in the Bill and say it was the truth. They would not be able to say what was in the regulations and say it was the truth. And I believe that the individuals who would have to testify would have to tell the truth or they would face the consequences of not having told the truth.

They don't want to, Mr. Speaker, stand in a court of law and have their peers judge them. They don't want to have their day in court to have to testify under oath. They don't want their day in court where the Minister of Agriculture is going to have to testify under oath about the facts and the events that occurred. They don't want to stand in the court, Mr. Speaker, and testify under oath and hear under oath the testimony of other people who were directly involved in the actions taken by the individuals from 1991 to today.

But this Minister of Agriculture is going to deem that events occurred as he sees them. Where does the court come in, Mr. Speaker? And where does reference come in and where do the people of Saskatchewan get an opportunity to be heard? Where, Mr. Speaker?

It is in only in this Assembly as this opposition has made its case before this Assembly that they have had any opportunity to have their voice heard — not in a day of court, Mr. Speaker, because these people with their overwhelming majority have said no, we're going to take and change all that. We're going to change history. Make this, the events that happened, void.

To top it all off, Mr. Speaker, what they're also going to do is they're going to extinguish the rights of individuals to appear in court — extinguish rights. Mr. Speaker, they didn't even have the presence of mind to put a notwithstanding the constitution of the individual rights of individuals; they didn't even have the courage to put a notwithstanding there.

They didn't. They just said blatantly, not any rights. No rights in a court of law. Extinguished. And we will tell the people of Saskatchewan, the farmers in the province of Saskatchewan, what happened from 1991, January 1 and on. That, Mr. Speaker, is exactly what this Minister of Agriculture is going to do.

He doesn't want to have the people who have no connections to government today, because they were fired in Crop Insurance for example, or in Department of Agriculture, stand in their place and tell the court, under oath, what really happened. He doesn't want that to happen, so he puts in the Bill and says, we're not taking it to court. We're not going to allow it in court.

And, Mr. Speaker, he doesn't want to have the GRIP committee. He doesn't want to have the GRIP committee who made recommendations, some as participants and some as individuals who believed that they were doing right when they confronted him with some of the problems that were involved. And the Minister of Agriculture said on June 17, we'll get around it somehow.

(1030)

Well, Mr. Speaker, we have discovered somehow. Whereas, whereas, void, extinguish rights, no legal cause of action against anyone. The people of the province of Saskatchewan have lost their rights. And my basic question to the people of this Assembly and to the people of the province of Saskatchewan is this: who is next? Who is going to be the next one that has his rights extinguished in a court of law? Who? Who will have that right taken away from them to challenge a decision in a court of law on a civil action?

And, Mr. Speaker, it's my contention that the people of the province of Saskatchewan better be wary because there are going to be other places and incidents occur with this administration and they're going to say, I'm going to extinguish the rights; I'm going to make void the action.

We had a case like that in December. In December of 1991 we had exactly the same kind of thing. The people in the province of Saskatchewan were in a position where they were going to take the government to court, and that was taken away from them. The rights of the individuals were extinguished. And that, Mr. Speaker, is exactly what we're talking about.

This Minister of Agriculture wouldn't want to stand in a court of law and said that he hadn't put a review committee together to deal with forfeiture of rights of an individual in a contract made with the federal government. In the agreement that the province of Saskatchewan has with Canada, there is a section in there that the Minister of Agriculture should put into place a committee to review the process and procedure of individuals who have not had their rights dealt with. And he has not done that, Mr. Speaker. He hasn't done that.

And he would have to testify in a court of law that he has not done that. Forfeiture of rights is exactly what the agreement says, and we have had a forfeiture of rights in this contract that has been made with individuals across this province.

And, Mr. Speaker, we have had individual things happen in this Assembly in the last four months that cause me a great deal of concern. And the concern, Mr. Speaker, is this: who will be next? Who is going to be next in this overwhelming thrust for power? Who is going to be next? Is it going to be the teachers in their pension plan because it's got an overwhelming liability? Is it going to be the SGEU (Saskatchewan Government Employees' Union) and their pension fund? Who's going to be next is the question. Who's going to be next?

And in my mind, Mr. Speaker, it is our opportunity as the — responsibility — as the opposition, Mr. Speaker, to stand in our place and tell the people of this Assembly and the province of Saskatchewan what we have done. And I want to point out one more item. We have had a very significant thrust, I believe, by the media to uphold the opportunity that has been granted to us as opposition to tell the people of the province of Saskatchewan what this was all about — a reduction in the rights of the individual, of the people of the province of Saskatchewan. They have told it, I believe, Mr. Speaker, accurately through the whole process of time.

As the Leader of the Opposition went through those items a few days ago, it became more and more obvious to me that not only is this opposition being stubborn; they're being absolutely foolish — absolutely foolish. And the reason I say that, Mr. Speaker, is this. I say that because when the court will determine that the Bill is not in order, when that determination is made and the people in the province of Saskatchewan have their right to their day in court, it will seriously, Mr. Speaker, seriously jeopardize not only the judicial balance that there is, but it will seriously jeopardize the economic opportunities in the province of Saskatchewan.

Do you know why? Because the court will determine how much this government, Crop Insurance, will owe the farmers in the province of Saskatchewan. They will decide. They will decide, Mr. Speaker, how much money this government owes those farmers who have been short-shifted. And that, Mr. Speaker, is why we have stood in our places and said this is wrong. It's wrong on two accounts, Mr. Speaker. It's wrong from the justice side, and it's wrong from the economic side. And, Mr. Speaker, the justice far outweighs the economics, but we all realize what it's going to cost the people in the province of Saskatchewan when the court decides in the

favour of the farmers.

Mr. Speaker, unquestionably, it is my opinion that we in this debate have been absolutely right. And that's been verified, Mr. Speaker, it's been verified by the very fact that the Premier of the province of Saskatchewan has said it. He said, on the basis of principle, the people . . . the opposition is correct. The PCs (Progressive Conservative) are right. On the basis of dealing with it as a fundamental right for the people in the province of Saskatchewan, we are right.

I'm saying to the members of this Assembly, you are going to choose whether you are going to be on the side of justice or whether you're going to be on the side of an injustice, a serious injustice perpetrated on the people of Saskatchewan by a decision that you made — a decision that you made, ladies and gentlemen, to uphold a mistake made by the Minister of Agriculture, a mistake that's been made by the Minister of Agriculture in dealing with rural people in the province of Saskatchewan.

The irony of it all is, Mr. Speaker, is that that individual has already said that he's going to make changes for '93. He's already said it. And we are in a place today where that minister is jeopardizing the integrity of all of the individuals in this Assembly.

My challenge to you as individuals in this Assembly is this: why don't you do the right thing? Why don't you stand on the side of freedom; why don't you stand on the side of justice; and why, why, why don't you stand on the side of farmers for the first time in this session here today? Thank you very much.

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

The division bells rang from 10:38 a.m. until 11:08 a.m.

Motion agreed to on the following recorded division.

**Yea — 29**

Van Mulligen	Calvert
Thompson	Murray
Wiens	Johnson
Tchorzewski	Whitmore
Lingenfelter	Sonntag
Shillington	Flavel
Koskie	Cline
Kowalsky	Scott
Carson	McPherson
Penner	Keeping
Cunningham	Carlson
Upshall	Renaud
Bradley	Langford
Lorje	Jess
Pringle	

**Nay — 9**

Muirhead	Britton
Neudorf	Toth
Swenson	Goohsen
Boyd	D'Autremont
Martens	

## ADJOURNED DEBATES

## SECOND READINGS

## Bill No. 72

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cunningham that **Bill No. 72 — An Act to amend The Critical Wildlife Habitat Protection Act** be now read a second time.

**Mr. Neudorf:** — Thank you, Mr. Speaker. We're going to be taking a look at The Critical Wildlife Habitat Protection Act here. And not only we as the opposition but certainly many, many people of the province have dire concerns and worries about the impact that this proposed Act is going to have on their ability to control their own lives. And we are getting a fair amount of response, Mr. Speaker, throughout the province, in fact all areas of the province not only in the south-west where the major concerns seem to be stemming from.

Mr. Speaker, what this basically is going to be doing is depriving the ranchers and the farmers from making their own decisions as to the wildlife habitat . . . ability for the government, the ability for the minister to once again unilaterally make a decision as to what parcels of land are going to be put into The Critical Wildlife Habitat Act. Now the Act itself, Mr. Speaker, obviously is a mammoth book full of contorted land descriptions and so on — very, very pervasive throughout the province — and obviously is going to impact on very many, many farmers and ranchers. And those farmers and ranchers are coming to us. They are writing to us, and they are saying to the minister, to this government: please don't do that.

Now I have a copy here, Mr. Speaker, of a letter written to Mr. Wilfred Campbell and to Mr. Ed Begin from the Minister of Natural Resources. And the minister at this particular stage seems to indicate a willingness to be co-operative and a willingness to be consultative because he is suggesting to these two members that an employee of the department, Mr. Doug Cressman, his deputy minister, is willing to sit down with members of the stock growers and members of the organizations of these cattle ranchers to work out some kind of a settlement. And he's suggesting that a group be set up, a working group be set up, to pursue the resolution of some of the outstanding issues.

Now that sounds well and good, Mr. Speaker, but by the same token he says: after we have taken a look at the process, after we have investigated and examined the regulations and policies as a group, that they are going to be making recommendations. And he goes on to say that the government is convinced that The Critical Wildlife Habitat Protection Act is compatible as opposed to being irreconcilable with the cattle ranching industry. He says: in spite of that, in spite of the fact that I'm going to set up this committee, I . . . and I'd like to quote from this letter, says: in accordance with this, we intend to pass the current amendment to the Act. Well what else is new, Mr. Minister. We intend to pass the current amendment to the Act. That, Mr. Speaker, is what the minister is saying.

We make a big ballyhoo about consultation, about getting the involvement of the affected people, and we're going to listen to you, but in the final analysis we intend to pass the current amendment.

Now we have lots of letters coming in. I have a particular letter here from RM's (rural municipality) are coming in, Mr. Minister, and I'm sure you're getting these letters as well, although this particular one is not addressed to you. But it is addressed to the member from Maple Creek who is getting a great deal of pressure from local people, from councillors and so on, and RM's, saying, Mr. Minister — Mr. Minister, they are saying: we have been taking care of this land for years and years and years, for generations and generations, and we've been doing a good job of it. And we will continue to do a good job of it. We don't necessarily want some bureaucrat making the decision as to which land is going to be put in and which land is not.

(1115)

Because it ultimately, Mr. Minister, will be the bureaucrats that will be deciding it, even though the minister has that ultimate responsibility, because you're going to take your advice from them. And that's what you're going to base your decision on.

The basic paragraph in this particular letter that I want to bring to your attention, Mr. Minister, is that the folks from Middle Lake, the rural municipality of Three Lake, RM 400, say that they feel the RM in which the land is located, as well as adjacent land owners, cattlemen, etc. should be involved in the process of designating this land as wildlife habitat rather than the minister being able to do so unilaterally. That is their concern, Mr. Minister.

Another example of the concern that this opposition has with the whole repertoire of your legislation where you give unprecedented powers to ministers to search, to walk in, to do what they want, to make unilateral decisions.

This again, Mr. Minister, I would point out to you, is not the opposition expressing this concern unilaterally, but rather we are passing on the concern from the RM's themselves, from the peoples, from the ranchers, from the folks out there.

And they are saying that we are supposed to let this Act go, this amendment, if you will make an amendment to that amendment, providing that assurance, that ranchers, land owners and RM's will be the deciders of what is good for that land, rather than your bureaucrats, Mr. Minister.

And if you can make your commitment to us that that is what you would consider, then this Bill is going to get speedy passage through this legislature. Failing that, Mr. Minister, I would suggest to you that a very plausible alternative for you would be to table this legislation, stand it on the order paper, wait until the fall session, wait until you've done proper consultation with these people and drawn a conclusion and an Act that is going to be acceptable to the people out there.

So, Mr. Minister, I'm asking you one of two things then: to make the appropriate amendment to this amendment Act

or withdraw it from the order paper until such time as a proper resolution has been resolved between you and the people out there who are going to be affected by this Act. Those are the concerns we have, Mr. Minister, and those are the requests that we will be bringing forth in committee when this Bill comes forward.

**Mr. Goohsen:** — Thank you, Mr. Speaker. As my colleague has pointed out, this Bill and the repercussions of this Bill will have a serious impact on my constituency and on many of the people that live in my constituency and in the surrounding constituencies. Because of that, I feel I must contribute to this discussion for the minister's consideration. We are hoping that he will give serious consideration to the matter and to the pleading of the cattle producers in all of the province because, while there is a concentration of land affected directly within my constituency, there are parcels of land all through the province that are apparently going to be quite significantly affected by this Act.

I want to read a couple of letters to make the point of how serious the people are taking this matter, Mr. Speaker, and I hope that the minister will take account of these requests from the people themselves. And I quote:

I am sending you a copy of a letter I wrote to Saskatchewan Parks and Renewable Resources who wish to take away . . .

There are three parcels of land here. I won't give the land descriptions because I think this person has a right to remain anonymous to this Assembly, but I will pass this information on to the minister in private.

I am not in favour of their plans (as the letter indicates). I really hope that by sending this to you that you may be able to help me (as a representative of the people.)

And it goes on:

I am writing to you in regards to three quarters of land . . .

They are then listed. And it goes on:

. . . which I originally leased through the Saskatchewan Land Bank Commission and am now leasing from Saskatchewan Rural Development. The wildlife habitat is trying to take these three quarters of land. I, on the other hand, want desperately to keep them. If the wildlife take away these three quarters, it will leave me only four quarters. Therefore, it will no longer be classed as a viable farm. This farm and land have cost me financially and emotionally. And it has been a fight from the beginning.

First the Land Bank Commission gave it to us, then they took it away. We had to fight to get it back. In 1978 we moved onto the farm and worked hard so it would eventually be ours. We put a lot of blood, sweat and tears into this farm to make a go of it. West of the present farm house, just over the edge of the hill, there is a plateau with a perfect view. I

want to make a house and building site on this plateau. It is a dream, but one that will come true. Something for me to look forward to and something I have wanted and dreamed and worked for from the very first time we saw this place.

It then gives the land number.

In 1988 we had survived 10 years on this farm. A lot has happened in this time. I have done the farming mainly by myself since 1981. I didn't even know how to summer-fallow before then. I had a lot of good neighbours and a lot of good friends that showed me how to farm. My husband became a drug-addicted alcoholic and in January of 1988 he packed up and left us. After he left us, he declared bankruptcy and I had to fight for what we have, our main source of income being the farm.

Everything was in (and it gives the first name; I will delete that) my ex-husband's name except for the lease for the farm. In 1988 I did the farming and he kept the income, saying it belonged to him. The kids and I were left with no income.

It gives the name of one of the sons who was eight, and the other one was five.

I was finally able to borrow \$20,000 just to operate the farm and feed the kids. It was an extremely skimpy year, but we made it. This farm not only means a lot to me, it means a lot to my two boys who are very interested in farming.

When we wanted to buy the farm, it cost us \$100 a quarter just to find out the price. The NDP Government of Saskatchewan's Land Bank Commission paid \$63,000 for this land but expected us to pay a half a million dollars to buy it back. Not exactly what you would call fair. A few years ago, wildlife decided they wanted this land. I refused, and now you are after it again.

I have only seven quarters of land which is barely enough to survive on with what the price of wheat has been. If you take this land, I am not sure if I'll make it. I've had to fight for everything the boys and I now have, and I am not about to give it up. We have dreams and futures and this farm is part of both.

I work part time plus do the farming while still raising my family and save to put them through school. To make the farm viable I need all seven quarters. My taxes and land payments are not in default, and I see no reason why I should have to give up this land.

I enjoy wildlife as much as the next guy, possibly more than most. I have not, nor do I intend to kill or harm any wildlife. As far as an endangered species of any kind, they would be safe around my boys and myself. I believe wildlife and people can live in harmony and should. I would consider a compromise on another parcel of land as

indicated by number, provided I can lease back the land for the same price and for the same length of time.

But I will go to court over this if we can't reach a viable agreement. I have sunk my heart and soul into this farm and don't intend to give it up.

I don't note with much pleasure that the minister is laughing at this particular time, Mr. Speaker, because I don't think that this is a laughing matter.

I want to reinforce the position that the ranchers and cattlemen and farmers have taken on this by reading a couple of excerpts from another letter. This one is addressed to Mr. Romanow:

**Changes in the designation of Crown lands into The Critical Wildlife Habitat Protection Act.**

Please find attached a resolution which was passed at a meeting held May 25 at Ravenscrag. Notations from the meeting are also enclosed for your perusal. I trust that you will give this resolution the serious consideration that it requires. If you wish further information, please contact me.

It's signed by David Saville. And I don't think he'll mind that I used his name because he's quite well known in the cattle industry.

A public meeting of the concerned leaseholders was held at Ravenscrag community centre Monday, May 25. This meeting was called to discuss with the leaseholders the possible implications of The Critical Wildlife Habitat Protection Act. There were 75 people in attendance. The meeting was chaired by David Saville of Ravenscrag. MLA Glen McPherson was invited to attend this meeting and the time and date of the meeting was set up on his terms, then he refused to attend.

Syd Barber, supervisor of habitat programs, attended, as well as Glen Provencher, Saskatchewan Parks, Maple Creek, Saskatchewan.

The main concern of those leaseholders present was the consultation practices of Saskatchewan Parks and Renewable Resources. Leaseholders were notified by form letter and were not given an opportunity to have any input into the decision to place all this land in critical wildlife habitat. Each individual leaseholder should be able to have a one-on-one input into the management and status of his lease. The term "critical" misleads people as this land is very well managed by leaseholders. They have developed and improved these leases over the years and good management is to their benefit as well as to the wildlife's. The attached resolution was passed at the meeting:

Whereas the province of Saskatchewan has recently undertaken to include large amounts of

leased land under The Critical Wildlife Habitat Protection Act, which has not been included before; and

Whereas present lease contracts require written departmental permission before breaking or altering of lease land is permitted thus protecting wildlife habitat; and

Whereas at present there is a viable evidence that the past system was working reasonably well vis-a-vis ample game supply; and

Whereas this much increased designation only adds fuel to the controversy of grazing domestic livestock on public owned lands and thus serves to increase urban-rural alienation; and

Whereas calling these lands critical wildlife habitat misleads the general public as to the combined use of these lands; and

Whereas lessees feel that this will eventually eliminate the grazing of livestock on these lands;

Therefore, be it resolved that The Critical Wildlife Habitat Act be dropped completely and that this be made retroactive on land already designated because of unethical proceedings that were used.

(b) Be it further resolved that any designation be a co-operative effort amongst local Parks and Renewable Resources personnel, municipal government officials, individual lessees, and the Department of Rural Development;

(c) And be it further resolved that the present sitting of the legislature put a stop on any further proceedings with this Act.

And it was carried unanimously.

That, Mr. Speaker, is accompanied with the signatures of all of the RM's and all of the individuals that were present at that meeting. And for the minister's benefit, I will thumb through them so that he can peruse them from his seat. They are all here.

Mr. Speaker, I also have a letter from the rural municipality of Maple Creek, number 111. And in this letter . . . and I will just summarize it because it basically says exactly the same thing in essence as the previous letter.

It is a letter to the Premier of our province. And it gives as well a resolution for consideration by the government as to what the people in that municipality, through their elected representatives, want to have done with regards to this critical wildlife Act. And basically it outlines the same proposals that were outlined in the previous letter that I read to you.

I want to read a very short letter in response to these letters that was made by the Leader of the Opposition, just to note where he is coming from. And it's addressed to the administrator of the rural municipality 111:

On behalf of Mr. Grant Devine, Leader of the Opposition, I would like to thank you for sending him a copy of your letter to Mr. Romanow regarding The Critical Wildlife Habitat Protection Act. Mr. Devine appreciates being kept informed of your concerns and would certainly appreciate knowing how the government responds to your resolution. Thanks again for keeping us informed.

And that was sent to the rural municipality to assure them that we were listening. And that was followed up by several phone calls back and forth.

(1130)

Just to make a point for the minister, Mr. Speaker, that this is not restricted only to the south-west corner and to those municipalities in that area that have contacted me, of which I have given you one example. There have been contacts from several of the RMs in this regard. I'm giving one example of each that will be recorded in *Hansard* here today. The others are listed in my office for later discussion.

I want you to know though that this goes throughout the province and I'll give you one example of that. The rural municipality of Three Lake No. 400.

In response to your letter of July 29, 1992, (and I'm quoting) the council of this municipality would like to express their agreement with your comments regarding lands targeted to be designated as critical wildlife habitat. They feel that the RM in which the land is located, as well as the adjacent landowners, cattlemen, etc., should be involved in the process of designating this land as wildlife habitat rather than the minister being able to do so unilaterally.

And that is signed by the administrator there. We are getting several letters, Mr. Speaker, from several municipalities going along that very same line. I use this one as an example of that group. We have from the Saskatchewan stock growers' a letter that I think has to go into the record.

And I'll try to do this quickly because I know we have to get on with other business of the day. "Ranchers close land to hunting" is the title of this letter. And I quote:

Concerns of rural municipalities and ranchers in south-west Saskatchewan over the addition of 1.5 million acres of Crown-leased land to The Critical Wildlife Habitat Protection Act has resulted in a movement that will close a large portion of the area to hunting this fall.

Wilfred Campbell, chairman of the Saskatchewan Stock Growers' Association lease and land use committee states: "The closure of this land is not meant to antagonize the hunting community or to cause confrontation between hunters and land holders. Rather it is a protest against the provincial government's failure to adequately address the very real concerns of ranchers. As stewards, the

leaseholders feel they are partners in the operation of these Crown lands. As partners they feel very strongly of the need to be involved and consulted regarding any legislation or regulation affecting these lands.

It adds insult to injury when after three generations of ranching on these Crown lands, the government doesn't see the importance of consultation with the caretakers of the land, the ranchers," concluded Campbell.

End of quote from that letter, Mr. Speaker. Then we have, very quickly, the list of concerns that the cattlemen of the province have expressed. And I think it's important for the minister to note these concerns. Although I'm sure that he has heard them, we will put them on the record to make sure that he is aware of them. From a meeting held in south-west Saskatchewan, at one of the cattlemen's homes, we have the agenda from the meeting that outlined basically what their concerns were. The agenda started:

- (1) deal with the word "critical"
- (2) primary use of Crown land
- (3) process to appeal
- (4) roads and accesses
- (5) security of lease
- (6) compensation
- (7) comments — what are the feelings?
- (8) purchase of private land by wildlife federation
- (9) others; hotels

This was the land and lease committee of the Saskatchewan Stock Growers Association. Wilfred Campbell of Tompkins, Saskatchewan submitted that list.

We go on with the changes or additions to The Critical Wildlife Habitat Protection Act.

- (1) (they suggest) The word "critical" be stricken. To the public eye, this is very misleading.
- (2) The primary use of these Crown lands are agricultural. All others are secondary.
- (3) Ongoing process of appeal. All parcels of Crown land where the lessee has substantial investment are to be taken out of the Act (example buildings, corrals, water development). Therefore any new development on Crown lease, these parcels of land need to be taken out of the Act.
- (4) Roads (in brackets) an example, the RM of Val Marie, no. 17, all roads and access roads be under the control of the municipalities. These are the people who know the needs in the area. Wording in the Act to be changed.
- (5) Security of lease.

Lessees deal only with lands branch. These are the people who know what is going on and have been involved for many years.

(b) lessee will not accept to be administered by other departments who do not have the expertise or management qualifications. People in Parks department will admit they don't know how many deer this land will sustain or the amount of browse that is needed.

(c) the great concern of this Act is that the lessee will now be dealing with another landlord.

(d) the lessee is the only person who pays to use this Crown land. It must be remembered that municipal, school, and hospital tax is also paid by the lessee.

(e) the lessee must have the security by the way of long-term leases of 33-year minimum.

(f) the Act cannot interfere with the transfer of lease from one generation to another or a purchase of a ranch unit.

(6) Compensation.

(a) ranchers leased the Crown land in the raw state. All development is a lessee expense. Lease fees are being paid for deer and adjustment is needed.

(b) lease fees increase when the land is developed.

(c) the ranching industry is the reason that the wildlife are here. Deer browse where livestock graze, with easy access to water. Ranchers need to be recognized for the good stewardship of the land. They are the managers of wildlife as well as their livestock.

(7) The ranching industry has been here for three generations with the abundance of wildlife. The lessees are insulted, to say the least, that this Critical Wildlife Habitat Protection Act is even necessary. This is a slap in the face for good stewardship.

(8) Purchase of private land by wildlife federation.

(a) do they pay taxes; do RMs lose tax base?

(b) this land is taken out of agricultural production. Deer and elk do not browse in land that is not grazed.

(c) no compensation is paid for hay or cereal crops that join these lands.

(d) wildlife federation have money to purchase land but no money for wildlife damages.

Now that is their list of concerns, Mr. Speaker. And I hope that the minister will seriously take note of those concerns of the people in all of Saskatchewan who are concerned as a result of this amendment to the Bill.

We are suggesting, Mr. Speaker, that there has been talk about a meeting between the wildlife people, the cattle men of the province, as well as the department people. We are suggesting that that meeting should definitely be held. We are somewhat of a notion that it might be held this coming week. If that be the case, the only argument that has been put forward for passing this Bill is that there isn't enough time to get amendments passed and that it would take too long, that we've gone too far into the process.

The reality, Mr. Speaker, for the minister is this: if those groups get together and come up with reasonable solutions to their problems, if they present those to the minister and he wants to make amendments next week, after he hears from them and talks it over with . . . if they want to make those amendments, this opposition can absolutely guarantee that those amendments can go through lickety-split in one day, however much time it takes, and a few minutes to read them into the process.

That cannot be an excuse for passing this Act and amendment in its present state. The time factor is not the excuse that can be used to put this through and promise cattle men that something will be done in the future to alleviate their concerns. The reality is that their concerns can be addressed here and now in this Assembly. And we will not hold it up as an opposition. We are pledged to the cattle men.

And we have some remarks that my colleague also wants to make on this. But I want to say to the government, do this: table this legislation, stand it, amend it, and bring it back next session, and it will not have trouble getting past this Assembly if it truly does assess and take into consideration the wants and the needs, not only of the cattle men, but of the wildlife people in our province. They can live in harmony and they will live in harmony. Thank you, Mr. Speaker.

**Mr. Toth:** — Mr. Speaker, I just want to make a few short comments regarding the Act and I'd like to make these, in view of the conversation I've had with wildlife members in my area, namely, Mr. Ed Kinnet who has been very . . . who is very well known in the wildlife community and is a farmer himself, and an individual who recently along with, I believe, Mr. Ed Begin, met with the stock growers, and had a very — as Mr. Kinnet indicated — a very productive meeting.

Through the meeting they went over a number of the concerns that were raised by the stock growers and the cattle men in the south-west and people who were concerned regarding the Act. And, Mr. Speaker, I was informed by Mr. Kinnet that certainly that the wildlife federation doesn't have a major problem with some of the concerns that were raised by the stock growers, and they've asked if the government, the department and the wildlife and the stock growers or the cattle men could get together. Mr. Kinnet has and the wildlife have sent some suggestions to my office as well, as well as the stockgrowers, and I'm asking the minister, too, if he would . . . We're proposing that we would look at some of the suggestions made by these groups. And I understand that meeting is supposed to take place next week, but we will take the time necessary to get some proposed

amendments. And I'm suggesting that we can send them to the minister, converse with the minister as well, and have the minister and his department take a look at these amendments in view of the recommendations coming from these organizations whose major interest is in this Bill. And possibly by working together through a co-operative effort, Mr. Speaker, we can alleviate all of the concerns and certainly address the needs of the Bill. Thank you.

**Mr. Scott:** — Thank you, Mr. Speaker. It is indeed a pleasure and honour to have the opportunity to speak in support of Bill 72, The Critical Wildlife Habitat Protection Amendment Act.

When passed in 1984 by the former government, the members opposite, The Critical Wildlife Habitat Protection Act was landmark legislation accommodating the interests of agriculture, wildlife, and the public. I would like to congratulate the previous government, including some of the members opposite, for their foresight and commitment in creating The Critical Wildlife Habitat Protection Act.

The Act merely prevents the sale and breaking and clearing of public lands that are important to wildlife. Mr. Speaker, we only need to look at what has happened to the landscape of southern Saskatchewan to appreciate the need for protecting natural habitat on our valuable public lands. With 85 per cent of the land base south of the forest fringe privately owned, Saskatchewan has one of the lowest ratios of public lands of any jurisdiction in North America. Much of the best remaining wildlife habitat on Crown land . . . is on Crown land. These lands are critical for maintaining existing wildlife populations — thus, they are called critical wildlife habitat lands.

Because of our extensive agricultural industry during the past century we have seen over 75 per cent of our natural landscape disappear to cultivation and other developments, including roads, towns, and cities. Between 1976 and 1981 we lost two million acres of natural landscape. Broken down, this loss worked out to over 1,000 acres a day or 44 acres an hour, day and night.

In some areas of the province, such as Regina Plains, over 99 per cent of the original landscape is gone. Half of our original prairie wetlands have been drained and filled. Consequently southern Saskatchewan contains one of the most modified landscapes in North America.

With the loss of our natural ecosystems, we see the continued loss of our native flora and fauna. Our spring duck population has plummeted from 20 million birds in the 1950s to less than 4 million today. In 1960 some 500,000 white-tailed deer inhabited Saskatchewan. Today half that number survive. About 20 per cent of our native plants are listed as rare and are disappearing at an alarming rate.

Once common prairie species, such as burrowing owls, prairie long-tailed weasels, loggerhead shrikes are now on Canada's endangered species list. Other well-known species, such as pintail ducks, jack-rabbits, and wild flowers like crocuses and yellow lady's-slippers, continue to decline. These statistics clearly show that if

we want to maintain our current wildlife populations, we must preserve some of the best remaining habitat, as it is critical to maintaining existing wildlife numbers.

The Critical Wildlife Habitat Protection Act is unique. It allows ranchers and farmers to continue their grazing and haying operations on public lands as they have in the past. New fences, water supplies, corrals, buildings, can be constructed. Leases can be transferred to their . . . lessees can continue to transfer their lease with the sale of their deeded land. They can continue to control public access on their leased land. The Act merely prevents the government from selling the Crown land or allowing clearing, breaking, and drainage to occur.

(1145)

Some people say the land will never be broken if it is sold, and the members opposite made reference to that. Well, Mr. Speaker, since 1980, if we look at the Crown lands sold in south-west Saskatchewan, we find that over 33 per cent of that land — unfortunately much of it class 4 and 5 land, 6 land — is already broke. So much for the theory that it'll never be broken. Once this land is in private hands, the public, governments, have no control over it.

In a recent survey, Mr. Speaker, 87 per cent of the people of Saskatchewan said they did not want their public land sold or broken up or cleared. They wanted it to remain the way it is; at the same time, allowing existing agriculture uses to continue.

In this time of economic restraint, The Critical Wildlife Habitat Protection Act is very appropriate, because vast sums of money are not needed to retain our Crown lands in their natural state. Through legislation and co-operation — with emphasis on co-operation — we can maintain existing agriculture uses, while at the same time protecting the natural values of our Crown lands. Indeed this government is working with land owners and other interest groups, such as the Wildlife Federation, and meetings will be occurring. In fact, we're going beyond this particular issue. We are holding a series of public meetings to deal with a realm of issues involving public lands in the province. So we are going to be working and dealing with some of the concerns mentioned.

Mr. Speaker, in the early 1980s, some 3.4 million acres of Crown land in Saskatchewan were identified as critical wildlife habitat. The previous government placed over half of these lands, 1.9 million acres, in the Act and there's been very little problem. The people with the land in the Act know that they can continue to operate as they have in the past.

Bill 72, which we are dealing with today, will see the inclusion of the remaining 1.5 million acres of Crown land in the Act, and these acres were identified under the previous administration. We are fulfilling the objective of The Critical Wildlife Habitat Protection Act which was initiated by the former government nine years ago. And we believe it's high time that the loose ends were cleaned up and everybody was treated equal.

Like the previous administration, our government has received widespread support from throughout

Saskatchewan and across Canada in favour of this very unique legislation. In the past 100 years, Mr. Speaker, we have only managed to acquire some form of protective status for less than 5 per cent of our natural heritage in southern Saskatchewan.

With the addition of the remaining 1.5 million acres in The Critical Wildlife Habitat Protection Act, we as a province and the people of Saskatchewan are taking a big step forward as we strive to achieve the universally accepted goal of protecting a minimum of 12 per cent of our natural ecosystems by the year 2000. This legislation looks to the future and will ensure that our children and grandchildren will have the opportunity to enjoy and experience the natural world which we have all too often taken for granted.

Mr. Speaker, I urge all members to support Bill 72, The Critical Wildlife Habitat Protection Amendment Act. Thank you.

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

**Mr. Johnson:** — Mr. Speaker, I beg leave to adjourn debate.

**The Speaker:** — The member has asked leave to adjourn debate. Leave is not necessary. Does the member ask for leave, or . . .

**Mr. Johnson:** — . . . will adjourn debate.

**The Speaker:** — The member has asked to adjourn debate. All those in favour of the motion please say aye. All those opposed please say nay. I believe the no's have it.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

#### **Bill No. 81**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that **Bill No. 81 — An Act respecting the repeal of The Criminal Injuries Compensation Act** be now read a second time.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

**The Speaker:** — Why is the member on his feet?

**Mr. Neudorf:** — On a point of order, Mr. Speaker, and perhaps clarification. On the preceding vote the government members were in favour of the motion; the opposition members opposed it. And you declared the no's had it. I'm just wondering if that's the procedure that we'll be following in future votes. Thank you.

**The Speaker:** — Okay. I'm sorry. I didn't comprehend the point of order.

**An Hon. Member:** — We like it. We like it.

**The Speaker:** — Okay. All right. I get the point.

#### **Bill No. 82**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that **Bill No. 82 — An Act to amend The Victims of Crime Act** be now read a second time.

**Mr. Toth:** — Mr. Speaker, this Bill we have before us is something that we will not be taking a lot of time to oppose. We do have a few questions. We have a few concerns. We understand that the Bill does take away the . . . The Bill is bringing forward a process because of the fact that the department felt that there was no way to ensure that funds that were granted for compensation were necessarily used for the purposes they were placed forward.

One of the problems we do have and one of the questions we will be raising is the fact I believe the Bill does give the minister . . . will be able to review and vary such awards that he sees or appears to that he would . . . or the minister would believe to be appropriate. And this is one of the questions that we will be bringing forward in light of the fact that the Crimes Compensation Board, I believe, is being repealed through the previous Act. So, Mr. Speaker, I'm just raising a couple points and certainly when we get into committee, which will be probably in the next day or so, that's one of the major concerns.

And the other thing that we agree with, the fact that we will have crisis-intervention programs to deal with the problems that many crimes victims do have. However we may consider the fact, and maybe the minister can fill us in a little more in committee, on the monetary value. It seems to me that that is being stricken completely from the Act and there may be a place and a point for some monetary compensation for some loss by victims.

But certainly those are two or three of the areas that we would like to get into and address when we get into committee. So I thank you, Mr. Speaker.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

The Assembly recessed until 2 p.m.