

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

July 12, 1982

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

QUESTIONS

Employment of Graduate R.N.s

HON. MR. BLAKENEY: — Mr. Speaker, I have a question for the Minister of Health, and, in his absence, I will direct it to the Premier. My information is that approximately 125 nurses are graduating from R.N. courses this spring, at this time in Saskatchewan and that, of that number, only about 25 have been offered jobs as R.N.s in Saskatchewan. I am told that a number have been offered jobs in Newfoundland, with travel expenses paid, if they will stay a few weeks. If this is so, then it must put Saskatchewan as number one in the health field in giving our graduates the worst deal. Surely, that's a very shoddy performance for Saskatchewan.

My question to the Premier is this: can he confirm that the figures I have quoted are approximately correct, and, if so, will he now instruct the Minister of Health and the Minister of Finance to arrange that hospitals be given funds to keep beds open this summer, to reduce waiting lists, and to give employment to people who do not wish to leave this province in order to obtain employment?

HON. MR. DEVINE: — Mr. Speaker, I just don't have that information with me. I would ask to take notice and reply as soon as I do have that information.

Major Tax Reduction Programs

MR. KOSKIE: — Mr. Speaker, I would like to direct a question to the Minister of Finance. The minister will be aware that during the election campaign his party made two major promises: (1) to reduce income tax by at least 10 per cent, and, (2) to eliminate the E&H tax. As the minister will be aware, a 10 per cent reduction in the provincial income tax will amount to about five points. At \$12 million per point, it will be about \$60 million. Also, an individual reduction of one point in the E&H tax will amount to \$70 million, or if you eliminate the total E&H tax it would be \$350 million. Can the Minister of Finance indicate whether these major tax reduction programs are intended to be included in his first budget as has been indicated by the Premier, since he was elected?

HON. MR. ANDREW: — Mr. Speaker, I think any political party coming into power makes commitments in priorities. Obviously, the priorities of this government were that we had to address the question of inflation, we had to address the question of interest rates. We have moved with our elimination of the road tax on gasoline. That has done a lot in this province to deal with the question of inflation for a lot of people. We made a commitment and we followed it through last Friday with the 13.25 per cent mortgage bill. That program is helping 50,000 home-owners in the province of Saskatchewan with their mortgages. That is by far the best mortgage program, not only in Canada but in all of North America. Those we saw as the two primary promises of the Progressive Conservative Party. We felt obligated. We felt it was proper that those be brought in

during the early stages of this House and, as a result, we have acted in this initial session. Our intention, of course, is to bring this province into the 21st century. We intend to encourage development of business. We encourage this province to grow like it has never grown before, Mr. Speaker.

AN HON. MEMBER: — Point or order.

MR. SPEAKER: — The hon. member knows that we cannot take points of order during question period.

HON. MR. ANDREW: — With regard to the question, Mr. Speaker, as to when we intend to make further tax cuts, we intend to make further tax cuts down the road in our four-year term of office. That is what our commitment was. It was not that we were going to cut it the day after the election. It was that we are going to move this province ahead. We are going to make this province number one. As we move ahead, we are going to pass those benefits onto the people by way of tax cuts and not onto the crown corporations, nor will we use them to create more crown corporations. Our view is that that money is going back to the people.

SOME HON. MEMBERS: Hear, hear!

HON. MR. ANDREW: — That will be developed, Mr. Speaker, in the next four years in each of the budgets.

MR. KOSKIE: — Supplementary, I would like to ask the minister whether he has, in fact, costed out those two major tax reduction provisions, and would he indicate what the cost to the provincial treasury will be to eliminate the sales tax, the E&H tax?

HON. MR. ANDREW: — Mr. Speaker, by and large, it doesn't take a wizard to cost out those programs. You simply look at the blue book presented by the members opposite in March. Then, you take it and divide that by five or four, whatever it is going to be. Perhaps the member opposite could look at it that way. We are, in fact, costing out a lot of things, Mr. Speaker. Unfortunately, some of the things we have costed out and found have not been to our liking, like the \$200 million surplus turned into a \$200 million deficit. We don't like that very much.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — I have a further supplementary, Mr. Speaker.

Would the Minister of Finance indicate whether, in fact, it is true that, without introducing these two major tax reduction provisions and promises, he intends to run a major deficit, as he indicated in his interview over the weekend?

HON. MR. ANDREW: — Mr. Speaker, I think I can make clear the statement I made to the House as to the situation that we found the Government of Saskatchewan's books in when we took office. We expected a \$200 million surplus. That, in fact, to our chagrin was a \$200 million deficit. Our view is that we are going to bring in efficient efforts, we are going to bring in effectiveness measures, so that we can bring in a program, Mr. Speaker, where we have a balanced budget on that trajectory, on that line, over the next four years.

SOME HON. MEMBERS: Hear, hear!

HON. MR. BLAKENEY: — A new question to the Minister of Finance. I quote from an advertisement authorized by the Kindersley Progressive Conservative Association and referring to eliminating the 5 per cent sales tax on clothing, etc.: "This measure will be the first phase of a new PC government's commitment to the complete elimination of the sales tax in its first term of office."

My question is: does that commitment still stand?

HON. MR. ANDREW: — Mr. Speaker, if I may answer again the member opposite, the concept of the Progressive Conservative government of the province of Saskatchewan is to take the benefits of our natural wealth, whether it be oil, potash, uranium — whatever it might be — and pass them on to the people. Obviously we are going to move on that; we are committed to it. I think that anybody who suggests we have not made our commitment simply has to look at the elimination, by the Premier, of the 40 cent per gallon tax on gasoline, and the move by this government to bring in 13.25 per cent mortgage legislation in the first session, less than two months after being elected. I would say that's a pretty fair performance for any government in any province.

SOME HON. MEMBERS: Hear, hear!

HON. MR. BLAKENEY: — Supplementary question, Mr. Speaker. I'm sorry that I didn't catch the minister's answer. The question again was: is this statement accurate or inaccurate? "This measure will be the first phase of a new Progressive Conservative government's commitment to the complete elimination of the sales tax in its first term of office." Does that commitment still stand?

HON. MR. ANDREW: — Mr. Speaker, the first phase of the program obviously will be coming when we present our budget come next March. There's where you'll see the first phase of a Progressive Conservative government. With regard to the budget that will be coming in later this year, it's simply a recycled effort from what the members opposite put forward prior to the election, Mr. Speaker, in a budget that was soundly rejected by the people of Saskatchewan.

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. I'm sorry I didn't catch the answer again. The question is: with respect to the Progressive Conservative government's commitment to the complete elimination of the sales tax in its first term of office, does that commitment stand, is it qualified, or are you saying no?

HON. MR. ANDREW: — Mr. Speaker, one more time. The position of the new government is that we are going to move toward turning money back to the people, and that means eliminating and removing the sales tax on as many products in this province as possible. We will be doing that over the next four years, Mr. Speaker, and I tell you and the people of Saskatchewan that the commitments we've made, the commitments that we have delivered so far, are not going to stop today. They're going to continue this year, next year, and not for the next term but probably two, or three, or four terms down the road.

SOME HON. MEMBERS: Hear, hear!

Farm Purchase Program

MR. ENGEL: — Mr. Speaker, in the absence of the Minister of Agriculture I direct my

question to the Premier. In light of what the Minister of Finance has been saying concerning commitments to reducing the load, the farmers are found wanting. The elimination of the gas tax cost the farmers a \$65 million advantage that they had because they were buying their gas more cheaply. They are getting \$65 million less in relationship to what the other people are getting. In light of land bank, there was \$40 million there available this spring for young farmers. Can the Premier tell me when he is going to introduce the promised \$350,000 farm purchase program to help young farmers who are in serious trouble? Young farmers were counting on the land bank to help them stay in farming this year on the lease-back program. Can you tell me when that program will be introduced?

HON. MR. DEVINE: — Mr. Speaker, in response to the minister . . .

MR. ENGEL: — Thank you.

HON. MR. DEVINE: — . . . the member opposite, as I've said many times the intention of our administration is to control costs, not to control the farmer. The land bank program designed by the former administration was categorically rejected by the people of Saskatchewan. And yet the members opposite continue to relive the election, and they continue to relive the results of April 26. Our program is to reduce the costs of farming as opposed to controlling the farmer. We are designing a program to help young people own the farms as opposed to the government buying the farm. There is a significant difference.

SOME HON. MEMBERS: Hear, hear!

HON. MR. DEVINE: — Mr. Speaker, I think it is fair to point out that there must be a fair number — I believe, one, two, or three or four — of members opposite who are farmers, and they do drive cars. And a great many agricultural and rural people have to provide finances for school buses. With the combination of driving their cars to and from church, or school, or to major cities or metropolitan areas, or getting their children to school, the gas tax savings . . .

AN HON. MEMBER: — When

HON. MR. DEVINE: — When? We've already done it. We have reduced the cost to rural people to a very large extent. That is the first move and there will be many more to come.

MR. ENGEL: — Supplementary, Mr. Speaker. I listened very carefully. I never heard the Premier answer. When is the Premier (and these are the words I used) going to introduce his farm purchase program of \$350,000 to farmers, which would alleviate the problem these young farmers, who were anticipating getting that \$40 million, are having? They lost that \$40 million because you didn't like what it was doing. They lost that \$40 million advantage. When? This year, next year, this fall, August, September?

HON. MR. DEVINE: — Mr. Speaker, right now we are designing a program to allow young people in the province of Saskatchewan to purchase the family farm. It is not to have the government purchase the farm, but to have the young people purchase the farm. Young people under the land bank program did not benefit by owning farms. They didn't, not at all. We are designing a program to have the young people own the family farm. When that program is in place so that we can make sure that it is absolutely functionally efficient so that the young people can take full advantage of purchasing

the family farm, we will be introducing it into this legislature.

MR. ENGEL: — Mr. Speaker, one more time. My hearing is bad, but it's not that bad. When are you going to introduce a program that will help a young farmer who is in trouble? He was going to sell a quarter of land to the land bank. He got a letter from the land bank saying that there is going to be \$100,00 that he could have . . .

MR. SPEAKER: — Order, order. In asking a supplementary, you are now allowed to give a lot of information, but rather to ask a question. Would the member ask his question?

MR. ENGEL: — Could I have a new question then, Mr. Speaker? I'll word it like this. A young farmer saw me this weekend. He's serious. He's going to lose his farm. He was expecting to get \$100,000. He got a letter from land bank. He took this letter to the bank; he got an advance on that letter, and then he got a letter back saying that the program is cancelled. He's going to lose his farm. When are you coming up with your new program to help that young farmer?

HON. MR. DEVINE: — Mr. Speaker, it's impossible for me to speak to specific cases, but the program is designed to help people buy farms, not sell the farms to the government. Mr. Speaker, if I could make this very, very clear to the members opposite, the program that is being designed here is not being designed to sell the farm to the government. It is being designed to help the young people buy the farm from the government, and there's a significant difference.

SOME HON. MEMBERS: Hear, hear!

HON. MR. DEVINE: — And when we get that program designed the way it should be, so young people can buy farms instead of selling them to the government, you'll be the first to know.

SOME HON. MEMBERS: Hear, hear!

MR. ENGEL: — My first supplementary. Will that program design include young farmers who are in trouble, such as the ones I mentioned?

HON. MR. DEVINE: — With respect to the qualifications of the young farmers, we will provide those with the legislation, and again we'll advise the Assembly and, indeed, the public of Saskatchewan, as to the qualifications of the young, bona fide farm people it is intended to help. So, I can say it is designed for young farmers, to help in the transfer of land from one generation to another and, indeed, from the government back to the people — to young, bona fide farm people, in general terms.

MR. ENGEL: — Final supplementary. I might have to give up on this, Mr. Speaker, but the farmers of Saskatchewan won't. When do you expect this program to be available? Will it be available before September? When do you expect that this program will be available for young farmers to assist them to hold on to their farms?

HON. MR. DEVINE: — Mr. Speaker, the program will be ready just as soon as we can provide it in a fashion that is as effective and as widespread as we can put together. We'll announce it as quickly as we can put it together.

HON. MR. BLAKENEY: — Mr. Speaker, a very short supplementary. This session has already passed 27 pieces of legislation — 24 pieces were government legislation —

and more are at the debate stage; in all, 44 pieces of legislation have been put forward by your government and none of them have included the piece of legislation to which you refer. Is it your opinion that the farm mortgage program will be in the next 10 pieces of legislation which are brought forward, or are there going to be another 20 or 30?

HON. MR. DEVINE: — Mr. Speaker, in response to the hon. member, we are getting representation from a wide variety of people in the agriculture sector and, indeed, from all across Saskatchewan as to how the program will function. We are drawing advice from people in agriculture to make sure that it is a program which will be well-accepted and well-received, that is, professional advice from people such as the dean of agriculture, and others. The minister knows more about that than I do, in terms of the specific people involved, but generally farm people are being involved in designing the program. When they have given us their full input, we will be announcing it; I don't suspect it will be the next few pieces of legislation, but when it is ready we will introduce it to the legislature.

Government Program Priorities

MR. HAMMERSMITH: — A brief question to the Premier. The Minister of Finance just completed a fairly lengthy description of the government's setting of priorities and of placing first priorities first, and we take it that the first priorities have been laid out before us. Are we to take it from that that Bill 9, the bill intended to look after payola to legislative secretaries, takes greater priority than the farm purchase program?

HON. MR. ANDREW: — Mr. Speaker, I'll respond to that particular question. Now obviously the main pieces of legislation of this particular session were elimination of the gasoline tax and, more particularly, the 13.25 per cent mortgage program. Mr. Speaker, we also committed ourselves when we started this session to bring in a public utilities review commission. That legislation is before this House. That legislation is going to go forward in due course. The rest of it, Mr. Speaker, with regard to our priorities, will be unveiled as this session unfolds, will be unveiled as this four-year period unfolds, and we're certainly not going to make that commitment at this particular time to those people over there.

Prince Albert Institute of Applied Arts and Sciences

MR. HAMMERSMITH: — A new question, Mr. Speaker, this time to the Minister of Continuing Education, since the Premier passed off his question to the Minister of Finance, who gave the same speech. I trust that the Minister of Continuing Education will be able to answer in his own right.

In light of the comments of the Minister of Northern Saskatchewan in the June 1982 edition of *Denosa* wherein he states, in referring to the institute of applied arts and sciences in Prince Albert, and I quote:

He admitted disappointment at the previous administration's decision to locate a new technical school in Prince Albert. "It was a political decision," he said, "I can't say it will or will not go ahead."

In light of those statements, my question to the minister is: is the government reviewing the matter of the Prince Albert technical institute, or has the government made a decision to proceed with or to cancel the project?

HON. MR. CURRIE: — Mr. Speaker, in reply to the hon. member, yes, this has been under review, and it will be announced in due course.

MR. HAMMERSMITH: — A supplementary to the minister. Is the government considering, during the review, a possible reduction in the size, or a reduction in the scope, of the program to be offered at the Prince Albert technical institute?

HON. MR. CURRIE: — Mr. Speaker, in my estimation "being under review" is taking a look at the total situation and seeing in what ways the previous government has been right and in what ways it has possibly been wrong. So "under review" would mean that we would look at all options and come up with what we consider to be the most viable educational offering.

MR. HAMMERSMITH: — A supplementary, Mr. Speaker. In the course of the review, has the minister held any meetings with the Prince Albert city council or with the board of Natonum Community College in Prince Albert?

HON. MR. CURRIE: — Mr. Speaker, as Minister of Continuing Education, I would welcome the opportunity of meeting with all representative groups throughout the province, in taking a look totally at what is being offered educationally in this province. But, unfortunately, with the time that we have been in power and with the number of days that have been devoted to sitting in the legislature, it just hasn't been humanly possible. But I assure the member opposite that as soon as it is possible to do this, it shall be done.

MR. HAMMERSMITH: — Final supplementary, Mr. Speaker. Will the minister make an undertaking today to make an announcement before the end of August with regard to the Prince Albert institute?

HON. MR. CURRIE: — Well, Mr. Speaker, I am afraid that I am not able to make such a commitment at the present time.

Friggstad Manufacturing, Frontier, Saskatchewan

MR. LINGENFELTER: — Mr. Speaker, my question is directed to the Minister of Industry and Commerce. In light of the fact that a family corporation at Frontier, Saskatchewan, is going to be closing its door, in essence, to manufacturing April 26, excuse me, July 26, for two months, laying off 100 employees, could the minister inform this Assembly whether he has met with Friggstad Manufacturing and whether any assistance has been offered in order that the manufacturing plant could remain open and these employees could have jobs?

HON. MR. ROUSSEAU: — Mr. Speaker, I would like to know what factory you are talking about. Are you referring to Friggstad? You should have mentioned that in your question.

AN HON. MEMBER: — He did.

HON. MR. ROUSSEAU: — No, he didn't. He talked about Frontier. First of all, I wasn't aware that they were closing on July 26. I will take notice of the question and come back with an answer for you.

MR. LINGENFELTER: — Mr. Speaker, a new question to the Premier, in light of the

absence of the Minister of Urban Affairs. I would like to ask the Premier whether or not he has met with the town council or intends to meet with the town council of Frontier, in light of the fact that this one-industry town will be facing very severe economic reductions, in light of the fact that the pay roll of 100 people probably amounts to about \$3 million per annum to the town of Frontier? That slip, when I said April 26 — with the closures that have started since that date, it is easy to make that mistake. Would he indicate to this Assembly whether or not he intends to meet with, or has met with, the people in the town of Frontier?

HON. MR. DEVINE: — I am not sure, Mr. Speaker, whether the Minister of Urban Affairs has met with the town. I haven't. But I would be prepared to take notice and respond as soon as I have the information.

Dismissals of Certified Employees

MR. HAMMERSMITH: — A question to the Premier, Mr. Speaker. Has any minister, or have any ministers, in your government personally dismissed any certified employees, that is, employees other than order in council appointments, from employment with the Government of Saskatchewan on, or since, May 8, 1982?

HON. MR. DEVINE: — Mr. Speaker, I am unable to answer that. I will take notice and get back to the member.

MINISTERIAL STATEMENT

Public Hearings on the Freedom of Information Study

HON. MR. LANE: — Mr. Speaker, I have a statement. I apologize to the House for my absence last week. The ads have now gone forth. I am pleased to announce that Mr. E.M. Culliton has agreed to hold public hearings on the freedom of information study. The hearings will be held during September in Regina and Saskatoon. The dates and places of the hearings will be announced at a later date. I must state that this contrasts with the approach of the previous government, which refused to hold public hearings on the very vital matter of freedom of information.

To date, Mr. Speaker, Mr. Culliton has interviewed the editors of the daily newspapers in Regina, Moose Jaw, and Saskatoon, and the editor of the *Western Producer*. He has as well, interviewed the news people of all the television and radio stations of Regina, Moose Jaw, and Saskatoon. He will shortly be interviewing the editor of the Prince Albert *Herald*, and the news people at the radio and television stations in Yorkton, Prince Albert, North Battleford, and the radio station in Swift Current. Further, Mr. Culliton will be interviewing those involved in the Ontario freedom of information study and the Ontario commission. When these trips are completed, Mr. Culliton will have discussed the freedom of information problems with all those involved in the news media in Saskatchewan. I am advised by Mr. Culliton, as well, and was a little surprised to find out, that there is a group of people whom he met with which I didn't know existed. They are a group of investigative reporters in Regina. Mr. Speaker, at our request, Mr. Culliton has, in fact, agreed to public hearings on this very vital matter and they will be held in the month of September at dates and places to be announced later. This is a further effort of our government to open up the process of government to the public of Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — I just want to make a comment, Mr. Speaker. Certainly, we welcome the indication by the Attorney General that the former chief justice, E.M. Culliton, will in fact be having public hearings. I want to say that the terms of reference under which Mr. Culliton was appointed, I take it, are exactly the same as under the former attorney general. Accordingly, the opportunity for full hearing was available at that time, as it is now. I want to say that any inference that there was any interference in the holding of public hearings is inopportune by the Attorney General.

POINT OF PRIVILEGE

HON. MR. THATCHER: — Mr. Speaker, before the orders of the day, I wish to respond to a point of privilege raised last Friday by the member for Prince Albert-Duck Lake. Mr. Speaker, it is my understanding that the member for Prince Albert-Duck Lake is suggesting that I deliberately misled this Assembly. It is my understanding that he is referring a letter written by me to a former employee of The Department of Mineral Resources, one Shakir Alwarid, and I apologize if I have butchered the pronunciation. Mr. Speaker, it has been suggested by the member for Prince Albert-Duck Lake that I indicated that I had not personally fired anyone in my capacity as minister. Mr. Speaker, I made that statement Thursday in the House. I repeat that statement today. I have not personally fired any employees.

Mr. Speaker, as far as the individual is concerned who was discussed on Friday, this individual was informed by the deputy minister, upon my instructions, on May 11 that he was terminated. It was suggested to him that if he so wished the standard severance or favorable severance that was being accorded to order in council employees would be available to him. He indicated at that time that he wished to discuss the matter with his attorney. Mr. Speaker, on May 12 the individual involved informed senior officials of the department that he would not leave the job, and that he was staying in his office under advice of his attorney. Mr. Speaker, this situation, this unacceptable situation, persisted for several days before ultimately, on May 17, I signed the letter which was tabled in this Assembly. Mr. Speaker, that letter was confirmation of the action taken by the deputy minister. There is no question Mr. Speaker, that the deputy minister was acting under my instructions. There is no question Mr. Speaker, I state categorically again, I have not personally fired any employees.

Mr. Speaker, I wish to go a little bit further. I suggest that the manner in which this was dealt with on Friday was reprehensible. And, Mr. Speaker, I would like to personally express my contempt and scorn for the former minister, the member for Prince Albert-Duck Lake, for the manner in which he has approached the matter without notice — particularly during my absence in this House — to get a cheap headline on the weekend. Mr. Speaker, I suggest that tactics like this, tactics which I think are reprehensible and disgusting, are indicative of why that pathetic little crew occupies the turf that they do in this Assembly today.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — Mr. Speaker, I'd like to make a few comments with respect to what has been said here in the Chamber. I want to say that certainly the minister was questioned as to whether or not he had indeed fired anyone, as to whether in fact a letter or telephone call had been made directly to an employee. I just want to point out that the answer is unequivocal in the record of *Hansard*.

I want to say that in this House we have to be able to depend upon the answers given by a minister. The reason it is set out in the parliamentary procedure that one can, in fact, rely upon the answer of the minister is the provision that a minister is under no obligation, first of all, to answer a question. That is set out in Beauchesne's. He may decline to answer a question, stating a reason for refusal. Also, if he is unsure of the facts, he has the opportunity to take notice of it to come back to the House and give an answer.

I want to say that here, although the minister was given two opportunities with the same question, he was very certain of the facts. Anyone who was in the House would have to agree that he couldn't have been more certain in respect to his answer. There was no qualification, no indication of any communication which was asked by letter or telephone.

I want also to indicate in respect to the definition of privilege, as set out in Beauchesne's on page 11 (and the House has been read the definition of privilege previously), that this House is not subject to the laws of general application in society, but this House makes its own laws. It seems to me Mr. Speaker, that we have to enforce them. In the operation of this House, we are dependent on the assumption that hon. members, at all times, beyond reasonable doubt, demonstrate integrity, and truthfulness beyond reproach.

I ask, Mr. Speaker, how can we expect citizens in society generally to respect the laws of this House and the laws which we pass in this House, if we do not, every one of us, respect the laws of this House, the rules of this House, which obligate that all answers be truthful?

I want to say that the minister raised an attack upon my colleague in respect to not having given him notice. I want to indicate to Mr. Speaker that a privilege must be raised as soon as possible. It had to be raised on Friday last, as soon as was practicable. I want to say that the hon. member, the Minister of Mineral Resources was not, in fact, in his place. While it is the practice of the British House of Commons that notice is given, I want also to indicate that the practice in Canada has been that privilege must be raised at the earliest opportunity. If it had not been raised Friday, the opportunity, in my view, would have been lost.

The minister, as I've said, was not in his place. As a consequence, no notice was served. I want to conclude this by saying that the practice in Canada has not been to notify the member unless he is in his place. That's the practice as set out in Canada.

I want to say, Mr. Speaker, that what we have had come forward is a variation from the record which is before Mr. Speaker to look at, a variation that is brought forward now in apparent defence of his unequivocal statement of the previous day. I want to say that this is indeed a very serious matter, because the whole integrity of this House, and the integrity of the political system, depends upon it. Mr. Speaker, in view of what has been placed before you, I would suggest to you that a prima facie case of breach of privilege has in fact been committed.

HON. MR. ANDREW: — Mr. Speaker, I would like to make a couple of short points with regard to this question of privilege. I think this is the important part of the question. Was the hon. member's question to the minister: did you terminate A, B or C? That was not the question. The question was: did you personally terminate the particular former civil

servant? The response to that, Mr. Speaker, was, "No, I did not." Given the defence by the minister, obviously, I would suggest that that answer is in fact correct.

I take it from that, Mr. Speaker, we can go back to the key thing with regard to a breach of privilege charge, which is: did the minister deliberately (and I think that's the important point with regard to privilege) mislead the House, and is what is before you, Mr. Speaker, *prima facie*? In other words, on the face, is there no other conclusion you can draw but that he deliberately misled the House? I think from the evidence advanced by the member for Prince Albert-Duck Lake on Friday . . . The minister was not in his place on Friday and unable to respond. He responded at the earliest possible time, Mr. Speaker, and gave what is clearly a defence to that suggestion. I say, from that, there is no deliberate intention to mislead the House, and there is no fundamental privilege of this House that is presently before you. To suggest, as the hon. member opposite has, that the Minister of Mineral Resources, now the Minister of Energy, somehow varied that is, in itself, a far more serious allegation than the one originally raised by the member for Prince Albert-Duck Lake.

HON. MR. BLAKENEY: — I would like to add a very few brief words. May I say I regret the comments made by the member for Thunder Creek and I think on reflection and in time he will regret them. We will see. My point is this. A reading of the transcript makes very, very clear that the member for Thunder Creek answered in the negative to a question of whether or not he had personally, in writing, fired any employee of the Department of Mineral Resources.

There is more than one way to mislead a person. We are not now splitting hairs; we are not now dealing with a legal document. We are asking what would be the ordinary meaning given to that question by anyone who heard it. Mr. Speaker, I will attempt to make my point.

We in this House must be able to rely upon statements by ministers, not by taking them out and analysing them to see whether some different construction might be put upon them, but rather we (and the public, by the way) must be able to rely upon statements as being fair and giving to the listener the facts. The public and bankers and businessmen must be able to rely upon statements made by ministers all of the time. It is the way we conduct our public affairs. The question period is a very serious part of the way we govern ourselves.

It is my submission, Mr. Speaker, that on the facts, whether as represented by the member for Prince Albert-Duck Lake or as represented by the member for Thunder Creek, the answer which he gave would have served to mislead the member for Prince Albert-Duck Lake. It would have been childishly simple for the member for Thunder Creek to say: "No, I did not; I did confirm, but no, I did not." He did not indicate that in any way he had dealt with this matter, and he left the impression that he had not. In fact, even on his analysis of the facts, I suggest that his statement had the effect of misleading members of the House and would have misled any ordinary person who listened to them, knowing what the facts are, even if we admit the facts as stated by the member for Thunder Creek.

I think that is the important point. We are not here to decide whether or not you can analyse those words and find a meaning to them which might square with the facts as put forward by the member for Thunder Creek. We're asking on the facts as stated by the member for Thunder Creek and, for the purposes of my argument, let us concede them. Even so, the answer which he gave would have served to mislead because of its

incompleteness. I think that is something which the member ought to have known, and the member ought to have appreciated. You have misled members of the House on both sides. In my judgment, therefore, the prima facie case is made that, even on the facts as admitted by the member, he has responded in a way which would have had the effect, given the words their normal construction, of misleading members of this House.

HON. MR. LANE: — I think the Leader of the Opposition misses a very important part of question period. It was obvious that the word "personally" was fundamental to the question asked by the hon. member, because he repeated it on several different occasions. In other words, it was important to the heart of the question. He want to know, and he asked the same question again today, Mr. Speaker, who personally fired. He didn't ask which ministers were responsible for firing. He very specifically is trying to find out which ministers were in the room talking to the individual civil servant, and he repeated it again today. I suggest the direction of his questions was very, very clear as to what his intention was, and the minister responded accordingly.

AN HON. MEMBER: — He could be fired by letter.

HON. MR. LANE: — Or by letter. But I would like to recall a precedent, Mr. Speaker, when members opposite were in power, and I remember a question asked by the then opposition to the then minister of industry and commerce, Mr. Vickar. A question was asked whether a loan of \$1.2 million was given to a certain organization, and he denied it. He denied it unequivocally. And we came back in, when we were in opposition, and said, "You did give \$1.2 million," and we raised the question of privilege. The defence was, "I only gave them \$900,000; \$300,000 was equity, not a loan," when it was known full well the intention of the question was whether \$1.2 million had been given to this particular company. So, Mr. Speaker, the precision of questioning is a very vital important part of question period, and that particular fact has been made clear to this Assembly on numerous occasions, and I believe there are very recent precedents for that point.

MR. SPEAKER: — Since I've heard a number of items of new evidence today, I am going to defer the ruling until I have had the opportunity to review what has been said by all concerned, and I will try to bring in a ruling tomorrow.

ANNOUNCEMENT

Royal Message on Birth Congratulations

MR. SPEAKER: — I have a message from Buckingham Palace, London. The message is dated July 9, and it reads:

The Hon. H. Swan and Members of the Legislative Assembly of Saskatchewan, Government House, Saskatchewan, Canada: The Prince and Princess of Wales have asked me to send you the following message:

We were both most touched by your very kind message on the birth of our son. We have been overwhelmed by the reaction to this exciting event and send our warmest thanks and best wishes. (From the private secretary to the Prince and Princess of Wales.)

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 and the proposed amendment thereto by Mr. Shillington.

HON. MR. BLAKENEY: — Mr. Speaker, I have spoken on this bill and accordingly confine my remarks strictly to the amendment, and wish to call attention to what I think is the substance of this amendment.

The substance of the amendment deals with the words in Bill No. 16 which relate to agreements. The bill in its operative provision provides that:

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 an Executive Council is first installed following a general election as defined in The Election Act, the term of office for which that person was appointed is deemed to end on the earlier of (a) the last day of the term for which he was appointed; or (b) a day designated by the Lieutenant-Governor in Council or the person who made the appointment.

It will be seen that this provision is designed to apply not only to people who are appointed by act or order or regulation, but also to people appointed by agreement. I am unclear as to whether or not the other provisions of the agreement are abrogated, or whether any provision of the agreement which deals with an appointment is abrogated. I think the legislation will not be clear on this point, however, it is not germane to my argument.

My argument is that we are being asked, in this legislature, to permit the Lieutenant- Governor in Council to abrogate agreements which may have been entered into pursuant to a very large number of acts. I do not know the full number, but it might well exceed 100. It is a very curious provision, Mr. Speaker. I cannot help but feel that there are some agreements out there which the government wishes to abrogate unilaterally. If the purpose of the government was to say that appointments made by order in council by the previous government ought to be subject to review by a new government, then I'm sure they simply would have put "by order or regulation." They have, however, not done that. They have inserted the words "or agreement."

I have listened with some care to at least some of the speeches made by members opposite, and I have not heard identified any of the agreements that they wish to tear up. They wish to give themselves power to scrap agreements made between the government of the day and the citizen, but they will not tell us what agreements they wish to tear up. They wish us as legislators to give them authority they do not now have.

Clearly, if they now had the authority they would not ask this legislature to give them further authority to tear up agreements. So, we have this very, very curious situation of a government saying that a previous government entered into agreements. They will not disclose which agreements they are talking about. They do not have power to tear up those agreements, but they wish to have power to tear up those agreements. They, therefore, wish to introduce legislation, and indeed they have done that, to give them that power, but they do not tell this House what agreements they feel ought to be unilaterally terminated in this way.

Surely, that is bad legislation. It is legislation which is wholly indefensible. And, so far as I know, it is unprecedented in this House. We have had legislation in the past giving people power to change agreements. I have referred in an earlier debate to agreements between the Government of Saskatchewan and Athabasca Pulp Mills Ltd. Those agreements were abrogated by legislation, or at least power was sought. In fact, I think it was not used since the agreements were negotiated out, but that is perhaps a quibble. Legislation might have been brought in under those circumstances. But it is a very different thing to say to a citizen, "The previous government entered into an agreement but we wish to abrogate that agreement. We will tell you why, and we will tell you how we propose to treat that citizen, how we propose to protect the rights that he acquired and which we are now tearing up." The government which we have before us does not do that. It does not indicate which agreements it wishes to abrogate, and it assuredly does not tell us what compensation, if any, it is going to make the citizen whose rights are thus being trampled upon.

That, as I say, is very curious. I can hardly believe that those words would be in the act unless there are agreements. I personally do not know which agreements they wish to terminate, or will they tell this House. Under these circumstances, it is simply not possible for us to vote for that legislation, and we feel bound to oppose it with all the power than can be mustered by an opposition party. It is simply inappropriate for a legislature to grant an Executive Council power to abrogate agreements between a government and a citizen, to give them a blank cheque, without identifying what agreements and what methods of compensation or review are proposed.

One looks back for a precedent which could possibly be like this. One thinks of mineral contracts which were negotiated between two private parties in the 1950s, and legislation introduced in this House, known as The Mineral Contracts Renegotiation Act, which gave to farmers an opportunity to renegotiate their contracts with oil companies. At that time, it was possible to identify with a fair degree of precision what contracts one was talking about. The particular contracts were identified by the names of the contracting oil companies. I do not believe all of the farmers' names were listed, but all of the oil companies' names were listed. And it was, therefore, possible to identify what contacts were being talked about, and the rights of the farmers and the oil companies were set out in some detail and with some precision in the legislation.

Notwithstanding that amount of precision, notwithstanding that amount of identification by this legislature of what contracts we were talking about and how we expected the rights of the parties to those contracts to be protected, it was a matter of very considerable public debate. The opposition of the day opposed it. And the Lieutenant-Governor, in what was surely a startling move, declined to give assent to that legislation. It upset him to the extent that he reserved the legislation for the pleasure of the Governor in Council in Ottawa.

This gives you some idea of how seriously we have, in the past, regarded legislation

which gave a government the right to unilaterally abrogate contracts. How much more so should we regard it as being unusual and inappropriate where one of the parties to the contract is the government itself, which is the case with the legislation before us? We have here legislation which will give one party to the contract, that is the government, the power to tear up the contract, the power to offer no compensation and the power to do this unilaterally.

It is surely remarkable to pass legislation which authorizes a cabinet to cancel contracts effective two months ago. That is so outrageous, from the point of view of legislative precedent, that no opposition ought to be permitted, or be asked, to agree to it. Every opposition ought to say, "We can hardly believe our eyes. We can hardly believe that in a British country we would have a government come in and say, "We have signed, or our predecessor, but at least the government, the crown, in the right of Saskatchewan, has signed some agreements. We don't like them; we want to cancel them; we want to cancel them retroactively (that in itself is a considerable trick for any agreement), and we do not want to make any provision for any compensation of any kind."

That is, I suggest, what this agreement does, and that, I suggest, is what this amendment attacks. Certainly many other objections can be taken to this legislation dealing with appointments made pursuant to order or regulation. And I will want to address some remarks to those, when subsequent amendments are moved.

Today, and now, I want to home in on the words "or agreement," and the words of the amendment which asks that:

this bill not now be read a second time because it would authorize the Lieutenant-Governor in Council to abrogate agreements unilaterally (which it assuredly does), and to do this on a retroactive basis (which it assuredly does), and fails to make any provision for fair and reasonable compensation to parties, to any agreement so abrogated (which it assuredly fails to do).

I think that the government owes an explanation to this House and, more particularly to the public, as to why it feels it necessary for the government of the day to have power to treat a citizen in this way. I have heard no explanation. I know of no precedent in the history of Saskatchewan where a government has said, "Please give me the authority to tear up agreements — I won't tell you what agreements; I won't tell you with whom; and, I won't tell you what I intend to pay the person if I have in fact taken away his rights." That is what the government opposite is asking us to do. And that, I think, no government ought to ask a legislature to do.

I am hard-pressed to know what else needs to be said about this, except to say that I know of no precedent elsewhere in Canada. Obviously, I have not searched every legislature and the *Journals* or *Hansards* of legislatures across this country. But as I pass my mind back I can think of none. I think it is the sort of thing which would have made some considerable headlines if agreements between the state and the citizen were to be torn up on a retroactive basis with no provision for consultation.

I say, again, that it is incumbent upon the treasury benches to tell us what they have in mind. It is incumbent upon the treasury benches to say which citizens are to be the victims. Who are to be the victims of action taken by the government pursuant to this Bill 16 which is before us? Are there agreements with people who we know nothing about? Have actions been taken which are now sought to be justified? Are there people

whose appointments you wish to cancel retroactively and, presumably, therefore, affect any compensation which they may have earned during the last two months? Are there other provisions to these agreements which would be affected by an appointment in this way?

Is it proposed that agreements might have been entered into and contracts of employment might have been entered into which gave people superannuation rights which you propose to abrogate unilaterally? Are there rights to sick leave or other that are sought to be taken away unilaterally? Are there, in fact, insurance claims which may be out there which a citizen may have had because he was a member of a board or a commission, or a committee, or a council? He may well have filed the claim in good faith in the month of June and you now wish to fire him retroactive to May.

Those are fair questions to ask a government which puts forward legislation of that kind. Who do you propose to victimize? What rights do you propose to take away from him — rights to salary, superannuation, sick leave, annual vacation and the like? Do you propose to make any proposals for compensation? Do you wish those proposals for compensation to be on a purely ex gratia payment basis, or do you wish to allow the citizen any right to confront his government which has abrogated the agreement which he made in good faith with that government? These are questions which, I think, are fair and reasonable, fair to put to the members of the treasury bench and which, frankly, we should not have to put to the members of the treasury bench because the answer should have been outlined when this legislation was first introduced.

If there is a justification for saying that an agreement entered into must be abrogated, then surely that ought to be outlined by the minister who introduces that legislation. I do not recall the comments made by the member who introduced this legislation, the minister of the crown who introduced this legislation. It stands in the name of the Attorney General. And in that regard I think it is particularly unfortunate that a proposal which would authorize the crown to abrogate agreements unilaterally, and without provision in the legislation for compensation, stands in the name of the Attorney General, sometimes called the minister of justice. That is, as I say, particularly unfortunate.

I will not further labor this point, Mr. Speaker. I have indicated that I will be saying a good bit more on other amendments which will deal with other aspects of this bill. I wish to be strictly in order and to confine my remarks to the amendment which deals with the words "or agreement." And, accordingly, I wish to indicate that I will be supporting the amendment that this bill not be now read a second time because of the powers it gives to the Lieutenant-Governor to unilaterally abrogate agreements (and that on a retroactive basis) and because of the failure to make any provision for fair and reasonable compensation in those circumstances.

HON. MR. LANE: — I'd like to take this opportunity to respond, speaking, obviously, on the amendment introduced by the opposition. I express utter amazement, Mr. Speaker, at the members opposite who, less than six months ago, stood on this side of the House and took away the right of every union to strike during a provincial election. They stood up in this House and took away the rights of employees to exercise their right to strike because it was politically palatable for the government opposite. And what did they do with that legislation? Did they break contracts? Certainly they broke contracts. Did they do it to a few people? They did it to thousands of people. And it was all right. The hypocrisy — the utter hypocrisy! The position of the members opposite is beyond belief, beyond utter belief.

And they are concerned about the retroactivity. The only reason for the retroactivity, Mr. Speaker, is so that any new government in the future will be able, as of the date of its first cabinet meeting after a general election, to make its own appointments. We have terminated none of the appointments since the date of the first cabinet meeting. Nor have we passed any orders in council. Nor have we proposed any orders in council. But in the future, any new government of any political stripe will be able to make its appointments as it sees fit. And we, like any other government, will be held accountable to the people of Saskatchewan for our appointments, and I must say to date that appointments to some of the crown corporation boards should indicate the direct in which we want to go, of using very qualified people.

AN HON. MEMBER: — Sure, crown corporations, fine.

HON. MR. LANE: — Well, he says that crown corporations are fine. Then why shouldn't that apply to all other boards and commissions? Mr. Speaker, the reason is these boards and commissions in many cases are required to carry out government policy.

AN HON. MEMBER: — Not all of them.

HON. MR. LANE: — Many of them, and this is a point raised. I will come back to this particular point, as to some of the individual boards and commissions, but let me raise another matter — retroactivity.

The retroactivity in the bill the hon. members want to put aside is designed for future governments primarily, because no action has been taken. I give that assurance to this House. But a couple of years ago that very party sat in these treasury benches and decided retroactively to take away the rights of the party then led by Mr. Collver; they took away the rights that he had, or alleged that he had, and that was retroactive to the 1978 election — today they stand here, with tears in their eyes, complaining about retroactivity.

Any fair viewer of the situation today, Mr. Speaker, has to be shaking his head, and asking, "What are they talking about?"

Mr. Speaker, as I have said, any new government of any political stripe should have the right to make its own appointments. The quality of its appointments, no matter how you slice it, is judged in the court of public opinion — that's proper, and I don't think the Leader of the Opposition disagrees with that.

But he said that there's no precedent, and one of the members opposite said that it doesn't occur anywhere else in Canada. Let me go to the Interpretation Act of the province of Alberta, section 19:

The authority under an enactment to appoint a public officer is authority to appoint during pleasure.

Let me go to the province of Ontario, and look at section 21 of its Interpretation Act — for any of you who feel that there are devious ways of using this legislation.

Authority to the Lieutenant-Governor to make an appointment to an office by commission or otherwise shall be deemed authority to appoint during pleasure.

Mr. Speaker, the Leader of the Opposition misses a very important point when he wants to put the bill on a six-month hoist . . . (inaudible interjection) . . . That will come; I'm sorry. It's very interesting that section 1 of the act does not apply to a person whose appointment is expressly stated in an act to be subject to termination by the Legislative Assembly. It is our view, and I think a very sound view, Mr. Speaker, that should this legislature, or any government in the future, wish to make appointments to boards or commissions beyond the normal, accepted length of a term of a government, it should have the approval of this Legislative Assembly. That is our view, and, in our view, that is sound government.

SOME HON. MEMBERS: Hear, hear!

HON. MR. LANE: — If any government feels that the appointments are important enough that they should go beyond a term, then I suggest it is incumbent upon that government, no matter the political stripe, to come before this Assembly and justify, in fact, that those appointments should be long-term appointments. And the Assembly should have the right to decide whether those appointments should be long-term.

We very pointedly exempted from this legislation those boards or commissions or agencies or whatever that have appointments approved by this Assembly. That's the proper course for any government to follow, we suggest. Anyone over there who suggests that this Assembly didn't have the political support of members opposite has blinders on his eyes, and the members opposite know full-well of what I speak.

Mr. Speaker, the members opposite are concerned because it's an "omnibus bill." The bill is designed this way to make it quite clear that we don't intend to change the legislation, that we want to change the people but not the legislation. The legislation itself, in many instances, is mandatory in its requirement that certain outside boards or agencies or organizations have a right to make the appointment. It is our legal view that that overrides the generalities of the amendments to The Interpretation Act.

So what is the effect of the bill? The effect of the bill is to make certain terms and appointments end either at the end of the term or on the date of the first cabinet meeting after a general election. That's obviously not unreasonable.

Maybe there's another reason for their attack. I'll just give a couple of examples of really why the members opposite are so hung up. They want us to, I suppose, rest on the assurance that some of their appointments are going to act in the best interest of the new government as we see it. Now I don't know how fiercely independently Florence Wilkie will carry out our policy. I don't know how fiercely independently defeated candidate Louise Simard will carry out our policy. I don't know how a man very prominent in your party, Dan de Vlieger, will carry out government policy. I don't know how Donald McMillan, appointed to term, will carry out our policy. I don't know how the wife of a former cabinet minister of the government opposite would carry out government policy. But I have a strange feeling that they would have a great deal of difficulty. I'm not going to presuppose that Mrs. Messer wouldn't carry out government policy. But I think, in fairness, that the hon. members opposite really don't expect us to have great deal of confidence in their obvious partisan appointments.

As I say, I'm shocked because six months ago members opposite stood here and took

away the rights of every trade union member. They did it proudly. They're very proud of the fact. They'll stand up today and defend their political partisan appointments to the death. That indicates where the priorities lie of that opposition over there, Mr. Speaker. They'll defend their political appointments to the death but they certainly will take away the rights of many others without any regard to the morality of their position.

They have no difficulty, as well, taking away the rights of a political party and making it retroactive for over a year. But, boy, when it comes to defending their political appointments, it's to the death. They'll stay here for months to protect their political appointments, and at a cost of what? I think the former house leader said \$40,000 or \$10,000 a day. No cost will be spared by the members opposite to defend their political appointments.

I ask members opposite to really consider their position. There is no great moral issue which you can stand up with clean hands and defend. There is no great legal issue which you can stand up and defend, because it is well accepted in law that the crown has the right. You can get up and defend your political argument. But why don't you come out and say what it is — that you are here and are prepared to spend months to protect your political appointments? Why don't you at least have the courage to stand up and say what you are really doing? What's wrong with admitting it? We are all politicians. We are all partisan. Why don't you admit that you are really here spending \$10,000 or \$40,000 a day, as the former House leader of the members opposite said. That was his figure. That's how much it is worth to you to protect the political appointments.

Those who are appointed, as I say, by outside agencies are well protected by the legislation, and the members opposite know it. They are protected by the legislation of each bill. As members opposite may or may not know, the specific always overrules the general, and that's why the legislation was designed the way it is. It was designed so that any government, our government or any other government in the future of this province, will have the right to make its own appointments, and to be held to public account, as the system is designed to operate.

We will be judged on the quality of our appointments as you were judged on the quality of yours and found wanting. I just hope that the hon. members opposite realize the hypocrisy of their position, and at least come forward to say, "Yes, we are defending the political appointments which we made," because that's what they are doing.

Mr. Speaker, not only is this amendment (and I understand from the Leader of the Opposition there are other amendments forthcoming) a waste of the taxpayers' money to the tune of several thousands of dollars per day, but it is also an example of the lesson not learned by members opposite on April 26, and an example of the hypocritical position which the hon. members find themselves in. Mr. Speaker, I urge all hon. members to defeat this amendment.

MR. ENGEL: — Mr. Speaker, I was pleased to listen to Saskatchewan's new Attorney General today defend his reasons for The Interpretation Act, and the Bill 16 we have before us today. Mr. Speaker, he cited five or six (maybe I should have counted them) or seven people he thought were political appointments that he needs this great big hammer to destroy. Let me tell the Attorney General, those people, if they were political appointments as he says, those people, who were doing their jobs, he doesn't require The Interpretation Act . . . I'm glad I've got a loud voice because I think you can still hear me, Mr. Speaker. He doesn't require The Interpretation Act. They are there at the

pleasure of the Lieutenant-Governor in Council. He has all the authority in the world to dismiss those people, like some of the people who have been dismissed already from some boards. He has all the room in the world to dismiss those kinds of appointments, Mr. Speaker. That's not the reason for The Interpretation Act.

I listened carefully to the Attorney General speak, and he did not tell this House why he really wants this Interpretation Act. The act, as was cited by the Leader of the Opposition, section 15(1) reads:

Subject to subsection 2, notwithstanding anything in this act, or any 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 which an Executive Council was first installed . . .

Any of those. And (b) in that section says:

a day designated by the Lieutenant-Governor in Council, or the person who made the appointment.

If what he says is true, why didn't you have the date in there a July 8 or 9? Why May 8? I think, Mr. Speaker, he is hiding something. And let me just refer to a couple of sections; let me just show you a couple of section, Mr. Speaker. In the statutes, volume 2, chapter C-18, if the Attorney General wishes to refer to it . . . I'll refer to An Act respecting the Community Colleges, section 5:

A board shall consist of not less than four or more than seven residents of the region with respect to which the college is established, who are appointed by the Lieutenant-Governor in Council.

They are appointed by the Lieutenant-Governor in Council; they can be removed by the Lieutenant-Governor in Council. You don't need an interpretation act to remove these people that are on the community college board.

Then it talks about what the community college board shall do. It shall appoint a principal who shall do certain things. The board of a college is a corporation and has all the powers vested in corporations by The Interpretation Act (so maybe that is why they want to change it) so far as they are necessary for carrying out the provisions of this act and developing education programs for persons of the region in which the college is to provide the program. Maybe, Mr. Deputy Speaker, their interest in giving blanket power to The Interpretation Act is so they can tell a board what to do, and say, "Look, you're here at my privilege, and if you're not going to deliver exactly, we can hold this carrot out to you. Either you follow like a donkey or we'll remove you." Maybe that's what they want to do.

Subject to subsection 3, a person appointed as a member of a board holds office for a term of three years, and until a successor is appointed and is, subject to subsection 2, eligible for reappointment, no member of a board shall hold office for more than two consecutive terms, and having done so, is only eligible for a further appointment upon the expiry of at least one year after the completion of his second consecutive term of office.

So, all it takes is a little time, and . . . (inaudible interjection) . . . I will.

Section 3 says that person ceases to be a member of a college board when he ceases to reside in the region with respect to which the college is established, or submits his resignation to the board.

So, they have this problem then. They need to have The Interpretation Act changed so they can add an appointee whenever the Attorney General feels that a person isn't acting exactly as that government decides he should act.

There is one more group that I want to refer to, Mr. Deputy Speaker. The provisions in this act say that the members are appointed (most of the ones he was talking about) by the cabinet and can be removed by the cabinet. But what about chapter U-5, volume 9 (S-34 to U-5)? I refer you to chapter U-5 — An Act respecting the University of Regina, section 3.

The University of Regina is hereby continued a body corporate and politic, consisting of the board, a chancellor, convocation, senate and council. And no other university having corporate powers capable of being exercised within the province, or any other portion thereof, shall be known by the name, the University of Regina. Unless with the authority of the board, no person shall use or adopt in any manner whatever, the words University of Regina. Unless with the authority of the board, no person shall, in any advertisement, do certain things . . .

The point I'm trying to make, Mr. Deputy Chairman, comes up in this section 5.

In addition to the powers, rights and privileges vested in the corporation by The Interpretation Act, the university "may" . . .

Now, the old Interpretation Act didn't give the Lieutenant-Governor in Council and didn't give the cabinet a chance to dump these guys at will. It didn't give them that chance.

I'm not going to educate these people as to what the university board may do, but I'll just tell you what kind of powers it has.

The board may sell, mortgage, or otherwise dispose of . . . (a whole list of things, up to 21 years) . . .

(c) acquire, take, and hold all such property, both real and personal, as shall be a bona fide mortgage . . . (and so on).

(d) acquire by gift, purchase, or in any other manner hold in trust for Her Majesty land having any historic interest, or buildings, monuments, or other erections having any historic interest, and the land on which such buildings, monuments, or other structures are situated . . . (and so on).

That board has tremendous power. Section 2:

Notwithstanding anything in section 1, shall be constituted as authorizing the university to sell, mortgage, or otherwise dispose of . . .

Notwithstanding section 2, the board may alter the terms and conditions of

gifts devised and bequeathed to the university if the circumstances within the university program make it impossible or inconvenient to carry out the gift.

The board may invest certain securities.

There are three pages of the kinds of investments the board may make. There's a whole list of things.

And you may think it's strange and funny, but if this board, after The Interpretation Act is through, does anything that those members don't like, the board members' terms will be over. And that's why they want The Interpretation Act.

I refer you, Mr. Deputy Speaker, to chapter 6, which deals with The University of Saskatchewan Act. The University of Saskatchewan Act is identical: the board members are identical, and their powers are identical to those which I just mentioned. If anything is done there, those people's jobs are at stake and at the whim of the cabinet; they don't like to have these people serve their full terms. That's why they want The Interpretation Act. They're not concerned, Mr. Deputy Speaker, with appointments that were made by cabinet, because those appointments can be removed. What they're concerned about is boards and appointments and commissions and chancellors that don't quite act as they would like them to — that don't dance like puppets. And once they don't do that, then out they go. That's why they need The Interpretation Act. I see no other reason for this act. The Attorney General was saying that he was going to make certain terms of appointments end.

And so, consequently, Mr. Deputy Speaker, I say to you that we can't let this bill go unchallenged. That kind of unfettered power is beyond all reason, over the history of 100 years . . . (inaudible interjections) . . .

Mr. Deputy Speaker, maybe some of those backbenchers are starting to show some concern. Maybe some of those backbenchers are trying to shut me up and tell me I just cost the taxpayers \$2,000. Is that what they're concerned about? Aren't they concerned about how much the taxpayers are going to have to pay to try to support them, with their lavish expense accounts as legislative secretaries? Is that what they want? I am saying to you that this is a devastating bill. This gives the cabinet power that is unlimited control of all of the more than 100 boards and commissions in the province. Consequently, I can't support it, Mr. Speaker.

MR. KOSKIE: — Mr. Deputy Speaker, I want to make a number of comments in respect to the amendment. Up until the time that the Attorney General spoke, we were talking about the amendment. I am taking it, from the fact that he had wide-ranging comments, that the same liberty will be afforded me.

I want to, first of all, take a look at what the Attorney General tried to compare this legislation to. The first thing he said was that the opposition imposed similar types of legislation against the unions when they abrogated the right to strike during an election. He tried to convince members of this House that that type of legislation was equivalent to, and as powerful as, this legislation. Nothing can be further from the truth, Mr. Deputy Speaker.

First of all, in respect to the rights of unions to strike, we did not, in fact, take away any rights. All that would happen under that legislation was that there would be a stay of the

rights under the contract for a 30-day period during an election. At that time, all of the individual rights of every union would be reinstated. The purpose of it was that we respected this legislature. In order to bring in any legislation, it is necessary for the House to have the capacity to sit in order that legislation can be introduced. In that instance, when an election campaign is on, it is not possible to call the legislature. So, as soon as the union legislation was passed for the election period, as soon as the election was completed, the full rights of the union revert to what they were previously. For the Attorney General to come in here and try to cook up a story, saying that this type of legislation compares with the throttling of rights, as proposed in The Interpretation Act, I would submit, will convince no one.

I want to say that when you are dealing with labor legislation you are dealing with one individual act. Granted, you are covering a lot of people in the province, but you are dealing with one act. If you look at the legislation proposed by the Attorney General, is there one piece of legislation like the labor act? No, sir. There are 100 pieces of legislation. I want to say that what he is trying to compare is apples and oranges. They don't compare. His arguments fall flat. They have no substance in fact.

I want to make a third point here. He talks about abrogating the unions' rights to strike during an election and compares that with this vicious piece of legislation. I want to say that, in this House, we came forward with that legislation. As I've said, it did not abrogate rights forever. There was a stay of rights for the period that the House couldn't be called. That's completely different.

The second type of comparison that he made was in respect to the changing of the legislation as it dealt with the third political party and whether or not that political party would in fact get the rights. How can the Attorney General come forward and make that comparison? That was one single act debated before this House. The parties who were affected were identified totally: Mr. Collver and Mr. Ham. Both were identified. We knew exactly who was going to be affected by any amendments to The Legislative Assembly Act.

He comes forward and he says, "Oh, look what you did when you NDPers were in government. You moved with that retroactive legislation against Mr. Collver." That's totally not the same premise; it's totally irrelevant in support of his decision to move this monstrous piece of legislation. I want to say that the Attorney General hissed and made accusations and tried to compare where this House had moved on similar vicious types of legislation. I want to say to all hon. members: make a comparison of the two pieces of legislation that the Attorney General tried to draw an analogy with. Look up that legislation. I'll tell you that there's absolutely no comparison.

I want to say, on this piece of legislation here: when you deal with agreements, do we know the names, parties or how many people are going to be affected? No we don't. Will the Attorney General come forward, come clean, and indicate how many agreements he is likely to have to change unilaterally? I ask: is that the same type of legislation as the amendment to The Legislative Assembly Act that affected a third party in this legislature? I say, of course not. In the amendments to The Legislative Assembly Act, the parties were identifiable. Those who were affected, in fact, had the right to come before this legislature and debate the decision.

The Attorney General comes in here and says, "Oh, boy. Those NDPers when they were the government, look what they did. It was worse, or as bad as this legislation." I'll tell you that there is no comparison. He knows it. That's why he left this House — because of

the weakness of his arguments.

I want to say that there is indeed a very, very substantial danger in what is proposed here. I want to say that, under this proposed legislation, it is possible to abrogate all the rights pursuant to an agreement. I want to say that, in this House, we have absolutely no idea, no way of knowing, the number of people or the number of agreements which will be affected. We don't know who it applies to. They want a blank cheque and they say again, as they have been saying with other legislation, "We can do what we want. The only check that we have is public opinion." So I guess what they're saying is that, in fact, henceforth this newly elected government, with new freedoms for the people of Saskatchewan, is going to forego the normal process that has been established.

You know, he came forward and said, "What we want to do is really guarantee to any government that comes forward in the future that it can automatically change all these people who are, in fact, appointed to boards or have agreements." I want to say that that's not very logical, is it? Governments have been elected and governments have been defeated and throughout all of those years we have had boards and commissions, we have had people with agreements, and throughout the changes of government, always they took the normal course as proposed within the legislation governing the appointment of a particular commission.

I want to say that this is a new precedent, a precedent which I think gives clearer demonstration of the desire of this group of front benchers to circumvent this legislature.

Look at the amendment:

this bill not now be read a second time because it would authorize the Lieutenant-Governor in Council to abrogate agreements unilaterally and to do this on a retroactive basis, and fails to make any provision for fair and reasonable compensation to parties to any agreements so abrogated.

Mr. Deputy Speaker, the thing that concerns us here is what the bill endeavours to do — abrogate any rights under any agreements. As a consequence the amendment calls for a system of fair and reasonable compensation to the parties of any agreement that is abrogated. I don't think that that is unfair, as has been indicated here in this House, when there was an abrogation of any agreement, or a cancellation of an agreement with a large corporation (Parsons and Whittemore, I believe it was). As the Leader of the Opposition indicated, when those contracts or agreements were abrogated, the notice of the abrogation or the cancellation of the agreement was made known to the House. On a specific case basis an agreement was worked out. I want to say that a compensation package was laid before this legislature for all of Saskatchewan to see, to see that its government was fair to the corporations and fair to those who had invested in Saskatchewan.

This legislation is not fair. This is the most unfair piece of legislation that I have ever, ever seen. I'll tell you that this abrogates more rights and gives more unilateral power to the front bench. It has no precedent anywhere else in Canada.

He tried to come in and waffle away and say, "Oh, Alberta and Ontario, section 19 and section 21, they do the same thing." Aha, but they don't! I'll tell you. I have checked throughout to see whether there is similar legislation which would in fact abrogate agreements without compensation. To my knowledge, it is not accurate. And I am going

to be checking those two sections, and we are going to be bringing them back and reading them into the record, because certainly the Attorney General is not prepared to read into the record the particular sections.

I am very sorry, Mr. Deputy Speaker, that the Attorney General was not here when I spoke, and I analysed the great analytical power that he brought to the debate in introducing his comparisons of this type of legislation to legislation affecting Mr. Collver and one other member of this House. I wished to say, and I say again, that that was an entirely different piece of legislation. It represented one bill and it represented identified parties to this legislation. As a consequence, I would like to say to the Attorney General: you go and look for a better comparison.

Inherent in this type of legislation is a danger, a real danger. It gives to the Lieutenant-Governor in Council sweeping powers, without any identification of where that power may be asserted. I want to say that there are individuals who have, under the various statutes, been given certain rights, privileges, protection, throughout all of the acts that set up these commissions and boards and bodies. And that was given to this legislature by debate and by the acceptance of legislation. Now, a powerful opposition comes into this legislature . . . A powerful government, sorry about that, a powerful government, powerful from the standpoint of electoral success. I would have thought that one of the prime concerns of a government this strong, this powerful, would be to demonstrate to the people of this province that arrogance, unfettered power, and greed for power would not be the first focal point of this government.

I would have thought that the first concern of the members opposite would be that a democratic system normally is dependent upon a strong opposition. I suppose that is very true. Certainly, for any group of people, with the size of the majority they have, to indicate so soon after being elected that the direction they are taking is to essentially override any rights or protections which previous legislatures have laid down for individuals . . . One of the real dangers of this is that it can give the power to the Lieutenant-Governor in Council to affect over 100 bills, and to effectively erase the basic protections that were in the various acts in so far as tenure of office for the various boards and commissions is concerned. One of the dangers is not only that it is such a wide-sweeping power, but with a group of people who have lust for more power, who have become almost despots of power, I think the real danger is that the Lieutenant-Governor in Council can in fact hold it over the head of every appointed individual, and can say, "We have sweeping power to sweep you out of the appointment. Do what we command or swept you will be from office." I say that is a tremendously dangerous precedent. I don't think I would laugh, nor do I think the Minister of Finance should laugh at the seriousness of that.

We have, in this debate, tried to demonstrate to this legislature the potential danger and the abrogation of rights in this legislation. We asked, and we would have welcomed, any member from the other side to come forward and to outline the need for this legislation. When the Attorney General stood up to talk today, I thought perhaps the debate would be shortened because he was going to come forward with an explanation. I want to say that no such thing was ever put forward by the Attorney General. He compared legislation which wasn't comparable. He compared this situation, where the individuals who will be affected are not identifiable, to the legislation which was passed which affected Mr. Collver and his new party. I've indicated to this House that that comparison is nonsense. It doesn't compare.

The only defence that he was trying to raise was that this opposition, in defending the

rights of those people who would be affected by this sweeping bill, was costing the people of Saskatchewan money — costing the people of Saskatchewan money to defend the rights of the people of Saskatchewan. I can think of no more worthy cause than to stay here to debate and to try to change a sweeping piece of legislation which will affect so many citizens of this province, without even the parties being identified.

What we have done here is ask for an amendment. What should in fact be brought forward is an amendment. This bill which specifically affects agreements should be deleted. It should be stood. It should not be put forward. And we say that, because of the fact that what it does is remove the rights under any agreement. It cancels those rights and it leaves such discretionary power in the hands of a few despots of power that I say that it has to be stopped. Individuals' agreements can unilaterally be cancelled, with no compensation to the individual and no recourse to the courts. And this is the first piece of legislation that this government deems as an important piece of legislation.

Surely, with common sense prevailing rather than the lust for power, this amendment should be accepted, because certainly what it does is protect individuals whose rights would be denied under the abrogation of the Lieutenant-Governor in Council, cancelling any of the agreements. And I want to say . . . (inaudible interjection) . . . Just a moment. You weren't around. You weren't around and the Attorney General stood up and gave his blurb. What did he give? I'll go through that again. He talked about what we did to the unions in putting them back to work.

I'm going to go through that because this is what the Attorney General has indicated to this House. He asked, first of all, why we in opposition should be opposing this bill because he said that we did similar things in respect to the unions. I'm going to tell you there is no comparison. There is no comparison. First of all, you are dealing with one piece of legislation, the labor act. Secondly, we were not taking away unilaterally all rights. There was a stay of rights, but as soon as the election was finished, all of the rights under their contracts were reinstated. You know it, and I want to tell you that the opposition stood in this House and supported it. And now they are saying that that is the same type of legislation as this one here.

And the second one, since you raised it, Mr. Attorney General, is that you asked whether we had any similar legislation that denied rights to people, and I say no. I don't know of any. We always came to the legislature. We debated it. If we had an act to change, if we wanted to get rid of someone within a particular act on a board or commission, then what we would do is bring in that piece of legislation, be it concerning The Universities Commission Act, be it The Cancer Foundation Act, be it the legal aid act. Any of those acts, we would bring forward in the normal course of events, debate, indicate what we wanted, and let everyone know it. And I want to say that that has not happened here.

But you know, the main thing that the Attorney General said was, "We are very considerate boys over here. The real reason for this legislation is that we want to help any future government, so that they can clean out" . . . (inaudible interjections) . . . No, let them go. They are getting concerned. Just let them go. The people of Saskatchewan are listening. I hope the press is continuing to do a good job on this, because I know that since the weekend, more and more people are aware of what is happening here with this vicious piece of legislation.

The Attorney General had the audacity to walk into this legislature and to say, "There's really nothing to this bill. It gets rid of all of the commission members; it gets rid of all of the appointments on boards; it abrogates any rights under agreements. It really doesn't

do much." But I will tell you, he knows it does a lot.

What this bill does is circumvent all of the other legislation which established those boards, indicated their term of office, and the length of their appointments — totally. As with the other reasons put forward by the Attorney General, that reason is about as flat as his comparison of other pieces of legislation which we brought in to this type of legislation. It just doesn't compare.

Obviously there is some deep, deep-down, hidden reason for this legislation. I think this government is afraid to come clean in this legislature. I think what has happened is that they have pulled a few firings which were not proper; they want now wide, sweeping legislation to cover their sins of omission and remission.

I want to say, as I have said before, this is, indeed, Mr. Deputy Speaker, I suppose, in the time that I have been in this legislature, since 1975, one of the most discomfoting pieces of legislation I have ever seen. I want to say, as I have said before, that defending individuals' rights . . . (inaudible interjection) . . . I wonder if the hon. member for Kinistino has even read the bill. The Attorney General, by the way, indicated, when he came forward, as my colleague has indicated, three or four names. The Attorney General mentioned those three or four names as if those appointments would totally shatter and interfere with the policy of that government. More hogwash. More misconception of their intent.

Mr. Deputy Speaker, have you ever noticed that the Attorney General is, so far, I guess, the only one who has spoken on this? In all, we have been speaking here for several days, and we have asked for the reason why he needs this sweeping legislation. I want to say that today he spoke again. I hoped the press would analyse what, in fact, he had to say, because nowhere did he justify the need for this legislation. The danger of this act is the overall blanket approach it takes. There is concern on this side, because we do not know the full scope of the impact.

He says it is convenient for new governments that come in to be able to get rid of all the boards and commissions and appointees. The argument for that is that the legislation had been set up to appoint these various boards, be it legal air or the cancer foundation, and approved by this legislature. Governments have been elected; governments have been defeated; new governments take their place; and there was no problem with the changing of the members of the boards and commissions. It was, apparently, manageable in the past. Why is it not manageable now? Well, what we would have liked to have known, Mr. Deputy Speaker, when the Attorney General spoke, is why he didn't come clean and tell this legislature why, in fact, he has to move with his blanket type of legislation.

I want to just briefly review the Attorney General's summation on this. I will tell you, you people think that you can just sit there with your numbers and shout. What you should do, instead of shouting, is go read that legislation. Do a little research on it. See how the rights of Saskatchewan citizens are being abrogated.

I want to indicate that although the members opposite seem to want to make light of this legislation, as I said when I first spoke on this bill, we are not going to allow it to pass. I said that we were going to stand in this legislature as an opposition and clearly put on the record the nature of this vicious type of legislation which has come forward from the Attorney General.

The Attorney General came forward and indicated that this legislation is somewhat comparable to that legislation affecting Mr. Collver's party. I want to say to the Attorney General (because he missed hearing it before) that it is hardly comparable. Here you are dealing with some 100 pieces of legislation; then we were dealing with one. Then the individuals were identified; in this one they are not. This legislation, accompanied by other legislation in this session, clearly indicates the direction of a group of people who have been given a trust.

In closing, Mr. Deputy Speaker, there is a quotation, which I have read and repeated, from a politician for whom I had a tremendous amount of admiration, the late Senator Kennedy. He said these words (and I think that is what his debate is all about):

It is from the numberless diverse acts of courage and belief that human history is shaped. Each time a man stands up for an ideal, or strikes out against an injustice, or attempts to improve the lot of others, he sends forth a tiny ripple of hope, and crossing each other from a million different centres of energy and daring they send forth a current that can strike down the mightiest walls of oppression and resistance.

Those words should be taken to heart by this Assembly, because what we are doing here today is standing up for an ideal. We're standing up for an ideal and we're striking out against an injustice.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — And I'll tell you that until that injustice . . . (inaudible).

Mr. Deputy Speaker, until the government recognizes the injustice of its move, we will continue to debate this bill and to bring to the attention of the government other flaws in this bill . . . (inaudible interjections) . . . What hypocritical heckling is going on in this House.

The other day they said that it is costing the taxpayers money to fight a principle. The other day, with the legislative secretaries, they wouldn't even take a 100 per cent increase. I want to say that as long as we, on this side, are fighting against an injustice, we are taking this message across this province. The people of Saskatchewan are becoming concerned, and the opposition has, in a very serious matter, indicated the dangers of passing this legislation.

If the government comes forward and indicates to this House that there are specific problems which they have encountered, we, I think, would agree to take a look at resolving their problems.

I want to say that the minister of justice in this province stood in this House today and spoke, and if anyone in this Chamber was convinced by his arguments, then it doesn't take very much to convince a Tory. But as has been said, in the past a piece of legislation, on one occasion, was brought before this Assembly, and although it was passed by the government of the day, the Lieutenant-Governor in Council saw fit not to proclaim it. That was an unprecedented step in the history of passing legislation.

One of the needs, in order to continue to protect the people of Saskatchewan, is an opposition which is prepared, if it takes a day, a week or a month, to defend their rights. An opposition has an obligation to this Assembly, to the people of Saskatchewan, to the

hundreds of people who are perhaps going to be affected — unidentified people who, without compensation, without knowing their rights, are suddenly abrogated . . . (inaudible interjection) . . .

Someone says, "Come on, Murray." I agree. I want to get on with the business of this House, more seriously, I'll say, than any of those backbenchers hooting over there, because I have other important things to do. But I'll tell you that I was elected to serve in this legislature, and I'll tell you that I'm going to serve. And I'm going to serve the interests of those who are going to be hurt by this legislation.

I want to say . . . (inaudible interjection) . . . Well, he has a voice, that fellow way back there whose face I can't see . . . (inaudible interjection) . . . Well, he must be. But I want to say, Mr. Deputy Speaker, that in the amendment that we have here, we are saying that there are two aspects in respect to agreements that are of concern — two aspects. One is the power to abrogate those agreements. Secondly, not only can they abrogate the rights under those agreements, but they can do it retroactively — retroactively. And, thirdly, they can do it without compensation. There are three things in respect to agreements: deny the individual his rights under his agreement, no compensation, and, in fact, they can go back to May 8.

Mr. Deputy Speaker, this principle must be defended, this bill must be amended, or the opposition is prepared to fight and to fight hard against this omnibus bill. I want to say that it is a strange, strange fact that is happening here. In Ottawa, where they brought in the energy bill, which encompassed and affected many bills, the Tory party let the bells ring for two weeks, 12 days — 12 days in Ottawa — in order to get that bill split to take away the vicious effect of an omnibus bill. For two weeks they allowed the bells to ring. And I want to say that they were not crying out here and saying, "Oh, those Tories are wasting money fighting the Liberals over that omnibus bill."

But now, when we stand up and fight the same type of omnibus bill, they cry out and say, "Oh, this is not the same. This is a waste of government money." But when they did it down in Ottawa and allowed the bells to ring for 12 days, their leader was saying they were defending rights. Yes, the rights of the oil companies — that's what they were fighting for. But when we stand up here and fight for little individuals, they say that we are wasting the people's money.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — I want to repeat that. When the Tories in Ottawa fight them, holding up the House for two weeks by letting the bells ring, to protect their company friends, they say it's not wasting any of the taxpayers' money. But I'll tell you, when we come here and want to protect citizens of this province who have voluntarily given their time and energy to serve on boards and commissions throughout this province, they say we are wasting the people's money.

SOME HON. MEMBERS: Hear, hear!

HON. MR. ANDREW: — Point of order. I would refer, Mr. Deputy Speaker, to rule 25(2) as it relates to repetition in debate. I know that traditionally this House has given some

leeway. But the hon. member has now gone back to the principle, I think, maybe the 13th or 14th time since I've been listening to him today, and I'd like some interpretation with regard to repetition and irrelevant statements, Mr. Speaker.

MR. LINGENFELTER: — Under the rule quoted by the member for Kindersley, he mentioned that certain points had been referred to 14 or 15 times, and I have been listening very closely. In the case that is being made, it's a very logical, straightforward argument than an amendment to Bill 16 should be supported, and in your ruling I would like you to take that into consideration.

MR. DEPUTY SPEAKER: — I think I would like to warn all members that there has been quite a bit of repetition in speeches, and I would like them to stick more to the amendment.

MR. KOSKIE: — Mr. Deputy Speaker, I fully concur that members opposite are also freewheeling when you consider that the Attorney General spoke, apparently on the amendment, but never mentioned it.

I want to summarize for this House the impact of this legislation, and why we brought in this amendment. I want members to clearly know that what we are debating here today is in respect to one part of the amendment under 15(1), and that refers to agreements, not to other aspects of orders or regulations. The reason, I suppose, Mr. Deputy Speaker, why we pulled out, for an amendment under debate, first of all the word "agreement," is that it is so evident on the face of its inclusion that individuals — To have an agreement, an agreement with someone has to be involved. Normally, under an agreement, take any legal agreement, the rights of parties are sometimes — not always, but sometimes — included within the agreements . . . (inaudible interjection) . . . They are included within the agreements. Listen, I'll do the talking, if you want to get into the debate fine and dandy . . . (inaudible interjection) . . . Right.

But I want to say that within an agreement, Mr. Deputy Speaker, there is the potential of having the rights of individuals set forth. And what we are saying is that where we have an agreement with those rights set out, this legislation gives a blank cheque to the government opposite, to the cabinet, to totally abrogate any of those rights within that agreement. I want to say that if the government has a number of agreements . . . (inaudible interjection) . . . I'll get to you later. You had better look around, lose a little more of the hair. But I want to say that it has absolutely nothing to do . . . (inaudible interjection) . . . Why don't you stand up and make your comments? You can't do it. You haven't got the nerve.

HON. MR. ANDREW: — Mr. Speaker, a point of order. The talking back and forth is hardly parliamentary, Mr. Speaker. You made a ruling that you want to keep it on the amendment, and I would hope that that would happen.

MR. DEPUTY SPEAKER: — Order! The Minister of Finance on a point of order.

HON. MR. ANDREW: — Yes, the point of order, Mr. Speaker, is I believe you have already warned the Assembly that we want to get on to the substance of the amendment which is as it reads. I think that you cautioned all members of the House to do that. I simply raise to your attention again, that the debate is not addressing itself to the amendment. It seems to be a conversation back and forth by the various members.

MR. LINGENFELTER: — Mr. Deputy Speaker, I find it very interesting that the member

for Kindersley gets on to his feet twice within five minutes to advise the Chair on how to carry out the duties in the House. I would just like, Mr. Deputy Speaker, to know that we are following very closely, as you have been well aware, watching very closely yourself, whether or not the member is repeating himself. I am sure that we will be listening very closely when you rise and make a point that the member is being repetitious.

MR. DEPUTY SPEAKER: — I want to caution members that it is the Chair's role to conduct the debate so that it is relevant and not repetitious. Conversation back and forth across the floor just does not assist in the conduct of the debate. I ask members to speak only when they have the floor. I assure the House that I will listen closely to ensure that the rules are followed. I recognize the member for Quill Lakes.

MR. KOSKIE: — Thank you, Mr. Deputy Speaker. As I was saying before the point of order raised by the Minister of Finance, there was a reason for moving this particular amendment. This amendment deals with agreements. As I was saying (and I am sure the Speaker will concur), in respect to an agreement there are two parties to that agreement and, as a consequence, ordinarily rights are determined by the nature of the agreement. The problem we see here is that sweeping legislation which would abrogate agreements unilaterally will in fact affect an individual who may very well have a right under that agreement.

I want to say that what it does is threefold. It abrogates those rights which may exist under the agreement; second, it abrogates them retroactively; third, it denies compensation. I want to say that to cancel, so to speak, an agreement and in fact to do all of those three things is not only an abrogation of rights, but takes the potential interpretation of the agreement and the rights, which the individual might well have, from legal recourse to the courts.

What we're probably dealing with in respect to agreements here is not likely to be large corporations, which can hire legal advice to challenge the retroactivity or breach of the agreement or to seek damages, but rather individual citizens of this province, individuals unnamed who this legislation is in fact going to affect. So I want to say that we, in the opposition, Mr. Speaker, raise this particular amendment with great concern and it is for that reason that I spoke at considerable length this afternoon to try to draw to the attention of the House and those who would listen the effect of this legislation — the overwhelming destruction of rights if this were allowed to proceed. Accordingly, I will be supporting the amendment as proposed.

SOME HON. MEMBERS: Hear, hear!

MR. LINGENFELTER: — Mr. Speaker, I appreciate the opportunity to become involved in the debate on the proposed amendment. The proposed amendment outlines what we would like to see happen in one certain part of the bill to make it more acceptable. The amendment to The Interpretation Act would amend it to say that all the words after the word "that" be deleted and the following substituted therefor:

this Bill not now be read a second time because it would authorize the Lieutenant-Governor in Council to abrogate agreements unilaterally and to do this on a retroactive basis, and fails to make any provision for fair and reasonable compensation to parties to any agreements so abrogated.

Mr. Speaker, I think that the principle involved here is very clear and straightforward. I

listened very attentively to the Attorney General speak at some length on a wide variety of ideas and concepts, including a labor act that was passed by a former government, and how this somehow had something to do with the election on April 26, under the guise of amendment to Bill 16.

Mr. Speaker, I would like to spend just a little time talking about some of the agreements that could be affected by this amendment and, in fact, by the passage of this bill through the House, and the reason why we are moving the amendment. I think we need only look at such a board as the milk control board, which is located in Regina at 1818 Albert Street, where the office is. It's established under the Minister of Agriculture. It's called The Milk Control Act. The appointment of people to this board is not something that's simple or easy. There's also another interesting little highlight here, and it says:

The Lieutenant-Governor in Council appoints one or more members to this board to serve during pleasure. One member, designated by the Lieutenant-Governor, is the chairman. The chairman is a full-time, permanent employee in the public service.

Mr. Speaker, this is just to indicate one agreement which the government accepted when it was elected to office on April 26. I think if we went through the list of agreements that are being broken, or being proposed to be broken, by Bill 16, it would be shocking indeed, because many agreements are made with individuals who are on these boards and commissions — agreements of tenure, agreements of whatever holidays could be involved. There could be pensions involved; there could be holidays involved — that type of thing.

What the bill does is not only break these agreements, but break them without any recognition of compensation due to the individual. I know that the other day and today, many members were saying that our government had broken an agreement in the past, and I would just like to say that the agreements we are talking about here in this bill very clearly deal with individuals rather than large corporations. And I believe that the agreements that were made with many board members, be they from rural Saskatchewan or from the cities, are agreements which we think are going to be broken. They definitely deserve some type of compensation.

I think an important principle is at stake here, that being agreements with people in the province of Saskatchewan. What I would like to know is if the government intends, by the passage of this bill, to set a precedent dealing with agreements in other areas — agreements that deal with land bank, agreements that deal with lease-land, or agreements that deal with recreational land and that type of thing. I'm sure that many people will know that those types of agreements have been in existence for a long time, and we believed, up till now, that they were protected with the transfer of government, the same as we believed that agreements signed with individuals to come onto a board were agreements that would be honored by a new government.

An example of this would be a person who was appointed to a board or commission, and, because it took many, many hours a month, gave up a promotion to another job, or to a higher position that took more time. He took a lesser paying job, the possibility is, in order to serve the public of Saskatchewan; he did it in good faith and with the best of intentions. Now what we see is a government that is telling him that he is no longer needed. Not only that, but the agreement, without compensation, is being asked for.

Many will know that a large number of the people who are on boards and commissions at the present time are there at the will of the government, at any rate. Probably 75 per cent of the people who are on boards and commissions in Saskatchewan at the present time are there at the will of the government, or can be replaced or added to by an order in council, by the government, or by the cabinet. But there are a number of them who are in very sensitive positions who have agreements, who are representatives of various groups, and who have given of their time in order to serve the population of Saskatchewan. One example is the municipal employees' superannuation commission.

The Municipal Employees' Superannuation Act, which is established under the auspices of the Minister of Rural Affairs, includes a large number of people — names such as K. Smith, Owen Mann — people who are, I believe, above reproach when it comes to the government's telling us that it has to sweep the decks clear in order to get rid of political hacks. I defy them to tell the people on many of these boards that they are political hacks, because I'm sure that we need not list a great number of names to know that many of the people who are represented are very outstanding citizens whose politics, be they NDP, Liberal or Conservative, have little to do with the fact that they do a job for the people of Saskatchewan, and do it very well.

Mr. Speaker, Bill No. 16, and the amendment proposed, would allow that those people who have such an agreement would be protected, and would receive some type of compensation for that agreement being cancelled — such things as compensation for pensions, holidays and the various other areas that are involved where something is owing if the government does intend to go ahead and cancel their appointment.

But I think the principle is much larger than that. As I mentioned earlier, the real reason, I believe, that this is being tested to see whether or not agreements can be broken in the province of Saskatchewan — a first, I might say, in dealing with individuals — is to see whether or not agreements in the area of land bank can be and will be cancelled or changed in order that the government can put people they want into those agreements. The member for Kindersley mentions that we are using a long bow here, but I think that when a government acts in this indiscriminate manner in one area it is not unlikely that it will act that way in other areas in order to remove people from agreements whom they see to be political in one way or another.

I think the other thing, Mr. Speaker, that it does (removing the many people who are on government boards and commissions) is: it really holds the hammer over the heads of those people who will be appointed after this bill passes the Assembly — if, in fact, it ever does. Because what it will do to each of these so-called judicial boards is hold the hammer over the head of the chairman when a decision is about to be made. I think it is a very simple matter. If you have a board which feels very insecure, having been appointed under the type of act that we have here now, The Interpretation Act, Bill 16, I wonder what its decision would be if someone were to phone and say, "Look, this driver's licence of this individual MLA is now up and we want you to consider that." I wonder how much impartiality there would be with that type of a body after this bill has been passed.

AN HON. MEMBER: — Just let the people of Saskatchewan decide.

MR. LINGENFELTER: — Yes, I think it's important that the people of Saskatchewan, too, have a say on their boards and commissions. That is the right we are attempting to

defend by making this amendment to Bill 16. I think there are a great number of people in Saskatchewan (I don't think; I know) who have let us know that they are concerned about Bill 16, concerned about the limit to people's rights, the cancellation of agreements, the retroactive and sinister nature of the bill. I believe that it is intended to cover the tracks of a number of people whose agreements have already been broken.

The number of acts that are being affected by the cancellation of agreements is unknown at the present time. I think it is only fair that the minister who is responsible for bringing this bill to the House should have let us know how many individuals and how many agreements would be cancelled with the passage of this bill if the amendment were not put forward. I think it is fair to say that there are a good number of people in the province of Saskatchewan who, if you were to offer them a compensation package of one type or another (I don't think it has to be a great amount, but it would be a recognition of the fact that they have carried out a duty for their community, and have spent many, many hours dealing with the public's business if on a board of commission) would accept if, in fact, we were to move this amendment. I think all the members should have a close look at what this does to the bill. It doesn't in any sense limit or tie the hands of the government. What it says is that we should be looking at compensating those people and individuals who will have agreements cancelled.

We basically have a large number of acts which will be affected by the cancellation of agreements. Now, I know that there are 116 acts that will be affected in all, but probably no more than 35 or 40 of those acts will be affected in terms of an agreement with individuals. But at this time we have no idea what the minister is proposing. We would like to see him split the bill, bring in a number of bills, 35 or 40 (I don't think it would be that many, but bring them in), and we will have a look at amending them here in this Assembly — not one Interpretation Act, Bill 16, but a number of acts, the 35 or 40 to which I refer. I think it is essential, if we are going to have the confidence of the people of Saskatchewan in their government and in the process of the legislature, that we ensure that this type of bill (without the amendment), where agreements are allowed to be cancelled, not be passed. Our group, in opposition intends to make sure this bill does not pass in its form, that by amendment and through amendment we will make it acceptable to the people of Saskatchewan.

I cannot understand why the government is attempting to ram this bill through without the amendment which would allow for compensation to the individuals who have done such a good job for the people of Saskatchewan.

So we have, Mr. Speaker, a government which I believe is showing, in the first two months of its reign in government (a short reign, I'm sure many of the people on those boards and commission are hoping), arrogance. And I think it is showing arrogance not only by bringing a bill like this in, but by talking about amendments which we are proposing as being not needed.

It was not a great speech by the Attorney General in talking about how this amendment isn't necessary, but a wide-ranging speech which touched on any number of individual things. I refer back again to bills which were passed by the former government dealing with labor, and how that in fact affected the election on April 26.

But our concern at the present time is not the election of April 26, or the bill dealing with labor. What is before us is an amendment to Bill No. 16, which would make it more acceptable — not totally acceptable by any means, but more acceptable — to the people of Saskatchewan and the people involved in this legislature. I think if the

government persists in going forward against the will of many, many people involved in these boards and commissions, it will be breaking a trust with a large number of people with great expertise in many areas who will never again come forward and let their names stand for a board or commission — not only those people who are presently involved, but many others who see the process that people are required to go through when governments change. Many of those people will not put their names forward and will not accept the role of dealing with people's business and will not allow themselves to become involved in such a process of boards or commissions, knowing full well that when the government changes they are going to have to go through this most embarrassing process of having agreements cancelled without compensation.

I think if the bill were to look at some way of going out and finding out who these people are (and I say again that I don't think the number is great — I imagine that there wouldn't be more than 40 or 50 people, and I think only the minister in charge would know), it would probably be only 40 or 50 people that this amendment would touch. But I think it is important that those 40 or 50 people, another minority whose rights are being trampled by (as my colleague for Quill Lakes refers to it) the wish for unfettered power, should be offered a compensation package in an attempt to see that they are properly treated in the term of this government.

What we see instead is laughter from the members opposite and comments saying that they have the power to do what they want and saying that they do not even have to read the amendment we are proposing which would protect the rights of a goodly number of people. And I suppose they are true in their numbers they have power. But, Mr. Speaker, when it comes to passing an amendment we can dwell a good long time on an amendment like this and a number of other amendments if we see fit, in order that the protection that is needed and deserved by a great number of people is brought in and that the bill is amended to include the protection for these individuals.

I talked earlier about some of the agreements that could be cancelled and I referred to the milk control board and the number of people who would be affected by it.

The Assembly recessed until 7 p.m.