

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
January 31, 1986

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

ORAL QUESTIONS

Tax on Used Vehicles

MR. KOSKIE: — Thank you, Mr. Speaker. I direct my question to the Minister of Revenue and Financial Services. After an opportunity to realize that he's a cabinet minister, and he is entitled to answer questions . . .

MR. SPEAKER: — Order, please; order, please. If the member has a question we'd be pleased to take the question, but that type of remark is not allowed in the Chamber.

MR. KOSKIE: — As I was saying, Mr. Speaker, I have a question to the minister. I hope he had the opportunity to look up the answer. The question that I ask is: can he now tell the Assembly how much money the government collected under the used vehicle tax between the time that it was implemented until the date on which the Premier announced that the tax was being eliminated? In other words, how much money did you raise from this unfair tax, and how many people, in fact, were compelled to pay this unfair tax?

HON. MR. MORIN: — Thank you, Mr. Speaker. I'll be happy to answer the member's question if his colleagues will be quiet long enough for me to do that. My department advised me that about \$4.5 million was collected from various sources in taxation on vehicles, and that that money came from approximately 60,000 used vehicles.

MR. KOSKIE: — Supplement, Mr. Speaker,. Are you aware, Mr. Minister, that when the Premier announced the repeal of this here aggressive, unfair tax, that he indicated that it was a mistake, he indicated that it was unfair? In light of the Premier's admission to the people of Saskatchewan, what I'm asking you, Mr. Minister: are you prepared to make a rebate to those Saskatchewan citizens who paid this unfair tax? I ask you: are you prepared to rebate them this unfair tax that they had to pay?

HON. MR. MORIN: — Well, Mr. Speaker, at no time did the Premier or any other member advise that that was an unfair tax. In fact . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. Order.

HON. MR. MORIN: — Thank you, Mr. Speaker. In fact, of every other province that collects the tax on vehicles, we are the only province that does not collect I in that manner. The people of Saskatchewan determined that they would prefer to pay it in the old way, and we accommodated them.

We will not be rebating the tax, Mr. Speaker. And for the member opposite to suggest that he's concerned about the amount of taxes that the people of the province pay is a little strange in view of their taxation record when they were government, and their recommendation that if re-elected they would replace the gas tax to every citizen in the province of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: — Further question, Mr. Speaker, to the same minister. In light of the fact that farmers, during the fall, were required to buy additional trucks because of the need to dry grain, many of those who bought used vehicles during the implementation and while this tax was in effect were the farmers, the hard-pressed farmers of Saskatchewan, and in view of the fact that many of the people

that paid the tax were the farmers, and in view of the fact of the position of agriculture today, are you prepared to give them back what they paid in this unfair tax that you levied?

HON. MR. MORIN: — Well, Mr. Speaker, I indicated to the member that we are not planning to refund any tax collected on the sale of used vehicles. And if the member would like to compare their record of land bank, and their treatment of farmers, and their laws to farmers when they were in government, to the record of this government to farmers — with \$25 cash advance . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. Order, please! Order.

When the Speaker is on his feet and I ask for order, I'm going to demand order.

Reduction in Premier's Personal Staff

MR. LINGENFELTER: — Mr. Speaker, my question is to the Premier, and it deals with his credibility. Mr. Premier, on December 18th you informed the news media that you planned to cut 19 people from your personal staff. I wonder at this time whether you can inform the Assembly and the taxpayers of Saskatchewan what the names of those individuals were — the 19 you cut from your staff — and whether or not they're presently employed with the Saskatchewan government.

HON. MR. DEVINE: — Mr. Speaker, I don't have the 19 names with me, but I can inform the hon. member that some of them had the opportunity to go to the private sector, and some of them have been employed in various other departments or Crown corporations in government.

MR. LINGENFELTER: — Mr. Speaker, a supplement to the Premier. Are you telling the people of Saskatchewan, then, that political hacks, the 19 you had in your employ, were simply given jobs at the same salary in other departments? Is that the great cut-back that you made in your staff that was supposed to save the taxpayers a great deal of money — that you took them, for example, and moved them out of your office into the Minister of Finance or the Minister of Economic Development?

Is that the cut that you made, and will you give the names of those individuals and their present position to the Assembly and to the people of Saskatchewan?

HON. MR. DEVINE: — Obviously, Mr. Speaker, I will give the names of the individuals who work for me and those that used to work for me. As I mentioned, some of them will be working in the private sector, and some are in other departments or other places in government.

AN HON. MEMBER: — Will you give us a list?

HON. MR. DEVINE: — I will give them a list, Mr. Speaker. I do every year, in estimates, give them a complete list. And I will provide them with the members, and I will be glad to. As you know, Mr. Speaker, the size of my staff and the expense of my staff is indeed smaller and has been smaller than the previous government's administration. They don't like to admit that, but they don't like to admit a lot of things, Mr. Speaker.

Use of Government Aircraft

MR. LUSNEY: — Thank you, Mr. Speaker. I have a question for the Premier. Mr. Premier, on that same day in December you also announced that there would be some tighter restrictions on the use of government aircraft for the cabinet ministers in your cabinet. Could you at this time, Mr. Premier, tell me and the people of Saskatchewan what has really been put into place to this point?

HON. MR. DEVINE: — Mr. Speaker, we are watching the expenditures of government right across the board, and we will be providing, Mr. Speaker . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please.

HON. MR. DEVINE: — We are watching government expenditures right across the board, in my office and in other people's offices and in cabinet ministers' offices. I said at that time that I would trim the size of the cabinet; I said that I would trim the size of my staff; I said that I would sell one airplane; and I said that I would have tighter restrictions with respect to travel for public employees, as well as for cabinet ministers and for staff and everybody else.

And that is in place, Mr. Speaker. And we are watching expenditures, and we are concerned about the public safety, and we are concerned about public safety with respect to all facets of Saskatchewan, and that's why we're in this legislation today, and why we're here today. And the members opposite don't feel, I guess, that it's important to discuss why we're here today, Mr. Speaker. And if they are concerned about the public goodwill and public safety, then they should be on the money.

MR. LUSNEY: — Supplementary, Mr. Speaker. Mr. Minister, we're all concerned about public safety. But on the point, on the question that I asked you, what guide-lines have you put into place to this point regarding the use of the government aircraft by cabinet ministers?

HON. MR. DEVINE: — Mr. Speaker, what I have advised my cabinet and staff and government employees across government is to be very frugal with respect to travel, is to not travel unless you have to, to make sure that we are using government airplanes and other transportation mechanisms as responsibly as we can. As a result of that we have had good co-operation from public servants, good co-operation from cabinet ministers, and I am happy to report that to the public.

MR. LUSNEY: — Supplementary, Mr. Premier, would you table in this House the guide-lines that you have set forth that your ministers have to conform to? Would you put those guide-lines on the table so we could all see what they are and what the ministers have to abide by as far as your rules are?

HON. MR. DEVINE: — Mr. Speaker, the guide-lines are to not use transportation any more than is absolutely necessary with respect to the public good. We provide the guide-lines for public servants; we provide them for cabinet ministers and say when it's in the best interests with respect to policy, with respect to dealing with the public issues, then we will make sure that we do; when it isn't, that we don't. Mr. Speaker, we provided those guide-lines across the board, and I have received very, very good co-operation from the public generally.

Selling of Executive Aircraft

MR. TCHORZEWSKI: — Mr. Speaker, a question to the Premier, in asking the question I'd like to suggest to him that he should stop watching the expenditures and start doing something about them.

On that same day that my colleague from Pelly referred to, Mr. Premier, you announced that the government would soon be selling one of its four executive aircraft. Can you inform Saskatchewan taxpayers and this Assembly here this morning whether any of those executive aircraft have indeed been sold, and if so for how much and to whom?

HON. MR. DEVINE: — Yes, Mr. Speaker, we will be selling one of the aircraft, and to date it hasn't been sold.

Trip to Venezuela by MLA

MR. ENGEL: — I have a question for the Premier. It's simple. Who paid for Sherwin Petersen's trip to Venezuela?

HON. MR. DEVINE: — Mr. Speaker, I will be discussing that with the member when he returns.

MR. ENGEL: — The short and simple . . . He's your executive assistant. He's gone to Venezuela with

his family. Who paid for his trip?

HON. MR. DEVINE: — Mr. Speaker, Sherwin Petersen is the Legislative Secretary, not an executive assistant, and I will be discussing the matter when he returns with respect to his drying grain and his marketing chemicals and his marketing of fertilizer. So I will be discussing it with him when he returns to find out if, in fact, this is associated with his farming business or if it isn't.

MR. ENGEL: — Short and simple. Do you know if he's paid for it himself, you paid for it, or his chemical company paid for it? Who paid for the member for Kelvington-Wadena's trip to Venezuela?

HON. MR. DEVINE: — Mr. Speaker, I didn't pay for it, it's a personal trip, and if it's associated with fertilizer, then I'm going to find out when I talk to him.

MR. LUSNEY: — Thank you, Mr. Speaker, I have a question for the Minister of Highways.

MR. SPEAKER: — Order, please! Order, please!

Saskatchewan Transportation Company Bus Fleet

MR. LUSNEY: — I have a question for the Minister of Highways, Mr. Speaker, Mr. Minister, my question has to do with the Department of Transportation or the Saskatchewan Transportation Company, the company that you're responsible for as Minister of Highways.

Can you tell me, Mr. Minister, why in the last three and a half years Saskatchewan Transportation Company bus fleet has dropped from some 78 buses down to 62 buses at this point. And I have here a document, Mr. Minister, that indicates that some of those buses are down, some are about six years old, I think that's about . . . A good number of them are over six years old; there's some that are as much as 13 years old, Mr. Minister, in that fleet. How do you expect Saskatchewan Transportation Company to compete for the transportation dollar with buses as old as what you have in this fleet?

HON. MR. HODGINS: — Thank you, Mr. Speaker. Yes, indeed the number of our buses have been reduced in the last few years, and part of the reason was that the former administration chose to purchase a number of General Motors buses, as I recall, and just last year those buses became obsolete. As a result, we did purchase a number of other buses. We purchased eight MCA buses that are manufactured in western Canada, supporting western Canadian jobs, and these buses have increased the average age of our fleet by a few years.

SOME HON. MEMBERS: — Hear, hear!

MR. LUSNEY: — Supplementary, Mr. Minister, did you say that you purchased some new buses in the last short while?

HON. MR. HODGINS: — We replaced a number of buses with eight MCI buses that were vintage years 1979 through 1985.

MR. LUSNEY: — Supplementary to the minister, Mr. Minister, true enough, you replaced a number of buses. Were these buses not from an agent in Quebec, Murray Hill of Quebec, all used buses, some of which had to be repaired before they could be put on the road and into service?

HON. MR. HODGINS: — Mr. Speaker, I'm not precisely aware of who we purchased the buses from, but once again, I repeat, the buses were manufactured in western Canada. In addition, Mr. Speaker, we have presently under lease approximately 15 minibuses that are being used for the overload service, that are being used to a great extent in the province, and providing a very good service to the people of Saskatchewan, without question.

MR. LUSNEY: — New question, Mr. Minister, how can you justify to the people, the travelling

public of Saskatchewan, buying a bunch of junk from Murray Hill in Quebec, and putting them into service in this province when the other companies didn't want those buses any more? They got rid of them. The Saskatchewan Transportation Company is now buying them. How do you justify buying a bunch of old junk for the fleet of Saskatchewan Transportation Company?

HON. MR. HODGINS: — Mr. Speaker, I believe that STC is very offended by that accusation. You call these buses junk. That is very, very subjective. These buses are dated . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. Order!

HON. MR. HODGINS: — These buses are dated 1979 through 1985. Are you insinuating, sir, that every person in Saskatchewan who drives an automobile dated 1979 through 1985 is a piece of junk? That's an insult to STC; it's an insult to the drivers of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

Auto Rate Stabilization Reserve

MR. SHILLINGTON: — Thank you, Mr. Speaker. My question is to the minister in charge of SGI. It deals with Saskatchewan's auto rate stabilization reserve. Can the minister today inform the Assembly and the taxpayers of Saskatchewan how much money was in the reserve fund at the end of 1985? And as you may recall, he was asked the question yesterday.

HON. MR. FOLK: — Well, Mr. Speaker, just for clarification, that question was not asked yesterday. And what the rate is, I will endeavour to get that rate if it is fully aware right now because 1985, as he may be aware, just ended approximately a month ago. We will have that exact figure for that auto fund reserve.

MR. SHILLINGTON: — New question, Mr. Minister, your plain lack of knowledge is simply not believable. The size of Saskatchewan's auto rate stabilization reserve has been a matter of bitter dispute for some weeks between you and the Public Utilities Review Commission of Saskatchewan. Do you really expect the Assembly to believe that in the light of that dispute you don't know the size of the fund?

HON. MR. FOLK: — Mr. Speaker, the member for Regina Centre seems to be rather misinformed about what a bitter dispute is, rather than what business practice is within SGI and, indeed, the operation of the Saskatchewan Auto Fund. Perhaps if we delve back just a little bit into history on how the auto fund is managed, and compare the record of SGI under the administration of our present Premier as opposed to increases such as 26 per cent in 1980 and 20 per cent in 1981, I guess we can talk about management of SGI and the auto fund for a great deal of time, sir.

MR. SHILLINGTON: — Well, Mr. Minister, let me assist you then if you so totally lack the knowledge of the corporation you are supposed to be giving some leadership to.

Mr. Minister, I have an official statement from the Public Utilities Review Commission which states that the auto rate stabilization reserve contained 58.6 million . . .

MR. SPEAKER: — Order. Order, please. Question period is for asking questions and not for giving information. So if you have a question I'll take the question.

MR. SHILLINGTON: — New question with what I thought was a carefully drawn preamble, but I will . . . Mr. Speaker, new question. The fund contained 58.6 million as of September 30, 1985. Does the minister have any idea whatsoever whether that reserve went up or down between September 30th and the end of the year? Has it now topped 60 million as PURC predicted it would?

HON. MR. FOLK: — Mr. Speaker, indeed, when the member asked his first question he asked what

it was for 1985, which I think even he would admit that ends on December 31st not September 30th. As far as whether the exact amount of the reserve has gone up or down I would suspect that it has gone down from that figure that he has mentioned. But in responsibility to this legislature, rather than guess at what that amount is I would rather come back with the exact figure.

MR. SHILLINGTON: — New question. The minister knows full well that after careful and detailed study of Saskatchewan's auto rate stabilization reserve, the Public Utilities Review Commission said it was far too large. In fact, PURC ruled it should not exceed 38.5 million and your government overruled that decision. Can the minister explain why, when Saskatchewan's families are struggling to make ends meet, you would deny them more than \$20 million in vehicle insurance rate cuts?

HON. MR. FOLK: — Mr. Speaker, I believe a little bit of clarification is needed here. In 1985, what we did with the auto fund was indeed — rebates were given for good driver safety. The average rates went down between 7 and 7.5 per cent for vehicle registration and indeed the \$15 vehicle registration fee was dropped. Those were done in 1985.

For the member opposite to suggest that that money that is in the auto fund is used for any other reason or any other purpose other than for the drivers that contribute to it is totally erroneous.

Mr. Speaker, when we talk about how the auto fund is administered, etc., I think there is a difference of philosophy of what goes on. There seems to be some opinion that the auto fund should be able to work at less than the industry standards as far as the industry of insurance is concerned, and indeed that feeling comes because government is there to bail it out whenever we get going. So the rationale for leaving that rate stabilization rate where it is is that indeed benefits will accrue to the drivers of Saskatchewan so that they will not be subjected to rate increases such as what I've referred to earlier 00 26 per cent one year, 20 per cent another — under the NDP.

MR. SHILLINGTON: — Supplementary, Mr. Minister. If you followed PURC's orders, insurance rate would have been cut by more than 20 million. How do you justify stockpiling 20 million at SGI when the Public Utilities Review Commission, which you brought forth with such fanfare, has said the money isn't needed?

HON. MR. FOLK: — Mr. Speaker, once again I believe his understanding is maybe a tad limited in this case. Indeed the auto fund, the rationale for a reserve . . . And once again I'll emphasize that that reserve is used and used only for the drivers of Saskatchewan and their safety, and indeed to level out proposed rate increases or decreases. And indeed the benefit goes to the drivers and I would expect because of that for this year the increase will once again be zero. And I shall reiterate once again that the rates for last year went down approximately 7 per cent. The \$15 registration fee is gone, and indeed a good driver rebate was instituted.

Staffing in Saskatchewan Hospitals

MR. LINGENFELTER: — Mr. Speaker, my question is to the Minister of Health and it has to do with the serious issue of understaffing in Saskatchewan hospitals. Once again the Saskatchewan nurses have warned that the level of care being provided for patient care is severely limited. In fact they're calling it unsafe.

I know a survey was done in December that was sent to you, Mr. Minister, and I'm wondering at this time whether you can inform the nurses and the people of Saskatchewan who need health care what you are doing to deal with this critical shortage of nurses in particularly the base hospitals of Saskatchewan — something that has been going on for some time, a result of four budgets where nursing staffing has been reduced. Can you inform us what has been done as a result of this survey being given to you in December?

HON. MR. TAYLOR: — Well, Mr. Speaker, it's interesting that the member opposite would ask this question, and again we'll have to go back for a little history, Mr. Speaker, when we came in as government . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. Order.

HON. MR. TAYLOR: — When we came in as government, Mr. Speaker, one of the first things that became very apparent, that the government previous to us . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. The members have asked a question. If you don't give the opportunity for an answer, then there was no need for the question. Order, order.

HON. MR. TAYLOR: — Mr. Speaker, as I was saying, one of the first things that was very obvious was that the government that was in before us had decreased the number of nursing positions in Saskatchewan by 400 to acquire money to buy the potash mines.

Secondly, since taking office in '82, Mr. Speaker . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. If the members don't care for the answer, we'll move on to the next item on the agenda.

STATEMENT BY MR. SPEAKER

Retirement of Deputy Chairman of Committees

MR. SPEAKER: — Before orders of the day I would like to lay on the Table a letter from the Hon. Grant Schmidt:

Circumstances make it necessary that I ask the Legislative Assembly to allow me to retire from the post of deputy chairman of committees, a position which I felt greatly honoured to have occupied. (Signed) The Hon. Grant Schmidt, Minister of Labour.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 144 — An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union

HON. MR. DUTCHAK: — Mr. Speaker, I rise today to move second reading of an Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union.

Mr. Speaker, with great regret the government has found it necessary to bring this legislation before this House. The government has tried by every means reasonable to reach a negotiated settlement with the union leadership without success. It is now clear that the risk and financial hardship that Saskatchewan families have faced and must endure during the course of such a strike is intolerable and must no longer continue.

Let us consider for a moment the events that have led to this serious decision, Mr. Speaker. The bargaining process has been very long and very difficult. The Premier said in his address to the Saskatchewan people that there has been a sincere effort on the part of government to come to a reasonable contract settlement, one that would be honest and fair to both government employees and the taxpayers of this province. The government has consistently put forward a sincere and reasonable offer, Mr. Speaker, an offer that the union leadership has refused over the last number of months to put to the union membership. Despite the request from hundreds of employees, the union membership did not have the opportunity to look at settling the dispute in that manner, Mr. Speaker.

To reach a settlement in this manner, a conciliator was recently employed, Mr. Speaker. The union leadership nominated Mr. Vincent Ready to act as conciliator, and the government accepted the union's nomination. Furthermore, the government accepted the conciliator's report in its entirety and went so far as to sign a memorandum of agreement based on the same report. On the other hand, the union leadership has refused to accept this compromise put forth by the conciliator and have demanded significant changes in the principles outlined in his report. The only conclusion that one can reach is that the union leadership are not interested in a negotiated settlement, Mr. Speaker.

There is no doubt that the strike has serious impacts on those union members and their families who have been on strike, but it has made a horrendous impact on many families across this province and the public in general, Mr. Speaker. Regardless of the fact that the NDP opposition, as late as this morning, have indicated that there has been no serious effect upon the public, or any recognizable sector of the public, we must proceed onward.

Let us examine for a moment some of the consequences of the work stoppages. From virtually the first day of the SGEU strike the union has targeted many of its stoppages at the Saskatchewan Justice system. The reason is obvious. The leadership of SGEU correctly concluded that the justice system was an area where the SGEU could cause a great actual or potential damage to Saskatchewan public.

The SGEU has withdrawn services from correctional facilities, including the major provincial security correctional institutions in Regina, Saskatoon, and Prince Albert. The risk that SGEU has posed to the people of the province and the inmates in these institutions by its strike has been met by the government deploying management staff and engaging the special services of the RCMP.

Similarly, the SGEU has struck at justice services offered to the public by the courts, the sheriffs, the personal property registry, public prosecutors, the policing branch, and the public trustee.

From the inception, Mr. Speaker, the SGEU leadership consistent with its aim of inflicting the greatest harm it possibly can on the public, has struck various land titles offices in Saskatchewan. On October 30th, 1985 the SGEU struck the Regina Land Titles Office. Despite its claim of a rotating strike, the SGEU maintained without interruption its work stoppage against the Regina Land Titles Office from October 23rd of last year until today — more than 90 days in total.

It has maintained similar long-term strikes in Moose Jaw and Yorkton, and since January 15th has struck continuously against the entire land titles system, including the offices in Prince Albert, Swift Current, Saskatoon, Humboldt, and Battleford.

The government has maintained some services in all offices touched by the strike, and by introducing in December of last year an alternate system in Regina, the government has attempted to address the growing harm that the SGEU work stoppages have caused to innocent members of the public.

However, the crisis that the SGEU leadership has created in the land titles system has now reached mammoth proportions. In Regina the last registration performed was submitted on October 21st, 1985. Within the Saskatchewan land titles system there are currently over 25,000 applications for registration that the system has been unable to register. Regina has approximately 15,000 of these particular transactions. Though we have introduced the alternate system in Regina, we are currently able to deal with only a minority of all applications, past and present.

This means, Mr. Speaker, that the SGEU work stoppage in the Saskatchewan Land Titles system has been causing, and is causing, enormous economic hardships to purchasers and vendors of property, and to many residents of Saskatchewan employed in the real estate, financial, and construction industry, many of whom see their jobs and businesses threatened.

All of these people are victims of the SGEU strike, and all are innocent third parties who are unable to control, and have been unable to influence, the cynical, targeted, and uncaring conduct of the SGEU

leadership. The government has permitted the process to operate for many months, but has now concluded that it must move to protect innocent third parties, victims of the SGEU conduct.

I would also note the callous disregard for human safety that the union leadership showed in threatening the public with work stoppages by highway maintenance crews during the Christmas period, and in forcing work stoppages during stormy periods this winter. Mr. Speaker, there is simply no justifiable excuse for that behaviour. This has caused an inexcusable risk to public safety. We simply cannot tolerate allowing the public to be put so greatly at risk.

However this should not be viewed as a criticism of the rank and file. The Saskatchewan government has been pleased with the conscientious and dedicated efforts displayed by those employees who have diligently worked upon returning from rotating strike action, and we have a great respect for their abilities.

The Bill before the Assembly today is similar in many respects to legislation put before this House by the previous government, and by this one, to legislate an end to certain labour disputes in the past. The essential nature of what the Assembly is being asked to consider today is not fundamentally different from the action that was considered necessary at the time of the dairy workers' dispute, or the dispute prior to the last election, involving the Canadian Union of Public Employees and the hospitals of our province.

There is one additional consideration in this legislation, involving the Canadian Charter of Rights and Freedoms, which I will discuss later in my remarks, Mr. Speaker. But first of all I want to outline the basic direction of the legislation.

This Bill provides that upon the coming into force of the Act, all employees on strike shall return to work. In addition, the government will not be permitted to lock out employees during the period of time covered by the settlement as legislated. The union leadership is required to advise its membership that, upon the coming into force of this Act, any strike notices are no longer laid, Mr. Speaker.

Certain offences are contained in this legislation. No person shall prevent an employee from returning to work. The government shall not refuse to permit any person to continue his or her employment, and shall not discipline any employee for the reason that that employee participated in the strike. Finally, the union shall not discipline any employee for returning to work after this Act comes into force.

This legislation imposes a settlement upon the union and the government which essentially consists of the following components: the current bargaining agreement shall be amended in accordance with the recommendations of the conciliator as provided for in a memorandum of agreement proposed by the government on January 22, 1986. This conciliator's recommendation has been amended by adding certain suggestions made by the union that were acceptable to government. The Act provides certain penalties for the failure of the employer or the union and union membership to comply with the Act. Failure or refusal by an employee without lawful excuse shall be deemed to be just cause for dismissal.

I would now bring your attention to the charter and Human Rights Code issues contained in the Bill. This Bill before the House deals with the novel problems which have arisen in Saskatchewan because of the Canadian Charter of Rights and Freedoms.

There is great uncertainty as to the constitutionality of any attempt to end strikes by back-to-work legislation in this province, Mr. Speaker. The appeal courts in Canada have taken conflicting positions as to whether the guarantee of freedom of association in the charter protects the right to strike. The issue is presently under the consideration of the Supreme Court of Canada.

It is our belief that whatever the interpretation is given to freedom of association should not stand in the way of effective operation of this particular Bill. Consequently we have invoked section 33 of the

charter. Section 33 specifically authorizes elected officials to declare that legislation shall operate, notwithstanding the charter. We are using it for the precise purpose for which it was included in the constitution.

Publicly accountable legislators must be the final arbiters of matters of essential economic and social policy. This is entirely consistent with our centuries-old constitutional and legal history, and I submit that our new charter should not be read outside of this contextual framework.

Back-to-work legislation has been used many times in the past. Some jurisdictions allow no strike action whatsoever by public employees. I wish to emphasize that we are using section 33 in a careful, limited, and responsible fashion. The application of section 33 in the Bill applies only to the extent necessary to ensure the effective operation of this Act.

Finally, another provision exempts this Bill from the provisions of the Human Rights Code. That exemption is included because the approach taken with respect to freedom of association in the dairy workers' case may be applied in the interpretation of similar guarantees found in section 6 of the code.

I'll close my remarks by saying that no government likes to resolve labour disputes by means of legislation. It has been a very difficult decision to make and has been made after very careful consideration. Only when it is clear that the risk and hardship to the public was at an intolerable level, were we prepared to legislate. We are an employer with all the responsibility that that entails, but our paramount responsibility must be to the people of Saskatchewan. And with that in mind, Mr. Speaker, we believe that we must act.

Mr. Speaker, I move second reading of An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union.

MR. SHILLINGTON: — Thank you, Mr. Speaker. I rise to speak on this occasion. I think it is important for everyone to understand how this Bill comes before the Legislative Assembly. This legislation, Mr. Speaker, has nothing to do with public interest and everything to do with Progressive Conservative Party interest; nothing to do with public safety and everything to do with politics.

The people of this province, Mr. Speaker, have come to believe that this government and this Premier just don't know what they're doing. They don't have a plan for facing the complex issues facing this province. They don't have a plan for dealing with the complex issues facing this government. Where once there was hope and confidence in the promise of this government, there is now disappointment and discouragement in its performance.

(1045)

When you travel this province, you talk to the people of this province about this government, the most common questions you get are: how could they mess up so badly so fast; who's in charge in Regina; why don't they seem to know what they're doing?

Mr. Speaker, in short, this government and this Premier are suffering from a credibility gap, a credibility gap which is fast becoming a credibility chasm. In the public mind the Premier is a cheer-leader, not a leader; a man who can make a sales pitch, but who simply can't deliver; and worst of all, a man who is unwilling, or unable, to deal with difficult issues head on. When farm families demand action in Swift Current, he ducks. When more than 1,000 working people gather at the legislature to demand fair treatment, he locks this public building, calls in the police — something, Mr. Speaker, that has not been done in this building for a very long period of time, if at all. A real leader, Mr. Speaker, doesn't run and hide. A real leader is able to explain difficult decisions any time, anywhere. Whether they are or not, most people at least respect a leader for making tough choices and standing by them.

As the Premier's credibility gap has widened, public support for his government has fallen. Since last spring, both the Premier's credibility and his government's support have been on a slippery slope to political oblivion. It's not just the polls who are saying that, it's the public as well.

MR. SPEAKER: — Order. Order, please. Order! I'm finding great difficulty in relating the political polls to the Bill that's before the House, and I would ask the member to . . . Order, please. Order, please. I would ask the member to stay on the subject of the Bill.

MR. SHILLINGTON: — Mr. Speaker, I have spent some 11 years in this legislature. I have great respect for your office. I don't want to argue with you, but it is my contention that we are here dealing with this Bill because of the political polls. I say, Mr. Speaker . . .

SOME HON. MEMBERS: — Hear, hear!

MR. SPEAKER: — Order. We're here dealing with the Bill, and I would ask the member to deal with the Bill.

MR. SHILLINGTON: — Mr. Speaker, I feel strongly about this. I believe I have a right to describe the background to this Bill, and if I have to deal with just the technical detail of the Bill in second reading, then I tell you I'm going to feel aggrieved. He talked about it, and I think I have a right to talk about it.

Mr. Speaker, on November 25th, in Regina North East, the people spoke with stunning clarity about this government.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: — What we have seen since then, Mr. Speaker, is one of the most amazing displays of government by panic in recent Canadian history, and this, Mr. Speaker, is government by panic. This government has been flailing about searching for something, anything that might turn around their political fortunes. No doubt about it. His pollsters and his public relations advisors have told the Premier that if he hopes to hold onto power, he must convince the public that he's tough, decisive, and in charge of events. That's what I call a hard sell.

I think the comment by my colleague from Shaunavon summed it up best, repeated, I might add, in *The Globe and Mail* of Toronto. And I suppose this government can now add to its growing list of enemies the big eastern press, in addition to all the others. That comment was: trying to make this Premier look decisive and in control is a little like trying to cast Don Knotts as Rambo.

All the rhetoric and public relations hype aside, that's really why this legislature's been recalled today. It has nothing to do with the work stoppage and everything to do with the image of the Premier. It's not to protect public safety but to provide the Premier with a platform from which to play out his phoney war with the government workers. I call it a phoney war because it was unnecessary and totally avoidable.

Let's just review some of the events which brought this Bill before the Assembly, Mr. Speaker. About 18 months ago the old contract between the Government of Saskatchewan and its employees expired, and the bargaining process for a new contract began. For nearly 15 months there was bargaining back and forth, and very little movement towards settlement.

Did anyone go on strike during this period? No. Were there any public services disrupted? No. Did the member from Estevan involve himself in the bargaining process during this period? No.

And by the way, the general public should be made aware that throughout those 15 months, and even up to today, the stumbling block in the contract has not been money, but patronage, something this government has made a corner-stone of its government since it first came into office.

Government workers said they were tired of the public service being littered with blatant political

hacks who were incompetent to do their jobs. They were tired of hundreds of job applications and files containing blue clips which meant that these were ministerial designees. They wanted to put a stop to that, but this government and this Premier wanted to expand the use of the public service for political patronage.

They wanted to effectively wipe out the Public Service Commission, the body through which one is supposed to urn, as one is supposed to hire people on the basis of merit, not on the basis of their political loyalties. They want to place that power in the hands of the individual ministers who could return the public service to an era of blatant political patronage and incompetence, an era that this province left, and all provinces and the Government of Canada left behind decades ago.

The last time anyone attempted to so blatantly abuse their position in office for political patronage purposes was about 50 years ago when a fellow by the name of Jimmy Gardiner was premier, and the public service was little more than a place for political hacks. I doubt the Saskatchewan taxpayers want to return to that era and those dark days, Mr. Speaker.

Last fall the government workers decided that the bargaining process had dragged on too long. So they began a series of rotating walk-outs to protest the lack of purpose and the lack of progress in those negotiations. Did they have the legal right to launch those series of rotating walk-outs? Yes. Did they have the legal right to launch a government-wide walk-out? Yes. Did they do that? Do. Did the member from Estevan involve himself in the process at that time? No. Even though these rotating walk-outs were disruptions, and disruptions to some public services, the government didn't budget. The Premier and his Minister of Labour maintained a dead silence.

A few weeks ago both sides finally agreed on the appointment of a conciliator to settle the dispute. Did the member from Estevan involve himself in the bargaining process at that time? No. After meeting with both sides, the conciliator did something that's highly unusual. He made a written recommendation and presented those recommendations to the government and the workers. The government announced publicly that it was prepared to accept those recommendations. Did the member from Estevan make that announcement? No.

Immediately the government workers announced they would call their bargaining committee together, a union of some 12,000 or so people spread throughout the province, to consider the conciliator's recommendation. They called a meeting for Friday, January 24th. Did the member from Estevan involve himself in the bargaining process at that time? You bet he did. You just bet he did.

On January 23rd, the day before the workers had stated that they would announce their decision, the Premier launched what has been called his "Rambo routine". He held a news conference to demand that the employees accept the conciliator's report or immediately face back-to-work legislation. I submit that if the Premier had not made his Thursday threat, there would have been no need for this legislation. The dispute would have been settled or put to a vote. It's important to remember that the Premier's announcement pre-empted both an acceptance and a vote.

I submit, as well, it is apparent to most Saskatchewan people that the Premier knew that if he said nothing, the conciliator's report would serve as the basis of a settlement. And it was that peaceful settlement to this dispute which the Premier sought to pre-empt.

Anyone with even a basic understanding of the collective bargaining process would have expected the employees' bargaining committee to have reviewed the conciliator's recommendations last Friday, to have noted that the government had accepted those recommendations, and to have decided to put those recommendations to a vote of their membership or accept them. That was apparent to everyone, including this government. If the Premier hadn't stuck his nose in the situation last Thursday, I suspect everyone would have seen back-to-work legislation by now. It would have been unnecessary, and the voting would have continued.

I want to make a comment before I continue about section 33 of the charter of rights.

Mr. Speaker, it has been said of democracy in this country that it's a fragile flower. I think that's not true. I think democracy is a very sturdy plant. It has existed for well over a century in this country.

One of the things, Mr. Speaker, which has given it such stability is that the Canadian public and the people of this province have a basic sense of fair play. And, Mr. Speaker, I submit that that is more deep-seated than any views as to whether or not strikes are good or bad. Far more fundamental is their sense of fair play and understanding by the public that if a government or anyone else is allowed to violate the rules of fair play, then the democracy which has been taken away from the government workers may well be taken away from them.

As well, Mr. Speaker, this national has a pride, and a jealous pride, in their freedoms. They're proud of being free men and women in a free society and flourishing as we do. It was that sense of fair play and those freedoms which the framers of the charter of rights sought to incorporate and, I think, did with some consummate skill. It is that sense of fair play and those freedoms which this government violates. And they admit, by use of section 33, that they know they are violating that sense of fair play and those freedoms.

Mr. Speaker, section 33 was a controversial section when it was inserted. Those who argue in favour of its insertion stated there would be some social issues which wouldn't fit within the four corners of the charter of rights. One might suggest, as an example, the settlement of Indian land claims. It was that social policy which was sought to be accommodated by section 33.

Those who opposed it — and I might add for the benefit of the Minister of Justice that the Canadian Bar Association was one group which vehemently opposed the inclusion of section 33 — said ah ha, but if you include section 33 what will happen is that legislatures and the House of Commons will use that section to run roughshod over the rights of people who aren't able to protect them, and don't happen to be in current favour with the public.

Mr. Speaker, the worst fears and the worst criticisms of section 33 have turned out to come true with this legislation. That's exactly what is happening. Section 33 was never contemplated as a means of settling a strike of government workers. That, indeed, was among the most potent criticisms which were levied against its inclusion. And that's what's been done today. Mr. Speaker, this government has violated the public's sense of decency and the freedoms of this country, and they're admitted that they know they are doing it when they include section 33.

(1100)

Mr. Speaker, if the Premier had not stuck his nose into the situation last Thursday, I suspect that everyone would have been back to work today and would be voting on a contract. Instead, his threats, his inflammatory language, has served, as it was calculated to do, to escalate this dispute. Most workers left their jobs, more public services were disrupted, a negotiated settlement became impossible, and now the taxpayers foot the bill for a special session, not to bail out the public but to bail out the Premier.

But while Thursday's threats were bad enough, the Premier refused to respond to three separate proposals for settling the dispute since last Thursday, put forward by the employees over the last six days. I see government members opposite disbelieve that comment. Well, we'll be in a position to ask some questions about that, and we'll see whether or not the Minister of Justice denies that fact when he has the opportunity to do so.

That's why, Mr. Speaker, we've called this a phoney war. It's a one-way war which the Premier is waging against a group of people who have been trying to get a new contract for a year and a half. The dispute no longer has anything to do with collective bargaining and everything to do with the Progressive Conservative Party's political agenda. It's desperately trying to pump up the image of a faltering government, and is doing so on the backs of working people. It has clearly violated the sense of fair play of working people. I think it has violated the sense of fair play of a lot of people who

don't think of themselves as working people.

The dispute has nothing to do with collective bargaining. It has everything to do with an attempt to drive a wedge between the working people in this province and the rest of the public, and it's doing it for its own term — short political gain. Well, we'll see. I don't think the public will buy it.

Oh yes, they want to see government workers back at work. There can be no doubt about that. Yes, they want to see public services restored, but the public understands full well that the kind of press conference confrontation we witnessed in this province in the past seven days is not the way to accomplish that.

I tell you, and I tell this government something else, Mr. Speaker. The members of the general public who have been writing to us and calling us in recent days have not been asking about the legislation. They've been asking about the two key issues for most Saskatchewan public — jobs and taxes. They want to know when this government is going to ease the record tax burden on ordinary people, and they want to know when this Progressive Conservative government is going to deal with our record unemployment. They want to know when this government is going to stop playing games with this kind of legislation, and when they're going to deal with the real issues — jobs and taxes.

Those are the issues, Mr. Speaker, and the public sees this trumped-up confrontation with government employees as little more than a smoke-screen to take their minds off the government's failure to deal with these issues, and the Premier's failure to even acknowledge them.

In conclusion, Mr. Speaker, I will be voting against this legislation because I want no part of this government's disruptive and divisive public relations ploy. If the Premier had truly felt that he had the public interest at heart, he would have ordered his Minister of Labour and the minister responsible for the Public Service Commission to meet with the employees last week to negotiate a fair and reasonable settlement. If he were a real leader, he would admit his mistake even now, withdraw the Bill, and do just that.

I do not know if what I have said in the legislature is popular in the short-term politics of this province. It may well be fashionable to beat up on working people or other groups who happen to be out of public favour. Well what I say, Mr. Speaker, may not be politically expedient, but it is what I honestly believe. I wish the Premier and his government could say the same.

Mr. Speaker, I have two young children at home, and whether it's tonight or whether it is 20 years from now, I'd be happy to show them the documents and the *Hansard*, and I would be happy to explain to them what I felt this debate was all about and what our party did as a result of this debate, Mr. Speaker.

If the Premier showed his children — they're about the same age — in 20 years what he's said and done, and if they asked him what it all meant, what could he honestly say? I believe that if the Premier were an honest man, there's only one answer he could give to those children. He'd say: pay no attention to that, kids, this is all just politics.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. DIRKS: — Thank you, Mr. Speaker. Mr. Speaker, the members on this side of the Assembly, and I'm sure the great majority of the public, were wondering how the members opposite, how the members of the New Democratic Party were going to respond to this legislation. They were wondering, Mr. Speaker, whether or not the minority interests of a few would win out over the needs of the majority. They were wondering whether or not the NDP would associate themselves with the union leaders, or whether or not they would associate themselves with the needs of the public.

And I want to say publicly today, Mr. Speaker, I want to say publicly today, there can be no doubt where the loyalty of the NDP lies in this province. The NDP have sold themselves; they have sold their political soul to the union movement, and they refuse to line up with the needs of the general

public.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. DIRKS: — Mr. Speaker, I find it preposterous that the labour critic of the party opposite could say the following, Mr. Speaker, that there is no question of public safety in this dispute — no question of public safety in this dispute. That is what the NDP member for Regina Centre said.

The union leaders, Mr. Speaker, the union leaders themselves recognized that there was public safety involved because when they threatened to pull the maintenance workers off the highways they changed their own minds knowing that public safety was involved, Mr. Speaker. They knew that public safety was involved. The public knows that public safety is involved when the correction workers are pulled out. They know that public safety is involved, Mr. Speaker.

The member opposite has said that there has never been any question of public safety involved in this dispute, and I will make reference to that again, Mr. Minister later on. But I think it's important at the outset of my speech to indicate that the members opposite have very clearly decided that being between a rock and a hard place on this issue that they would not abandon their principles. And their principles are to support the union leaders regardless of which direction they take the NDP party.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. DIRKS: — How can anyone say that this Bill has nothing to do with public interest? How can anyone make that preposterous statement? How can anyone say this Bill has nothing to do with public safety? How can anyone say that, Mr. Speaker, in all good conscience, believing that that is true?

It's commonly accepted, I would say Mr. Speaker — indeed, it's self-evident — that governments exist to secure the safety and the well-being of their citizens. And this is especially true in a democracy where we believe in the dignity and in the infinite value of each citizen, and where we expect governments to do what is necessary to provide for the safety and security of families, of children, and of senior citizens.

And no government, Mr. Speaker, no government can say that it has fulfilled its obligations to its citizens if it stands idly by while a small minority of the population inflicts undue hardship without justifiable cause upon the public at large. No parliament, no legislature, is fulfilling its mandate if it chooses to sit by as a spectator and permit the safety of its citizens to be threatened with impunity.

The people of Saskatchewan, Mr. Speaker, I submit to you, are a tolerant people. They are a tolerant people. They are willing to endure a measure of hardship if such is necessary, if such is necessary in order to permit disputing parties to reach a settlement.

But here comes a time, Mr. Speaker, there comes a time when the public of this province are no longer willing to endure and to suffer at the hands of a few because the hardship, the jeopardy which has been inflicted upon them has passed beyond the point of being tolerable; it has become unreasonable and unfair and unsafe. And at such a time in a democracy, Mr. Speaker, the people turn to their government for help. And I submit to you, Mr. Speaker, that such a time has come.

And at such a time, Mr. Speaker, the people are wondering how are all the members of this legislature going to react? How are all the members going to act? We know now, Mr. Speaker, that when the people cry out for help the NDP say, we're not listening, Mr. Speaker, we're not listening, because we listen to the union leaders, we don't listen to the public of Saskatchewan.

We, as legislators, Mr. Speaker, must decide if it is reasonable, if it is fair, if it is in the public's best interest to pass this bill before us today, and in so doing to end a long labour-management dispute which is having a serious effect upon the economic and social well-being of our citizens.

Seventeen months ago, Mr. Speaker, the Public Service Commission and the SGEU commenced negotiations on a new collective bargaining agreement. The public commission offered terms it considered reasonable and fair, with a number of key features that were similar to contracts being offered to other union groups. And during this period of time, Mr. Speaker, in fact, many new collective bargaining agreements between the SGEU and other employers were reached — agreements very similar to that being offered by the Public Service Commission to the SGEU.

Mr. Speaker, the teachers in our province, by a large majority, ratified a fair contract, as did the hospital workers. And the SGEU leadership has settled agreements with many other employers in the public sector: with the Workers' Compensation Board, and the cancer commission, and the Wascana Hospital, and Wascana Centre Authority, and crop insurance. But there was no acceptance, Mr. Speaker, of the Public Service Commission's offer. In fact, the thousands of members of that union were not even permitted to vote on the Public Service Commission contract off. And so the dispute dragged on, Mr. Speaker.

On September 29 of last year, the SGEU leadership began a series of rotating strikes in an attempt to gain a settlement. And while those strikes were few in number to begin with, they escalated over time to the point where, on January 30, 3,400 union members were striking across the province at the order of their union leadership.

Mr. Speaker, in mid-December of last year I was appointed minister in charge of the Public Service Commission. And not wanting to see this dispute carried on any longer, and even though upon review I was of the opinion that the Public Service Commission's offer was reasonable and fair, I nevertheless instructed the Public Service Commission to request conciliation with the SGEU, and conciliation was agreed to. The SGEU leadership proposed a conciliator, Mr. Vincent Ready, from British Columbia, one of Canada's most foremost respected labour dispute experts, and we accepted that recommended name.

(1115)

Mr. Ready entered into conciliation and proposed recommendations which he believed could end the dispute. The Public Service Commission reviewed Mr. Ready's recommendations and, in the spirit of fairness, agreed to accept the conciliator's recommendations and, in so doing, to meet the SGEU leadership half-way in our attempt to end the dispute. But was the SGEU leadership willing to come half-way to end the dispute? Mr. Speaker, unfortunately an end was not to be.

The SGEU leadership did not accept the conciliator's report as it was, but added conditions which were unacceptable to the Public Service Commission. And I want to quote, Mr. Speaker, the following. The negotiator for the union said he was both pleased and displeased by the report: we were pleased that it invalidated the contract concessions asked for by the employer. In other words, we were happy that the employer had to give up some things. It was rather disappointing that the conciliator hasn't dealt with the issues of hiring procedures and job security, from their point of view, and so they pressed additional items upon us.

In other words, the conciliator's report is okay when it takes away things that we want taken away, but when it doesn't give us things we want, it's not okay — it's not okay, Mr. Speaker.

In the spirit of fairness, we wanted the dispute ended. We met half-way; they did not, Mr. Speaker. At the same time, instead of meeting half-way, it chose to increase its rotating strikes. And as is now well known because of the public hardship and the threat to safety which had been caused by the withdrawal of services, some very essential to the public, the Premier announced that the SGEU leadership should end its strikes by 5 p.m. this past Monday, or the government would have to act.

The response of the union was to further escalate strike action across the public service, especially in Highways, Justice, and Social Services. From January 24 to January 27, the number of union members striking escalated from 1,800 to well over 3,000. Such strike action has had a profound and severe impact upon the people of our province. It has threatened, and to this day threatens their

safety and well-being.

Mr. Speaker, I'm sure the union leadership would admit to the same if they were pressed. As I indicated earlier, we have only to observe their actions prior to Christmas when the highway maintenance workers were told not to report to work. Well, we all know how unpredictable and how storm-prone Saskatchewan winters are. We all know that highway travel is an essential element of Saskatchewan life for most citizens. And we all know that without those professional maintenance workers keeping the roads clear, that a very clear and present risk to safety suddenly confronts the Saskatchewan motorist. The SGEU leadership knew it too, because having issued the strike call, they changed their minds and wisely chose to allow the highway members to do the job for which they were hired.

But I regret to inform the Assembly that for some days now highways workers have been on strike, and as of this very day 524 maintenance employees are not working. And we know, Mr. Speaker, that they were told not to work during any storms.

I regret to inform the Assembly, Mr. Speaker, that as of this day 850 employees of the Department of Social Services were ordered to strike by their union leaders. This means that we have had to suspend all placements of children for adoption and in so doing bring stress into the lives of parents and families involved. This means that we are not able to presently respond to the telephone calls we are receiving from parents who are undergoing severe child-parent conflict and are desperately looking for help.

Perhaps most unfortunately, Mr. Speaker, it means we are not able to respond as we should — or even respond at all — to cases of child protection and sexual abuse, and consequently the health, the safety, the well-being — yes, perhaps even the lives — of some children are now at a greater risk.

It also means, Mr. Speaker, that for many days, as my colleague mentioned, there have been no transactions at the land titles offices in our province. As of January 29 the provincial system was 25,260 documents behind. Here in Regina, land titles has been shut down for well over 60 days and is now behind over 14,000 documents. Consequently, many citizens are suffering great financial hardship and are undergoing, through no fault of their own, Mr. Speaker, severe and unnecessary personal and financial stress.

And I find it hard to conceive that the labour critic of the NDP party could say that this is just a minor issue, that it has nothing to do with the public at large, that it doesn't affect many people, and if it did affect many people it wouldn't be all that significant anyway, and for just a few it really isn't a big issue. How could anybody in their right mind, Mr. Speaker, make those kinds of statements and believe them?

I need not remind members of the strikes at our correctional centres and the earlier ones at our provincial laboratories — strikes which pose a threat to our citizens.

Clearly, Mr. Speaker, any reasonable-minded person would come to the conclusion that the situations presently before us are intolerable and they must not be prolonged, and we must not permit a situation to arise where those similar circumstances may, in the very near future, ensue again, and the public be harmed to the extent that they have been. There can be no contrary argument, Mr. Speaker.

Canadians believe in peace and in order and in good government. Good government means government protection for its citizens. It means ensuring that our citizens receive public services which they need and which they deserve and for which purpose they elected a government in the first place.

When the peace, when the order, when the services which are so essential to the public harmony and safety are threatened and jeopardized and disrupted to the extent they are, and when they cannot be secured by voluntary agreement, then government must impose a solution. To not do so

would be to abdicate our most basic responsibility as legislators. To impose a solution now is the only fair and just course of action which this government, and which this legislature, must take.

Mr. Speaker, this legislation provides a fair contract for those many public service employees who have been without a contract for some 18 months. It's a fair contract because its salary and benefit provisions are similar to those negotiated with many other unions. It's a fair contract because it's based on a conciliator's report.

To not enact this law before us today, Mr. Speaker, would be for this legislature, by default, to side with the union leadership and together impose continued, undue, unjustifiable hardship and threat to the safety of our citizens. This legislature, Mr. Speaker, is beholden to its citizens at large, not to prolong their hardship, but to alleviate it and to ensure that it doesn't happen again. Not only would the failure of this legislature to act be unfair to a hurting public, it would be unfair to the many union members who wanted to vote on the contract offer but were not permitted to do so, and who want to go back to work and serve the public.

The contract is a fair one for all concerned. The solution before us is a necessary and proper one to avoid a continuing and lengthy labour dispute into the future which, in the words of conciliator Vincent Ready, would adversely affect the economy of the province as well as the welfare of the members of the union and of the general public.

Mr. Speaker, I urge all members of this Assembly to do their duty to the public, to pass this legislation, and to restore to this province the services which the public deserves, which they are presently being denied; to provide a fair contract to the employees involved; and to ensure that there will be no future and continuing harmful withdrawal of services to our public.

Mr. Speaker, I urge all members to support this Bill.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. HODGINS: — Thank you, Mr. Speaker. Mr. Speaker, it is with a strong commitment that I join in debate on the legislation that is before us today. This is my first opportunity to address the people of Saskatchewan as Minister of Highways and Transportation, and this portfolio does carry with it great responsibilities. I am honoured that our Premier has placed his confidence in me but, Mr. Speaker, this is not the time to discuss my personal feelings about my new role. The legislation that we have before us today is far more important to every man, woman, and child in our province.

The legislation that we have before us today will make our highways safer to travel, and that, Mr. Speaker, is why I feel so strongly about this legislative action.

From the minute I became Minister of Highways and Transportation I assumed the responsibility for a safe highway system. And from the minute I took on my new role, Mr. Speaker, the safety of the travelling public was threatened by SGEU rotating job actions. Since mid-November, the SGEU had been pulling off highway maintenance staff from the job on Sundays. Then, Mr. Speaker, the leadership of the Saskatchewan Government Employees' Union took it upon themselves to attempt to ruin the 1985 Christmas holiday season. And it wasn't until Premier Grant Devine stepped in and said no to that threat that the union leadership backed off.

But the union leaders were not finished with their threat to public safety. They announced that highway workers would be pulled off of the job on weekends starting in January. And then they planned to work just only during daylight hours during the week. It was in language that sounded like war. The SGEU claimed that this was one of their bargaining weapons. Mr. Speaker, I ask you: what kind of mentality would threaten the lives of innocent people travelling on our highway system?

I do know that most of the highway winter maintenance employees are not at war with anyone. In fact, some of these employees have been placed in a very uncomfortable situation. Most of the 600

winter maintenance workers live in small towns in Saskatchewan. It is their friends and family who travel the highways that they maintain, and it is their friends and families whose lives are definitely at risk when service is withdrawn. No, Mr. Speaker, I doubt that most of the highway workers feel happy about seeing their friends and family placed at such risks when it is absolutely not necessary.

The highway worker who takes care of his section of road is a professional in every sense of the world. These people are prepared to go to work at any time during the day or the night. And the department has countless testimonials where winter maintenance employees have gone beyond the call of duty to help stranded motorists and people in need. These hard-working men and women are the real heroes of public safety in Saskatchewan. They, themselves, are not the kind of people who deliberately endanger the lives of friends and loved ones.

We have been fortunate this winter not to have had many major snowstorms in the province. I can only speculate, Mr. Speaker, but if a major snowstorm were to hit our province, I believe most of these workers would put their friends and families first. Unfortunately, Mr. Speaker, there were three deaths on our highways when SGEU highway workers were not working. I am not going to point the finger of blame at anyone in particular. That would not be responsible on my part. There are many factors that lead to a fatal accident, and road conditions are just one of many such factors.

I am certain that the relatives of those who have died do not need the loss of their loved ones used as a political football. But we do know, Mr. Speaker, that the highways were not as safe as they should have been because of a decision by the union leadership. And that, Mr. Speaker, is absolutely undeniable. The highways of this province were not as safe as they could have been because of a decision by the union leaders. Undeniable, Mr. Speaker.

Mr. Speaker, there is no doubt that this legislation is needed now. The public is tired of the union playing Russian roulette with their personal safety.

Although the cost to the taxpayer is estimated at more than one-quarter of a million dollars because of this action, the cost in human terms cannot be calculated. How, Mr. Speaker, do you put a price on a person's life? Every day that this dispute continues, the risks to the public who travel our highways steadily increases.

(1130)

Mr. Speaker, to let this dispute continue would only do more harm than good. And I know that the people of Saskatchewan feel the same way. It is very unfortunate that the union leadership does not. For the safety of everyone using our highway system in good weather and in bad, Mr. Speaker, I wholeheartedly support this legislation. Thank you.

SOME HON. MEMBERS: — Hear, hear!

MR. LINGENFELTER: — Mr. Deputy Speaker, I don't intend to speak for a long time, but I want to put on the record my opposition to the Bill that's before us today.

I want to talk, Mr. Deputy Speaker, about what the real issue is here today, and that is fairness, as the former minister of finance I'm sure will be well aware. Probably being one of the more reasonable people in that caucus, I would say that he would understand what is going on here today to be a question of fairness.

Mr. Deputy Speaker, I have listened closely to what the member for Rosemont has said, the Minister of Social Services, about safety and the need for this Bill in order to protect the people of Saskatchewan who are being hurt by this massive strike.

Now I want to tell him about my constituency. I want to tell him about my constituency and the safety in that constituency.

There is an issue of roads, highways. I'll tell you I've had hundreds of letters about the roads in my constituency. They've got nothing to do with the strike, or the workers not working, because they've worked every day this winter. They haven't been on strike. The issue on roads in my constituency, Mr. Deputy Speaker, is the fact that they're in terrible condition. There are accidents being caused because this government isn't giving the money to the workers to put asphalt in the holes in the road. That's the issue of safety in highways in my constituency.

We don't have any snow in my constituency. If Grant Devine would come down there and be in touch with the people, he'd realize there's not a crisis of plows not being on the road, because we don't have any snow.

MR. DEPUTY SPEAKER: — Order. I believe that the speaker is wandering somewhat from the Bill itself. I would ask the speaker to stick a little more closely to the topic, and I will now permit him to continue . . . (inaudible interjection) . . . Order, order. I have made a ruling, and I would ask the speaker to continue and the other people to allow him to speak.

MR. LINGENFELTER: — Mr. Deputy Speaker, I want to tell you that in making my remarks I will be referring to the Bill, and I'll be referring to comments made by other members about the safety on the highways as it relates to this Bill, and to what we see to be the real facts. And I want to tell you that this Bill is a phoney issue in my constituency. I have had not one call — not one phone call, not one letter — because the people in my constituency don't believe this phoney war that the Premier has trumped up in order to try to retrieve some of his support he lost when he hid from the farmers in Swift Current behind police and locked doors.

He lost credibility, and he's trying to recover it by beating up on who? By taking on the oil companies? No. When they come to the Legislative Building, they're welcomed in with red carpet, and they leave with their briefcases full of money. When it comes to the banks, does he take the banks on? Does he take the banks on? He doesn't take the banks on.

Who does he get tough with? Mr. Deputy Speaker, who does the minister in charge of this government, the Premier, who does he get tough with? Well, it's interesting. Well, it's interesting that when it comes down to whose side they take, they choose their secretaries, they choose their own secretaries to beat up. Now that's an interesting position for this government to take.

Here we have Rambo, the new Rambo of Saskatchewan. He's been lifting weights, and he's going to get tough in Saskatchewan. We have the banks making record profits on the backs of farmers and working people. We have the railways, the railways making record profits. We have the oil companies making record profits. Now you would think, in order to toughen up his issue, he would say, who is getting the most out of this system? I would assume that would be the banks, the railways, or the oil companies. Now who does this man chose to take on?

I say, personally, we had our arguments with unions; we had our arguments with oil companies; we had our arguments with the banks. And we treated them fairly — and we treated them fairly. But who does this man take on, this Rambo of Saskatchewan, Grant Devine? Who does he get tough with? Well I'll tell you who he gets tough with. He takes on his secretaries, because they're making too much money. Now this is the tough new image of Grant Devine. This is the tough new imagine of our Premier of Saskatchewan, who wants to build his image.

Now I agree with the members opposite who are hooting that this is not a popular stance to be taking in the Shaunavon constituency, to vote against this Bill. But I have done it any number of times, taking unpopular political positions. And I'll tell you the reason this government is in trouble, because it never takes unpopular political decisions against their polls. That's why they're weak. That's why you're a weak leader, is because you can't take strong positions on anything. You do a poll; you blow with the poll. And I'll tell you, sir, the reason that you're not going to win the next election is because you're weak, you're incompetent, and the people of Saskatchewan are telling us that every day.

SOME HON. MEMBERS: — Hear, hear!

MR. LINGENFELTER: — I want to say that when the Minister of Social Services sanctimoniously stands in this House and says that he is worried about the safety of individuals . . . The 55-year-old widow who wrote me last week and said that she had had her welfare payment cut by 40 per cent by that individual in order that they could have more money to free up for banks and oil companies and railways, and now they're saying today they're interested in protecting individual citizens. I say that is a phoney government. It's as cheap as a plugged nickel and the people of Saskatchewan see that.

Now I want to tell you that, if we're talking about public safety, we have a report here that the nurses gave to this government in December — we're talking about public safety as it relates to Bill 144, this Bill we're dealing with today — and what does it say? It says public safety is the fact that in the five major hospitals in Saskatchewan there is a 25 per cent understaffing in nurses, and what the president of that association says is that there is public safety involved in our hospitals.

MR. DEPUTY SPEAKER: — Order. I'm afraid that the number of staff in hospitals, as it relates to the Bill, is not connected. It has nothing to do with the Bill itself. Therefore, once again I warn the speaker to stick to the topic of the Bill.

MR. LINGENFELTER: — Well I want to go on and talk about this Bill in terms of fairness. I want to talk about this Bill in terms of fairness as it relates to what this government is doing in legislating workers back to work on a phoney issue, when in fact there are issues that are public-safety oriented and are a responsibility of this government.

Health care is obviously an issue with the people of Saskatchewan, and the lack of funding in the hospitals. Well the simple fact is, is that when you go about cutting health care and then come here and say that the public issue is the fact that a health nurse is off for one day and the nurses are saying that there is a 25 per cent understaffing in the base hospitals, the people think that's a phoney issue. Believe it or not, they do. When there's a 25 per cent reduction in the nursing staff in our base hospitals, and we're asked to come here to legislate people back to work, the nurses of this province say this is a phoney government and a phoney issue.

What is going on here . . . what is going on here . . . (inaudible interjection) . . . Well, it is. Well I'll tell you the report says that . . . the report says that there's a 25 per cent shortage — shortage — of nurses . . . (inaudible interjection) . . . yes, and there it is. There is! And here it is.

MR. DEPUTY SPEAKER: — Order. I think that comments on both sides of the House are getting a little out of order, and I think that I would ask all members, including those who are now trying to interrupt me from my left, to please calm down a bit and allow the member from Shaunavon to continue to make his remarks.

MR. LINGENFELTER: — I want to inform the Minister of Health that if he were willing to deal with yet another one of the employees that work for you, you would find that they are telling you there's a 25 per cent shortage in nurses in your base hospitals — 25 per cent shortage — and the people in my constituency are concerned about it because their health is at stake, their safety is at stake because of the lack of funding to the hospitals in this province.

But I will imagine that when the nurses come to meet with this government, that once again the Premier, will lock the doors, as he did when the other working people who work for him came. They'll lock the doors of the legislature, and you know whose safety that is for. You know whose safety is being protected when we lock the doors of our legislature — is yours. Mr. Premier, you were hiding behind the police and locked doors because you were afraid to meet with the people who work for you.

When you came to Swift Current this summer 1,000 farmers came to meet with you. You hid again behind the police and locked doors, slipped out the back door and took a plane to Moose Jaw because you didn't want to stay in town to meet with farmers.

Now I say to you, you're going to have to do more than beat up on your secretaries to prove to me, and to prove to my constituents, that you are a man and a leader and a Premier that deserves to be re-elected.

SOME HON. MEMBERS: — Hear, hear!

MR. TCHORZEWSKI: — Thank you, Mr. Speaker. I, too, want to rise in this debate because I think that what we are considering here today is of great importance, not only because of the situation that exists, but I think it's of great importance because of the implications that it holds for just about everybody else in Saskatchewan at the whim of this particular government because of the kinds of things that this Bill proposes to do.

I sat in my seat, Mr. Speaker, and I listened to the Minister of Social Services when he entered this debate and tried to desperately defend his actions. The Minister of Social Services talked of people's rights. He spoke, and his arguments about people's rights, Mr. Speaker, were just as phoney as this ploy by this government in the series of events that led up to this day. He talks of the freedoms of people; he spoke of the rights of people, but he locked the doors of this legislature for two days — he locked the doors — and constituents of mine and other members who tried to get into this building could not get in to speak to their elected representatives. That is freedoms, and that is rights, in view of those people over there, and that is the theme, and that is the focus of what has happened in this past week and what is happening here today on the part of this government.

The Minister of Social Services spoke about people who were phoning to various departments not being able to get responses. Well, that's probably true. But the fact is, Mr. Deputy Speaker, and the important point is, that that was the case because the government caused it to be that way, and they have to take full responsibility for that.

Here is a man who represents a department which looks after people who are having difficulty in society. He spoke of trouble that people were having in contacting his department, who were welfare recipients. But when he talks about statistics which show how many people are on the welfare rolls today, instead of admitting to the fact that there are over 60,000, he says there are 29,000, because he refuses to count the children. And those are the people who talk about sensitivity and talk about compassion and about freedom.

Never before in the history of this province has a government deliberately and cynically taken a situation in which there was hope and turned it into a dismal failure.

One week ago a settlement appeared to be at hand — a settlement to the dispute appeared to be at hand. And there was only one reason why this government refused to let it happen, because they wanted to be able to re-create somebody's image, namely the Premier. There was every reason to believe that the negotiations between the government and its workers would be settled, and so what does the government do? Well the Premier gets involved. The government gives a response to the conciliator's report on Wednesday night, and the Premier issues an ultimatum on Thursday afternoon when he knew that there was a meeting scheduled by the representatives of the workers, their own employees, to talk about it. And that was a strange move on my part because everybody well knows, people all across the province, that everything that this Premier touches turns sour and turns to failure.

(1145)

In this affair, the negotiations which were on the verge of a settlement failed because the government wanted them to fail, and they bear the full responsibility for that. That's why this Bill is here today before us. Never before in the history of the province has a government gone out of its way to deliberately create a dispute between itself and its employees so that it could legislate them back to work.

And why was this phoney war created? Why was this phoney war created? Why does the Don Knotts of Canadian politics, who by his own admission is seen as an indecisive and an incompetent leader, insert himself into this dispute at a time when the opportunity for a settlement was better than any other time in the previous 16 months?

Well, Mr. Speaker, there were several reasons, and the main reason is because this government knows that the public has lost confidence in it and, even more, has lost confidence in the Premier.

One of the strengths of this province, Mr. Speaker, which we can be proud to talk about over the years has been that it has had strong leadership, people who could think for themselves, people who had a vision, people who had a purpose for being where they were; not because it afforded them an opportunity to have power or to hand out patronage to their friends, as this government has done so in such a blatant fashion, but because it gave an opportunity to pursue goals and objectives that would benefit this province and its people.

For the first time in our history this province lacks that leadership, and every person who lives in Saskatchewan, and many even beyond, know it and say it and have resolved to change it. People know that government led by a puppet on a string is bad government. They have felt it in many ways for the last four years, and they will have no longer any part of it.

The issue in this affair which has resulted in the events of this day is that of a floundering, of an inept, government led by an equally incompetent and floundering leader who calls himself the Premier. Here we have a puppet. Here we have a puppet on a string, but no one knows who pulls the string and when they pull it. This week someone pulled the string and he acted, which resulted in this session. Another time the Minister of Finance pulls the string, and he acts, and lots of back-benchers know the pain and suffering that that causes among them. Another time the oil companies pull the string, and he acts. Another time the Will Kleins of Pioneer Trust, who have now followed Dick Collver to south of the border, pull the string, and this Premier acts.

This Bill is here because we have a Premier who believes that he has to step on people. He has to step on people because he feels that he has to rebuild his personal image. That's why this Bill is here. And I submit that such a Premier is not a Premier at all. Such a Premier is a tool that is used by whoever can use him at any particular period of time to gain advantage on the backs of Saskatchewan people.

That has to change. And therefore I submit, Mr. Deputy Speaker, that the people of this province would have been far better served if the Premier had called an election instead of having called this session which we are now sitting in today.

And that brings me to the other reason why, to me, the events of this past week and the call of this legislature to consider this Bill have occurred. They have occurred because this government is desperately groping for a diversion. An election is at hand, and the PCs want to go to the people and say, give us another chance; give us another four years. That's why this Bill is here.

But I submit, Mr. Deputy Speaker, that that won't work, because the Saskatchewan voters have made up their mind. And no diversion, no diversion, not even this attempt to drive a wedge between urban people and rural people, or farmers and labourers, this cruel attempt to drive a wedge between these people, will work, because it's gone too far.

You know, the Premier, who is responsible for all this, and his government, have said to the people in the cities and the towns of this province, we don't care about you; we don't need your vote. Four years ago they said to the farmers through their deafening silence when the Crow rate was being destroyed, the effects of which farmers are beginning to feel the effects now, they said, we don't care about you. It was their turn.

And my question is, my question is, Mr. Deputy Speaker, who will be next? Who is going to be next? Will it be trustees or teachers? Will it be the farm families who, after an election — if they happen to get lucky enough, these Tories, to win — will be no longer of any use to them? Will they be next to be

forgotten? Will it be municipal people, as they were forgotten at the recent SUMA convention? Who will be next?

Mr. Deputy Speaker, this affair engineered by this cynical government will not be a diversion. It will not make people forget the growth of unemployment that has taken place in Saskatchewan, the kind of increase in taxes that ordinary people have been burdened with, the kind of give-aways that have taken place from our resource revenues which people should be benefiting from, people will not forget.

This Bill, Mr. Speaker, is the result of a specific kind of attitude — an attitude that would have the Premier and the Minister of Social Services and other ministers say, when they talk about people on welfare, that some of them don't count, or you pick your list. Well they do count, Mr. Speaker. In the New Democratic Party, everyone in Saskatchewan is important, and everyone counts.

And my colleague from Shaunavon spoke of, yes, we did have arguments with banks, and we had them with oil companies, and we had them with others. But the one point that always was first and foremost was being fair. And these gentlemen and ladies over there have not been fair, and their leader has not been fair.

Everyone — everyone in any democratic society — deserves to be treated fairly and equally. Everyone should have the right to a job, and everyone should have a right to any job that they are qualified for and the right to apply.

And no one should have to be faced with the rampant kind of patronage that this government has brought about since its election in 1982. No one — no one applying for a job in the public service should be faced with the fact and the knowledge that there are application forms to which are attached certain kinds of signals in the form of blue cards which say to people, some minister has said that these people have to be hired, and you'd better hire them.

That's the kind of patronage — rampant patronage — that is taking place since this government was elected, and everybody knows that, Mr. Speaker. And this Bill is here as a result of the creation of those kinds of problems in Saskatchewan and an attempt by this government to cover them up.

The people of Saskatchewan don't need four more years of that. This legislation, as the Minister of Justice has just mentioned, is the result of failure — failure by this government to provide fair, honest, and competent administration. This Bill is the result of poor and weak leadership. This Bill is an attempt at image making at any cost. And I simply say to the Premier this: you can't build an image with tricks and dishonesty. That only serves to make the image worse.

And that's what you have done this week. That's what the Premier has done this week. He has abandoned every sector of our society at one time or another, and now he seeks desperately to have them forget. They will not forget. The sick who cannot get a hospital bed will not forget. The senior citizens who are waiting for nursing home beds will not forget — over 1,000 on a waiting list in the city of Regina, Mr. Minister of Justice.

You have abandoned the poor on the minimum wage, and you have abandoned the unemployed. This Bill reflects that whole record of failure which people say they don't want for another four years. And you know it, and that's why you have created this phoney war. You have used the people of Saskatchewan to suit your purposes for too many times.

What kind of a leader would show such disregard for people that he would recognize them only when he needs their vote? How do you think those people feel?

Well I suppose I could ask the member for Regina North, or the member for Humboldt how they feel, who stood side by side with the Premier in 1982, and then when he found he didn't need them any more, he cast them aside and didn't even have the sensitivity to talk to them personally, but did it by long distance telephone. That's the kind of leadership that brings about this kind of a dispute and this

kind of a situation.

This whole affair, Mr. Speaker, and this Bill, everyone knows is an exercise in image-making by a desperate government and a desperate Premier. Even in this Act this government has admitted that its leadership is discredited and incompetent.

Truly strong leaders, Mr. Speaker, don't have to stand up and beat their chest and say, I'm in charge. Allan Blakeney never had to stand up and say, I'm in charge. People knew he was. Even Pierre Trudeau didn't have to stand up and say he was in charge. People assumed he was. John Diefenbaker didn't have to stand up and say he was in charge, because he was in charge.

It reminds me of Shakespeare who said, "Methinks that the lady doth protest too much." When there is that kind of a protest, Mr. Speaker, you can tell that the thought behind it is, by golly, maybe it's really true.

The government has failed in every aspect of its responsibilities, and that's why this Bill is here. It has not tried every avenue available to it to settle this dispute. The Premier jumped in for his own political reasons and scuttled a potential settlement. The government did nothing to try to get a settlement for 16 months, and then when one might have been at hand, they went out of their way to make sure that it did not happen.

I never heard the Minister of Justice stand up and mention any attempt to explore arbitration. There were other avenues, and they chose not to use them. The Minister of Justice made no mention of why the government didn't do any other things like that.

And then in conclusion, Mr. Speaker, I want to point out one more thing. I think that the use of section 33(1) in the charter of rights sets a very dangerous precedent. The Minister of Justice stood in the legislature, and I think, and I don't want to be too kind — too unkind — but I think . . . I wouldn't want to be too kind either, Mr. Speaker. What I meant to say — I don't want to be too unkind — but I think, when he stood in this legislature and introduced a Bill with reference to that section in it, he discredited his portfolio today.

Today this Assembly has been asked to agree to a most dangerous precedent. When section 33(1) was brought about it was thought by the people who brought it about that it would only be used as a very drastic step, as a very drastic measure. And nowhere in Canada, nowhere in Canada except in the province of Quebec, has this section been used. And at that time the province of Quebec used it as a sort of a blanket general use to protest a new constitution. So if the Minister of Justice in that government does not think that a precedent is being set here, then I think they should take another look at what they are doing.

The charter of rights is supposed to defend the citizens of this country against the politicians who can destroy those rights. Well we see here a government which is now setting a precedent that may well lead the way where politicians of that ilk may indeed begin to take more and more advantage of the opting-out provisions to threaten the individual rights of people on any issue. And so I simply say: who might be next? And that is an issue in this Bill here today as well as the other things which I have mentioned.

(1200)

So, Mr. Speaker, because this Bill should not have been necessary, because this Bill is a result of failure and in order to vote for it I would have to be joining the government in its failure, I am unable to support this Bill here today.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: — Thank you, Mr. Speaker. First of all it gives me considerable pleasure to join in this debate because I think what we have placed before us here in this Assembly is something that the

Saskatchewan people knew in their hearts would happen with this right-wing government that was elected. And I want to say, and I want to go back a little into the history of labour law in Saskatchewan. It was under the CCF government, under Tommy Douglas, who brought in a Dr. Morris Shumiatcher to Saskatchewan, and they drafted up for Saskatchewan some of the greatest labour legislation on the North American continent. Let that not be denied, because it was; it was the forerunner to equality of rights for the working people.

Saskatchewan, again, set the pace. I say we did that in a time when Saskatchewan was essentially an agricultural province. And we built up a province by having farm community, business community, and labour work together to build and strengthen the society. And I say today what we have is confrontation and division — confrontation and division — and it's evidenced in other parts of Canada, because if you go to British Columbia and take a look at what Bennett is doing and you find confrontation and the denial of rights. And it goes beyond working people to the destruction of the rights of school boards and the rights of teachers and so on.

I'll tell you when you look across the world and you ask, is there another way, and I say you go to Australia and you'll find that they have taken an alternative, and that is one of sitting down with labour and business and government and talking about a social contract of working together to strengthen a society, not to tear it apart. We find it, as I said, in Scandinavian countries and we find it more so in Europe.

But we find here the divisiveness of right-wing governments, and that's what has happened here. If you take a look at this government right from the outset — who did they appoint as Minister of Labour? A man that was the manager of a company in this province that had more labour relations problems than any other company, and he was the general manager. And for three and a half years they had in office a Minister of Labour who wouldn't even attend the conferences of labour in this province.

Now they were really working to develop a better working relation with labour all right. And if you take a look at what has happened with this government and how they have gone down in the polls, how their respect, the respect by the people for this government has deteriorated. And I want to say it's justified. But they have to do something about it, and so what they said, let's seize on an issue and see if we can, in fact, for our own political motive, make some political hay out of this.

Let us take a look at labour. So you had the Minister of Labour, who was totally ineffective, who wouldn't even go to the conventions, the SFL conventions. And you have here in Saskatchewan, actions by this government whereby they have given to their own political appointees, their executive assistants, their political hacks in their offices, 16.2 per cent increases, and they say that the ordinary working people in Saskatchewan have no rights to demand some fairness.

Let me tell you, the people of Saskatchewan know that this government is unfair. It's unfair when it gives 16 per cent to their political hacks, and they put in their budget speech that they're going to deny any increase to the teachers of this province.

I think the people of this province know how unfair this government is in dealing with the situation when they see that they can throw out money — \$28 million to their friends, the Pioneer Trust boys, where they can roll out \$300 million tax royalties to the oil companies. Surely labour has to be concerned when they find in Saskatchewan here today over 100,000 people who do not have full-time jobs, who are working from one to 30 hours a week. This is the situation.

These people here, the speakers from the government side, such as they were, say that this was such a major devastating crisis that it demanded action to protect the people. I'll tell you, you can take a look here. In a great amount of effort we have brought a charter of rights to Canada. And within the charter of rights under section 2, the fundamental freedoms, one of those fundamental freedoms is that everyone has the following fundamental freedoms, and subsection (d) is, the freedom of association.

That means that people like the Saskatchewan Government Employees' Union have a right to associate. And if you take a look at the charter and the constitution as it was provided, there's a protection for it, because it says in the first section, "guarantee of rights and freedoms," and the government, if they have substantive evidence to limit the freedoms, if they have substantive evidence enough to convince a court, then they can proceed to curtail the association or the strike. Because it says under section 1:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

So you can limit the freedoms under section 2, the basic freedoms, if you can demonstrate a justification . . . (inaudible interjection) . . . That's right, that's what you can do, and that's exactly what it says in the case that they refer to in respect to the dairy workers' maintenance operation case recently. It basically says that. And if you can bring forward evidence demonstrating that a particular freedom — and that is referring to association — is of such grave concern that it needs to be curtailed, then, under section 1 you can, in fact, do it.

But what they have done here is they have emasculated the powers, the basic freedoms set out in the charter of rights in their legislation. Because there is a provision under section 33 which, in effect, provides that:

Parliament or the legislature of a province may expressly declare in an Act of Parliament or of the legislature, as the case may be, that the Act or provision thereof shall operate notwithstanding a provision included in section 2 or sections 7 to 15 of this Charter.

I want to say that there is a "notwithstanding" clause that you can, notwithstanding what's in the basic freedoms, you can legislate. But what I am saying to you, Mr. Minister, is that this is the first time that anyone in respect to labour relations has used the "notwithstanding" clause. You are going so deeply into it that you are taking away one of the basic issues and basic freedoms — the right of association. And I say to you that you have done it without a full effort to bring about a settlement to this strike.

As I understand the situation, what has happened here is that a conciliator was called in. Ordinarily a conciliator doesn't provide a report. He comes in and discusses the issues with them and narrows them down, normally to assist people to draw up a collective agreement. In this case he wrote a report.

But throughout the whole area of collective bargaining there are other procedures that can be used and have been used. There is the provision of providing for a mediator. That hasn't been done. There is the provision for providing for binding arbitration, and these procedures have not been done.

And so what I'm saying here, just as the other members on our side have said, this is a very crass, political, Tory-motivated action in what they're trying to do. And in saying that it's the fault of the labour union bosses, you have to come to an assumption that all of the members of each union is in fact blindly following. That's what you're assuming. You're saying to every employer in the SGE Union, you're blind. You're being blindly led. You have no intelligence, you're saying. And you're saying, you're doing it in that way to risk the safety of the people of Saskatchewan.

But as has been said, the clear motive here is that what the government wants to achieve is an increase, they hope, in their political future. Get the public thinking that the leader of the Tory party across the way is tough. New image he wants to create, and so he conjured up a confrontation with labour, a contract which in fact could have been settled.

(1215)

So I want to say that what we have here is a government totally incapable of planning, totally incapable of being fair to the people of this province. They have demonstrated it. For two and a half years there was no increase in minimum wage. They brought in a deputy minister from Alberta who ended up being useless to the department and investigated by the police — great setting for a proper labour relations forum.

I want to close by saying that the people of Saskatchewan are on to your game. You can't fool the people of Saskatchewan any more. You have mismanaged this province. There has been no leadership for three and a half years. The fiscal mismanagement is out of control. There's over 100,000 people who work only one to 30 hours a week. There are 62,000 on unemployment. There are 42,000 unemployed.

And I say to you, what you're trying to do now, your record is so bad that you're trying now to conjure up a phoney issue. And here certainly there is no doubt that the workers would indeed, were prepared, following the conciliator's report, given time to address, to look at it . . . They have 12,000 members to contact throughout the province. And indeed they should have been given the opportunity to discuss it. But no way. Our new, little, tough Premier had to get some image-making, and he demanded they get back right away — or else.

So what I'm saying here, Mr. Speaker, is that the people of Saskatchewan are not, indeed, fooled by the rantings of the Minister of Social Services or the pretence at sincerity of the Minister of Highways — a fellow who has contributed so much to this House in the past. I am sure they're going to be impressed with that barrage of speakers taking a crack at the people of Saskatchewan.

I'm going to say that this is not going to work for you fellows, because out in rural Saskatchewan, you know what they want? They want to build a society. They don't want divisiveness, they don't want destruction, because we have many of the children of farmers who are in the labour force.

And I'll tell you, they're saying they have one concern in rural Saskatchewan. And you know what they say? When is the next election? When is the next election? Let's get rid of these birds; kick them out! And I'll say that what you have done here is put another nail in the coffin.

You thought you were going to survive through this issue, but I'll tell you you've misjudged it again. And again I'll tell you, I'll say to you, if you think that you can gain the public support by taking these so-called decisive issues of beating up the children, the workers of this province; if you think you can win an election on that basis, I'll say, you hop to it. Put this into law, and then I invite you to call an election. I invite you.

SOME HON. MEMBERS: — Hear, hear!

MR. SVEINSON: — Mr. Speaker, I rise with pleasure to speak to this particular piece of legislation today on behalf of the constituents of North West Regina, and I do to some measure agree with the official opposition on why we are back in this legislature today. I certainly don't have any argument when they suggest we are back here only for partisan political reasons. We are back here to prop up a government that is fast losing support of the Saskatchewan people.

AN HON. MEMBER: — Lost it, lost it.

MR. SVEINSON: — The official opposition suggests that they have lost it. Well I have travelled the roads of Saskatchewan in the last several weeks, and I can tell the people of Saskatchewan that the alternative is not socialism. And the people of Saskatchewan are telling me that the alternative is not socialism. The alternative is competence — a competent, conservative philosophy in Saskatchewan. And that competence, they say, has not been demonstrated by this government.

There was some debate earlier — in fact, speakers from the government side of the House — who suggest that this is an emergency session, that there are lives threatened out in rural Saskatchewan and throughout Saskatchewan because of the situation developed by the highways department.

We were in this House some 45 days ago, in the throes of winter; and how the situation has changed vis-à-vis the highways since early December, certainly I cannot see it. In travelling the last several days, I have travelled approximately 1,000 miles throughout Saskatchewan . . . (inaudible interjection) . . .

I would ask the official opposition to shut up temporarily. They've had their say. I didn't interrupt, Mr. Speaker, their debate while they were on their feet, with the exception of a few comments. I've got six parrots here that I have to deal with in order to get my message across, and I would just ask somebody to feed those six parrots. It's around lunch time. I don't want to have to deal with them again.

Several other points have been raised . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. Order, please.

MR. SVEINSON: — Thank you, Mr. Speaker. Since 1982 this House has had to deal with labour legislation, in fact, legislating people back to work three different times. In having a close look at this legislation, this deals with one single issue, and that is the issue at hand today vis-à-vis SGEU.

My question of the government is: why isn't there a long-term solution included in this legislation? And that might be to deal with the essential services in this province. And I believe in the federal Act there is a provision where a number of the essential services are deemed out of scope and are not allowed to strike against their employer. Now I believe that that would be at least a move in the right direction.

When I came back to this house, I was wondering whether this was back to work legislation or possibly this government had come to their sense and was considering some right-to-work legislation where the employer and the employee are both treated fairly in labour negotiations and, in fact, in dealing with the problems that we are essentially dealing with here today.

The former minister of finance, who in fact run a deficit in this province during his tenure up in excess of \$1 billion, which I would suggest is a threat, is a greater threat to the generations in this province than anything to do with the actions of SGEU, has just asked me who wrote my speech.

Well, in answer to his question, Mr. Speaker — and I realize that it's somewhat off the Bill and I shouldn't be dealing with answers to questions from the government; I'm a member of opposition — but I can assure you that we do not have a professional staff that write our speeches as the NDP. We heard today, we heard six speeches that basically didn't change one iota. It started with, in fact the leader I believe of the NDP isn't with us during this session; he's holidaying somewhere in the Caribbean or Hawaii . . .

MR. SPEAKER: — Order, please. It's not within the rules of the Assembly to identify members that are either with us or not with us, and if the member has something to say about the Bill, I would like him to get back to the Bill.

MR. SVEINSON: — Mr. Speaker, I would like to address the Bill, and I certainly won't address it for a long period. I don't want to hold the Bill up. I think it's important to the people of Saskatchewan that these people do go back to work. And I raised that particular issue in the last sitting. Before Christmas, I asked the former minister of justice, in fact, whether or not there was a solution forthcoming regarding the difficulties faced by those of us in society who depend upon the land titles office.

AN HON. MEMBER: — Did you get any phone calls last night?

MR. SVEINSON: — No, I didn't.

The minister at that time got up and guffawed and attempted to ridicule me in the House, suggested that there would be legislation developed. He offered a temporary solution on the last day of the sitting prior to Christmas that did very little for anyone. He knew it wasn't a solution. He paraded around the province to realtors, and I'm sure to lawyers and others involved, and certainly it did very little for those people who were suffering, in that it didn't provide that solution.

So, yes, there are people suffering and we brought that to the attention of this legislature prior to Christmas. We suggested that at that time the legislation should be forthcoming to solve this dispute.

Suddenly we are called back into a House with the description of threat to lives by the Minister of Highways. The fact that we are under an extremely tenuous and extremely arduous situation for those of us who require the services of government, and it is true, we are, and that is tenuous because many of them were not available to the former minister of agriculture. Now the fairness of whether this legislation . . . (inaudible interjection) . . . Oh, yes, I can agree.

Anyway, Mr. Speaker, I'd like to get back to the legislation for a minute. I can appreciate that many of the members across this legislature consider us a threat and treat us accordingly.

But I will support the legislation that we have in this House today. I believe that it's long overdue, that the solution to this problem could have been developed and could have been handled far sooner. It wasn't. And I would like to, at this time, suggest that I will support the Bill, Mr. Speaker, and I would hope that in the next half-hour we can certainly deal with the Bill and have it voted off the order paper. Thank you very much.

Motion agreed to on the following recorded division.

YEAS — 34

Devine	Andrew	Lane
Tusa	Berntson	Taylor

MR. SPEAKER: — Order, please. When the vote is being taken there is to be absolute silence in the Chamber.

Schmidt	Smith (Swift Current)	Hepworth
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MR. SPEAKER: — Order, please. I'm going to ask the member for Shaunavon to apologize to the Chamber for his lack of decorum after I have just called for silence.

MR. LINGENFELTER: — Mr. Speaker, if I was without decorum, I certainly apologize to the Chamber.

Dutchak	Bacon	Baker
Dirks	Johnson	Glauser
Embury	Parker	Zazelenchuk
Sandberg	Young	Gerich
Klein	Weiman	Swenson
Currie	Rybchuk	Sveinson
Smith (Moose Jaw South)	Domotor	Hampton
Hodgins	Meagher	
Rousseau	Muller	

NAYS — 7

Tchorzewski	Lingenfelter	Lusney
Thompson	Koskie	Shillington

Engel

Bill read a second time and, by leave of the Assembly, referred to a committee of the whole later this day.

COMMITTEE OF THE WHOLE

Bill No. 144 — An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union

MR. CHAIRMAN: — Order. The business before the committee is Bill No. 144, An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union.

Before we begin consideration of this Bill, I want to draw members' attention to the following rule found on page 35 of the *Rules and Procedures* of this Assembly. Rule 53:

In proceedings in Committee of the Whole Assembly upon bills, the preamble shall be first postponed, and then every clause considered by the committee in its proper order; the preamble and title to be last considered.

I further refer members to *Beauchesne's Parliamentary Rules and Forms*, Fifth Edition, citation 779, as follows:

When all the clauses and schedules have been agreed to, the preamble is considered; amendments may be moved thereto if rendered necessary by amendments made to the bill.

I therefore will call the clauses and the schedules of the Bill first, then will call the preamble last.

The question then before the committee is on clause 1, short title.

Will the minister please introduce his officials.

Clause 1

HON. MR. DUTCHAK: — Mr. Chairman, at my side is Darryl Bogdasavich, Crown solicitor for the Department of Justice. Bob Richards is with me, director of constitutional law, Department of Justice, directly behind me. Ron Hewitt, to my right, Department of Justice. Mike Roberts, public Service Commission. There are also other officials present in the building and in the back of the Assembly who will be required from time to time.

MR. SHILLINGTON: — Thank you. I don't know how much longer, Mr. Minister, we're going to continue to insult people in the gallery who have no means of response. I for one find that sickening, I want to say that, that this government would carry on in such a fashion, insult people who have not opportunity to respond . . . They are, and throughout this morning have been, pilloried and insulted. I think that's conduct unbecoming of this Assembly, Mr. Speaker. It ought to be conduct unbecoming a government, except that this government apparently has no conscience, and they certainly have no sense of decency.

I was asked by several members opposite if I would make some comment about our relationship with organized labour. I'll take this opportunity to do that since that has been an issue and has been spoken about by every minister who has been on his feet. And I think that's relevant. If it was relevant for the ministers to speak about it, it's relevant for me to speak about it. So I'm going to make a comment or two about our relationship.

This opposition seeks to work with everyone, all groups. We seek to work with labour; we seek to work with management. We seek a fair and reasonable balance, and thus I am proud of my association with organized labour. I am proud of my association with small businesses. I am proud to be able to say that this opposition works with all groups. We do not make enemies out of groups to win election.

Having said that, I want to ask you, Mr. Minister, about your efforts to create public enemy number one. I want to ask you about your efforts to turn a group of workers into a public enemy. That process began long before Wednesday night, but certainly went a distance forward Wednesday night when the Premier — I'm stretching a point to call him the leader of the government — bought his television time. I wonder, Mr. Minister, if you want to venture any opinions as to why the Premier bought television time and didn't exercise an opportunity to discuss this issue in the House which was convening the next day. Why did the government feel it necessary to buy television time rather than use the television cameras which are here and available to put their views forward.

HON. MR. DUTCHAK: — Mr. Chairman, indeed today we have been disappointed by the conduct and statements of the opposition in a Bill which is fundamentally important to protect Saskatchewan families. And it's clear, Mr. Speaker, that they have said to the public on today's occasion that they will not break ranks with the union bosses who really control their political party.

However, upon saying that Mr. Chairman . . . (inaudible interjection) . . . Mr. Chairman, I have no intention of getting into the gutter with the member opposite because this Bill is too important to the families of Saskatchewan. And even though the members opposite may do all sorts of things to shout me down, my aim today is to complete the Bill to protect the safety and well-being of Saskatchewan families.

(1245)

In relation to the Premier communicating with Saskatchewan people, again I understand that is, and I realize that, that is foreign to the members opposite. The Premier at all times has the right and the responsibility to communicate with Saskatchewan people in terms of action which is not in the usual course of government business.

One of the members — I believe the member from Quill Lakes — stood up and said that it gave him pleasure to debate this issue. I don't think anyone on this side of the House, Mr. Chairman, has any pleasure as a result of what we have to do today.

But our ultimate responsibility is not the same as the members opposite. Our ultimate responsibility is to the public, to every person in Saskatchewan, not a select few. That is the distinction between our role today and the role of the opposition, Mr. Chairman. and the opposition chose to exercise the role of representing people who, quite frankly, are not in the opposition seats but do control the opposition members. And that is the decision that the opposition members will have to live with.

So I hope, Mr. Chairman, that the members opposite get down to the details of the Bill so we can pass this important legislation, because I certainly wouldn't want to have the responsibility of anything happening to people in Saskatchewan if we don't complete this Bill today. And I think it's clear that some of the conduct from the other side has been simply to stall the process that we're involved in.

AN HON. MEMBER: — About six months left to you as Minister of Justice.

MR. SHILLINGTON: — Six months is an optimistic view. Mr. Minister, I repeat my question. Why has your government and the Premier felt it necessary to engage in a name-calling exercise on paid television rather than debate the issue in the legislature when the Premier had the opportunity to do so. Why did he waste the taxpayers' money with that inane television talk instead of debating it in the legislature?

HON. MR. DUTCHAK: — Well, Mr. Chairman, again I would prefer to get on to the Bill which we should be discussing on a clause by clause basis. But the people who were responsible for Crown corporation ads in the past are now asking why the Premier had a brief message televised across the province of Saskatchewan, speaking directly to his constituents, the people of the province. Our position is that the Premier always has that prerogative. On matters of a provincial nature, this is important. The action we are taking today is important, not only to the union leadership who the members opposite represent, but to all Saskatchewan people, including employees in every centre of the province. That is why the Premier took the opportunity to speak directly to the public.

MR. SHILLINGTON: — If it was important that he take the opportunity to speak to the public, why did he not avail himself of that opportunity this morning? He sat in the House for most of the debate, sat as silent as a fence post.

HON. MR. DUTCHAK: — Mr. Chairman, it would be improper of me to comment on the absence of the Leader of the Opposition. I think I can suffice it to say that it is our decision as to who speaks and what they say and when they say it, and we are a government that is concerned about our paramount responsibility to the families in Saskatchewan. The Premier decided to speak in a manner decided by him, and that's his prerogative. The opposition members, when they were in government, decided to speak through Crown corporation ads to the public of Saskatchewan, which obviously didn't work, according to the election in 1982. But I don't feel we should be getting into that, because we have important business before us. We have an important Bill to deal with, so I want to encourage the member opposite to forget about the political rhetoric, and let's deal with the Bill on a clause by clause basis.

MR. SHILLINGTON: — I'll tell you, Mr. Minister, why the Premier didn't speak in the House — because he hasn't got the guts to speak in a forum in which he can be challenged. He insists on speaking in a forum in which he can't be challenged, or he won't speak at all. He will not speak at all. There's a standing prize, which is yet unclaimed, for anybody that can remember a speech that this Premier gave in this Assembly. He never speaks here because he doesn't want to be challenged. He hasn't got the guts to defend himself. He hasn't got the guts to defend himself. That, Mr. Minister, is the truth. That is the truth.

The public perception . . . He is proving the public perception. What did that exercise in wimpism cost the taxpayer? What did that ad cost the taxpayer? What did the Premier's paid television talk cost the taxpayer?

HON. MR. DUTCHAK: — Mr. Chairman, it's clear that the opposition is attempting to stall the process, the important process we're now involved in. The member knows full well that the information that he asked for is available if he should request it in the proper committee at the proper time.

But now he's deviating from the important Bill that we have before us, and I again ask the co-operation and the recognition of the opposition to the important task that we are dealing with, because they obviously are attempting to derail the situation at the expense of the public of Saskatchewan, at the expense of Saskatchewan families.

And, Mr. Chairman, I again ask the opposition to forget about their ties to a certain number of labour leaders and start thinking about the public in general and think about the Bill that we have before us on a clause-by-clause basis.

That is our role as legislators, and that's what we should be doing here today, because I certainly don't think the members opposite want to face the responsibility of going through more time with employees off work in essential areas of Saskatchewan, such as on the highways. And I think the members should get down to the business of the Bill, and I am here, my officials are here, to answer questions relating to the Bill, and surely that's what we're here for.

MR. SHILLINGTON: — No, the Minister of Justice needs some lessons from the minister of revenue,

supply and services in how to duck questions. He was doing a better job yesterday, to the delight and amusement of all concerned, than you are today.

Mr. Minister, the cost . . . I want to say, before I go any further, that there's no question, I think, of this opposition wasting money. I think we are all here for the day, and as far as this opposition is concerned we could be finished with this Bill today. We want to go on and deal with other items of government business, but there's no reason as far as we're concerned, why this Bill cannot be finished with today.

I have said on numerous occasions; I'm going to say it here again today; we have throughout, almost without exception, taken the position as an official opposition that we have a right to criticize and to take as much time as we need to do that. We have a right and a responsibility to criticize and to offer alternatives, and we'll take as much time as we need to do that.

We've never felt we had a right to obstruct a duly elected government, and we don't intend to do so now. This Bill can be finished with today as far as we're concerned.

The legitimacy of the government is getting severely strained, Mr. Minister, I can imagine why the minister doesn't want to talk about their legitimacy. I can well imagine that, after Regina North East, because you don't have any.

Mr. Minister, you're asking people on welfare to live at a subsistence level in which they actually suffer from malnutrition, and that is the case. You're asking all kinds of people to do without. And in this process of bringing this Bill forward, you have the Premier go on television at a cost which I'm trying to find out, and make an inane statement. Mr. Minister, that comic by the Premier was part of the legislative process. It was the Premier's . . . he discussed nothing else but the Bill.

You said your remarks, Mr. Minister, one of the things you were doing is concerning yourselves with the taxpayers' purse. Well I'd like to talk about the taxpayers' purse. I'd like to know what that silly exercise Wednesday night, which was part of the process of bringing this Bill forward, cost the taxpayer. I ask you again to come clean. Quit avoiding the question. If you can't do a better job of obfuscating than you just did, I suggest you let the Minister of Revenue take over.

HON. MR. DUTCHAK: — Well, Mr. Chairman, it's unfortunate that the member opposite lacks the respect for the reason why we're here today, namely to discuss the clauses, the terms of the Bill that we're attempting to legislate. It's clear that the member wants to derail it on issues involving political matters. At least, listening to his political rhetoric, it seems that way. He should know that the Premier's messages are determined by the Premier. The costs of the message are certainly not known to me. They were not ordered by the department which I'm responsible for, and he clearly can find that out, probably in question period or in committee when he's examining the Premier's estimates. He should know better than that, Mr. Chairman.

However, it's clear that the opposition wants to delay this Bill. They've been asked to delay the Bill by those who seem to control them. And Mr. Chairman, I again ask the opposition to get on to the Bill, on a clause by clause basis, in order that the safety of Saskatchewan people and the well-being of Saskatchewan families will not be further jeopardized or threatened.

MR. SHILLINGTON: — I have a question of the minister, and I seek some assistance from the Government House Leader if he cares to enter this. Do we have agreement to extend hours? It will affect how I conduct myself for the next five minutes. We want to do it. I would ask for a statement, Mr. Government House Leader.

HON. MR. BERNTSON: — Mr. Chairman, I put myself in the hands of the Assembly. If the Assembly is prepared to stop the clock at 1 o'clock, we're certainly prepared to.

MR. SHILLINGTON: — All right. We're prepared to do so, and so carry on in that fashion.

Mr. Minister, I wonder if you're going to claim that this, which appeared in today's paper, was not part of the legislative process. I wonder, Mr. Minister, if you're going to claim that this has no bearing on the subject before us. I want to know what this cost us. I want to get back to this ad, because there's a good deal in this ad that is patently false.

Before we get to the truth of your ad, signed by your erstwhile desk-mate, the member from Rosemont. I want to know what your seat-mate paid for this ad. And if you don't know, perhaps you might consider asking him. He's all of two desks away from you.

HON. MR. DUTCHAK: — Mr. Chairman, again the member is attempting to deviate from the Bill. He's attempting to get off track and again involving political rhetoric in the process. The situation is that any publication that did take place clearly examined and explained the government's position in terms of the negotiation and the reason why action had to be taken.

Clearly the information as to costs is not available to me today, and the members opposite know perfectly well that it isn't available. I have asked the minister responsible for the material which was published, and he doesn't have that information here today.

Now clearly, clearly, Mr. Chairman, the members opposite should know that we are here to discuss a very important Bill and the terms of the Bill, and that is the business of the day. Now clearly, Mr. Chairman, the member opposite requests to continue on and we, as government, would certainly like to do that, but if he wishes to continue on without talking about the Bill, I'm afraid that it simply will go on and on wasting taxpayers' money and wasting everyone's time here.

So I wonder if the member opposite will reconsider his irresponsible position taken thus far and get back to the Bill and the reason why we're here.

MR. SHILLINGTON: — It just goes to show, I guess, at some point in time almost anybody can get into the legal profession, doesn't it?

Mr. Minister, I suggest to you that it is common wisdom that this has been a political exercise from start to finish. You could have had an agreement; I think that is crystal clear. There are other steps that you could have taken and didn't. At the very least you might have waited until the workers had an opportunity to fairly consider the conciliator's report which, I might add, was unexpected.

I wonder if the minister has any smattering of knowledge about what a conciliator is. Mr. Minister, I suggest to you that a conciliator is one who . . .

AN HON. MEMBER: — Ask him.

MR. SHILLINGTON: — All right, let's ask the minister if you would give us your understanding of what a conciliator is.

HON. MR. DUTCHAK: — Well, Mr. Chairman, what I will do is deal with the Bill, which will be a novel item compared to what we've just heard. The conciliator, Mr. Vince Ready, was suggested by the union, Mr. Chairman. The union put forth his name. Mr. Chairman, the conciliator came back with a report.

(1300)

Now a written report was certainly not expected by the members opposite or the union leadership. And it's clearly known to us that the union leadership and the members opposite were working in tandem at this time. Now clearly the conciliation report was a bit of a surprise, the fact that it came down in writing. The results of the conciliation report should not have been surprising to anyone that was looking at this labour dispute over the past 18 months, looking at it subjectively and objectively. But in this case, Mr. Chairman, the union chose to not want to accept the conciliation report when it came down.

So the members opposite may want to start to discuss philosophy and understandings and definitions. If the members opposite want to get down to defining what's in the Bill, we'll deal with it, Mr. Chairman. But clearly the member opposite wants to start discussing other matters, and for some reason doesn't want to get down to the Bill.

Now the only reason I can see is that the members don't simply want to break ranks with those who are pulling the strings in their party. And I can't see any other evidence to the contrary, Mr. Chairman.

Now I'm asking the member opposite to start dealing with the Bill. That's why I'm here; that's why the officials are here. He clearly doesn't seem to want to do that. And I wonder, Mr. Chairman, if he is prepared to get to the business that we're here for.

MR. SHILLINGTON: — Well let me explain it again for the minister, who seems to have a great deal of trouble understanding labour negotiations and what this is all about. We are here dealing with a Bill, Mr. Minister of Justice. We are here because you say the negotiating process broke down. Part of the negotiating process is conciliation, mediation, and arbitration. And I want to know what you believe those three steps to be.

HON. MR. DUTCHAK: — It appears, Mr. Chairman, that the members opposite have not been following this situation over the last year and a half. And I will answer the question which the member asked. It was the first reasonable question that he has asked today.

Clearly the process was as follows. There developed an impasse over the last year and a half between the negotiators for the union and the Public Service Commission. The impasse caused certain ill feelings between the union leadership and the government. Many statements were made publicly, Mr. Chairman, indicating that the government negotiators were not being fair on union issues. There was a great deal of communication between the union leadership and the membership saying that the government offers were simply unfair.

Now at a later point the government decided to suggest conciliation as a possible way of solving the impasse, because by that time there had been strikes called. The union leadership called the strikes rotating strikes. However, we know that the strike was more serious than that as it involved the land titles offices. Irreparable harm was being done as a result of families not being able to buy and sell homes. Clearly the public was being endangered on the highways.

So at that point various names were submitted by both the government side and the union side. One of the names submitted by the union was Mr. Vincent Ready, who is a very well-known labour negotiator, well-known across Canada. The government, in order to express our goodwill in this situation, agreed to accept the name submitted by the union.

After the conciliation report came down in writing, the union leadership would not accept the terms of the conciliation report. The government quickly looked at the report, realized that we could make some concessions suggested by the conciliator. We deemed those suggestions to be fair. They were fair and reasonable, an we publicly agreed. We also went further and signed an agreement based on the conciliator's report.

That is basically the history behind the process of collective bargaining which took place. I would suggest that what should have happened in the normal course of things was that the union leadership would have signed the agreement. Clearly that didn't happen. Instead, Mr. Chairman, we were faced with increased strike activity which struck at the heart of public safety., the safety of all families in Saskatchewan, and the well-being of all families in Saskatchewan.

Clearly it then was removed and placed in a different category. At that time there could be no other reasonable explanation than the fact that the union leadership had no intention and no wish to settle this dispute.

I hope that was enough detail for the member opposite. But that clearly is the history and the reason why this action is being taken.

MR. SHILLINGTON: — I take it, Mr. Minister, from your third refusal to answer the question, what you understand the difference between a conciliator and a mediator and an arbitrator to be, that you don't know.

Mr. Minister, I'd ask you to confirm that, that having thrice failed to answer the question, you don't know what the difference is. Is that correct?

HON. MR. DUTCHAK: — Mr. Chairman, the member keeps wanting to get in this debate on the difference between a conciliator and a mediator. I wonder if the member could clarify the importance that this has to the Bill and the process that we've followed. I'm not sure if he's saying that the conciliator chosen, because he wasn't called a mediator at the time, was therefore unqualified to come in with a reasoned opinion. I really can't understand what the member is getting at, and perhaps he can clarify it.

I want to tell him that in Saskatchewan, and he should know as a lawyer, that there is really no statutory difference between a conciliator and a mediator. I wonder if the member could be more specific, or perhaps he wishes to go on to the real business that we're here for.

MR. SHILLINGTON: — There is no more a statutory issue, Mr. Minister, than fresh air is. To say there's no statutory difference is to indicate you don't understand. Let me give the minister just a bit of assistance since it's patently obviously you don't.

Conciliation has heretofore meant that one attempts to bring the sides together, but does not make a report which is not binding but which is a recommendation of how to settle. Mediation includes trying to bring people together and includes a report to which both parties are free to say yea or nay, but you must say yea or nay. Arbitration, of course, skips the first step. There's no real attempt at conciliation; it is just a binding decision.

Why, Mr. Minister, did the government refuse mediation, which you did? I was trying to arrive at a common understanding of what mediation is, which we seem to be unable to do since you don't seem to understand. Why, Mr. Minister, did the government refuse mediation?

HON. MR. DUTCHAK: — Mr. Chairman, in Saskatchewan the words conciliator and mediator have been used interchangeably. I think the important thing to discuss today, which the member doesn't seem to be willing to get at, is what the problem is with the conciliation report that came down, and the conciliator himself. I'm not sure what the member is saying.

The union, on January 18, 1986, had asked for the conciliator to be upgraded to a mediator, whatever that means. In that letter it said if the medication process fails to produce settlement, Mr. Ready would be asked to provide the parties with their recommendation for settlement, which he did. So I wonder if we're just seeing some nonsense from the members opposite, or if you have any legitimate basis to say what you're saying. If so, let's have it, so we can deal with the rest of the Bill, which is important to us today.

MR. SHILLINGTON: — This is becoming an exercise in utter futility, trying to get any information out of this minister, who patently doesn't know the answers. If the minister thinks he's fooling anyone with this nonsense that he's peddling, you are wrong. It is patently obvious you don't know the answers to these questions. And I don't know why, Mr. Minister, you're piloting a Bill that you have not taken the time to understand. You clearly have not taken the time to be briefed on this matter; you don't understand what you're doing; and quite frankly, Mr. Minister, you're a disgrace to this Assembly and to the profession which you claim to be a part of. You really are.

Mr. Minister, you refused mediation. I ask you why you refused mediation as you did. It was reported in the press several times. Why did you refuse mediation?

HON. MR. DUTCHAK: — Well I can answer again, Mr. Chairman. I suppose it gets me a little annoyed. I don't mind. I suppose us politicians develop a thick skin after a while, and we don't mind being criticized or accused of not knowing something.

The member, however, knows full well that I introduced by officials from the Department of Justice, and clearly I know what I'm talking about when I'm talking about a conciliator and a mediator, and clearly that's the same opinion of the Department of Justice in the province of Saskatchewan. So I think the member probably owes the department workers and the lawyers at the department a sincere apology on that accusation.

The mediation/conciliation question is not relevant to this process we're involved in, unless the member can tell me what he thinks the difference is. Clearly we have a non-binding report. We accept that. There's a difference between a non-binding report and binding arbitration, which I believe may be the issue that the member is confused about.

At this point we have Mr. Ready's report which was reduced to writing. Mr. Ready is the conciliator suggested by the union. The union, by letter to us, asked to upgrade to what they termed a "mediator," who would then give a written recommendation. The written recommendation was given by Mr. Ready. So I would suggest the upgrading issue is not an issue, because the written report took place. The only issue that the member may be confusing himself on is the binding arbitration issue as opposed to the process which took place.

Now I wonder if the member opposite would spend less time on abusing members of the government and members in the Justice department and get down to the clause by clause work that we have to do on the Bill.

MR. SHILLINGTON: — Well, Mr. Minister, since you claim to know something about binding arbitration, let's get to that. Did the government request binding arbitration before telling the workers that if they didn't accept the conciliator's report, whatever that may mean, they had to come back to work? Did the government ever request binding arbitration before calling this legislature back to work?

(1315)

HON. MR. DUTCHAK: — Well again, if the member was following the dispute for the last year and a half, he will remember that various attempts were made to settle the strike in good faith. And he should be well aware that negotiations were being carried on in good faith from our view. The member should also know that binding arbitration was not suggested by any parties throughout this process, including the union.

The conciliation request was made, and the union suggested the conciliator. The report, in our view, should have been weighty enough to solve the labour dispute. Normally, when binding arbitration takes place, it isn't after a written conciliation report.

I'm afraid the members have to realize that we have developed in Saskatchewan a situation where there is risk of a great deal of public harm. We can't carry on for another month or two or three or another year and a half without . . . with people walking out of their jobs involving safety on the highways, involving land titles workers, involving corrections, involving other essential elements of protection to society.

The society has not got the time to play games. We want to pass a Bill which will end this issue because we're ending it in a fair and reasonable manner. And the public doesn't seem to question that. The only people that seem to question that are the union leadership and the members opposite.

Surely the government has taken all reasonable measures, especially in receiving the conciliator's report saying that we have. There can be no question of that, Mr. Chairman. And I believe again the

member is attempting to stall the process that we're involved in.

MR. SHILLINGTON: — I am trying quite unsuccessfully to get some information out of this minister. I will admit I am failing dismally to get some information out of this minister.

Mr. Minister, let me give you some help with the process that has gone on, since you evidently don't understand it, and evidently did not take time to learn. The process, Mr. Minister, which ought to be a disgrace to anybody who claims to be a minister in charge of the Public Service Commission, the process, Mr. Minister, was that negotiations carried on fruitlessly for 16 months. As that period drew to a close . . . (inaudible interjection) . . . Well I'll just wait for the minister to brief you then, since the minister obviously needs some assistance.

As the process drew to a conclusion, Mr. Minister, the union asked for mediation. The government refused. That took place more than once. The union then asked for conciliation, which normally does not include a written recommendation, a report. The government agreed. What I think to everyone's surprise you got out of the conciliation process was a report. Immediately the government lammed onto the report and said, we'll take it, and if you don't take it you go back to work.

At no point in that process did you ever say before you told them you were going to order them back to work; at no point in that process did you say: will you accept binding arbitration as an alternative? At no point did you say that. At no point did you ever agree to accept mediation. The reason, Mr. Speaker, is because you weren't prepared to put your proposals to an impartial body.

Whether or not you might have own your way with respect to wages, your position with respect to job security was totally and completely indefensible. And that, Mr. Minister, is why you wouldn't accept mediation and why you never asked for binding arbitration, because you knew you couldn't defend your position with respect to job security. What you are doing with respect to job security is to try to take the public service back about 50 years to the day before there were some rules against patronage. That's what you're trying to do.

But I go back, Mr. Minister, to my question: why did you refuse mediation on more than one occasion, and why did you never ask for binding arbitration? I say it's because you did not want to have to defend your proposals before an impartial tribunal.

HON. MR. DUTCHAK: — It appears, Mr. Chairman, that the member still doesn't want to get to the Bill; however, I will address my mind to the questions that he poses. I wonder if the member remembers that the union leadership refused to allow the workers, the employees, to vote on the Public Service Commission's position or offer — they refused. In fact the application was taken by some employees to the labour relations board and it was fought by the union leadership.

The conciliation report could have been voted on, Mr. Chairman. However, the union leadership instead chose to accelerate strike and continue rotating strikes in spite of a conciliation report which clearly said that the union leadership was wrong. The conciliation report said the union leadership's demands were unreasonable, and still the union leadership would not agree to halt rotating and full strike action. Now that's the backdrop to this government Bill, Mr. Chairman, and I'm a bit appalled at the position taken by the members opposite thus far.

Now let me give . . . The member wants to talk about some suffering — he used the word a little while ago. Now let me just give you some numbers to indicate to you why this is an important Bill today. Right now in land titles alone there is over \$100 million tied up as a result of irresponsible strike actin by the union leadership — \$100 million. That amounts . . . if you take the interest on that amount it's about \$27,000 per day as a result of this strike. The members were worried about costs. If you break that down it means about \$3,442 per hour paid by ordinary Saskatchewan families as a result of the irresponsible activities of union leadership and the members opposite. That is the cost to the public. And the member doesn't think that this is serious enough o bring a Bill in for. Well, I believe the public thinks it's serious enough. And I ask the member to again recognize the interests of

ordinary Saskatchewan people across the province and get down to the basics, get down to the clause by clause discussion of this Bill and stop holding up the process that we're involved in.

MR. SHILLINGTON: — Mr. Chairman, during this debate the Premier has been described as crass, cowardly, and weak. I wonder if the Premier, who is now in the Assembly, wishes to take this opportunity to defend himself. I wonder if I might put some questions to the Premier who has conducted these negotiations to date?

HON. MR. DUTCHAK: — Mr. Chairman, again the member should know better. We are in committee. We are discussing the Bill which has been drafted. Mr. Speaker, the members know that it is quite costly to the taxpayers of the province to have this Assembly in session to deal with this important Bill. They know that it's costly for my officials to be present, taking time to work in the drafting of this Bill, and also taking time to be here. The member doesn't seem to respect the process that we're involved in here, Mr. Speaker, I am here; my officials are here to deal with the technical issues involved in this Bill, this very important Bill to Saskatchewan people. I wonder if the member is prepared to get back on track and do what we should be doing.

MR. SHILLINGTON: — You are here, I admit, in body but without any useful information. Mr. Minister, you claimed a moment ago not to know why the Premier behaved in the bizarre fashion he did. We don't know either. He's here in the Chamber; I wonder if he wants to defend himself. I wonder if I might address some questions to him?

HON. MR. DUTCHAK: — Mr. Chairman, of course, I can't comment on the whereabouts of the leader of the member opposite, but at least our Premier is in Saskatchewan. Our Premier hasn't had the time to take a holiday in Hawaii. Our Premier is in Saskatchewan. Our Premier hasn't had the time to take a holiday in Hawaii. Our Premier has been working hard trying to deal with a very sensitive, a very difficult issue. No Premier enjoys bringing a Bill in; no government enjoys bringing this type of Bill in. This is essential. It's essential because the public safety is at risk. The well-being of Saskatchewan families is at risk, and the more time that the members opposite play games in the Assembly and delay this matter, that just heightens the risk to Saskatchewan families. I realize in the absence of the leader, the member opposite may not be in full control, but I wonder if he could think about Saskatchewan families and get back to the process and start discussing this important legislation that we should be discussing.

MR. SHILLINGTON: — I'm quite sure this is the only Premier in Canada, the only first minister in Canada whom one can question his conduct in the Assembly when he's sitting here and he doesn't care to defend himself. This is quite a first leader.

All right. Since he does not care to refute the comments, let me ask the minister a question. Mr. Minister, you've had all kinds of advice from the member. I'd like to know what this cost? I'd like to ask you again what you spent on this silly ad? Mr. Minister, I want to ask another question as well while you're asking the minister, and the minister may find — with a good deal of luck, if he goes to the lounge, to the telephone in the lounge, picks up the telephone — he may find someone in his department will answer it. He may find upon someone answering it, that someone's got some information about this. I don't know whether the minister plans to go and get it or not. I would think it would be fairly easy to get it.

Mr. Minister, you stated you had exhausted . . . Let me read from this ad:

The government has bargained in good faith and exhausted every avenue of approach, even consented to a conciliator recommend by the union and agreed with his report.

Mr. Minister, can you really claim to have exhausted every avenue when you did not ask for binding arbitration as an alternative to calling this legislature into session?

HON. MR. DUTCHAK: — Mr. Chairman, it's clear that all reasonable people in Saskatchewan are beginning to understand all of the government's position. It's clear that it's incumbent upon the government to communicate to the public of Saskatchewan as to why we take actions which are not

in the usual course of business. It's important that this communication take place.

Mr. Chairman, I am satisfied that there can be no question that government took all routes possible in the spirit of goodwill to settle this labour dispute. It is also clear that people on the other side of the dispute were not anxious to settle the dispute. The conciliator's report was viewed as important. The conciliator's appointment was viewed as very important by government. In fact, we suggested a conciliator appointment approach and the union agreed.

If there was any problem at that time, why did the opposition not demand that the conciliator not be charged with the task of coming out with a process or a recommendation. Why did we not hear from the opposition or the union leadership? Why didn't they say no? They only said no after the report comes in and they don't have it their way. And it appears that the opposition doesn't have it their way either. We didn't hear a thing when the conciliator was suggested. That's very similar to an individual demanding that the courts should be done away with because he lost a court case.

Now the member opposite should know better than that. My understanding is that he attempts to practise law. He should know that when things are agreed to that there has to be some respect for the system. There has to be some respect for the decision that ultimately comes. But clearly the rules apply differently.

So, Mr. Chairman, again I ask the member to quit wasting the time of this Assembly and the time of the officials that I've brought in to help me answer questions on the Bill. It is a technical Bill, and I obviously rely on officials from the Justice department who have carefully reviewed our legal position under our instruction. Our instruction was to produce a Bill which protected Saskatchewan people, and that's what this Bill does.

So I wonder if the member opposite will avail himself of the opportunity now to ask legitimate questions, if he has any. I haven't heard many from him so far, but he may have a couple. We're here for that purpose, and I would ask him to quit stalling on this Bill.

MR. SHILLINGTON: — Mr. Minister, I want to turn for a moment, if I might, to the question of the vote which you claim that the union should have taken. On Tuesday they got the conciliator's report. On Thursday our so-called Premier said, we need your decision by Monday; if we don't have it, you're going back to work. Would you explain to us how you think the union might have conducted a vote and got an answer by Monday?

HON. MR. DUTCHAK: — Mr. Chairman, we are now getting from irrelevant questions into silly questions.

It's clear that the Premier made a concise statement that day. His concern was targeted at the rotating strikes which were doing great damage to the public, to the public safety and the economic future of Saskatchewan families. The union could very well have ordered their people back to work and taken the time to take a vote. It was clear thought that they chose to do otherwise, which clearly showed that they had no intention and no will to negotiate a settlement in good faith.

(1330)

Now, Mr. Chairman, I'm sure the public in Saskatchewan accepts that view because we've been watching it. We've seen what was happening. There was clearly no reason for continued strike action after the conciliator's report came down.

MR. SHILLINGTON: — Well, Mr. Minister, I ask you: how could they have conducted a vote by Monday? You only gave them two working days.

HON. MR. DUTCHAK: — I'm trying to tell the member in as simple terminology as I can muster that the Premier's request was that the membership of SGEU be asked to go back to work. The union had every possibility, every opportunity to announce that they were prepared to put the vote to the union

membership. They chose not to. They instead chose to further damage Saskatchewan families by accelerating strike activity. Now clearly that's the issue, and that must be the issue.

MR. SHILLINGTON: — Mr. Minister, I want to turn to the question of the charter of rights, the use of section 33. As I said in the debate on second reading those — and the member from Elphinstone was one— who argued that section 33 was necessary said it was necessary because some broad issue of social importance might not fit within the four corners of the Act. The example I used this morning was settlement of Indian land claims.

The critics, including the Canadian Bar Association, the critics of section 33 said: but in practice section 33 will be used to run roughshod over the rights of groups who aren't in a position to defend themselves.

My question, Mr. Minister, is: are you proud that during your brief period as Minister of Justice your role in history will be to have proven the critics of section 33 to have been correct?

HON. MR. DUTCHAK: — Well again the member is getting to an area that clearly his leader is more familiar with than he is, and he has proven it again. I want to mention and caution him that what he said today is directly contrary to what was said by the former premier, namely his leader, in terms of section 33 and the charter in general. In fact, the Leader of the Opposition, who was premier at that time, indicated, I quote:

I believe that this charter strikes a good balance. Rights and freedoms will be protected in the constitution, but at the same time the basic principles of parliamentary democracy will be preserved.

He goes on to say that governments have to ultimately consider the good and welfare of the public in general, and therefore must take advantage of the section that was afforded to them in circumstances of that nature. That's the purpose of the section.

I'm very surprised that the member opposite is indicating that section 33 is only available to Indian land claims. And it's surprising, but not surprising in a sense, to hear the opposition say that the constitution, that section 33 of the constitution, is not available for the majority, or for average Saskatchewan people, for Saskatchewan families, when their safety and well-being is threatened. That's clearly a new proposal, and I don't think it's even consistent with what his leader said when he was premier.

MR. SHILLINGTON: — Mr. Minister, I want to say to you and members of your government that you never quit. You never tire of playing the racist card, do you? You never tire of trying to stir up racial tensions in this society for your own narrow purposes.

Mr. Minister, you know full well I did not say that section 33 was brought in to deal with Indian land claims. I used that as an example of a possible legitimate use of section 33, and that's what I said. For you to misinterpret it, Mr. Minister is part of the ongoing pattern of conduct which we've come to expect from the member from Prince Albert-Duck Lake: racism, racism, and racism. You never tire of playing the card.

Mr. Minister, I suggest to you that section 33 was never intended to be used by management — that's what you are; you are management here — by management to settle a labour dispute in their own favour. The worst conceivable example of an abuse of section 33 might well have been a government using it to settle a strike in the public service where you are a party to the dispute. I would be hard put to think of a worse abuse of section 33 — a worse abuse of section 33. Mr. Minister, not only are you using it to settle the strike, but even worse, you are using it to settle the strike on your own terms, because the legislation contains the agreement.

I ask you, Mr. Minister: you made a comment — you made a number of comments which are wholly false in your speech. One of them, though, was that this Bill follows a pattern which has been

followed by other governments. It's absolutely false, absolutely false.

Until this government took over — and seems to take some pride in the jackboots which they wear in here — until this government took over, Mr. Minister, all back-to-work legislation followed a similar pattern: back to work with a cooling-off period, thereafter binding arbitration. You people have legislated the settlement, and thus the abuse of section 33 is that much worse.

AN HON. MEMBER: — That's not true.

MR. SHILLINGTON: — Well the former minister of justice, who no doubt pines for a more relaxed and civilized department than Justice, after the mess that the member from Kindersley left it in — the former minister of Justice says it isn't true.

I ask you, Mr. Minister, to give us an example of another piece of back-to-work legislation passed by the former government or the former Liberal government, if you want to go back that far, or the CCF government before it, which brought in back-to-work legislation. I ask you, Mr. Minister, to give us an example of a Bill which legislated the terms of the settlement. This is unprecedented. Before 1982 there is no precedent for this.

So I ask you, Mr. Minister, if you were prepared to walk over the government workers. That'll be an enjoyable relationship when they do go back to work, I can tell you. If you were determined to walk over top of them, why didn't you at least follow the common pattern of a cooling-off period, plus binding arbitration?

HON. MR. DUTCHAK: — Well, Mr. Chairman, the member is, of course, jumping around from constitutional arguments back into the process of labour relations, and I'll attempt to answer the question as I understood it. He started out talking about the constitution. He must remember that when prior governments were legislating anything that the constitution as it is now was simply not in force, and it came into force when this government was here, when our government was here.

Then he gets to the labour negotiation itself. I simply want to quote the one clause from Mr. Ready's report which I believe answers the question. At times a government makes tough decisions and choices based on the safety of the public in general and the well-being of Saskatchewan families. You must look at various tests. And the conciliator, Mr. Ready, recognized this as well. In his concluding paragraph he said:

I would request the parties to give these proposals serious consideration in order to avoid a lengthy and protracted labour dispute which, in my view, would adversely affect the economy of the province, as well as the welfare of the members of the Union and the general public.

That was the purpose of the written report provided by Mr. Ready.

The other clause in the Ready report indicates specifics:

I therefore recommend to the parties, in the interest of reaching a settlement and ending this lengthy dispute, that all proposals that I have not referenced as in agreement (section 1 for example) or recommended for agreement (in section 2 for example) be withdrawn in total.

Now what that means, Mr. Chairman, is that the conciliator recognized that the protracted, lengthy labour dispute that struck in Saskatchewan, which was harming Saskatchewan people, had gone on for long enough. So therefore he decided to submit a written report and to provide, in fact, a written report, which the union had asked for anyway. At that time, Mr. Chairman, could any government not take the procedure which we took? I think if we hadn't done this, Mr. Chairman, we would be acting irresponsibly.

Now if the opposition was in power, perhaps they would not act the way we do. But we are responsible, Mr. Chairman, to all Saskatchewan people, not a select few of union leaders. We're responsible to all people across the province, in small towns, people travelling on highways, people living on farms, people living near correctional institutes.

Mr. Chairman, I think without question there should be no question about the responsibility that this government has and the actions which we have taken.

And if the member opposite wants to suggest a different mode of conduct which would be more acceptable to the public in general, he can do so as an official position of his political party; and I think he has, to some extent, today. But he will not change the course that we are taking, and therefore I would ask him to get back to the Bill and stop delaying the process that is very important to the families in Saskatchewan today.

MR. SHILLINGTON: — It used to bother me, Mr. Chairman, when we first began to deal with this government, and we would ask them a question, and they would talk about something totally unrelated to the question. It used to bother me until I came to the realization that the public, who were listening to this, also find that habit irritating, the habit that this government — which is now universal — nobody answers questions; we all talk about something else. The habit which this government has developed is not a habit which is doing them a lot of good. So it bothers me less as time goes on.

Mr. Minister, let me ask you a short question, then, which shouldn't admit of a whole lot of external comments. Do you know of an example where another government has legislated people back to work and legislated the settlement?

HON. MR. DUTCHAK: — Well, Mr. Chairman, in answer to the question, the answer is no. But if the member is asking whether we're taking responsible and reasonable action on behalf of Saskatchewan people, the answer is yes.

MR. SHILLINGTON: — Well when you say, as you admit that the whole army's out of step but you, does it not tell you something? When every other government — Conservative, Liberal, NDP, CCF, Socred in Alberta and British Columbia — have legislated people back to work, they have done it under the so-called Taft-Hartley provisions — whereby cooling-off period, arbitration. Does the fact that nobody else has ever used such a bizarre procedure as this suggest anything to you? Does it not suggest that there's a better way, Mr. Minister?

HON. MR. DUTCHAK: — Mr. Chairman, the questioning, unfortunately, is amusing — and I say "unfortunate" because I thought the opposition would take this Bill more seriously in light of the ramifications to Saskatchewan people.

First, the opposition says that this government lacks leadership. Now in the next breath they say, well why aren't you following what everybody else is doing? Why are you doing something on your own? Mr. Chairman, this government will continue to lead. This government will continue to act in the interests of all Saskatchewan people, and we will not be dictated to by a few, which is the problem the opposition is having.

(1345)

Mr. Chairman, I think it's essential that we begin to discuss the terms of this Bill. And again I ask the members opposite to stop delaying this process and get down to the basics of the Bill, so we can pass this Bill in the interests of all Saskatchewan people.

MR. SHILLINGTON: — Mr. Minister, will you tell me what your government's intentions are with respect to what is often called back-to-work protocol? Will you tell us what your government's intentions are with respect to, say, holiday pay for workers?

HON. MR. DUTCHAK: — Again, if the situation involving holiday pay and issues of that nature are dealt with in the agreement which forms part of the legislation, then obviously the process is in place for those issues to be dealt with.

But I tell you now that the government will be taking and is taking the position that we will not be agreeable to paying holiday pay to people who were not at work.

MR. SHILLINGTON: — Well, your position to date, Mr. Minister, has been that traditionally if one was off for one week a month on a week stoppage, you lost not the whole holiday pay for the month. Traditionally the holiday pay has been a day and a quarter a month. Traditionally if you're off for a week you might lose 25 per cent of a day and a quarter, roughly put, but you wouldn't lose the whole day and a quarter.

I understand, Mr. Minister, that the position taken to date has been that if you're off for a portion of the month you lose the whole month's holiday pay. The minister's having a great deal of trouble understanding this; I recognize that. But that in fact is what your Public Service Commission has been doing.

AN HON. MEMBER: — Not true.

MR. SHILLINGTON: — Well, if it's not true then I want to know . . . if it's not true — the member from Kindersley says it's not true — what I want, Mr. Minister, is a concise statement of the position of this government with respect to workers who go back to work.

HON. MR. DUTCHAK: — You know, the problem here, Mr. Chairman, is that the opposition members have only been listening to the union leadership. They obviously haven't read the Bill. Here's a situation relating to holiday pay, and I hope the member can understand this. Anybody that was at work for a portion of a month will get full credit for being at work in terms of holiday pay. People who were not at work will not get credit for that portion that they were not at work for. Now I wonder if the member needs any further clarification.

MR. SHILLINGTON: — No. If the minister had provided that answer the first or second time or third or fourth time I asked, we might have saved some legislative time.

Mr. Minister, I want to again get your comments in *Hansard*. I'm not so much interested in what's in the Bill as I am in getting your comments, Mr. Minister, will you tell the Assembly whether or not there will be any reprisals against any workers who were off work on a work stoppage? Do we have your assurance there'll be no reprisals against . . .

I'll state it differently. Do we have your assurance there'll be no reprisals against any workers who were off work during this work stoppage?

HON. MR. DUTCHAK: — Well, I'm pleased that the member admits that he hasn't read the Bill. When he gets around to reading the Bill, he could refer to section 5(2)(b), and the clause is clearly in there that there will be no disciplinary action. And also, as he is well aware, the government saw fit to introduce a section in the Bill that also prohibits the union leadership from disciplining workers who go back to work after the coming into force of this particular Act.

Now perhaps the member might want to take some time and read the Bill, because I believe many of this answers are in it.

In relation to his previous question regarding holiday pay, I want to advise the member as well that there is a process in the collective bargaining agreement where the union may still grieve any situation involving holiday pay, and it will then go to the Labour Relations Board — the arbitration board rather, because it doesn't appear in the main body of the Act.

There is a process in place and we don't want to disrupt that particular process. The simple difference on a portion of holiday benefits is that it's paid in cash rather than time, and I wonder if the member would want to take some time and read the Bill in order that he could be more informed in future questioning.

Clause 1 agreed to.

Clauses 2 to 11 inclusive agreed to.

Schedules

Page 1 agreed to.

Page 2

MR. SHILLINGTON: — Mr. Chairman, unless there is some need to go through this clause by clause, I think the official opposition sees no need to go through it page by page as well. I think we could agree that the agreement has been read and has been deliberated on by the Legislative Assembly. We see no need to go through this thing page by page.

Schedule 1 agreed to.

Schedule 2 agreed to.

Preamble agreed to.

HON. MR. DUTCHAK: — First of all, Mr. Chairman, I would like to thank my officials for their work on this matter.

I would like the committee to report the Bill, Mr. Chairman.

MR. SHILLINGTON: — I would like to join with the minister in thanking the officials for their attendance in the Legislative Chamber.

The committee agreed to report the Bill.

THIRD READINGS

Bill No. 144 — An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union

HON. MR. DUTCHAK: — Mr. Speaker, I move that the Bill be read a third time and passed under its title.

Motion agreed to on the following recorded division.

YEAS — 33

Devine
Tusa
Andrew
Berntson
Lane
Schmidt
Myers
Hepworth
Dutchak

Sandberg
Klein
Currie
Smith (Moose Jaw South)
Hodgins
Bacon
Johnson
Parker
Young

Caswell
Domotor
Meagher
Muller
Baker
Glauser
Zazelenchuk
Gerich
Swenson

Dirks
Embury

Weiman
Rybachuk

Sveinson
Hampton

NAYS — 6

Tchorzewski
Engel

Lingenfelter
Koskie

Lusney
Shillington

Bill read a third time and passed under its title.

MOTIONS

House Adjournment

HON. MR. BERNTSON: — I move, seconded by the Hon. Mr. Andrew:

That when this Assembly adjourns at the end of this sitting day, it shall stand adjourned to a date and time set by Mr. Speaker upon the request of the government and that Mr. Speaker shall give each member seven clear days notice, if possible, by registered mail of such date and time.

By leave, Mr. Speaker, I move.

MR. LINGENFELTER: — Mr. Speaker, I appreciate the opportunity to say a few words on this, what I understand to be a debatable motion.

AN HON. MEMBER: — Yes, it is.

MR. LINGENFELTER: — I believe it is, but I'd ask clarification from the Speaker. If the House Leader say it isn't, I would like a ruling from the Speaker.

MR. SPEAKER: — It's debatable.

MR. LINGENFELTER: — Mr. Speaker, when the Assembly was recalled by the Premier to deal with the phoney back-to-work war that he had created last week by threatening the union, we, in the opposition, came forward quickly with a plan or a strategy that would deal with the real issues that affect the people of Saskatchewan, namely three Bills that we gave notice of yesterday that would have dealt with what people are telling us are the real issues in Saskatchewan, namely massive tax increase as a result of last year's budget by this Conservative government, and secondly unemployment.

Now, Mr. Speaker, we will not dwell on why we were recalled by the Premier. I think everyone will make their own decision based on what has been discussed here. But I think the reason that the members of the opposition came here is quite clear as well. We came here to deal with the issues that the people in our constituency told us to deal with, namely creating employment for their families, their children, their grandchildren, because we have record high unemployment in the province at this time. Not only do we have record high unemployment, we have record high welfare payments being paid out by the Minister of Social Services in to 60,000 people in this province who don't have work. Sixty thousand people now get their income solely from the Minister of Social Services. That bill has gone from \$98 million in 1981 to, Mr. Speaker, this year, over \$200 million being paid out because people don't have work.

Now I say to this government, when they come back on a phoney issue of legislating back their

employees, the highway workers, their secretaries, who they can't deal with well enough to get a contract settled, and then ignore the real issues, we believe that we shouldn't be adjourning the House today.

I'm speaking against this motion, and I intend to vote against it because I believe that we should be back here Monday morning, Monday afternoon at 2 o'clock, to deal with the real issues and forget about the phoney wars. I believe we should be dealing with the Bills, for the next two or three weeks, that are on the order paper and that have been suggested, followed by a budget and a throne speech and a new session where we will deal with the real issues of the farmers and the working people of this province.

I say to you, Mr. Speaker, that it is unfortunate that we have a Premier who is so weak that he comes back here on a trumped-up issue to beat up, as I said earlier, on his secretaries and highway workers and crop insurance workers who worked very hard this year — worked very hard this year. And I say to him that when he has employees in his own office, executive assistants in various ministerial offices, that were getting 16 and 30 and 40 per cent increases, that it is unfair, and that we should be dealing with the issues that the opposition have raised, and raised any number of times in this Assembly.

The Bills we have introduced would create literally thousands of jobs in the province of Saskatchewan. To cut the taxes on individuals in this province, the 60,000 as was mentioned earlier today by the minister in charge of revenue, supply and service — the 60,000 families who had money taken away from them in terms of the used vehicle tax — that \$4.5 million, if it was repaid, would create hundreds of jobs because those people would have money to go out to the small shops, the businesses, buy more clothing for their children, take their families out for supper. The small-business people would hire more people, and we would create employment.

The 80 or 90 or \$100 million on the flat tax that the former minister of finance referred to in his most intelligent budget, this new flat tax, \$80 million taken out of the pockets of the workers and farmers of this province — if you were to turn that \$80 million back to the people of the province, can you imagine how that would stimulate the economy of this province? We don't need any phoney make-work projects created by the Minister of Social Services to cut branches or paint park benches. That kind of work isn't what people are asking for.

I'm sure the former minister of finance is getting bored after being demoted on his budget and have it talked about today. He would want to be bored with this discussion. If I were the former finance minister who brought in these tax increases, I would want to get out of this debate as quickly as I could, as well.

I say, Mr. former minister of finance, I would like you to stand in your place and either defend, or say, we're going to deal with these tax Bills to get the money given back to the people who you were taking it from. Obviously the Premier is trying to dump it on your back. He's obviously dumping it on your back. But what we are saying is, let's deal with these tax Bills so that the people of Saskatchewan will have jobs, so that their taxes will be reduced.

And I say to you, Mr. Speaker, it's unfortunate we have a government that claims that their employees don't want to work. They have insulted the employees of this province who work for them, for the past two days. And now when it's time to work on their behalf, the 80 or \$90,000 they're getting, they're saying, let's go home. We don't want to work any more. We've legislated our employees back to work, but now I'm going to take a holiday. I say to you that the people of Saskatchewan, when they see you birds coming back to work two days this year and then go on holidays again, they're not going to be very happy.

AN HON. MEMBER: — Who's on holidays?

MR. LINGENFELTER: — Well, you are. You've got an adjournment motion that would deal with this issue. You're going to take a holiday. And I say to you that when we look at the travel expenses of

your ministers, the former minister of highways, who's now moving to Alberta to buy a farm because he can't make a living in Saskatchewan unless it's paid for by the taxpayers, he spent \$63,000 on travel last year — \$63,000. And yet your employees, you're saying, you're ripping off the system because you want a 3 or 4 per cent increase.

Well I say that's a phoney war. These are the issues. The tax Bills are the issue; unemployment is the issue; the farm crisis is the issue. And the farmers of Saskatchewan are saying we have a Premier who hides behind locked doors in Swift Current. The working people say we have a Premier who hides behind locked doors in Regina and does TV programs out of his office and then sends the tape to the TV station. The taxpayers pay for it. He won't rise in the House and defend himself. I say if this was an exercise to build the image of this Premier that we have in this province, it has failed at great expense to the taxpayers, and it's unfortunate that we have to carry on with this charade, and that we're not allowed to deal with the real issues — taxes and unemployment.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. LANE: — Thank you very much, Mr. Speaker. The comments of the hon. member are worthy of some response because I'm sure some of our guests in the gallery are today thoroughly embarrassed with the performance of the members opposite. And to have the New Democratic Party to be their spokesman, and to be their colleagues and to be their allies must be one of the most embarrassing moments of the trade union movement.

It's very, very interesting, Mr. Speaker, that the NDP would stop legislation on putting people into employment, like last session where they delayed legislation. But when it comes to the SGEU, they folded up like a deck of cards today, and you didn't have one good debate from any single member opposite, Mr. Speaker. They're simply going through a bit of a sham because, Mr. Speaker, they knew full well when this legislation was brought in that it had the support of the people of Saskatchewan, that the people of Saskatchewan were deeply concerned about public safety and were deeply concerned that the economy should not be shut down. Or sectors of the economy should not be shut down.

Mr. Speaker, the people did not believe that the actions were fair to the people of Saskatchewan, and they believed that this government should act. This government showed far more restraint, far more restraint through this labour dispute than the members opposite who went out to incite the labour dispute, and then when the government brought in legislation, folded up in a deck of cards. And I think that those in the trade union movement aren't taking much solace today from the unholy alliance with the members opposite.

It's interesting as well, Mr. Speaker, when the members opposite talk about some of the other duties that they would rather do. They brought in three Bills, all not correct and not proper, and all money Bills that the opposition can't do. But what did they miss, Mr. Speaker? What did they miss, Mr. Speaker? They didn't bring in one Bill about agriculture. They didn't talk about the farmers. They didn't care . . . they couldn't care less about the farmers, Mr. Speaker, because their priorities were well laid out. Their priorities were well laid out.

It's very interesting that when this government, Mr. Speaker, brings in a cash advance program for grain farmers of 6 per cent, \$25 an acre, what did the NDP say? They criticized this government for borrowing the money to pay the farmers, and that's what they did because they opposed the cash advance program. They refused the cash advance program when they were in office; they've opposed it today. And let me tell you, Mr. Speaker, the day an election's called they will oppose it then, much to their chagrin. Because the day that election is called, let me tell you, Mr. Speaker, and let me tell the members opposite, they're going to get a powerful message, a message that we are getting from one end of this province to the other, and that is they do not want you back in government.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. LANE: — And they are saying that from end of this province to the other. They don't want you in; they don't want your policies in; they don't want the direction you want to take this province back in to government.

Having said that, I was surprised to hear the comments, Mr. Speaker, of the member opposite, opposing the additional expenditures on education, opposing the additional expenditures to universities, opposing the additional expenditures to health facilities to create jobs and create employment. Because again, we had a clear statement today what the priorities of the New Democratic Party is, is that they want to stop the expenditures of this government in job creation.

(1415)

More jobs were created last year, Mr. Speaker, more jobs were created last year by this government than any single year under the New Democratic Party. And the difference is, Mr. Speaker, that the jobs created last year in Saskatchewan, some 11,000 additional jobs, were virtually all permanent jobs — all permanent jobs, Mr. Speaker. The NDP are slightly sanctimonious on job creation when they really didn't have a record that they could talk about.

It's surprising to hear them talk about tax rebates when they put the death taxes on the people of Saskatchewan and will again. Did they ever rebate the death taxes to the people to the . . . and they put on the gift taxes, the inheritance taxes and the succession duties. Did they ever repeal those? No, they didn't. But what do we have from the Leader of the Opposition who's down in Hawaii visiting with the poor folks — visiting with the poor folks in his campaign in Hawaii, lying on his surf board not the least bit concerned about the SGEU strike, as he does every time there's a controversy in this House, he runs out that door. We're going to have a stop watch next session to see if he can set the 10-foot dash to the top step. Mr. Speaker, we've never seen the Leader of the Opposition run so fast as when there's a controversy in this House trying to get out.

Mr. Speaker, having said all that and indicated that we have the priorities of the NDP set out, and they didn't even mention agriculture. They didn't even mention agriculture in this House this session, and they say that's what they wanted to talk about, those three pieces of legislation — they didn't mention agriculture. And the farmers know that, Mr. Speaker. The farmers know full well that there is only one party in this province that is looking and cares about the concerns of agriculture — it's the Progressive Conservative Party.

Mr. Speaker, we've got evidence clear today that when farmers are facing difficult times, they can't look to the NDP, and they don't look to the NDP, and the message that's coming through loud and clear across this province, Mr. Speaker, the public doesn't want a New Democratic Party back in office, doesn't want the members opposite to form government. Mr. Speaker, that message will be well debated over the next months in the province of Saskatchewan, and I think all members on this side of the House are looking forward to that public debate with a great deal of relish, Mr. Speaker.

MR. KOSKIE: — Today it has been suggested, Mr. Speaker, that the party opposite is in trouble. And I'll tell you there's a confirmation when they get the old Liberal, the new Finance Minister, to stand up to defend them, because up until this time they've kept his mouth trapped. Desperation has set in on the opposite side.

You know, when you take a look at calling us back to the session. I ask what was the business agenda of the government. Why, in fact, are they not dealing with the reduction of taxation that the little cheer-leader, the Premier, has been saying he's going to repeal? I'll tell you, he hasn't even put in legislation for the action that he said that he discontinued it in December. And I would say that you have no legislative right to be collecting any sales tax on new vehicles, which you have been doing. You haven't been doing it.

I want to say, Mr. Speaker, if one takes a look at the economy of Saskatchewan . . . Construction across this country is the highest; records are being set. But what about in Saskatchewan in construction?

AN HON. MEMBER: — Record low.

MR. KOSKIE: — Record low in construction. House construction is the lowest since 1974 — 10, 12 years ago.

We find that in welfare, it has been said, 63,000 people dependent on welfare. We have unemployment — over 40,000 people unemployed. And they have an opportunity to come forward with an employment program, and there's nothing said.

We find that in their own statistics if you look at . . . They're trying to brag that the unemployment is not great across Canada. You know what the Tory mechanism's used now? It's not to create full-time jobs any more — part-time jobs. And you know what, in Saskatchewan today? Over 100,000 people are only working from one to 30 hours a week. And I'll say that is a serious problem.

And do you realize what the Minister of Finance said? He said we came forward, we've moved three Bills, and we did not say one thing about farmers. Well what we are proposing here is in respect to the repeal of the legislation on the E&H tax, imposing a sales tax on used vehicles. I'll tell you, if you talk to the farmers, they are some put out over the cost that they have had to pay in respect to the sales tax on trucks and used vehicles that they bought for their harvest.

And so I'm saying to you, certainly the repeal of the taxation on used vehicles, the repeal of the taxation on the flat tax, the repeal and the implementation of the property improvement grants, all vitally affect the farmers and other people throughout this province.

And let there be no mistake. The issues which we are dealing with and want to deal with are the issues that destroyed you over in Regina North East — destroyed you. You lost your deposit in a seat you had won by 1,750 votes.

And I'll tell you, this government — and the people have said — have lost control. They said, there's nobody in control. They say that the deficit that you're passing on to the next generation and the young people today, just to try to attempt to keep in power, the public of this province will not tolerate.

And I'll say, Mr. Premier, your little cheer-leading and your little protective messages on television at taxpayers' cost is not going to turn it around for you, nor are the utterances of the so-called new Minister of Finance going to change the facts that you have taken this here province down the road of a massive deficit of indirect taxation.

I'll tell you, Mr. Premier, you've lost it on your legislating workers back. You lost it on your management of this province. You have betrayed the young people of this province who you offered jobs, just like your counterpart in Ottawa. You have deserted the very things that you indicated you were standing for. You have lost faith with the people of this province.

And I would say to you, Mr. Premier, and your colleagues — the few that remain loyal to you — the people of Saskatchewan, their one comment is: how soon can we get rid of those birds? How soon can we expect an election?

And I'll tell you, throughout this province they're saying, we have never had such mismanagement and such a mess in the history of this province. You have left a legacy that no one will ever try to attain. You have disgraced the province as a Premier in leadership and in management of this province.

And I say to you, we want to either do business or we challenge you to call an election, in order that we can take over the offices of government and carry on on behalf of the people of the province, in an organized manner, the affairs of the province of Saskatchewan.

HON. MR. DEVINE: — Mr. Speaker, this conversation in the legislature reminds me a great deal about 1982. In 1982 the members opposite were very good at calling people names. If you've noticed this whole day in the legislature and yesterday, what they really are like is a number of school children who can think up names to call people.

Well in 1982 they were sitting here and they were calling me names. And if recall at that time, the government house leader was saying, where is this invisible Tory? Where is this invisible man? Where is this person who is going to do us so much damage all the time? Where is this individual that has all the Saskatchewan people saying, we should listen to folks? Where's this invisible person who said he's going to protect families?

Well at that time, Mr. Speaker, they were saying that they wished that invisible person could be in the House. Well in 1982 the invisible man and invisible leader ended up as you see today, with 53 members on this side and nine on that. And if that's invisible, Mr. Speaker, we'll take it time and time again.

Mr. Speaker, we're in this House today, and I'm on this side of this House today, and they're on that side of the House today, for one reason: because of caring for people and looking after families.

In 1982 the NDP had all the opportunity in the world, all the opportunity to help families fight 22 per cent interest rates. And you didn't do one single, solitary thing. Families all over this province time and time again said, I'm losing my home; I'm losing my farm. Real families cared, and do you know what you heard from the opposition? You heard about the Saskatchewan family of Crown corporations and big government was going to fix it.

And Mr. Speaker, when people said that we should protect families and protect farmers, and the NDP wouldn't do a thing for them; and we said we'll provide interest rate protection, and we did; they threw the NDP out on their ear, because they knew that we would protect families as we are today.

Mr. Speaker, we have agricultural programs to protect families. We have home owner protection plans to protect families. We will protect people with respect to welfare reform. We are providing protection for education, for health care. When the opposition wouldn't build nursing homes for senior citizens, the public came to us and said, please protect seniors; do something for senior citizens because the NDP put a freeze on it for years.

The province of Saskatchewan under the Progressive Conservatives protects people's homes, they protect their farms, they protect their businesses. And, Mr. Speaker, as a result of the programs that we have, no government in Canada over the last four years, '82, '83, or '84, or '85, no government in Canada — NDP, Liberal, anything, anywhere — can match the employment record in Saskatchewan. It's the lowest in this country, any place in Canada in the last four years — anywhere, Mr. Speaker.

This debate today, Mr. Speaker, is about caring for real families. And the member from Shaunavon and the member from Quill Lakes and the member from Assiniboia-Gravelbourg can say all they like about caring for families. When they had their chance, they wouldn't care. Let me tell you who they care about. We know who they care about, okay?

Government union leaders call the shots for the NDP and have for years. Government union leaders do not care about families, and that's the point. That's why we're in here today. They will make sure that the public can travel on roads that are unsafe because they don't care, and government union leaders will tell the NDP what to do time and time and time again.

And the NDP members, Mr. Speaker, the NDP members have got Saskatchewan Government Employees' Union tattooed right on their head. And it'll be there for the rest of their life, and the public knows that. Everywhere in Saskatchewan today — you can go into Quill Lakes, you can go into Shaunavon, you can go into Prince Albert, you can go into Moose Jaw, you can go into Regina,

Saskatoon, and the public knows that it's time the employees were back to work. And people all across this province say it's time to be fair to families; it isn't time just to be listening to government union leaders. Government union leaders and the NDP are like this, and the public knows it.

And if you are going to say, are we going to follow those policies — what are their policies? They're against agricultural trade; they're against welfare reform; they're against 8 per cent money for farmers; they're against 6 per cent money for farmers. They took away the farm fuel rebate for farmers; they're against that. They're against protection for family homes, because they wouldn't provide it.

They're against small business. Small-business men are free enterprise. Ask any government union leader if he supports small business, or if he supports free enterprise. They don't support it, because they're against it.

(1430)

Union leaders are against all those things. Saskatchewan government union leaders are. And do you know what, Mr. Speaker? The NDP are against the very same things; the two are in one. And Saskatchewan people from one end of this province to the other say, I want a government that is run by elected people, not by government union leaders. And that's the difference, and that's why we're here today.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. DEVINE: — Mr. Speaker, the day that the Saskatchewan public and the people of this province want government union leaders to run the province as opposed to elected representatives, then it's a different Saskatchewan than I know. The people of this province, Mr. Speaker, want a government to protect their people, protect their families, protect their farmers, protect small business, to encourage business to come in here, to open it up, to have the best records in Canada with respect to employment.

Mr. Speaker, the legislation passed today was important because the people of Saskatchewan want to see families protected. This government has always stood for the protection of families, and, Mr. Speaker, this government will always defend families against organizations or government union leaders that do not want to protect the public. This party stands for families.

SOME HON. MEMBERS: — Hear, hear!

MR. ENGEL: — Mr. Speaker, the Premier stood up in this House and said, when I was invisible the people voted for me. Well, I'll tell you they did. But now that they can see him, what did they do? Now that they can see him, what did the people do? When they can see who Mr. Premier stands up for, he loses his deposit. Once we can see what we've got for a Premier, once we look beyond those slogans, once we look beyond your cheer-leading, the people knew what they got and they said, "Mr. Devine, call an election."

When you took over, you were handed a treasury that was making you money. You were handed a surplus. You were handed an administration that was run carefully by people that cared and were saving the taxpayers some money. And what did you do with that administrator, Mr. Premier? What did you do now that you've become visible and received a new Rambo image? What did you do with that little image of yours?

Once you created an image that we could look at, what did you do, Mr. Premier? What did you do? You promised the farmers you're going to give them some relief and you took away their gas tax. You promised the farmers you were going to lower the property tax and you took away the property improvement grant. This visible leader showed the farmers where he's coming from and they said, we don't trust you.

A car dealer in Gravelbourg that was listed on a list once as being a good supporter of yours told me that, if I sell a car to a farmer and I make that farmer mad because he thinks he didn't get a good deal, that farmer won't come back to my place if I repaint it; that farmer won't come back to my place if I turn it over to my sons; that farmer won't come back if I shuffle my employees; because, once he's lost confidence in me, he won't come back.

And I want to tell you, once the Premier's become visible, the people have lost confidence. They say, we don't trust this visible man. Once they know who he makes friends with, they don't trust you. And they are telling me that right across the piece.

You went down and talked to a group of wealthy business men in Estevan and in Weyburn. It was in Weyburn, pardon me. And that business man told me, I don't like being talked to as though I was in grade 5; I don't like to be treated like a school kid; I don't need a cheer-leader. Once they see you and once they see what you look like, they don't like it. And I'm sorry — you might make it in Hollywood but you're not going to make it in Saskatchewan. You're not going to make it in Saskatchewan.

That new image of yours — I don't know if you've seen the picture, I wish I'd have it here — but that new image of yours, this macho leader, isn't going to sell. You've maybe got a machine-gun. You're tough.

I came in here on Tuesday and the door was locked. And somebody downstairs told me, oh, we'll let you in. I said, look, Mister, it's not up to you to let me in; it's not up to you to let me in. Somebody here was complaining that constituents couldn't get in, but I couldn't get in. I couldn't get in because you were afraid of the people of Saskatchewan. You're afraid of the people of Saskatchewan. Twice I came to this building and those doors were locked. You were afraid. And when I walked through the crowd, Mr. Speaker, I walked past secretaries, I walked past people that are working for Social Services that are trained to deal with people, I walked past some compassionate people. And yet this little man, once he became visible, locked the door to those people. He wouldn't let them into this building.

I think it's time you call your election, Mr. Premier. It's time you call an election because you haven't got a mandate to do what you're promising. You haven't got a mandate to sell a cable system in Saskatchewan that's making you money. You haven't got a mandate to flood out half of the valley in Estevan. You haven't got a mandate not to build a power plant where it's the cheapest place to build.

I'm telling you before you make any of these major decisions, let the people see what you really are. Let the people know who you are. Give them a chance now. They've looked at you for three and three-quarter years, and they're saying, we've had enough. We've had enough. We don't like a government that will raise a false issue and call people back that are already going to work. They think that isn't being a macho leader.

They don't like that kind of thing, the 25 per cent shortage in the hospitals when there's nurses looking for work, and when there's people really suffering. If you're talking about people who are suffering, are you worried about the people that got the \$100 million waiting at land titles office? They're the ones you're saying are suffering. I'm telling you the people that are waiting to get surgery are suffering worse. I had a constituent in my office all week waiting for his wife to have surgery, that broke her hip real bad. She waited and waited and waited. Why? Because they couldn't get him billed through. You've got waiting lists all over the country.

You've mismanaged the health care system. You've mismanaged the education system. You mismanaged every area you put your hands on, and you tell me now that you're visible, people are going to like you. Well I'm going to tell you they're not going to vote for you. They've declared in Regina North East what they do once they see who they've got. Once that little target is visible, we've decided, and the people are going to decide.

I want to tell you that I wasn't afraid to stand up and say that the legislation you brought in was

phoney. I'm not afraid to stand up, and my farmers are supporting me. The school teachers down in my constituency are supporting me and are saying they don't like how you've treated them. You've done everything that Ross Thatcher's done, only you've done it a little better. You've done it with a little more finesse. You've used a duller knife — you've used a duller knife.

I want to tell you that people like Dennis McDermott maybe like the Tories, maybe the union leaders are our friends, but your pal appointed him to a special position. I have no problem with it. I have no problem with it, but when you're dealing with union bosses, somebody in Ottawa seems to know how to deal with them. They seem to know how to handle their union bosses.

When you talk about caring about families, I want to tell you the families in my constituency know who cares. They know who cares. And I want to tell you, they don't like a government that operates from behind locked doors. And they're going to tell you what they think of you if you ever get up the courage to call an election.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. ANDREW: — Mr. Speaker, I just want to correct the record, Mr. Speaker, with regard to the security system put in place by the government in these buildings. That security system was discussed and approved unanimously by the Board of Internal Economy, as you know, because the member for Assiniboia-Gravelbourg was a member of that committee.

AN HON. MEMBER: — Mr. Speaker, on a point of privilege.

MR. SPEAKER: — State your point of order.

MR. ENGEL: — I want to tell the Minister of Finance, when that was dealt with we raised objection and voted against it.

MR. SPEAKER: — This is not the place for disputing whether or not somebody is on track. I think that would be most difficult for the Chair to rule on.

HON. MR. ANDREW: — Mr. Speaker, the record . . .

MR. SPEAKER: — Order, please. It doesn't matter whether a member is standing or seated, you don't call anyone a liar in this Chamber, and I'll ask you to rise and apologize to this Assembly.

MR. ENGEL: — I apologize for my choice of words.

HON. MR. ANDREW: — Mr. Speaker, the records of the Board of Internal Economy will clearly state that that particular resolution was passed unanimously by all six members of that group, including the member from Assiniboia-Gravelbourg, including the member from Pelly. And we discussed it and collectively resolved how we did it.

I don't want to say more of that, Mr. Speaker, but what it does show is the way these people deal in doublespeak, double-talking, Mr. Speaker, because what they're talking about, for anybody who wanted to see the pipe-line magazine which is a publication of the oil industry, a publication of the oil industry . . .

Here are these people, Mr. Speaker, when they're in the city of Saskatoon and Regina, what do they talk about? Give-aways to the oil company. But when they talk and they're in Estevan and they're in Swift Current and Kindersley, what do they say? Actually the government's policy is really quite a good policy, they say. No problem with it. I like those royalty holidays. In fact, we'll probably deliver those if we were government. Doublespeak, Mr. Speaker.

And what is the nominated candidate for the NDP in Kindersley, walking around today and yesterday and the day before, telling the SGEU members in Kindersley? What does he tell them, Mr.

Speaker? I'll tell you what he's saying: elect us and next election you'll get a 15 per cent wage increase. That's the promise. But will they say that up front? Not a chance. That's doublespeak, Mr. Speaker. The people of this province see through doublespeak.

SOME HON. MEMBERS: — Hear, hear!

MR. LUSNEY: — Thank you, Mr. Speaker. I didn't intend to get into this debate, but I think it's been prompted by some of the comments made by the members opposite, by the government opposite.

Mr. Speaker, we've been hearing for the last couple of days how important it was for us to get into this House and deal with a Bill that they had before us, and that's the safety of the public. And we agree if the safety of the public is important, then we should be dealing with it.

But, Mr. Speaker, we dealt with one little Bill, and this government is not prepared to stay at work in this House, for which we are getting paid, and deal with many other things that concern the public today, and things that are as important as a piece of back-to-work legislation.

Mr. Speaker, this government should show some responsibility and keep this session in, remove or withdraw their motion to adjourn this House, and come forward with some of their own Bills that are on the blues right now, deal with some of the Bills that we gave notice of. Those are Bills that are important.

And they say we aren't concerned about agriculture. My colleague from Gravelbourg told you that we are. We are concerned about agriculture, Mr. Speaker.

We are concerned about many other things, too, that affect the people of Saskatchewan, Mr. Speaker. We are concerned about the attitude this government has towards the public. When the former finance minister talked about security in this House, and the fact that a few days ago we couldn't get into this House when we come to the front door, he says that he passed this in the Board of Internal Economy. Well, Mr. Speaker, I was one of the guys to come to that door and tried it and it wasn't open. It was locked.

And we can provide security in this building some of the back doors or the side doors, and we can have magnetic cards to use those doors or to use the front doors during the late hours of the night if we have any occasion to be in here. But, Mr. Speaker, I disagree that those front doors should be closed to the members or the public at any time between 8 and 10 o'clock in the evening.

SOME HON. MEMBERS: — Hear, hear!

MR. LUSNEY: — That, Mr. Speaker, I object to, and I think this government should get down to some serious business and get down to work in this House and deal with many of the issues that are affecting people in Saskatchewan today. And I think they could easily do that by withdrawing that motion and keeping this House sitting next week and deal with many of those problems.

(1445)

Motion agreed to on the following recorded division.

YEAS — 29

Devine	Sandberg	Caswell
Tusa	Klein	Domotor
Andrew	Currie	Meagher
Berntson	Smith (Moose Jaw South)	Muller
Lane	Hodgins	Baker
Schmidt	Bacon	Glauser
Myers	Johnson	Zazelenchuk

Hepworth
Dutchak
Embury

Young
Weiman
Rybchuk

Gerich
Swenson

NAYS — 6

Tchorzewski
Engel

Lingenfelter
Koskie

Lusney
Shillington

ROYAL ASSENT TO BILLS

At 2:52 p.m. His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bill:

Bill No. 144 — An Act to provide for Settlement of a Certain Labour-Management dispute between the Government of Saskatchewan and the Saskatchewan Government Employees' Union

His Honour retired from the Chamber at 2:54 p.m.

The Assembly adjourned on division at 2:55 p.m.