

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**July 7, 1982**

The Assembly met at 2 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**QUESTIONS**

**Compensation Package for Terminated Employees**

**HON. MR. BLAKENEY:** — Mr. Speaker, I direct my question to the Deputy Premier. On June 21 I asked him about the matter of compensating public servants whose employment had been terminated. At that time he mentioned that a compensation package had been offered. When I asked him again on June 29 he rephrased that statement and said that "has been offered" was perhaps a poor choice of words." I perhaps wasn't choosing my words carefully. In fact, they are about to be offered" a compensation package. Again, he said, "We will be dealing with it at the earliest possible opportunity." I think that fairly summarizes the answers which he gave to me. The question I ask him now is: has a compensation package been offered in writing to the employees, or any of them whose employment was severed?

**HON. MR. BERNTSON:** — Well, Mr. Speaker, as the premier will know, today was cabinet day. We had a very lengthy agenda. One of the items on that agenda was the order dealing with the compensation packages. Unfortunately, because of the lengthy agenda, and because we had to come in here at 2 o'clock, it hasn't been dealt with yet. It will be communicated to those people the minute it is dealt with. It still will be dealt with at the earliest possible opportunity.

**HON. MR. BLAKENEY:** — Supplementary, Mr. Speaker. Can the Deputy Premier give me an assurance that an offer will be made to all, or substantially all, or most of the employees whose employment was severed by, let us say, the end of this week?

**HON. MR. BERNTSON:** — I can give the Leader of the Opposition the assurance that it will be communicated immediately following the next cabinet meeting. If it is determined that we should have a special cabinet meeting yet this week it could be before the end of this week. If it is not decided that we should have a special cabinet meeting this week it will not be until next Wednesday.

**HON. MR. BLAKENEY:** — A further supplementary. In view of the last answer, can the Deputy Premier give me an assurance that a compensation package will be communicated to all, or substantially all, the employees involved, within 10 days of today?

**HON. MR. BERNTSON:** — I think I can give reasonable assurance that it will be within 10 days from today.

**MR. KOSKIE:** — Mr. Speaker, I want to direct a question to the chairman of CIC and the chairman of Saskatchewan Government Insurance. I think it will be applicable since there is duplicity in office. The Deputy Premier, initially in this House, enunciated that he had a rich package of settlement for public servants. I would like the chairman of CIC

and the chairman of SGI to indicate whether or not he has adopted a policy of compensation for those in the crown sector who have been released.

**HON. MR. ROUSSEAU:** — In reply to the hon. member's question, if he is asking whether we have a specific policy, the answer is no. The answer is that we have retained the services of legal counsel to negotiate the settlements made to people being terminated from the crown corporations.

**MR. KOSKIE:** — As a supplemental, Mr. Speaker. I want to ask the hon. member whether, in fact, as a board, any of the criteria or the components of the terms of the negotiation package were set out by that board? If so, what are the criteria or components to be considered by legal counsel in the formulation of the package?

**HON. MR. ROUSSEAU:** — Mr. Speaker, the answer to the hon. member's question is no. There were no guidelines.

**MR. KOSKIE:** — I would like to ask the minister in charge of SGI: would he indicate the number of employees who have been dismissed to date?

**HON. MR. ROUSSEAU:** — Well, I am not sure whether he is asking for all the crown corporations.

**AN HON. MEMBER:** — No. SGI.

**HON. MR. ROUSSEAU:** — For SGI, to date, two.

**MR. KOSKIE:** — I would like to ask the minister, the chairman of CIC, would he indicate to the House the number of employees who have been dismissed to date?

**HON. MR. ROUSSEAU:** — Three.

**MR. KOSKIE:** — I have one final question. I would like to ask the Minister of Industry and Commerce would he indicate to the House the number of employees he has dismissed from industry and commerce?

**HON. MR. ROUSSEAU:** — None.

### **Minimum Wage Guidelines**

**MR. HAMMERSMITH:** — A question to the Minister of Labor, Mr. Speaker. I was pursuing a line of questioning yesterday when question period ended. The minister indicated that he was assisting people on minimum wage by providing them with low mortgages and cheaper gasoline. I have a further question. Since the Premier, the Deputy Premier, and the Minister of Finance have all stated unequivocally that they reject wage controls in the public sector, how does the Minister of Labor justify placing wage controls on the wages of the lowest paid people in the workforce, people whose increases would have been less than that granted to federal public servants? Why wage controls for those on minimum wage and no wage controls in the public sector? How do you rationalize that?

**HON. MR. McLAREN:** — Mr. Speaker, in answer to the member opposite, we have not indicated at this point in time that we are not going to raise the minimum wage. All that I said was that we were reviewing the situation. We are asking the minimum wage board to gather briefs . . . (inaudible interjection) . . . That's right. We have the highest minimum wage in Canada. We are at \$4.25. There isn't another province in Canada that is as high. The consideration that we have to make is do we . . . (inaudible interjections) . . . We can raise it to \$7 an hour, but if there isn't work out there or jobs out there, jobs are lost on account of it. So this is the area that we are wanting to determine — whether the impact is going to be stopping job creation or not.

**MR. HAMMERSMITH:** — Supplementary to the minister. Could the minister tell this House whether his request to the minimum wage board that it look at the minimum wage structure and make recommendations foreshadows a lower minimum wage for certain people under a certain age?

**HON. MR. McLAREN:** — Mr. Speaker, that is being reviewed. I'm waiting for the report to come from the minimum wage board to see what kind of recommendations it comes up with. At that point in time, we will be taking them to cabinet. That's not saying that we would accept it or reject it.

**MR. HAMMERSMITH:** — Further supplementary to the minister. Is it the view of the minister that welding two pieces of angle iron together or applying a coat of paint to those two pieces of angle iron may be worth less if it's done by a young person than if it is done by someone over a certain age? Is that the minister's view?

**HON. MR. McLAREN:** — Mr. Speaker, the answer is no. At this point in time, I have to say no. A lot of provinces have that type of set-up in their minimum wage. I understand that it may even be unconstitutional. We're looking at all these areas.

**MR. HAMMERSMITH:** — Would the minister confirm to this House then that he rejects a different minimum wage structure for young people than for people over a certain age?

**HON. MR. McLAREN:** — Mr. Speaker, I don't know at this point in time. I'm waiting for the recommendation to come from the minimum wage board.

**MR. HAMMERSMITH:** — Final supplementary, Mr. Speaker. When can we expect the Minister of Labor to bring forward proposals to change the child labor laws in this province as his next logical move to avoid imposing a hardship on several businesses and removing several jobs? When can we expect this next logical step from this enlightened minister?

**HON. MR. McLAREN:** — Mr. Speaker, when I'm able to answer that question, I will. I have no idea at this time.

### **Ordering of Pipe by Saskatchewan Power Corporation**

**HON. MR. ROUSSEAU:** — Mr. Speaker, the Leader of the Opposition asked a question yesterday concerning the ordering of pipe by Saskatchewan Power . . .

**HON. MR. BLAKENEY:** — Would you speak up? We have a little interference.

**HON. MR. ROUSSEAU:** — Anytime. Mr. Speaker, the Leader of the Opposition asked a question yesterday regarding the ordering of pipe by the Saskatchewan Power Corporation. If the Leader of the Opposition had checked his memory, I'm certain he would not have asked that question. I'm advised that all the steel pipe required to complete the former government's program, hastily announced, I might add, as an election gimmick, was ordered prior to the election. The majority of the pipe has already been manufactured and is now in storage at Ipsco (Interprovincial Steel and Pipe Corporation). Specific details of the pipe order are: 134,000 metres of six-inch pipe, 135,000 metres of four-inch pipe, 418,000 metres of two-inch pipe. Of the pipe ordered, all of the six-inch pipe has been manufactured, all but 15,000 metres of the four-inch pipe has been manufactured, and Ipsco does not produce two-inch pipe. So, Mr. Speaker, in answer to the Leader of the Opposition's question of yesterday, the former government ordered all the pipe necessary for their expansion before the program was announced in the legislature. Most of the pipe that Ipsco (Regina) can build has been built.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. BLAKENEY:** — Supplementary, Mr. Speaker. I thank the minister for his information about the hastily announced program, which was sufficiently engineered to know that we needed 134,000 metres of some pipe and 418,000 metres of some other . . .

**MR. SPEAKER:** — Order, order! Supplementaries do not allow the giving of information, only the asking of questions.

**HON. MR. BLAKENEY:** — My supplementary question is this. The question I asked was not whether or not pipe had been ordered for a program of the previous government, but whether pipe had been ordered for the program announced by the Premier in June with respect to taking pipe to various farms and small centres. The Minister of Labor announced that a program was before CIC (crown investments corporation). What I am asking is: with respect to the program which the Minister of Labor, the minister in charge of the power corporation, indicates is before CIC, has the pipe for that program been ordered?

**HON. MR. ROUSSEAU:** — Mr. Speaker, I'm absolutely amazed at that question. First of all, the pipe has been built. It is manufactured; it is ready to be installed. I am wondering if the Leader of the Opposition is suggesting that we take the pipe that they ordered and . . . By the way, Mr. Speaker, they didn't pay for it and it is now our problem. I'm wondering if he is suggesting that we scrap that pipe, which is in storage, and start all over again and order a new batch of pipe. If that is what he is suggesting, the answer is no.

Another part to the question of yesterday was: has it been approved by CIC? The board meeting for CIC will be next Monday. A decision will be made then.

**HON. MR. BLAKENEY:** — Mr. Speaker, I have a question then for the minister in charge of the Sask Power Corporation. With respect to the program for natural gas extension put forward by the Saskatchewan Power Corporation to the CIC, did it require all of the pipe just enumerated by the Minister of Industry and Commerce, or did it require additional amounts because it would be a much more extensive program? And, if so, can the minister give us an indication of the likely additional amounts of pipe which would be needed if that project were proceeded with?

**HON. MR. McLAREN:** — Mr. Speaker, for the amount of work that we could do this fall, there is sufficient pipe already manufactured to cover that program.

**HON. MR. BLAKENEY:** — Mr. Speaker, there seems to be a point of view that when a government leaves office it should pay all bills that were incorporated.

The question that I ask of the minister in charge of the Saskatchewan Power Corporation is: in view of the fact that the program announced by the Premier was a program to take natural gas to farms, and in view of the fact that the program announced by the previous government was one primarily designed to take natural gas to smaller centres, is any additional pipe needed for the different type of program, and is that pipe plastic pipe, or is the program that you are putting forward one which will take natural gas only to smaller centres and not to farms in this year?

**AN HON. MEMBER:** — Ipsco doesn't manufacture plastic pipe.

**HON. MR. BLAKENEY:** — I'm aware of that.

**HON. MR. McLAREN:** — Mr. Speaker, the program that we would embark on, if approved, would be to some of the towns, and to do that we have sufficient pipe in stock to carry out that program this fall. The farm program will take plastic pipe, but we want to put the farm program together and know what the heck we are doing first, before we embark on that.

### **Building Accessibility for Handicapped**

**HON. MR. BLAKENEY:** — Mr. Speaker, I have a question for the Minister of Government Services, and I am referring to construction projects, and more particularly courthouse construction projects. The minister will be aware that there were proposals for courthouse renovation projects in Melfort, Weyburn and Assiniboia to provide accessibility for the handicapped. Can the minister advise whether any of those programs are going forward in this calendar year?

**HON. MRS. DUNCAN:** — Mr. Speaker, I can advise the Hon. Leader of the Opposition that the handicapped accessibility standards in all government-owned buildings are being pursued at the present time.

**HON. MR. BLAKENEY:** — A supplementary to the minister. I believe the minister will agree with me that accessibility standards for the handicapped were already approved some time ago with respect to government buildings. The question I am asking is whether or not the renovation projects to bring those standards into effect are going to be proceeded with at Melfort, Weyburn, Assiniboia, or at all three?

**HON. MRS. DUNCAN:** — Mr. Speaker, I can just repeat my answer. With regard to all government-owned buildings, as far as the standard of accessibility for the handicapped are concerned, these are priority items and they are going to be proceeding. At any places where accessibility or fire regulations are in question, we are proceeding with those projects.

**HON. MR. BLAKENEY:** — A brief supplementary. The projects provided for also indicated that there would be alterations at the School for the Deaf in Saskatoon to provide accessibility for the handicapped. Is the minister able to assure us that project

will go ahead this year?

**HON. MRS. DUNCAN:** — Yes, I would say that we will be proceeding with the accessibility alterations in those places.

### **Social Assistance Increases**

**MR. LINGENFELTER:** — Mr. Speaker, my question is to the Minister of Social Services. In light of the fact of the large number of projects that are either on hold or have been cancelled by the government, and in light of the fact that unemployment and social assistance is increasing dramatically in the province, could she tell us what kind of increases we have seen in the last two months in the money spent and in the number of people on social assistance in the province?

**HON. MRS. SMITH:** — Mr. Speaker, I'm not sure what the member calls "dramatic." In terms of numbers of people, the increase in April was approximately 300 coming onto social assistance. For the month of May, the increase was 33.

**MR. LINGENFELTER:** — Mr. Speaker, in the two-month period, then, we're looking at an increase of around 350 or 400, which would translate in a year to about 1,200 families on social assistance that weren't before. What is she doing in order to increase the benefits going to those people, considering the fact that they are facing many of the same problems they talk about the people in Regina South facing in terms of mortgage rates? What is she doing in cabinet to see that increases go to that group of people?

**HON. MRS. SMITH:** — Are you asking if there is an increase in the social assistance allowance?

I'm sorry, I'll have to take notice because I don't have the dollar figures with me.

### **Native Affairs**

**MR. HAMMERSMITH:** — A question to the Minister of Intergovernmental Affairs. Has the government appointed a person as associate deputy minister of native affairs in the Department of Intergovernmental Affairs?

**HON. MR. LANE:** — Yes, we have appointed Mr. Newton Steacy.

**MR. HAMMERSMITH:** — Is it the intention of the government to establish a department of native affairs?

**HON. MR. LANE:** — No, it is not the intention of the government. We intend to have a branch within the Department of Intergovernmental Affairs which we intend will co-ordinate all of the governmental activities and programs dealing with natives. As the hon. member probably well remembers, the activities in the past were scattered throughout various government departments including the Department of Agriculture, the Department of Industry and Commerce, the Executive Council, social planning secretariat, etc. It is our belief that these programs and the administrative side should be co-ordinated and that's our intention.

**SOME HON. MEMBERS:** Hear, hear!

**MR. HAMMERSMITH:** — Supplementary. I have here a memo from the Minister of

Northern Saskatchewan dated May 25, 1982, to the Premier and members of cabinet, in which he makes a recommendation and expresses an intention to carefully scrutinize native organizations. Would the minister tell us for what period of time the government intends to scrutinize native organizations, and when will the government inform native organizations as to the government's policies in dealing with native people?

**HON. MR. LANE:** — Well, if I may respond I am sure that the relationship between the former minister of northern Saskatchewan and the existing deputy is probably a very strong one, and perhaps he can get the information in that regard. We intend to announce our policy in due course, Mr. Speaker. It will be a comprehensive policy; it will be a policy with the objectives, among others, of ensuring a fair and just deal for our native peoples with accountability of public funds. Those are our two primary objectives. We think we will be able to match those objectives in the very near future.

## **MINISTERIAL STATEMENTS**

### **Reinsurance Management Corporation Losses; Engineering Organizations Merge**

**HON. MR. ROUSSEAU:** — Mr. Speaker, while in the opposition last year, I questioned the minister in charge of SGI regarding SGI's dealing with Reinsurance Management company (RMC). The minister indicated at that time that the loss to SGI up to the end of 1980 was approximately \$4 million. I have received an updated report from SGI which indicates that our loss to date, with respect to the RMC deal, is well over \$7 million. Further to our actual losses it is now estimated, Mr. Speaker, that SGI could ultimately lose an amount approaching \$10 million.

In review then, SGI, under the former NDP administration, over the six-year period from 1974 to 1980, committed us to contracts with RMC that have cost the province dearly. To date over \$7 million has been lost. We may lose an additional \$3 million. In total, at least \$10 million will be lost through NDP mismanagement.

Mr. Speaker, while I am on my feet I am also very pleased to make a further announcement. I have been informed that Fennell Cochrane Associates Ltd., a Saskatchewan engineering organization involved in the province for many years, and Lavalin Inc., the largest and Canadian-owned multidisciplinary engineering organization, have formed on a permanent basis the new company, Fennell Cochrane Lavalin Inc. The new organization has indicated that it recognizes the important opportunities of economic development in Saskatchewan, and it will develop the necessary technologies to ensure maximum Saskatchewan participation.

Mr. Speaker, this is proof of confidence in our future. The Government of Saskatchewan is very pleased with this philosophy.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. BLAKENEY:** — Mr. Speaker, I will comment briefly on the first announcement by the minister in charge of Saskatchewan Government Insurance. As he indicated, the reinsurance contracts placed through a particular agency in Great Britain have, over a period of time, proven unprofitable. In fairness to the House, I would ask the minister to advise members what reinsurance contracts, during the same period, have proven profitable, so that they would have some indication, some basis for judgment, since I think we are all aware that in reinsurance, like any insurance, you always lose money on

some contracts. It is the nature of insurance that one places contracts, and that you lose on some contracts and you gain on others. The point which I make is a rather obvious point: when you are in the reinsurance business you make money on some contracts and you lose money on others; you make a lot of money on some and lose a lot of money on others. That's the nature of reinsurance.

The comment which I am making is that I am asking the minister in charge of Saskatchewan Government Insurance to make public, in the appropriate way, the amount of profitable reinsurance contracts which were concluded during the same period, and the amount of ones which were not, so that one can make a judgment, since it is clearly not reasonable to judge any management on the basis of those contracts on which they lost money (of which there will always be some) and not mention that there are contracts on which they made money and which the hon. member didn't mention.

## **INTRODUCTION OF BILLS**

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

**HON. MR. ANDREW:** — I move first reading of a bill to amend The Public Service Superannuation Act.

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

### **Bill No. 27 — An Act to amend The Senior Citizens School Tax Rebate Act**

**HON. MR. SCHOENHALS:** — Mr. Speaker, I move first reading of a bill to amend The Senior Citizens School Tax Rebate Act.

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

### **Bill No. 28 — An Act to amend The Renters Property Tax Rebate**

**HON. MR. SCHOENHALS:** — Mr. Speaker, I move first reading of a bill to amend The Renters Property Tax Rebate Act.

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

### **Bill No. 29 — An Act to amend The Property Improvement Grant Act**

**HON. MR. SCHOENHALS:** — Mr. Speaker, I move first reading of a bill to amend The Property Improvement Grant Act.

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

## **ORDERS OF THE DAY**

### **GOVERNMENT ORDERS**

### **ADJOURNED DEBATES**



## SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 16 — **An Act to amend The Interpretation Act** be now read a second time.

**HON. MR. BLAKENEY:** — Mr. Speaker, I would like to address a few remarks to this bill. I may say this bill bothers me a good deal. In my judgment this bill should not be passed by this House. My basic reason for saying that is that the bill calls upon the government, authorizes the government, to take steps which should not be taken by any incoming government. The bill is all-encompassing. I don't need to advise the hon. members just how encompassing the bill is. It in effect gives the cabinet the power to abrogate any appointment to any board or commission or committee or council or other appointed body of the Government of Saskatchewan (and I'll note those words because I'm going to come back to them) or any of its agencies or crown corporations. It in effect says that it should be able to appoint all of these new people upon its assuming office. It can do that notwithstanding any act, any order, any regulation, or any agreement. And there are some very, very significant words there — any act, any order, any regulation, or any agreement.

We have a very large number of acts which provide for appointments by the Lieutenant-Governor in Council. There will be well over 100 acts which provide for appointments by the Lieutenant-Governor in Council to boards or commissions pursuant to those acts. I have a partial list here, and I believe it will run to something over 100. By my count it is 116. Obviously I may have missed some, but that is approximately the number of acts wherein the Lieutenant-Governor in Council is given power to appoint people to boards, commissions, and the like.

The legislature does this as a legislature. When it includes that power in legislation, it turns its mind to the question of whether or not there should be continuity or whether the person so appointed should be at pleasure and accordingly dismissible by the government at any time. And about two-thirds of the bills, I would estimate, permit the government to change its personnel on these boards or commissions at any time . . . (inaudible interjections) . . . About that. And about one-third, I would think a little less than one-third by my count, provide for term appointments, and that is what this legislature has done. It has acknowledged the fact that in most cases it is right and meet that a government would be able to replace its appointment on a board or commission if it felt it appropriate.

And for a number of other cases — perhaps somewhat less than one-third — it has decided that other considerations prevail, and that the appointment should be for a term. There are many reasons for having appointment for a term. The most notable one is to provide some measure of continuity. In many cases where there is an appointment for a term, there are also appointments to be made by the Lieutenant-Governor in Council at pleasure, so it's not as if a government which is to change its representation on boards and commissions is totally barred from doing so. Far from it, and I could give examples that would illustrate what I am talking about.

I invite someone to look at, say, the Alcoholism Commission of Saskatchewan. I think I have that one near the top, and it has some appointments which are for a term, and some appointments which are at pleasure. We have people like Dr. Saul Cohen who is an at-pleasure appointment because he is, I believe, the chairman of the alcoholism commission and it was deemed proper that the government be able to change the

chairman. And we have people like Sister Bernarda Gallinger who is appointed for a three-year term, and so what we have is a mix that this legislature has decided upon, of some members who would be appointed for a fixed term and some who would be at the pleasure of the Lieutenant-Governor. And that strikes me as a reasonable decision for a legislature to make and a reasonable decision that this legislature has made.

There are many, many other examples of that. I look at the Regina Plains Community College Board (I'm picking one at random), which similarly has a mix of people who are appointed for a term and people who are appointed at pleasure. The great bulk of them are continuing appointments and, accordingly, are changeable at the pleasure of the government, but for a select number of acts, approaching one-third, there are some members whose terms are fixed.

The reason for this, generally, is to provide a measure of continuity, to ensure that the board or commission has some people on it who have some experience with the work of the board or commission, and can therefore provide the public with the best possible quality of service.

There are, in some cases, some other reasons. And this legislature has on occasion provided long security of tenure for some members of certain boards and commissions. I want to instance two because these two boards exercise quasi-judicial functions. These two boards are the local government board and the workers' compensation board. And I particularly want to address these remarks to the Minister of Labor in relation to the workers' compensation board. That is a board which exercises a quasi-judicial authority. It is a board which makes decisions which cannot be appealed, makes decisions with respect to people's rights — and valuable rights — which cannot be appealed. People are barred going to the courts if they have a claim against their employer. If I may put it the other way: if they are injured in the course of their employment and they might otherwise have a very substantial legal claim against their employer, they are prohibited from proceeding with that claim, and instead are required to seek redress through the provisions of the workers' compensation board.

The workers' compensation board makes judgments as to the degree of physical impairment and in the course of making such judgments decides issues which are of great financial importance to the injured worker. The injured worker may have tens, and perhaps hundreds, of thousands of dollars riding on the decision made by the workers' compensation board as to whether or not he was injured in the course of his employment, and whether his degree of impairment is 40 per cent or 80 per cent. The legislation reflects this. A look at the legislation will indicate that, as I recall, the chairman of the workers' compensation board has powers equivalent to those of a superior court judge, a judge of the Court of Queen's bench. And because of that, the members, and particularly the chairman of the workers' compensation board, have always been given statutory security of tenure so that no government would be tempted to retaliate (if I may put it that way) against a chairman who made decisions of which the government did not approve. And that is right and proper.

With respect to our judges in our formal courts — the court of appeal and the Court of Queen's bench — we have built in measures to provide the utmost of security of tenure. With respect to the provincial court, there are substantial measures included in the legislation to protect the integrity, independence and security of tenure of the judges. And we had put the same thing into The Workers' Compensation Act and into the local government act.

That was a time when the local government was making decisions, dealing with the financing of local governments, which had very significant financial impact upon the holders of local government debentures. They are not now making so many of those decisions. But at that time and still to some extent, that board makes decisions which have very major financial impacts on many, many citizens of this province. And, because of this, we had made provisions in the statute — not we, not our government, certainly not in my time, because these come out of a period of legislation decades ago. We have, for all of these years in Saskatchewan, protected these people by legislation.

And we have done it — The Workers' Compensation Board Act has been around in substantially the same form, in so far as tenure is concerned, I would think since about 1920. There have been many changes of government since 1920. It has not been felt necessary to provide that an incoming government had to clear the deck with respect to the membership of the workers' compensation board, or the local government board. In fact, it was felt that this would be quite inappropriate, and if any government felt that it had great difficulty living with the appointment of a previous government to one of those posts, the proper course of action for that government was to come before this legislature and ask to abridge the appointment. And that has been done, in effect.

When we came to office in 1971, we found ourselves in some difficulty in living with the then chairman of the workers' compensation board, one J. Walter Erb, who had been, shall we say, active in another political party. We discussed this matter with Mr. Erb, and we came before this legislature and put forward a proposal which required legislation, and which we were able to explain and justify as to why we should change the personnel at the workers' compensation board. And I think we were able to satisfy the legislature, even the opposition, that there was nothing in our action suggesting that we intended to impair the integrity or the independence of the board. And I think that's the proper course of action, if a government feels itself trapped.

In all the years when we have had changes of governments, remarkably few have felt themselves trapped. And this is not the first change of government in the province. I have lived through the '64 one, which I did not enjoy, and lived through the '71 one, which I did enjoy, and lived through the '82 one, which I did not enjoy. It seems clear that all these various changes have not meant that any new government felt it necessary to clear the deck. It was really comparatively easy to work your way through the appointments to these various boards and commissions without, in any way, attacking the structure which had been put into place by the legislature. It is not as if the previous government put in these structures over the objection of the opposition of the day. Certainly, as I recall, most of these pieces of legislation, legislation with respect to the Saskatchewan Cancer Foundation, for example . . . The reason I am picking that is because it is a new piece of legislation. The appointments stem from 1979. A number of members opposite were in the House at that time. They did not then say, "We shouldn't have these staged appointments. There may be an election and therefore we would be stuck with people like Elmer Schwartz or Dr. R. B. Baltzan or other NDP hacks." The reason I am picking this one is that this legislation was passed when a fair number of members opposite were in this House. They raised no objection, nor should they have raised any objection, because it's a perfectly reasonable and sensible thing to do — to have staggered appointments for the cancer commission.

We have, as I say, Elmer Schwartz, Dr. R. B. Baltzan, Dr. Jim Blackburn, Mrs. Florence Clark, Dr. Peter Glynn and Dr. R. G. Murray. I don't know some of these people but I think most of them are reasonably respectable citizens. They were appointed by the government of the day (I see Mr. Schwartz is at pleasure; I take it, therefore, that he's the

chairman), pursuant to the pattern established by the legislature and approved, I believe unanimously, by this legislature. So it is not as if somehow the previous government was abusing a power. It was exercising a power which everybody felt it ought to have.

Mr. Speaker, I picked this one because it is a new one. If you have any other new ones, when the member for Indian Head-Wolseley is sitting in this House, then I will equally deal with that.

My point is this: if any members of the government opposite feel that they cannot live with any of these, it's simple enough for them to bring in legislation and defend what they're doing. But they don't want to do that. They want to change 30, 35 or 40 acts without bringing those forward. They want to change a huge group of statutes without naming the statutes because they know that a good number of people would be alarmed if they brought in a statute changing The University of Saskatchewan Act, saying that the board of governors can be changed when the Lieutenant-Governor in Council says so. They would know that a number of people at the university would ask the question as to whether that's a good idea, and why wasn't it necessary in 1971? Why wasn't it necessary in 1964? Why wasn't it necessary in 1944, because the University of Saskatchewan has been around for a while? They would have to explain that. They don't want to explain that because there is no explanation other than that they want to simply wield the axe. It is perfectly proper and appropriate that they wield the axe in most areas, but in a fair number of areas it is not appropriate. Yet you want to do it in all of them. You want to empower yourselves to do it in all of them and that sure is wrong. You should not be acting that way.

Mr. Speaker, I instance other legislation. Let me talk about not only the University of Saskatchewan and the University of Regina which, I believe, were referred to by the Hon. Attorney General. I must say I was not sure he meant to cover those. I feared he did, but I was not sure he meant to, because the bill itself says "where a person is a member of a board, commission, committee, council or other appointed body of the Government of Saskatchewan," and I am not sure that the University of Saskatchewan is a body of the Government of Saskatchewan but, of course, so is the city of Regina. I am not at all sure that the University of Saskatchewan is a part of the Government of Saskatchewan, but I don't labor that point, although it would be a point which would have a matter for controversy at some other times in our history. I am saying that it is inappropriate for a government to decide that they wish to change 35 or 40 acts by this sort of legislation. It is particularly inappropriate that they should wish to do this retroactively.

I want to just say a word or two about retroactive legislation because I want to remind some members opposite what they have said about retroactive legislation in the past. That, of course, however, was a question of protecting the rights of oil companies, and I can't understand why he would suggest that it was quite inappropriate to apply retroactive legislation to affect the pocketbooks of oil companies, but not affect the livelihoods or the appointments of a fair number of citizens of Saskatchewan. I don't find the particular quote here from the Attorney General. I have one here from a former member of this House, the former member for Nipawin, Mr. Collver, who will be known to some of you. It is in *Hansard* of November 22, 1977. I won't bore the House by reading it all, but some of you may well recall that at the time members opposite were taking a very, very strong stand on this issue of any retroactive legislation. It ought not,

in their judgement, to be permitted in any case. It seems to me that that has changed and that they are now taking the view that retroactive legislation is perfectly in order.

I think members will not have appreciated just how many acts this would affect. I cannot, in the time allotted, have canvassed all of them, but I have tried to find one or two which I would have thought would surprise me. I think it has even surprised our staff because I don't see them here. But I think if you will look up The Architects Act, you will find that of all places, the Lieutenant-Governor in Council appoints a member of the governing board of the architects of this province under section 8, subsection 4. I would be amazed as to why it would be felt that that single government member on the governing board of the architects needs to be changed, that the deck needs to be cleared of that one solitary soul (all of the others on the governing boards are appointed by the architects themselves) to make it possible for the government opposite to have another person on the architects' governing board. I doubt very much whether that legislation is in any sense necessary to perform that function.

With respect to something like the Wascana Centre Authority, and I have some recollection of that because I was a member of the Wascana Centre Authority in 1964 when the government changed . . . I tendered my resignation, as I thought it was appropriate regardless of what the legislation said. The government of the day, and it may surprise you, was equally honorable and suggested that I stay on the board. The previous member for Lumsden, now Mr. Justice Heald, the then attorney general, said, "Do stay on the board." And we stayed on the board. As I say, that gave that board, which was dominated by the new government, which was only right and proper, a sense of continuity, a sense of non-political involvement, which did the authority good. That is true of many, many agencies.

It's not to be thought that every agency to which the Lieutenant Governor in Council makes an appointment is somehow a hotly political body. I instance again the cancer foundation. There is no justification for the government taking power to cull off the boards the names of some of these people, Dr. R. G. Murray and others, who presumably are still stalwart citizens notwithstanding the change of government. I simply want to call to the attention of members that what they are doing is wrong — the idea of simply wanting to sweep the deck. The way they are doing it is particularly wrong — attempting to change The Interpretation Act. It's a sub rosa, behind-the-barn way of changing 35 pieces of legislation. It is surreptitious and dark of night. Otherwise, wouldn't you bring in an act to amend the cancer foundation? If you don't want to change the cancer foundation, why don't you leaf that one over and pick the ones you do want to change. There are probably only 10 or 15 that you want to change; why do you therefore want to attack this appointment structure for 35 or 40 acts? There is no justification for it.

I want to make one other serious point, and a very, very serious point. And it is this: this legislation not only purports to give the government power to abrogate prior appointments by order in council, but it gives retroactive power to annul agreements — agreements which may have been made in good faith. I don't think the Attorney General can deny this. I don't know whether any of these people are in the positions which they are in by agreement. I don't know if the government of the day entered into an agreement with someone in good faith. But you people say, if that happened, then that agreement is going to be annulled; it is going to be abrogated. None of this nonsense about the rule of law — we are just going, by statute, to cancel that agreement, and we're going to do it retroactively.

Let me read this again.

Notwithstanding anything in this act or any other act or in any order, regulation or agreement.

Where, in heaven's name, do you put "or agreement"? Surely you should not be giving yourself power to abrogate unilaterally a number of agreements. We do not know the number; there may be none, but there may be many. And you should not do it without even indicating which agreement you are cancelling — because I don't know, and neither does any other member of this House — and why you are doing it.

It seems to me elementary that if a government wishes to abrogate an agreement entered into between that government and the citizen, it should bring that agreement before the legislature and say, "We want to cancel this agreement, and here's why." It should not give to the cabinet power to abrogate the agreement, our many agreements, without any compensation. It's straight confiscatory legislation. It may not apply to very many citizens, but it certainly is nothing to laugh about. I can think of no instance — I may be wrong here — where we have ever previously conferred upon a cabinet the power to abrogate agreements between the citizen and the government, simply by cabinet fiat and without any provision for any compensation.

We have abrogated agreements in the past. We certainly know that. I think of the Athabasca pulp mill agreements. We abrogated those. We brought in legislation. We said that the previous government had entered into agreements and we didn't like those agreements and we were going to cancel them. But we said that government, the previous government, entered into them in good faith; the citizen relied upon them, and in this case it was a non-citizen, but never mind. The other party to the agreement relied upon them in good faith, as he was entitled to do, and we were going to compensate. And we bargained it out, and we paid more than \$4 million. And that was right.

If we were going to say that you have no more rights under that agreement, even though you entered into it in good faith, then it's up to us to say, all right, but we then have to make some provision for compensating that citizen. And we would never have thought it appropriate to say that the Lieutenant Governor in Council can abrogate agreements — period — with no provision for compensation or no provision for any alternative arrangements to deal with the situation that the citizen finds himself in. And that legislation is bad legislation on that account, and it ought to be looked at. And, at very minimum, you ought to lift those words.

I want to say that we take the view that this legislation is reprehensible. Accordingly we intend to say a good bit about it, because we think it is not justified in any sense of the word.

I note that the Attorney General, in attempting to justify this legislation, says that a new government should have the approval of — let's see.

Mr. Speaker, it makes quite clear that should any new government in the future believe that it wishes to have the terms to boards, commissions or agencies extend beyond the normal term of a government, then it should have the approval of the Legislative Assembly. That, in our view, and in the view of most reasonable thinking persons, is a sound way.

Well, that's interesting. I would have thought that mounting the argument that it was the view of most reasonable thinking persons, he would have said, "And of course that's the way it is done in British Columbia; here's the legislation." But he didn't do that because he can't find it there — presumably there are no reasonable thinking people there or in Manitoba or anywhere else in Canada. If he can find one anywhere else in Canada, where all these reasonable and thinking people are presumably resident, then I wish he would do so. I think he can't. I think there is nothing of precedent in this. It is simply not the case that this is the practice.

Please don't get me wrong. I am not denying the right of the government to sweep the deck if it feels this is necessary. It must, I suggest, follow proper procedures. Those procedures are to review the acts to see which boards you think ought to go and ask them whether they will resign. A lot of them will because a lot of them are good, solid, public-spirited citizens who think, "I want to serve the government, but if the government doesn't want me then I will certainly resign." The great bulk of them would. If you have found one who is intransigent, then you should bring it into the legislature.

As I say, when we came to office, it wasn't a case that the previous cabinet minister, Mr. Erb, was intransigent. He said, "Look I'm not going to resign because if I do, my pension rights are prejudiced. I understand your point of view, but understand mine." We understood what he was saying and we said, "Right, we'll make a deal. Will you resign? We will see that you lose nothing on your pension." We brought in legislation, and that was the deal . . . (inaudible interjection) . . . That's right. That strikes me as perfectly reasonable and sensible.

Mr. Speaker, I want to come back to the issue of how the government is seeking to achieve this purpose. Another colleague of mine will deal at some length with the matter of bringing in legislation, one bill, which has the effect of changing a substantial number of bills in a material respect.

We are all familiar with these omnibus-type bills which are brought in by way of statute law amendment wherein changes are brought about of a relatively technical nature. We have just dealt with one in the last couple of days. No one is quarrelling with that. That just cuts down the paper.

We are also familiar with the activity which went on in Ottawa when there was an attempt made by the current government in Ottawa to bring in legislation which affected, in a very material respect, seven or eight key energy bills. Mr. Speaker, I don't know who was more vehement in its opposition to that proposal in Ottawa, the New Democratic Party, to which I am affiliated, or the Conservative Party, to which members opposite are affiliated. But in any case, both said, in the most trenchant language which they could put to tongue that this sort of method ought not to be used, that if we were making changes in substance to a good number of bills, these bills ought to be brought in. That's what we are doing here, make no mistake about it, because for a good number of these pieces of legislation, the appointment of the board or commission is an absolutely key part.

I don't think anyone would pretend with respect to a statute like The University of Regina Act, the provisions for appointment of the board are not a key part. Indeed, the Board of Governors of the University of Regina is, in some sense, the key administrative body, and the body which is most likely to affect the guidance and future of that institution. How its members are appointed is, clearly, highly relevant and highly

germane to the operation of that institution. It's true of the cancer foundation, and it would be true of the Saskatchewan Arts Board, and it would be true of the Western Development Museum, and a good number of others.

I take the Western Development Museum. I believe the current chairman is still Mr. Leier, and I believe he is a person who members opposite have appointed to yet another board . . . (inaudible interjection) . . . He's the chairman of the Western Development Museum, I believe. And, as I recall reading the list of people you appointed, he was also on one of the boards which you appointed. Fair enough; he's a good, solid citizen. I don't think he's a supporter of our party, but we felt he would make a good contribution, and we saw no reason why he should not perform this public function. And there's no suggestion, I think that an appointment such as that should be swept aside simply because it was made by a government of our political stripe. Many, many of these people who were appointed to boards — I invite you to look at a great number of them — are people who are in no sense affiliated in any close way with one political party or another. They're citizens who are performing a public function and who ought not, as I suggest, to have the position politicized by having it suggested that they ought necessarily to be swept from office because the government changes.

I certainly felt, with respect to Wascana Centre Authority, that since I had been clearly a member of the previous government I ought to tender my resignation, and that I understood. But I think probably some other citizens, who were not particularly affiliated with any political party, perhaps did not take that course of action, and there's no earthly reason why they should have. And I'm sure they performed well under the guidance of the new chairman, the previous attorney general, Mr. Heald, without in any way limiting Mr. Thatcher's government or the powers that that government wished to wield over the Wascana Centre Authority. I could make the same argument with respect to virtually everybody here.

My point is simply this: it is not reasonable for you to wish to sweep the deck that way. To the extent that you wish to sweep the deck, you ought to do it by more informal means to start, and deal with intransigent cases by legislation, but you ought not to attempt to do it by this omnibus legislation, which in effect changes a whole series of acts without these people knowing it.

I suspect that if we talked to the cancer foundation and said, "Do you know that the act under which you are appointed has been changed, and your appointment is no longer what you thought it was in the order in council?" they would say, "Gosh, I didn't see anything in the paper about the cancer foundation legislation being talked about." And I would have to tell them, "Well, of course it wasn't talked about. It was a dark-of-night operation. They put it in The Interpretation Act." There is not one citizen in 50 who would think it in any way affected his rights, but it does.

The third thing I say is that it is totally improper and totally indefensible to include in the act the words "or agreement," whereby you are giving yourselves power to abrogate agreements entered into in good faith. These are not appointments, mind you, these are not unilateral appointments; these are agreements. And they're going to be abrogated with no reference to compensation, and, indeed, in this section of The Interpretation Act, the legislative milieu in which it is placed indicates that there will be, so far as I can see, no compensation. You are giving yourselves power of which citizens wouldn't have the least idea. You are giving power to abrogate agreements without any compensation.



I want to ask all hon. members, particularly hon. members opposite, to take another look at this bill and to ask yourselves whether you need it. I'm not objecting to your ultimate objective of having the right to clear the deck. I am saying that, by my analysis, you've got the right to clear the deck on about 65 or 70 of the pieces of legislation, without any new legislation. Of the 116 pieces of legislation, or however many pieces there are, you can do that without any legislation for 65 or 70. With respect to the great bulk of the rest of them (and I suggest all of them) you could do it by simply asking for the resignation of anyone whom you wanted to resign. With respect to perhaps one or two, if you found that anyone was intransigent, you could bring in legislation.

With respect to its retroactive effect, I don't suppose I fully know whose rights may be abrogated retroactively. But I shouldn't have to inquire about that in this House. I shouldn't have to ask and speculate how many citizens may have their right to compensation, or to some sort of redress, denied, and how many of them may have been adversely affected by legislation which is retroactive in its effect.

The only saving provision in this legislation provides for people who are appointed by the legislature. That, I think, would cover the ombudsman and perhaps the Clerk, and perhaps the auditor, and I don't know who else. I don't even think it covers the legislative librarian. I suspect even that one is done by order in council, although it may not be.

But there is virtually nobody who would be beyond the power of the Lieutenant Governor in Council to dismiss summarily without any compensation. I think that is not necessary to achieve your purposes. It is assuredly not necessary to abrogate agreements. It is assuredly not necessary (I trust it is not necessary) to do this retroactively. If it is necessary to do this retroactively, then it is even more reprehensible, because you are presumably trying to patch up what was done improperly.

I think that some of my colleagues will wish to enter this debate. But it will be clear from my remarks that I will not be supporting the bill, and that I will be urging all hon. members to defeat the bill. Alternatively, I will be urging the government to withdraw the bill and reconsider the solution which they have attempted to a problem which I acknowledge. I acknowledge the reality of the problem; I do not for one moment agree with the solution they have accepted and, accordingly I will oppose the motion.

**MR. HAMMERSMITH:** — Mr. Speaker, I wish to join in this debate partly because, like the Leader of the Opposition, and like the member for Quill Lakes, there are aspects of this bill, and potentials in this bill, that deeply disturb me.

There is a disturbing link, Mr. Speaker, between the provisions of this bill; the provisions of Bill No. 9; the provisions of Bill No. 17; the handling by the Minister of Mineral Resources of the announcement on oil royalties yesterday; the threat to the political rights of public servants made by the Premier; the firing of public servants in the government and crown corporations; the freezing of the minimum wage; and the shocking contempt for parliament displayed in this Assembly last night by the chief law enforcement officer in Saskatchewan, the Attorney General of Saskatchewan, who displayed a disturbing contempt for this legislature, Mr. Speaker. He was joined by his colleagues on that side of the House in that contempt — playing softball in this Assembly while the debate was going on.

That's part of a disturbing link, Mr. Speaker. The link in all of that is arrogance, because

it displays a contempt for the rights, embodied in this Assembly, of the people of Saskatchewan — a contempt for the people's parliament. It shows a contempt for, and an arrogance toward, the rights of this Assembly because many people, for centuries have fought and died for the rights embodied in this Assembly. Those are rights of a free people to govern themselves. They're not governed by the government; they govern themselves. This Assembly and the Executive Council are instruments of that. It's a recognition that people have rights and that those rights of the people of Saskatchewan are embodied and protected in this Assembly.

I want to spend some time indicating how Bill No. 16, and particularly clause 4, is just the latest step in a process that began very early in the term of office of this government — a process of showing contempt for the rights of the people of Saskatchewan and for the rights of this Assembly. I intend to show how this bill demonstrates that contempt.

It began before opening day, when there was an attempt by the government to get the opposition to agree that the public should be locked out of the public galleries so that the friends of the Conservative Party could occupy those seats. The people would be locked out of the people's parliament. We refused, Mr. Speaker. We refused to agree to that.

It was embodied again and it is crystallized in this bill by the refusal of the government to broadcast the proceedings of this Assembly — their refusal to permit the people of Saskatchewan to have access, through the radio broadcasts, to the proceedings of their Assembly, their parliament.

As I pointed out, Mr. Speaker, that contempt for parliament continued through Bill No. 9 and Bill No. 17, and the firings. It was crystal clear in the performance last night, and the arrogance of the Attorney General, and in the contempt for parliament shown by Bill No. 16.

I'm not surprised at the kind of contempt demonstrated by the Attorney General. Those of us who have been in this House with him for a few years have seen that contempt exhibited before — contempt for the office of Speaker, contempt for the rules of the Assembly, contempt for the parliamentary process. It's not surprising.

I'm not surprised by the contempt shown by the Minister of Mineral Resources yesterday when he violated a long-standing parliamentary tradition. Instead of making an announcement of significant changes in the financial situation of the province of Saskatchewan first to the representatives of the people duly elected here in the people's Assembly, he chose to make the announcement outside the Chamber first. It was a demonstration of contempt for this Assembly, followed by making no statement at all in this Assembly. There was no obligation felt to inform the people, just as Bill 16 demonstrates an unwillingness to come into the people's Assembly and, under the full glare of the lights, defend the actions of the government.

So I'm not surprised by the actions of the Attorney General and I'm not surprised by the actions of the Minister of Mineral Resources.

I recall a few years ago, shortly after being elected to this Assembly, Mr. Speaker, a discussion with a former colleague of the Attorney General and of the Minister of Mineral Resources, a former member of this Assembly who served for 14 years in this

House. He served as deputy premier, provincial treasurer and leader of the opposition. He was a person with whom many of us in the opposition have had sharp political disagreements, but a person for whom we, and I personally, had the greatest respect. He was a person above all, Mr. Speaker, who had the greatest respect for this House and for the parliamentary process and would not have been part of bringing forward a bill like this. Do you know what he said, Mr. Speaker, about the present Attorney General and the present Minister of Mineral Resources who were, at that time, members of the opposition? He said, "Can you imagine the disaster for the people of Saskatchewan should they ever be so unfortunate as to have the member for Qu'Appelle-Lumsden or the member for Thunder Creek serving in the Government of Saskatchewan?"

**AN HON. MEMBER:** — Number 26, Jerry.

**MR. HAMMERSMITH:** — I'll come to that. So I am not surprised at those two. I am not surprised at the Premier, because you know, we spent a little time reviewing this bill and we spent some time discussing this with some of his former colleagues in the University of Saskatchewan and the college of agriculture. We said, "Why would he want to do this? What is this all about?" They said, "Well, you know, our experience is that he is a master at raising expectations, but he seldom delivers."

I think, Mr. Speaker, those expectations are one of the reasons for this bill. I think the Premier raised a lot of expectations out there and made promises that this person would be on that board and this person would be on that commission and this person would be on that agency. They were expectations that he discovered he was unable to deliver because there were some laws. There were some acts of this legislature. There were some laws of the people passed by the people's parliament which said, "You can't do that. You can't just sit there in that cabinet room in the dark of night and fire people from boards and appoint your friends. There are some legal requirements and some legal processes about how you do that."

So the Attorney General said, "No problem, that's just the legislature. Those are just laws passed in the legislature; they don't count. We can change those laws; we'll change them with one sweeping bill, and you will be able to deliver on those expectations."

I said when I began, Mr. Speaker, I wanted to make the point that this was part of a pattern and that it related to some other patterns of unmet expectations. I think he has a problem there and it is not only in appointments to boards and commissions and the requirement that it be done under the law; I know that that is not something the Attorney General would be concerned about. I am not surprised at that. I am surprised that new members of this Assembly would not have been concerned.

The other part of the pattern is, I am sure, that there are a couple of dozen people over there, in addition to those who are already in the cabinet, who were promised cabinet positions. Well, they couldn't all be in the cabinet. So, they said, "No problem. We'll make you all legislative secretaries. There are a good many of you. No problem. It will only cost \$6,500 per secretary. We can do that." Then there is the little problem of the law. Well, that is not a problem for the Attorney General. It is not a problem for the Minister of Mineral Resources who has never had a problem with that. "We can change that. We have a big majority. We can change that. That Assembly doesn't belong to the people; it belongs to the Conservative Party."

Mr. Speaker, I hope that the Minister of Mineral Resources will join this debate and will put on record his view, just stated from his seat, that this Assembly does not belong to the people but, in fact, belongs to the Conservative Party. Will he put that view on record?

We, we have Bill 9 to help deliver on some expectations and Bill 16 to change the rules and change the laws so that other expectations can be delivered on. Now, this bill, Mr. Speaker, is the most despicable piece of arrogance that has been brought into this Assembly in the last three months.

You know, they will have been in office just three months tomorrow and they are already displaying the same kind of arrogance displayed by Pierre Elliott Trudeau in Ottawa after 12 years. They have no respect for parliament. They have no respect for this Assembly. The Attorney General last night said, "This Assembly ties my hands. My hands are tied; I can't do what I want. I can't play softball in the Assembly when I want. My hands are tied, and so I will take the action out of the Assembly. I will take it out of the Assembly and it unto myself, because after all the Assembly doesn't know and the Assembly has no rights."

Now the Attorney General says that he doesn't have to answer to this Assembly for the firing of civil servants, or crown corporation employees, or members of boards and commissions, or for the payola to some MLAs. He doesn't have to answer to the people through their parliament, through the parliament of the people. And why? Well, he gives a reason. He gave a reason last night why he doesn't have to answer to the people. The reason is they won the election. Now they don't have to answer to the people. Well, Mr. Speaker, it is one thing to win an election (that's one step), but it is quite another to gain and to keep the kind of public confidence and respect and moral authority that permits you to govern. They didn't get elected to do this. This was not part of the platform. That wasn't what elected you. You didn't get elected to bring in Bill 9 or Bill 16. You didn't get elected to freeze the minimum wage. You got elected to remove 40 cents a gallon from gasoline. People are still waiting for the other 11 cents — you should do it. That's what you got elected for. You have moral authority and a responsibility to do that.

You got elected to provide 13.25 per cent mortgages and you are doing it. You got elected to implement the farm ownership program, so do it — implement the farm ownership program. You didn't get elected for Bill 16. You got elected to remove the 5 per cent sales tax, so remove it.

**MR. SPEAKER:** — Order, order! I'm having a little difficulty relating some of these items to the bill that is before the Assembly. I ask the member to get back on track.

**MR. HAMMERSMITH:** — Mr. Speaker, I was attempting to relate the intent of this bill to the argument made by the Attorney General last night. The arguments made by the Attorney General last night were that he was given a mandate by the people of Saskatchewan to do this . . . (inaudible interjection) . . . No, it's the same principle, and I am sorry if I failed to make the connection. I was making, I thought, the connection with the arguments made by the Attorney General with regard to the kind of mandate the government has.

I will say, Mr. Speaker, to the government opposite, and particularly to the Attorney

General, that it didn't get elected to get drunk with power and go on a firing rampage. Who is it that he wants to fire now? You can almost pick them at random. The Saskatchewan Dental Nurses Board, which is included under this legislation — who is it from that board that you want to fire? Dr. Michael Lewis? The Deputy Premier wants to fire Dr. Michael Lewis, Dr. Lionel Hastings, Dr. David Tyler, Caroline Yelland — who is it that the Attorney General wants to fire from that board? Upon whom does he wish to exercise the power which he said last night he was given by the people of Saskatchewan — the mandate to fire those people. At the Saskatchewan Education Communications Corporation — who is it you want to fire there? Walter Pokiuluk? But you just appointed him to another board. Dr. Alixe Hambleton? Here is another one, the Saskatchewan Farm Ownership Board, a continuation of the communications corporation . . . (inaudible interjection) . . . There are members here who wish me to read the entire membership of the Saskatchewan Communications Corporation's board of directors. I will do that, Mr. Speaker, and ask which of those they wish to fire: Michael Deren of Lampman; Sarah Landy? Is that one who is on your hit list? Walter Pokiuluk, is he on your hit list? Colleen McBean, is she on your hit list? Lorraine Thorsrud, Barbara Dayle Norman, Dr. Alixe Hambleton, Mr. Keith Goulet, Mr. Garry Wouters — well, you've already fired him from the Department of Continuing Education. You may wish to do it again . . . (inaudible interjection) . . . For some people, apparently, the Attorney General's firing a person once isn't enough. So he needs this power now to fire him again.

Murray Scharf, Pat Cavill, Cledwyn Haydn-Jones? Who's on the hit list? Why do you need this kind of sweeping power? Why do you want to stay away from this legislature when you start to wield the axe? Who else will they fire? Why (and the Leader of the Opposition referred to it briefly) would they build in the retroactivity? Why the date May 8? Could it have something to do with civil servants and the compensation package — the refusal by the government opposite to withhold the details of the compensation package, and its attempts to avoid making a decision about the compensation package until it is out of this legislature and don't have to answer to this House. Is that why the retroactivity?

There is an interpretation act in the province of Alberta, and we refer members to a judgment handed down February 15, 1982, in the Alberta Court of Appeal, *Meisner v. The Minister of Social Services and Community Health*, where the court found that if the case could be made that a civil servant was in fact an officer of the government, that person could be fired without cause and without compensation. Is that the reason for the retroactivity, because the Attorney General has said to the civil servants, as he has said to this House, "We can do anything we want, because we won the election"?

How many people have you already fired illegally? How many people have ministers fired, for which they do not have authority under The Public Service Act? Would this have anything to do with some people who were certified under The Public Service Act, who were certified employees, whom the people authorized under the act refused to fire, and so a minister or two took upon themselves to fire? You have since found out that you have broken the law, that it was illegal for the minister to fire them. But that's no problem. Law is just something done by the people in the legislature. The Attorney General can fix that. He won the election. He can fix anything.

Is it a way of getting off the hook and not having to pay out that compensation package that you refused to announce? Is it a way of getting off the hook in cases where you have illegally fired people, only to find out later that you have fired them illegally?

So who else is on the list? Because I say, Mr. Speaker, how else does this bill . . . (inaudible interjections) . . . Mr. Speaker, I'm just waiting for the little exchange between the member for Quill Lakes and someone on the other side to subside.

This bill affects over 100 acts of this legislature, and I'm going to read those into the record, Mr. Speaker, because it's a significant point to be made.

**AN HON. MEMBER:** — All 100 acts?

**MR. HAMMERSMITH:** — There are 116.

The Oil and Gas Conservation Act is affected; The Legislative Assembly and Executive Council Act is affected; The Potash Corporation of Saskatchewan Act; The Apprenticeship and Tradesmen's Qualification Act; The Provincial Mediation Board Act; The Planning and Development Act; The Expropriation Procedure Act; The Public Service Act ( I know, Mr. Speaker, there is a problem for which those members may be forgiven, and that is a recognition of the fact that when the recordings of this Assembly are printed they are unable to read them, and so one really should go slower); The AAI Act; The Residential Tenancies Act; The Rural Municipality Act; The Agricultural Research Funding Act; The Tuberculosis Sanatoria and Hospitals Act; The Archives Act; The Saskatchewan Appointments Board Act; The Saskatchewan Assessment Act; The Saskatchewan Assessment Commission Act; The Cancer Control Act; The Saskatchewan Centre of the Arts Act (I am sure this is full of the bogey men that the Attorney General referred to when he said they had to "untie their hands" so they could implement government policy over in the Saskatchewan Centre of the Arts); The Community Legal Services (Saskatchewan) Act; The Saskatchewan Crop Insurance Act; The Saskatchewan Development Fund Act; The Industrial Development Act.

There is The Educational Communications Corporation Act; The Saskatchewan Farm Ownership Act; The Agricultural Incentives Act; The Family Farm . . . Act; The Crown Corporations Act; The Agricultural Implements Act; The Alcoholism Commission of Saskatchewan Act; The Beef Stabilization Act; The Game Act. I am sure that that is still a bogey man that needs to be removed. I could easily understand, Mr. Speaker, if the purpose of this bill was to deal with the member for Regina North West why they would want to change The Game Act. However, that was not in the second reading speech of the Attorney General as one of the current purposes of this act.

The Larger School Units Act; The Housing and Special-care Homes Act (there are a lot of bogey men out there, Mr. Speaker, that the government needs to deal with, to have the hands of the Attorney General untied); The Department of Revenue, Supply and Services Act; The Teacher Education Act; The Cancer Foundation Act; The Community Colleges Act; The Human Resources Development Act; The Education of Soldiers' Dependent Children Act (now there is a place where it is critical that the Attorney General's hands be untied so that he be able to implement policies of the government with regard to the education of soldiers' dependent children).

There is the Revised Statutes Act 1979; The Department of Co-operation and Co-operative Development Act; The Power Corporation Act; The Co-operative Guarantee Act; the Co-operative Associations Act; The Dental Profession Act; The Credit Union Act; The Criminal Injuries Compensation Act (now that may be another area that the member for Regina North West is interested in; I am not sure); The Dental Care Act; The Denturists Act; The Department of Municipal Affairs Act. There is The Vehicles Act; The Education Act; The School Act; The Department of the Environment Act; The Public

Health Act; The Hospital Standards Act; The Industrial Towns Act; The Department of Education Act; The Trade Union Act; The Land Bank Act; The Provincial Lands Act; The Law Reform Commission Act; The Public Inquiries Act; The Liquor Act; The Liquor Licensing Act; The Local Government Board Act.

There's The Department of Social Services Act; The Milk Control Act; The Labor Standards Act; The Municipal Employees' Superannuation Act; The Municipal Financing Corporation Act; The Municipal Tax Sharing (Potash) Act; The Municipal Water Assistance Act; The Mineral Resources Act; The Natural Products Marketing Act; The Nurses' Education Act; The Occupational Health and Safety Act; The Geographic Names Board Act (now it is very, very critical that the Attorney General have his hands untied and have sweeping power in order to deal with The Geographic Names Board Act).

There's also The Saskatchewan Government Insurance Act; The Saskatchewan Grain Car Corporation Act; The Health Research Act; The Saskatchewan Heritage Act; The Saskatchewan Housing Corporation Act; The Saskatchewan Human Rights Commission Act; The Public Libraries Act; The Saskatchewan Medical Care Insurance Act; The Saskatchewan Multicultural Act; The Saskatchewan Oil and Gas Corporation Act; The Police Act (that's where the Attorney General needs his hands untied); The Psychiatric Nurses Act; The Research Council Act.

There's The Science Council Act; The Securities Act; The Saskatchewan Telecommunications Act; The Saskatchewan Telecommunications Superannuation Act; The South Saskatchewan Hospital Centre Act; The Superannuation (Supplementary Provisions) Act; The Surface Rights Acquisition and Compensation Act; The Teacher Collective Bargaining Act; The Ophthalmic Dispensers Act; The Department of Finance Act; The Teacher Collective Bargaining Act; The Universities Commission Act; The University Hospital Act; The University of Regina Act; The University of Saskatchewan Act; The Wascana Centre Act; The Wakamow Valley Authority Act; The Western Development Museum Act; The Workmen's Compensation Board Superannuation Act; The Workers' Compensation Act — 116 acts, Mr. Speaker, amended and affected by Bill 16.

Now, the Attorney General says that there are only 35 acts that he's concerned about — only 35. I think, Mr. Speaker, that they can make the changes they want, and they can do the things they wish to do as a new government, dealing with not 116, not even 35, but likely no more than a dozen or 15 acts.

You know, his colleagues, the PC opposition in Ottawa, kept the division bells ringing for two weeks over an omnibus bill affecting 14 acts — 14, not 35, not 116. There was an omnibus bill affecting 14 acts, and they kept the division bells ringing for two weeks until the government withdrew it. Now if that was an omnibus bill, this has to be the granddaddy of them all.

So, if you want to change an act, if you want to change the method of appointing a board or a commission, bring it into this House. Bring it into this House and change it, and do it in the full glare of the lights. Now, you can make fun of the opposition, if you like. You can beat your chests if you like. You can strut and crow if you like. And you can laugh at what you call, at what the Minister of Mineral Resources called — what's it called? — "that motley crew of NDP members relegated to a tiny patch of legislative turf." That's good sport, and you can have that laugh. And you can laugh at this opposition, and play softball in this Assembly, but I'll tell you that what you're not going

to do is that you are not going to laugh at the history and the traditions of this House and of this parliament and of this Assembly. You are not going to do that. And you can laugh at the size of the opposition, but you're not going to laugh at parliament and you're not going to laugh at this Assembly or this House and its rules and its traditions and its history, and you're not going to make a mockery of that. And you're not going to laugh at the people of Saskatchewan.

There may be only nine members here, there may be only nine members with nine seats in this House, but those nine members represent over 200,000 citizens of Saskatchewan, 37 per cent of the people of Saskatchewan, over one-third of the voters of Saskatchewan, and you are not going to laugh at 200,000 Saskatchewan citizens. And you are not going to overrun this House, the traditions of this House, the traditions of this Assembly and the traditions of parliaments with that kind of arrogance. You aren't going to do that. You aren't going to be able to do that to this parliament . . . (inaudible interjections) . . .

**MR. SPEAKER:** — Order. It's a little difficult for the member on his feet to be heard. I would like to hear him.

**MR. HAMMERSMITH:** — Mr. Speaker, the people who are opposition members in this House have rights in this House. The House carries with it a responsibility to maintain the rights of all Saskatchewan people. And those are rights that are entrusted to all the members of this Assembly, even those who are arrogant. All the members of this Assembly have entrusted to them those rights by the people of Saskatchewan. The members of the government opposite, Mr. Speaker, need to learn and need to have implanted clearly and irremovably in their heads what the rights of this House are. They will learn what the rights of this House are. They will learn, Mr. Speaker, what the rights of an opposition, no matter what size of opposition, in the British parliamentary tradition are, because they will learn that the rights of the opposition represent and carry with them the rights of over 200,000 Saskatchewan citizens. You are going to learn and you are going to learn before this session adjourns. And you are going to begin by listening to what some of your colleagues in Ottawa had to say about omnibus bills.

Mr. Speaker, on March 1, 1982, a Mr. Harvie Andre, who will be known to members of this House, was quoting from Beauchesne's *Parliamentary Rules and Forms*. I want to read into the record, Mr. Speaker, from page 3, "Content and Sources of Parliamentary Procedure" paragraph 1, entitled "Principles of Parliamentary Law," and I quote:

The principles that lie at the basis of English parliamentary law have always been kept steadily in view by the Canadian Parliament; these are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; . . . to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.

Mr. Speaker, that's what Harvie Andre had to say on March 2 when speaking with regard to an omnibus bill that affected not 116 pieces of legislation, not 35 pieces of legislation, but 14 pieces of legislation — only 14 pieces of legislation. And if that was an omnibus bill, what do you call this?



John Thomson, member of parliament for Calgary South, on March 1 said and I quote:

I believe that to present a bill on such a complex subject in this fashion is a gross abuse of the government's power.

And that is precisely what we have here, Mr. Speaker, a gross abuse of the government's power — pinned on, based on and demonstrated by arrogance. It is demonstrated by being drunk with power. On March 2, Mr. Andre said with regard to omnibus bills, and we make the argument that this is, Mr. Speaker, in its effect an omnibus bill:

We are in a circumstance, Madam Speaker, where literally the tyranny of the majority prevails in contravention of citation 1 of Beauchesne. There is absolutely no possibility of preventing the government from doing anything unless, perchance, some speaker was not so proscribed in the past as to say, "Yes, I will take action, even though it is establishing a precedent." If you cannot act because there is no precedent, nobody can ever act on anything. I humbly submit, Madam Speaker, that there is no protection of this Chamber from the tyranny of the majority in that circumstance.

I go on further, Mr. Speaker, in making the argument about the omnibus nature of this bill, and the action taken by the opposition in another parliament in Canada on another omnibus bill, an opposition made up of the same political persuasion as the members opposite. Again, I quote Mr. Andre, further on, from the March 2 House of Commons *Hansard*.

That is a precedent of enormous consequences, so much so as to render this institution absolutely meaningless, so much as to give effect to the often-made accusation that we have a four-year or five-year dictatorship. That is the impact.

I submit, Mr. Speaker, that the arguments that Mr. Andre made on March 2 with regard to another omnibus bill apply equally to this bill. Further on in *Hansard*, March 18, Mr. Nielsen said, in speaking to the same matter, and I quote:

One member of this House used the phrase, the other day, that private members of parliament are regarded as poor little parish priests. Unhappily, that member is right. We all wear the clothes of authority, but only a handful of the members of this House, the central ministers, have any real authority. That, sir, is wrong.

On the same day, Mr. Speaker, speaking on the same matter, Mr. Clark said, and I quote:

Our system has been changing for a long time, gradually giving more power to governments and parties, and gradually limiting the rights of parliament, the rights of private members, and of the people we all represent. If that continues we will waste the talent of the hon. members who serve here, lose the trust of the people who sent us here, and gradually erode our democracy. We cannot let that happen.

And he went on to say, Mr. Speaker, and I quote again from Mr. Clark:

We are here to pass good laws and to prevent bad ones, but we are also here to protect the symbol and the instrument of democracy in a free country.

And I submit, Mr. Speaker, that this Assembly, that this legislature, that this parliament is the symbol of freedom and democracy in a free country and in a free society, and that Bill 16 would strip this legislature and this Assembly, and thereby all parliaments, of a great deal of the authority and responsibility hard-won and fought for over many centuries.

Mr. Speaker, I spoke briefly on the retroactivity in Bill No. 16. I want to refer to the same matter, and the same debate, that the Leader of the Opposition did, and read into the record the words of the Leader of the Conservative Party that day, in speaking about retroactivity. He said, and I quote:

We do not believe that it is possible for the Government of Saskatchewan to enact any legislation retroactively in relation to the \$0.5 billion.

They objected to retroactive legislation that would protect \$.5 billion of the money belonging to the people of Saskatchewan from the oil companies. There should be no retroactivity there, but it's all right to retroactively fire the boards of community colleges and public servants and the like, as Bill 16 would allow.

That leader of the Conservative Party of that day, Mr. Speaker, went on to say, and I quote . . . (inaudible interjection) . . . I think, Mr. Speaker, that someone is wishing to join the debate. I assure him that I will grant full opportunity (as all members of this House should have) and that you will grant him full opportunity to take part in the debate from his feet. The leader of the Conservative Party of that day said, and I quote from *Hansard*, November 23, 1977:

He knows full well that any further attempts by his Attorney General to come up with some tricky way of passing retroactive legislation are going to be questioned, are going to be questioned without doubt. I might cite, just for the sake of the record and for the sake of the Premier (I am not a lawyer, so I asked one of our caucus to draw these cases out).

We know that the former leader of the Conservative Party was not a lawyer. We know that there is a chance he may have been aware that the present Attorney General, who was then a member of his caucus, was a lawyer and he could have drawn these cases out for him. And the leader of the Conservative Party of that day said:

I draw these cases to your attention, Mr. Premier, just so that you might look them up, pertaining to retroactive legislation: the Attorney General of Ontario on reciprocal insurers, 1924; and here is one they tried again and failed in re The Insurance Act of Canada, 1932. They got shot down again.

That was the view of the Conservative Party on November 23, 1977, when it came to retroactive legislation that would have prevented the oil companies from taking \$0.5 billion out of the pockets of the taxpayers of Saskatchewan. They were opposed to that kind of retroactive legislation but they are not opposed to this.

Mr. Speaker, I know that others of my colleagues will wish to join the debate and continue the debate on this bill and I know that members opposite wish to join the

debate. Let me conclude, Mr. Speaker, by saying to the members opposite that you are going to learn to recognize that unless you are prepared to withdraw this bill and bring in these acts one at a time (because no one believes that you need that kind of sweeping power to amend 116 acts), bring in legislation specifically regarding the acts you wish to amend (whatever that number is — 10 or 12 or 15), you're going to be here a long, long time before this House adjourns.

I trust that the Attorney General and the House leader will call a caucus meeting. The Attorney General is right; you don't have to do that. We can't tell you to do that and we're not telling you to do that because you won the election and you have the power and, in the words of the Attorney General, that power means that he can do anything he wants to do. Well, we're going to point out and demonstrate that this House also has some power, and the power of this House belongs to the people, and that you control this House so long as you have and can sustain the moral authority to control it. And until you're ready to withdraw this omnibus bill with these broad, sweeping powers, you don't have that moral authority.

**SOME HON. MEMBERS:** Hear, hear!

**MR. KOSKIE:** — Mr. Speaker, I want to continue my remarks, which I began previously. I want to say that last evening I spoke in this House in respect to the proposed amendments to The Legislative Assembly and Executive Council Act. I want to say that I spoke at that time of my concern with the direction of this government — the growing arrogance, the growing trend that cabinet is all-powerful, and that this House will no longer be the debating forum of change of legislation, and government accountability.

Mr. Speaker, I want to say that there is growing evidence that the Premier and the cabinet have allowed the recent electoral victory to go to their heads. It is my belief that they have misinterpreted their victory to mean that they can now rule supreme, that they somehow can circumvent this legislature and the accountability to the people who elected them.

Mr. Speaker, the amendments to The Interpretation Act is a clear indication that this new power gained by government members has clearly gone to their heads. And I want to say that if it goes on unchecked, it will indeed undermine the function of this House and the very democratic process for which we stand.

Mr. Speaker, I want to look at the analysis of what is disturbing me. I want, first of all, to draw a list of items of major concern. I want to say that, first of all, this is not just one piece of legislation that we're looking at of great concern to the opposition. And I want to say that there is other legislation which equally undermines the function of this House. As I said, Mr. Speaker, there are a number of things that I have looked at that are of great concern.

I think the first thing that concerned me greatly was that shortly after being elected, the Premier of this province stood up and, in addressing the deputy ministers of this government, indicated to them that no civil servant shall carry a political membership. I want to say that that is the trend; that's where it started. I want to say that that rocked the province of Saskatchewan and, indeed, it rocked the confidence of the civil servant.

In the first two weeks of his premiership, to stand up and say, "I deny any civil servant the right to hold a political membership" is a great start for a Premier who was going to bring to this province a new freedom and a new participation in the New Jerusalem

which he was going to create. That was the first statement by the Premier of this province. I want to read it as it was reported to me:

We expect the public service to be thoroughly professional, entirely loyal at all times.

**MR. SPEAKER:** — Order, order! I am having difficulty relating what the member is reading into the record to the bill which is before the Assembly.

**MR. KOSKIE:** — Very clearly, Mr. Speaker, what I am doing is establishing a principle of government action leading to the implementation, the freedom of direction, the elimination, the steps that have progressively been taken and built up that lead to and precipitate this type of legislation. I want to say, Mr. Speaker, that is the first evidence that the powers of this House and the powers and the rights of the citizens of this province are going to be curtailed.

I want to say, further, there is other evidence of the actions of this government leading up to this bill which indicates the sinister moves of this government — the unfettered power that they seek for themselves, the misinterpretation of the rights that they have as a result of their winning the election. I want to say that the mass firings is the problem which is confronting the hon. members. As my honorable friend indicated, they were concerned because they goofed. They have problems. They say they want to bring in a bill to remove the political hacks from all of the boards and commissions. That is what they are saying. I want to go through the report of the Attorney General, Gary Lane, where he indicated clearly:

Many of the 2,800 members of the various boards and commission are one-, five-, and seven-year political appointments.

I want to say to him (as has been done in this House before), we have looked at the appointments. We have looked at the membership of those boards. We have looked at the total number of acts which the Attorney General or the Executive Council has full control of at pleasure. They may have problems in about one-third of these acts . . . (inaudible interjections) . . . Go ahead. The Attorney General was laughing until he spoke last night, and then he put into the record exactly what we wanted him to say. We'll read that into the record.

**AN HON. MEMBER:** — It's in the record you said?

**MR. KOSKIE:** — It is. And I will read it in the subsequent days during this debate. As I said, Mr. Speaker, there are a number of things leading up to this bill — actions of the government which are, indeed, disturbing.

I want to say, Mr. Speaker, that in respect to the amendments of The Interpretation Act, as was indicated by the Leader of the Opposition, this act goes far beyond removing members of boards and commission. Section 15(1) says:

Subject to subsection 2, notwithstanding anything in this act, or any other act, or in any order, regulation, or agreement, where a person is a member of a board, commission, committee, council or other appointed body of the Government of Saskatchewan or any of its agencies or crown corporations on the day on which the Executive Council is first installed.

I want to say that it deals not only with the appointments, but with any order, any regulation or agreement. It has been pointed out that if the hon. members wish to change a number of appointments, that can be done. It can be done by bringing into this House the various pieces of legislation governing the appointment of commission members or board members within that legislation. They can bring that in here and introduce changes, and as has been pointed out, certainly they can contact some of the members of the boards and commissions to determine whether or not they are prepared to resign.

I want to tell you what has happened, and I will give you an example. I would like the Deputy Premier to listen to this. I know a constituent of mine, who is the chairman of the PAMI (Prairie Agricultural Machinery Institute) Board in Humboldt, and I want to say that he had done a very good job, but with the change of the government, just as the Leader of the Opposition did, this gentleman phoned the Deputy Premier.

**AN HON. MEMBER:** — Who?

**MR. KOSKIE:** — The chairman of the Board of the Prairie Agricultural Machinery Institute phoned the Deputy Premier. He spoke to him. He said, "I am prepared to tender my resignation to you. I am prepared to resign. You know what my politics are, but in running the PAMI Board I have run it independently of any interference." And he has done a good job, confirmed by the Deputy Premier.

I want to say that in this province — think of it — we have had 55 per cent of the vote in support of the New Democratic Party at various times.

**AN HON. MEMBER:** — When?

**MR. KOSKIE:** — In '71. We had 47 or 48 per cent in 1978. Yes, we did — 55 per cent. And I am saying that the cross section of people who belong to a political party at any given time will vary. And I am saying that what may have been a Tory yesterday could in fact be an NDP member today.

There is a shifting of some of the voters of Saskatchewan, and to classify all of the honorable people acting on boards and commissions as political hacks is an insult to those people.

I want, just as I did the other day, to take a look at two or three of these boards, just to illustrate to the back benchers over there that the process which was established makes a lot of sense. If we take the alcoholism commission, each member of the commission "shall hold office in appointment of the commission for a term of three years and thereafter until a successor is appointed." The chairman and three other members of that commission:

" . . . shall hold office at the pleasure of the Lieutenant Governor in Council, and the remaining members first appointed to the commission shall hold office for the following terms, and part of them, one-third, shall be for a term of three years. One-third shall hold for two years, and the balance for a term of one year."

What I am saying here to this legislature, Mr. Speaker, is that the members who represented us in the past came into this legislature and passed various bills outlining

the way in which the term of office and the way in which the members of boards and commissions would be appointed. I want to say that at that time it was agreed to, because that legislation passed.

Today what the Attorney General is attempting to do is to come into this legislature . . . He does not want to bring in individual bills where boards or commissions or the membership or the term of appointment is of concern to the government. Perhaps there are some where there is concern. But for him to come forward with one bill which will totally usurp all of the functions of the other bills which were developed in this legislature, I want to say that this bill is bad. It is bad as a precedent; it is bad from the standpoint of removing from this legislature the right of accountability in debate.

First of all, I disagree with the Attorney General in classifying all of these people as political hacks or political appointments. Others have gone through the various commissions and appointments. The alcoholism commission, Dr. Saul Cohen — is he of concern to the Attorney General? There is David Kelly from Regina, who, I believe, is a civil servant — is that of concern to him? There are others here equally, who I would ask the Attorney General to name.

Secondly, we have to clearly understand that the method of changing the appointments or the terms of office is indeed an undesirable method. I have said before that in every one of these commissions, which have been set up, there is a specific act. I want to say that we have a number of acts governing the appointment of the boards. Certainly, for the Attorney General to come forward with this which would deny the rights of all of those people under the various pieces of legislation . . . This is a piece of legislation which I would suggest abrogates more rights than this legislature has ever seen before.

Retroactivity — I want to say, when we were introducing legislation in this House, proponents against retroactivity were indeed the hon. members opposite when they were in opposition. Here in this bill, not only do they go beyond the purview of the commission members and board members, they go right to the basis of any agreements that have been made by individuals with the government. I want to say that normally, with an agreement the recourse of an individual should not be taken away by a statute. If there is an agreement with government, the recourse and the method of looking at a proper settlement is through the courts. And here in this piece of legislation they have included agreements.

As has been indicated by the Leader of the Opposition, the former premier, during his stay in office certain agreements were abrogated, but abrogated in a responsible manner, in that they were brought to this legislature where they could be debated, where the rights of the individual were made clear. The problem with this one is that we don't know whose rights are going to be affected. It could be hundreds of civil servants. It could be people who are employed by contract with the government. But certainly, I don't think that this legislature should approve a piece of legislation in which there is no accountability, and where the individual's rights are not protected.

I want to say that this piece of legislation is a very vicious piece of legislation. It is one of the most vicious pieces of legislation that has been introduced, and it is introduced in the first session, in the first term, within the first three months of a new government.

I want to say why this is such a bad piece of legislation, Mr. Speaker,. First of all it characterizes all of those good citizens who have given their time and energy to serve

on boards as nothing more than political appointments. I think nothing could be further from the truth in this regard. I think as we look at the appointments on those boards and commissions, we can find individuals of every political stripe. I believe that most, and all of them, are there to serve this province and not there for political purposes. The characterization, it seems to me, of all of these people on these boards is an insult to hundreds of Saskatchewan people who so willingly gave of their time and effort to serve on these boards and commissions.

Mr. Speaker, I really want to plead with the Attorney General to reconsider what he is doing here. I ask him to let reason prevail, rather than unfettered power. I want to say, with all the sincerity that I can, that this bill has devastating consequences, because it clearly erodes the power of this legislature. It tramples on the whole established principle of appointing members to the boards and commissions that was established and set out in the various acts. It introduces retroactive legislation against a group of individuals unable to challenge that retroactivity.

There are problems always with retroactive legislation — major problems. I want to say that when retroactive legislation strikes out against a group, at a time when that group is not even identified or aware that it's being legislated against . . . Retroactive legislation, I suppose, with respect to a multinational corporation or with respect to resource development and resource royalties, is bad, but I want to say that a large corporation, with the best of legal advice and with its wealth, can stand up and challenge retroactivity. In many cases they have, and they have done it successfully.

I want to say that here, Mr. Speaker, is retroactivity against a group of individual citizens of this province — citizens who have not been identified in this legislature but whom this bill retroactively seeks to destroy. I want to say clearly that this is a bad piece of legislation. It tramples on the established principle of appointing members to boards as set out in previous legislation. Also, it assumes falsely that all members on boards and commissions are political appointments and, by inference, are political hacks.

Certainly, Mr. Speaker, as one looks at this piece of legislation, and at some of the boards and commission that have been appointed, clearly one will see that in various pieces of legislation this legislature decided on a procedure and decided on the numbers. I want to say that in the establishment of many of the boards representation comes from, perhaps from the college of physicians and surgeons, perhaps from the legal fraternity or from the bar association (the legal profession). These systems have worked well in the past. I want to say that governments have come and governments have changed and there was no need for this type of sweeping legislation with its retroactivity.

Then a new Attorney General comes into the legislature, and in the first session (a session which was going to be for the implementation of the two major planks in their program) . . . That's good, but then they come forward with a piece of legislation which is going to trample on the rights of many citizens of this province. They ask us, I suppose, as a small opposition, to fold our tents and sort of let this slide by. Every member in this legislature is affected and will be affected in the future by this type of legislation. I think it is incumbent on us as an opposition to raise the issue of the significance of this legislation. I hope that through the communication and the press to various groups like the legal profession, university groups and human rights associations, they will take a look at what is happening here during this first short term of this legislature.

Mr. Speaker, I want to say that I am indeed saddened that this government, which was given such a huge mandate, such a responsibility to carry forward, with the trust which the people of Saskatchewan gave it, introduced as its first major piece of legislation a bill which will trample the rights of people who have served this province so well. It is a sad day for this legislature when we have this piece of legislation. As I said, it is a sad day because the process was in place. It was a process which worked well and which other governments used. But no, it was not for this duly elected group of people, this government.

I want to say that this legislation should be pulled. I think it should be put on the back burner to give the backbenchers of the government side an opportunity to see it and to understand the impact that this bill could have. I want to say that there is concern about this legislation — real concern. The Attorney General with his massive majority will, I suppose, be able to put it through this session, but I want the record to show that the member for Quill Lakes stood in this legislature and did his bit in attempting to preserve the rights of people who would be trampled by an arrogant Attorney General.

I want to say that his arrogance has been demonstrated clearly, for he stood in this House last night, when we challenged the amendment to The Legislative Assembly Act, and said to us that they are the government. They're going to tell us boys what to do. We're not the government and they'll do what they want. Well, I'll tell you . . .

**AN HON. MEMBER:** — Tell them about potash; tell them about it.

**MR. KOSKIE:** — All right, I'll draw a parallel. Here today . . . (inaudible interjection) . . . That's all you can think of. I'll tell you one thing. I don't have to be concerned because we can look after ourselves and don't need authority. I'll tell you that. That's the best defence.

Last night I thought the Attorney General would get up and bring some evidence to this House. I thought that when he introduced this he would outline, at least to this legislature, the basic need for it. But I want to say that he didn't outline. He characterized every individual on every board and every commission as a political appointment. I think it is a disgrace for the Attorney General to put that forward . . . (inaudible interjection) . . . The hon. whip of the opposition said, "What about the potash?" I suppose what he's saying is: are we to compare this with what we were doing in getting the people of Saskatchewan their resources? I wonder if that's what he's saying — that there is a complete comparison. I want to say that, in getting the potash, what we did was bring power back to the people of Saskatchewan. What this legislation is doing is, in fact, destroying rights.

I want to say, Mr. Speaker, that the business of the House has to be negotiated through the House leaders. I want to say . . . (inaudible interjections) . . .

**MR. SPEAKER:** — Order, order! The hon. member for Quill Lakes has the floor.

**MR. KOSKIE:** — Thank you, Mr. Speaker. I want to say a number of things in respect to this vicious piece of legislation introduced by an arrogant Attorney General. I want to go through the basic principles which were enunciated by my colleague. Citation 1 of Beauchesne's says:



The principles that lie at the basis of English parliamentary law have always been kept steadily in view by the Canadian Parliament; these are: To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every Member to express his opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.

I want to say that the Attorney General is not necessarily acting upon impulse, but is acting upon his arrogance and the arrogance (let's face it) of the Premier. In regard to this piece of legislation here today, I say that we must not only address our concerns to The Attorney General, but also we must address our concerns to the first minister of this province, the Premier. He has not come in and entered into this debate, nor has he commented in respect to the need for it.

The people of Saskatchewan are listening. The people of Saskatchewan are going to hear. The people of Saskatchewan are going to react against this vicious piece of legislation.

I want to just take the hon. members through a couple of other boards. First of all, in respect to the cancer foundation, I want to say that here we have appointed a physician, agreed to by the minister in the counsel of the College of Physicians and Surgeons. And you know what? The members opposite classify him as, in fact, a political hack.

Yes, I want to say, as has been said before, that there are a number of individual boards or commissions in which there may be appointments for a considerable length of time. The local government board — I believe the appointments there are for 10 years. And I want to say that it was a direct, purposeful action by this legislature to give them that term, because of, as was indicated, the nature of the work that they're doing. And I want to say that certainly if the opposition has some problems in given areas, then why wouldn't it come forward and come clean. Come clean; don't hide behind this one sweeping bill. Why not come forward and outline to this legislature what the intent, the deceitful intent, behind his bill is?

I want to say that there is going to be a reaction to this bill. And I want to say that I hope that the other members of the government side will in fact participate in this debate. And the reason I say they should is because if they're convinced that this is a good piece of legislation, then surely we should have more than just the Attorney General, whose credibility is somewhat lacking in many quarters — in many quarters.

I want to say that this legislation should not be proceeded with. This legislation should not be proceeded with. Indeed, I say, Mr. Speaker, that we intend to discuss this legislation in order to attempt, at least to go beyond the Attorney General, to speak to other hon. members there, to speak to the Deputy Premier, to speak to other backbenchers and ask them to take a look at the direction we're going here.

Certainly, Mr. Speaker, in respect to this bill, as I have said before, it is dangerous in that it has wide, sweeping powers to affect the rights of people who are not identified, a lot of people who do not even know that this sinister bill is being passed — sinister, arrogant, power-hungry. I want to say that this is a disservice to the people of Saskatchewan . . . (inaudible interjections) . . . Certainly it is . . . (inaudible interjections) . . . I can't. I'll tell you.

I want, Mr. Speaker, just to indicate that I do have concern, I do have concern about arrogance. I want to say that the attitude being taken toward this bill by the opposition is exactly the same position that is taken by the Attorney General with respect to other bills.

I want to say that what I fear is the arrogance of the Attorney General, the power grab, the trampling on rights. Here is what the Attorney General had to say last night:

Let me tell you something; you people are going to have to learn something that you haven't learned yet through this whole sessions. That is, you lost the election, fellows. We agree. You aren't the Government of Saskatchewan anymore. You don't call the shots anymore. You lost. On April 26, you went from this side of the House, all along here, to a little corner on that side of the House.

Then he goes on to say:

. . . figuring they are still the government and that they are still calling the shots and still running the province of Saskatchewan . . . Mr. Speaker, do they ever have a lesson to learn!

He goes on. And this is the key one:

And anything we can do to make cabinet more responsive to the people of this province we will do, and we won't apologize to anybody.

He says, "You lost in a very big way on April 26," and he went on to say that what he would do is exactly what he liked to do — exactly. He said no one will stop him from amending The Legislative Assembly Act and I guess he will be saying the same thing here in this House — that no one in fact will be stopping him in respect to this act.

I want to say, Mr. Speaker, as I have said before, I do, in all sincerity, plead with the Attorney General . . .

**HON. MR. BERNTSON:** — I would reluctantly call it 5 o'clock. I am very disappointed that the opposition wouldn't let the Lieutenant-Governor in to get our Bill No. 1 through. But in light of the fact that the clock is . . . In fact I would call it 5 o'clock.

The Assembly adjourned at 5:01 p.m.