

The Assembly met at 10 a.m.

Prayers

The Speaker: — Pursuant to an agreement yesterday in this legislature, we will not go to routine proceedings until 2 o'clock this afternoon but we will go immediately to orders of the day.

ORDERS OF THE DAY

QUESTIONS PUT BY MEMBERS

Hon. Mr. Lingenfelter: — I move that question no. 42 be converted to motion for return (debatable).

The Speaker: — Motion for return (debatable).

Hon. Mr. Lingenfelter: — I move question no. 43 be converted to motion for return (debatable).

The Speaker: — Motion for return (debatable).

Hon. Mr. Lingenfelter: — I wonder if it wouldn't be easier to convert question no. 44 to question no. 50 to motion for return (debatable).

The Speaker: — Motions for return (debatable) 44 to 50 inclusive.

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 18

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Simard that **Bill No. 18 — An Act to Provide for the Public Disclosure of Crown Employment Contracts, to Prescribe Provisions in Crown Employment Contracts governing Payments and Benefits in Termination or Expiration of those Contracts, to Void Provisions in those Contracts respecting those matters and to Extinguish any Right of Action and Right to Compensation for any Loss or Damage resulting from the Enactment or Application of this Act** be now read a second time.

Mr. Britton: — Thank you, Mr. Speaker. You will remember at the close of yesterday I was expressing my concern with this Bill, Bill 18. Mr. Speaker, I would like to continue for a few minutes and raise a few other questions that we have on this side of the House about this Bill. Mr. Speaker, we have reason to believe that there are several things about this Bill that is most unsettling.

Mr. Speaker, this Bill gives us over here a lot of uneasiness. One of the questions I wonder about, Mr. Speaker, does this Bill make all Saskatchewan citizens and the NDP (New Democratic Party) government equal before the law? This is a question I think we have to answer.

But, Mr. Speaker, it would seem to us that there are some citizens more equal than others under this Bill. Mr. Speaker, under this Bill it would seem to us if you were a union member you were more equal than if you were a private citizen. These questions, we feel, Mr. Speaker, must be answered before we can feel comfortable with allowing this Bill to pass.

Mr. Speaker, this Bill identifies at least 57 people who, in their view, the opposition find have objectionable severance packages. Mr. Speaker, we feel on this side of the House that this Bill allows the government to cut deeper than 57. We feel that this Bill removes the right of these people to a fair trial before the courts on what's left of their case after they have been stripped of their constitutional rights.

Mr. Speaker, we on this side of the House feel very uneasy with this part of the Bill. Mr. Speaker, the very fact that those people would consider a Bill like this after the now Premier gained, I think in all due respect, some fame and credibility when he, along with others, brought home the constitution, Mr. Speaker, it indicates either the party or the people who are driving that party have no consideration for the law and for constitutional rights.

Mr. Speaker, their refusal to respect the Constitution of Canada and the basic right to a fair hearing is very disturbing. In Canada, Mr. Speaker, we allow people like Clifford Olson and Charles Ng to retain their right to a fair hearing — those people have the right to a fair hearing. Under this Bill, just because you might be suspected of having blue blood, you are not protected under our constitution.

Mr. Speaker, the NDP's refusal to respect the basic right of all citizens to a fair trial is suggestive of a party that only respects the rule of law and political pluralism when they're in opposition. It's passing strange, Mr. Speaker, when the people that are now government were in opposition, they were quick to criticize — very quick to criticize — anything they thought was unfair. Now, Mr. Speaker, it would appear to me that they are government and they still think they're in opposition.

The people of Saskatchewan gave them the right to govern, Mr. Speaker, and we on this side of the House suggest to them they better do so. They better do so, Mr. Speaker, with fairness and open and honesty as they promised. We are not prepared, Mr. Speaker, to agree that they are doing that at this time.

Mr. Speaker, even a lay person if they read that Bill, has to become very uneasy — very uneasy, Mr. Speaker.

The NDP pledged less patronage, less partisanship, and the election victory they won, Mr. Speaker, in all fairness was impressive. Mr. Speaker, it's our point of view on this side of the House they should live up to the promises they made to people of this province who put their trust in them and are looking for fair, open, and honest government.

Mr. Speaker, the question I think could be asked today: will this type of Bill be the standard procedure for dealing

with the opposition?

First, Mr. Speaker, they select the person or situation that has the least public support. For instance, George Hill. They use that to stir up the mob, Mr. Speaker, the union leaders, get the support, and then they bring in the Premier with the rope, or the Justice minister. They make sure that no one can escape, Mr. Speaker, by using legal trickery. Like the Charter of Rights or a fair trial, those things are stripped from the people. So they can't escape the rope brought in by the Premier.

Mr. Speaker, I had some time to think last night after I was on my feet. The more I think of this, Mr. Speaker, the more I believe, in all fairness to the opposition and to the people whom we represent and indeed to the people they represent, this Bill should go to the Court of Appeal, the appeal court. Let the appeal court decide if we are right or they are right, Mr. Speaker. If they are so sure, if they are so sure, it makes me wonder why they wouldn't do that. Where is this open government that would like to consult with people?

In *The Globe and Mail* November 21, 1991, the quote of the day was:

We are at a point where every true democrat, everyone adhering to democratic ideals, must take his place on the barricades.

Do you know who said that? Eduard Shevardnadze Mr. Speaker, today I believe we all must take our place on the barricades. This Bill goes to the very foundation, the very foundation of why we are here in a place like this where we debate, where we disagree, and then maybe end up agreeing after some debate. There are some countries, Mr. Speaker, that don't have this right. We must protect that right at all costs.

The very fact, Mr. Speaker, that this Bill is before us has to be disturbing. It must cause uneasiness among the public.

Mr. Speaker, you will hear more from me on another Bill for the very same reasons.

Mr. Speaker, I've got to be careful about the things I say about this Bill, because it does bother me, it does bother me. And the chorus is starting up again, and that's fine. They laugh and they chuckle and they chortle over there, Mr. Speaker. They don't think this is serious. I don't think they read it. I don't think those back-benchers have read this Bill. They have taken the word of their Justice minister. The Justice minister, in my opinion, did not write this Bill.

I say again, sir, your name will be on this Bill. The Bill will read: the — your name — Bill for hereafter if you pass this Bill. Do you want to be known for that? That's the question you ask yourself. If you do and if you feel you're safe, then let it go to the Court of Appeal. If the Court of Appeal says this is right, Mr. Speaker, I am prepared to stand in my place and vote for it. I don't believe this would stand up under scrutiny in the Charter of Rights and Freedoms.

Mr. Speaker, I have a lot of things I could say about this

Bill. I know there are others who would like to speak to it. Mr. Speaker, I thank you for your attention. I will now take my seat, with regret.

Mr. D'Autremont: — Thank you, Mr. Speaker. What we are discussing today is a Bill that, when passed, will allow the government to change employment contracts that it finds unacceptable. What we have here is a Bill which will allow the government to change the law. What we have here is a government who is omnipotent, or at the very least has illusions of being all-powerful.

First they change the law of the legislature, and now, Mr. Speaker we have them changing the laws of the land.

Obviously, Mr. Speaker, the members across the way share the member from Regina Albert South's opinion that the individual is not as important as the system. That is why we have them today debating a Bill that will use this legislature to target individual citizens. That is why we have them using the powers of this legislature to conduct a witch-hunt.

If what they are proposing with this legislation is correct and right, Mr. Speaker, they would extend it to include private sector contracts. But we don't see them doing that, Mr. Speaker, and why? I would like to ask them why, but they have stripped me of every opportunity to ask questions other than during question period.

(1015)

Mr. Speaker, this Bill goes far beyond reducing severance packages, as the NDP would have the public believe. This Bill, Mr. Speaker, suspends fundamental principles of law.

I do not believe that the Minister of Justice truly approves of this Bill. I know that the member from Saskatoon Fairview is an honourable individual. I do not believe that he wants to be known for ever after in law schools as the individual who introduced this law. The individual who set a precedent of this calibre with a Bill that will carry his good name. He does not want our future lawyers to examine and study a law that hangs individuals out to dry and strips them of their rightful severance; a Bill which will be associated with his name. I do not believe he wants that to be his legacy.

I cannot believe that our Justice officials agree with what this Bill encompasses. This Bill does not require that all Crown employment contracts be made public. It does nothing of the sort.

What this Bill does is provide a method for the NDP to make public only contracts of the previous government. What this Bill does is provide the NDP a method in which to maintain a cloak of secrecy around all future employment arrangements. What this Bill does is legalize the slander, libel, and persecution in so far as civil remedies are concerned. This Bill creates a clever environment exempting the NDP from all scrutiny including, Mr. Speaker, scrutiny of severance payments by limiting the effect of the Bill to those agencies with boards of directors appointed 90 per cent by the cabinet.

Just as the Minister of Finance's Bill suspends the constitutional guarantees of the legislature and the rules and procedures of the . . .

The Speaker: — Order. Order. I'd just like to draw to the attention of the members that the noise level last night in this Assembly was much too loud and it's again beginning this morning. It simply will not be acceptable and I ask members if they wish to have discussions at that level to please do it in their lounge, but not in this Assembly. And it will not be acceptable.

Mr. D'Autremont: — Thank you, Mr. Speaker. I appreciate your concerns and efforts on my behalf.

So does Bill 18 suspend the application of law for a narrowly defined group of individuals? This government is arbitrarily changing rules and laws at their leisure. They are abusing their majority in this legislature. They are so caught up in revenge, pent up anger of having had to wait 10 years to gain control of this province, that they are persecuting innocents with no political affiliations. Mr. Speaker, this NDP government so wants to defame the Conservatives that they have lost sight of why they are here.

You are not here to continually condemn a party that defeated you, and you feel cheated out of power 10 years ago. You are now here to govern a province. But, Mr. Speaker, the members across the floor are not even considering what is good for this province. They are too busy hunting down whatever they perceive as Tory loyalists.

Do you think you gain votes by firing civil servants and denying them their severance package? Not likely, Mr. Speaker. Why doesn't this government put their energy to good use? Why doesn't the government have their various departments devise constructive legislation rather than destructive legislation?

The farmers out there are waiting for assistance from this government. Why doesn't this government introduce some farm aid legislation here in the legislature? Will the farmers benefit from your legislation legalizing a witch-hunt?

The Speaker: — Order. I do not have at my disposal right now, for my own scrutiny, the speeches that were given last night. But if my memory serves me well, those words are almost identical, if not identical — and I will check that with *Hansard* — to a speech that was given by a colleague on your side last night. I think the words are identical, and I ask the member if he . . . it must be his own words and not the words of another member or a speech of another member. So I want him to keep that in mind.

Mr. D'Autremont: — Mr. Speaker, these words may indeed sound similar because we do feel the same way about this issue — why the farmers benefit from your legislation legalizing a witch-hunt.

Mr. Speaker, the civil servants that the NDP are denying severance may very well be farmers. Farmers do have second income positions, Mr. Speaker. Even some of us in here are in that position. Who is to say that you are not

hurting those who claim are so important to you? Where is the NDP pledge that agriculture would be a number one priority? You cannot just make statements and never do anything about it. You cannot just fly off to Ottawa and then say, yes, that should hold them. Let's go get some Tories.

Mr. Speaker, why doesn't this government stop wasting time on vengeful legislation? Why do the members opposite want to spend millions of dollars defending this legislation in court? That is what you'll be doing. Don't kid yourselves. The NDP government is going to be in court defending this Bill that they are ramming through the legislature. We've seen evidence of this already.

The *Leader-Post* reported on it. Mr. Speaker, it's not the real motive behind this . . . Is not the real motive behind this legislation purely political? The public is busy, they are involved in the holiday season, and they are not watching the NDP right now. They are not closely watching as the NDP slowly makes room for their patronage appointments, patronage appointments they claim they would not participate in.

Mr. Speaker, this government resumed this sitting claiming they would be out of here in two weeks. That in itself is arrogant. They decided before the House resumed that we would only be here for two weeks. Why then doesn't this government . . . why then does this government insist on introducing legislation that is so complex, so devious, that we can not possibly let it pass without scrutiny?

I would much rather be at home celebrating the season with my family. Last night, my family had a Christmas concert to attend in which my three young children were participants. Mr. Speaker, my family is very important to me; however this legislation is even more important to the individuals of Saskatchewan.

My family would like me to be at home. They are not unlike the members opposite's family. They do not want this season disrupted. But, Mr. Speaker, I cannot allow this legislation to pass, let legislation such as this Bill before us pass through this Assembly without a fight. I cannot let the NDP pick and chose who in the civil service will go without what is rightfully theirs. My conscience will not allow me, Mr. Speaker.

Why should I be at home enjoying this festive season when so many others would be spending it in fear of losing their jobs and their severance? Why should these people be forced to sit through this season in fear of the NDP? This legislation legalizes open hunting season on civil servants. Mr. Speaker, I ask the government to reconsider their actions. There is no need for this legislation.

I ask the Minister of Justice to reflect on the ramifications of this Bill that he has introduced. I ask him to follow his principles to guide his actions. Do not allow your colleagues to push through legislation that will have your name tied to it. No one else will specifically be tied to this Bill. It will be known as the NDP Bill endorsed by the member from Saskatoon Fairview.

Mr. Speaker, one of these clauses has a small preamble to it which I think sums up the whole attitude of this Bill. And this small preamble is four words: actions and rights extinguished. And I believe that's the whole heart and soul of this Bill.

And I would like to discuss a few of the premises in this Bill: "... includes any claim in damages or debt for unjust dismissal" Well I would, not being a lawyer, Mr. Speaker, have to term unjust dismissal in my mind as dismissal without cause.

And I would like to quote to you from the Regina *Leader-Post* of Thursday, December 19. And it says:

The NDP has consistently refused to make the firings known publicly.

But Rural Affairs Minister Darrel Cunningham, minister responsible for the Liquor Board, confirmed the firing was without cause and had little to do with Urness's work.

"I'm not going to be critical of Mr. Urness's work," Cunningham said. "He's done a credible job."

"I'm not knocking the guy. I'm just saying we're moving in a different direction."

It goes on to say:

"He was one of my favorite football players," ... "He was the best centre Saskatchewan ever had."

Those are the words of the minister is not ... he's complimenting the man for the job he did and yet he fired him. Is that not unjust dismissal? Should not Mr. Urness have the right that this Bill is trying to take away from him?

This kind of firing, Mr. Speaker, I believe could be termed a breach of contract by the government. Again without this legislation that type of action could go to the courts and the gentleman in question could seek redress, but this type of legislation he cannot do so.

Another part of this includes inducing breach of contract, when you force a person into a position to break their contract, Mr. Speaker, so that the government can say that the individual is the reason why we had to terminate him. That is not right, Mr. Speaker.

One of the areas which in this Bill which is perhaps difficult to deal with in public is to know for sure what is happening ... is the idea of mental stress. The member from Saskatoon Greystone has discussed it quite often in public and I believe I have an example here which could show exactly what mental stress is, and yet under this Bill there would be no recourse by the individuals involved.

I would like to quote from an issue of *Maclean's* magazine beginning of December. And this is a quote from Daryl Bean, Mr. Speaker. I'm sure you're familiar with it because it was quoted in this House before:

After God had finished the rattlesnake, the toad and the vampire he had such awful stuff left with

which he made a scab. A scab is a two-legged animal with a corkscrew soul, a water-logged brain, and a ... backbone of jelly and glue. Where others have hearts, he carries a tumour of rotten principles ... No man has a right to scab as long as there is a pool of water to draw his carcass in, or a rope long enough to hang his body with.

When this kind of thing is directed to employees of the government, Mr. Speaker, I believe that puts those employees under a severe amount of stress — stress to try and force those people from their jobs.

(1030)

And yet this legislation would give those employees no recourse to the courts, no manner of compensation. And I do not understand how the Minister of Justice can sponsor this and how he can support it.

This type of defamation, Mr. Speaker, ruins a person's reputation. This gentleman, from which I quoted, can defame a person, defame a government employee. The members opposite, the ministers, can do the same. And yet there is no recourse.

The employee who is defamed cannot go back to the courts and say, that gentleman was not telling the truth about me, this is the truth. There is nothing they can do.

I don't know why the Minister of Justice would not refer this to a constitutional question. Perhaps the law firm that he has been discussing ... has advised him that it is constitutional.

The firm of Olive and Waller, Mr. Speaker, have been advising on this Bill. Were the lawyers in the Justice department not competent enough to prepare this Bill? Or were they advising against it? Were they advising the minister not to go ahead with this?

What was the fee, Mr. Speaker, that the law firm of Olive and Waller were charging to prepare this Bill? Did they work for half the pay, a quarter of the pay of Sid Dutchak? Or perhaps, Mr. Speaker, were they working for free, for future considerations? Or were they working, Mr. Speaker, just to taste Tory blood? In fact, Mr. Speaker, I believe that Olive and Waller were the law firm doing the actual firings of the people involved.

Mr. Speaker, one of the groups that were protected in this legislation were the unions. And why were the unions protected? They have a contract with this government, but yet others that have contracts with this government are not protected.

And perhaps I can demonstrate why the unions were protected. I have a copy here of *The Labour Reporter*, November '91, published by the Saskatchewan Federation of Labour, Mr. Speaker, volume 6, no. 7. This says:

Election Win Highlights Busy Year. Representing working people in Saskatchewan means taking on a variety of issues in many different ways. Our resistance to Devine's attacks and our support for

The New Democrats played a major part in the massive election victory of October 21.

Is that why unions are protected?

All the contributions have not yet been added up, but we estimate that more than \$250,000 as well as many full-time workers were contributed through the Federation by our affiliates leading up to and during the campaign.

And I'd like to repeat that, Mr. Speaker: "more than \$250,000 as well as many full-time workers were contributed through the Federation by our affiliates leading up to and during the campaign."

Mr. Speaker, are unions being protected because:

50,000 copies of a leaflet on the government's record, a series of nine issue sheets on labour's political program, and a leaflet on occupational health and safety issues were produced and distributed to affiliates just before and during the election. We also covered the province with thousands of stickers pointing out graphically that Devine would have trouble holding on to his seat.

Well, Mr. Speaker, the member from Estevan did hold his seat.

In November and December we organized to ensure big crowds, demonstrations, and tough questions at former Finance Minister Hepworth's round of budget consultation meetings. This campaign was greatly assisted by affiliates providing staff or taking people off the job to serve as co-ordinators.

Mr. Speaker, they took people off their jobs to serve the NDP's purposes.

In March we produced a series of four television ads on SGI (Saskatchewan Government Insurance) privatization, the children's dental plan, rural services, and health care which ran for two weeks on CTV stations in Regina, Saskatoon, Prince Albert, and Yorkton. The ads were designed to build on last year's radio and booklet campaign done through the privatization committee.

Mr. Speaker, is this why the unions have been exempted from this legislation; why they seem to be the sacrosanct group in our societies today? Why are the unions being protected? Are they going to receive huge wage increases from this government in the near future? Are they going to receive other compensations which, while not wages, do actually amount to a wage increase in the sense that they will work less hours? To the Minister of Justice, Mr. Speaker, I would like to suggest that he does not allow his colleagues to sully his good name.

Mr. Speaker, the member of Saskatoon Greystone does not approve of this Bill. However, Mr. Speaker, she does not have the courage or the intestinal fortitude — the conviction — to vote against it.

Mr. Speaker, I do not approve of this Bill before us today and I will not be supporting this Bill in any way, shape, or form. Thank you.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Thank you, Mr. Speaker. The past few weeks have proved more than interesting for the members of this Assembly, Mr. Speaker. Bill 18 surpasses interesting and goes straight to Draconian. Some of the members may not understand what that means but they'll look it up in the dictionaries I'm sure. I'm sure, Mr. Speaker, they'll be running for their dictionaries.

Mr. Speaker, the NDP government has attempted to railroad the members on this side of the House. They've established committees to carry out their political revenge on the former Tory government. That's what they've been doing, Mr. Speaker. That's what this is all about. They have fired hundreds of innocent people in order to begin a long string of patronage appointments.

Mr. Speaker, the NDP have brought a budget document before the House and refused to debate it. But the Bill before us today — Bill 18 — goes even further. The Bill is a result of promises of open and honest government from the NDP.

The promise itself, Mr. Speaker, is honourable. Too bad the results are not. Bill 18 goes far beyond reducing severance packages and suspends fundamental principles of law. It does not require that all Crown employment contracts be made public, but provides a method for the NDP to make public only contracts of the previous government and maintain all future employment arrangements in secrecy.

Mr. Speaker, this is honest and open government, they say. They say it's honest and open government. The House Leader, Mr. Speaker, has stood in question period in one day and said that some new contracts are going out, new salaries. And he mentioned several, the \$150,000 per year of salaries — \$150,000. Now this bothers me, Mr. Speaker, that he's perceiving the people of the province to believe that they're going to get \$150,000 a year for ever.

Not that I'm sticking up for George Hill. He'll look after himself. But George Hill had a contract . . .

Some Hon. Members: Hear, hear!

Mr. Muirhead: — I knew, Mr. Speaker, that I had to say some word, some name, to bring them to my attention.

Now George Hill, when he started, when he got his first contract . . . now I might not be exactly right here, but it was around 110 to \$120,000 per year. It was about \$120,000 per year if my memory serves me correct. They say they're starting up several of their new contracts out at 150. I wonder where they'll end up is what I wonder, Mr. Speaker. I wonder where they'll end up. Because George Hill ended up at \$208,000 a year. So we have to compare \$208,000 for a man that was there for years before he rose to 208, to somebody starting now at \$150,000 a year.

And we'll see after he qualifies himself, Mr. Speaker, where he ends up.

Now they're talking about George Hill ending up with \$400,000 a year, which he did. But it was a percentage of the profits. So that's what I'm saying here about what they'll likely do to fool the public. They'll give them their \$150,000 or 100,000 or 80,000 or 160,000, but then it's going to be the hidden benefits, Mr. Speaker. There's where they're going to fool the public — you know, the way George Hill did. But he had a reason to do it. When you make a profit, it pays.

But the NDP as long as I've know them — and I knew the CCF (Co-operative Commonwealth Federation) people — they think it was a dirty word to make a profit. They thought it was wrong. I don't think it's wrong to make a profit.

It's hard for any farmer, Mr. Speaker, to make a profit today. It's hard. But when the days were good in this province, it wasn't hard to make a profit because if you managed well, you made a profit. It's the same thing with all the workers that they have under contract. If they do their job well, they should make a profit and get some extra money. I believe they should.

And I believe you people should do that. I believe you should. If some of the contracts the House Leader's giving out for \$150,000 and they're running multimillion dollar corporations and they fumble it and they don't do well, he should lose his job and get someone else that can do it. But if they can make a profit, do well, pay them for it. You've got to have some initiative to do well.

Mr. Speaker, the NDP must be looking . . . Bill 18, Mr. Speaker, allows the NDP government to suspend the application of law for a narrowly defined group of individuals. That's what it does.

And, Mr. Speaker, it affects far more than the big-ticket people. This Bill will apply to all out of scope public service and Crown sector jobs, in excess of 400 of whom we've been able to document have been fired by the NDP. I have the names that they want on record of Crop Insurance field men that were hired to measure bins for GRIP (gross revenue insurance program). And these are about 12, 15 names that have contacted me and said that they have worked 44 days or less and then they were fired. They were fired. If they were 45 days, they belonged to a union, they were protected.

There's a man from Kenaston, Don George. He says, mention my name. He says, I'm hurt. My family is suffering at Christmas time because we thought we had more money coming in. We planned on this extra money. But what happened to the man? He got fired.

And Mr. Johnson from Davidson, the same thing, a large family, worked hard to try to do well on his farm and to try to succeed he put his name into be a Crop Insurance adjuster years ago and now was accepted to go out and measure bins and what happened, Mr. Speaker? He got this written letter saying your services are no longer required. And his job was there in a contract to measure bins from September 15 to December 15 and longer if

need be and which it would have longer.

A Mr. Bob Dezotell from Davidson and a Roy Kenny from Davidson, Mory Dolan from Girvin, all the same. These three now are three young people. They're trying to get started farming. And they showed enough initiative, Mr. Speaker, showed enough initiative to go out and try to do an off-farm job. And they just get in the middle of it — the middle of it — with their plans made that I got a few dollars.

I won't mention this name, but had one that said, I promised my banker my whole . . . every dollar I get from Crop Insurance, I promised him, and a contract was broken. And I think that's terrible to break a contract and up and say you're gone. Why didn't they have, Mr. Speaker, why didn't they have enough decency about them to at least finish out the contract for this year, to measure the bins and do what you want for another year; at least it wouldn't have been quite so bad.

(1045)

There's an Arnold Wright and Bill McConwell and a Fred Watt, these people are really hurt. These are three that I wrote down here that phoned me specifically. One of them I didn't know before, a person from Liberty. He said, I got a Crop Insurance contract because my business was going under; because, he said, I've been overhauling machinery. He's a mechanic for many years in the Liberty area and this is the same area where the NDP candidate was from, Bobby Robertson. And he said, I'm sure glad that you were able to succeed in getting a Crop Insurance adjuster's position and if I'm elected, I'll see that you keep it.

Well he didn't get elected. I made sure of that. But the member from Canora did get elected and he didn't keep the promise of one of his own candidates. I just feel badly about this because this person is a mechanic that went out to try to do extra work to keep his business open.

The whole thing, Mr. Speaker, that they broke a contract at 44 days. They would not go to 45 days.

Now I'm worried, Mr. Speaker, about the crop Insurance agents in this province. They have a five-year contract, and there was nothing wrong with the five-year contract. Now we haven't heard they're going to do anything about the Crop Insurance agents. But, Mr. Speaker, I'm afraid when a Bill like this goes through, Bill 18, it'll give them a right to be able to sweep off a five-year contract. And these people at least knew when they took on these agencies, they had to rearrange their lives. They had to put up a large bond. And some of them had to borrow money. And I know they'll get this back. But they had to rearrange their lives. And now they're out there worried . . . is this heavy-handed government going to see to it that no longer we're going to be a service as an agent?

Is it a way, Mr. Speaker, is this whole plan, is it a way of getting rid of contracts that the Tories put in place? Is that what they had in mind or were they really sincere about this Bill?

Mr. Speaker, I don't think that they really were sincere. I

think that there's a method behind it all because no heavy-handed government would be so heavy handed to bring in a Bill with some of the clauses that I can't get into, only in committee . . . that we will if it gets there, if we ever let it get there.

Mr. Speaker, over the past couple of months we already have real examples of shop stewards tormenting some of these out of scope employees with a goal of obtaining resignations from those individuals. This Bill goes a step further, Mr. Speaker. It actually legalizes these actions — actually legalizes the actions.

Unjust dismissal; breach of contract; inducing breach of contract; Interference with a contract; mental distress — these are terrible, terrible things. These people can have a loss of reputation. It can hurt them. Cause of action in contract; Tort or equity — this is quite a mouthful that I'm saying here. I jumped over some of them because of time here; some other members want to speak.

Imagine a case where a manager working for this government, and any member over there decides to make their contract public. And it can hurt them, and hurt them for the rest of their life. They might even be able to come out and say, well they stole something, and it turns out that they didn't because they're going to make it all public. It can hurt people. They're not thinking of how it can damage the lives of people.

If this ever did happen to some manager of a corporation, he'd have no legal recourse, would he, Mr. Speaker? He'd have no legal recourse whatsoever. And the reputation of his family, his income security, would be harmed. And I think that the Minister of Justice . . . these things I'm sure bothers him because he's a thoughtful man, and I'm sure he's thinking these things over very carefully. I can see him thinking more and more each day here, getting very serious about this Bill. I just wish that when they put it all together that they had have got serious about it then, not now.

Yesterday the Minister of Justice rose to his feet many times to answer questions on this Bill. But did we receive any answers? Instead the minister took the canned NDP response and tried to blame this Bill on the former government. Now what's this Bill got to do with the former government? If there's only half a dozen contracts out there, or three or four that are out of reason . . . I think some of them are, Mr. Speaker. To be fair I think some of them were. I didn't know anything about them. And if they're unreasonable, Mr. Speaker, go deal with a few of those. Deal with them in any way that you have to. And I think that's what the law is for. The law would work it out. You can take it to arbitration. Do what you have to, but don't go bringing all these other people back in.

Fact, Mr. Speaker, no other province or territory of this country has ever gone to such extremes as a Bill like this, Mr. Speaker — never. This Bill provides that all contracts are exempt from the law if they do not have explicit provisions for benefits at the termination of employment.

So what this means is that the NDP can enter into arrangements that, for example, include a monthly payment into a trust fund instead of a severance payment.

This is dangerous. The trust benefit would be paid during the life of the contract and would therefore not be payable on termination. It is very clever, Mr. Speaker. It's well put together. Such an arrangement would be completely exempt from any of the public scrutiny. But eventually the people on this side of the House . . . and I hope the media will help us get the facts out on what it's really going to do to people.

These contracts could be completely hidden. But what I'm more worried about, Mr. Speaker, is the contracts that we won't find out about, the contracts that the public won't find out to be scrutinized. It'll be the contracts that'll be hidden in the protection of Bill 18. That's what really worries me.

The question is, Mr. Speaker, why is the NDP government interested in hiding contracts at all? Why do they want to hide a contract? If they're going to do things so well the next four years, approximately next four years the government's in power, if they're going to do things so honest and open, why do they have to worry about putting a Bill in to protect the mistakes they're going to make? I mean I don't know why they're worried so much about this first Bill that has to be in.

I heard in the rumour mill that, I think from one of the members, talking to them — I won't say which one because I'm not sure who told me this — they've got to do it, got to do it because we're going to save the taxpayers about 3 or \$4 million. Well if all this huffle-bumble is over 3 or \$4 million and they could go back and go to court or whatever — arbitration, like I said before — and settle with those few people, maybe they can save half of that anyway.

But why go through all this commotion over . . . and that's the only reason they can give because they want to get back on the Tory blood. They want to get after Tory blood.

An Hon. Member: — Principle, principle of the thing.

Mr. Muirhead: — Somebody said it's for the principle of the thing. If it was for the principle of the thing, they wouldn't be worrying about the 3 or \$4 million. You can go out and you can take them to court and save that. The principle of the thing is that what you're going to do is hide your contracts for the next four years. You're not going to bring them out . . .

An Hon. Member: — That is ridiculous.

Mr. Muirhead: — No, that isn't ridiculous. Mr. Speaker, somebody's chirping now — no, sorry, Mr. Speaker, it's the Minister of Health. And she said it's absolutely ridiculous. It isn't ridiculous because they have the right in Bill 18 to do what they want. They'll start all over again. They'll make their contracts. They'll have their \$150,000 a year contracts, and they'll have all these other benefits. Don't think that they can fool me. I've been around a little bit longer than she has and I understand what will happen. And I'll be around maybe a lot longer than she will and she will realize what's happening.

Further, Mr. Speaker, if this kind of action is appropriate for governments, then nothing can make it inappropriate

for private employees. Where is it going to go next? Will they bring down legislation that says private employees will have to do the same thing? Will the government pass similar legislation so that successor employers in the private sector who deem the terms of employment contract entered into by their predecessors excessive or unfair . . . to change those contracts and engage in infamy to obtain termination. Why not? They might as well. They've done this one. You might as well do another one.

And who says they won't, Mr. Speaker? Why should the government be above the law while the public must abide by it? Why should they? Why should you people be above the law? You might as well let the rest of the people in the province do the same thing. Other organizations are exempt from the law. It is possible, even likely, that the NDP in paying off Barb Byers will enter into an unjustifiable contracts with the union. We'll never know about that, but, Mr. Speaker, it'll happen.

Because, Mr. Speaker, this Bill does not apply to unions. It doesn't apply to unions. Mr. Speaker, I'd like to ask the Minister of Justice what makes union agreements any different than the private ones? And when we get into committee, if we get there, Mr. Minister, you'll have to answer that question. No matter how we look at it, Mr. Speaker, the real motive behind this Bill is purely political. It's just political.

We've been told that in private conversations. And I'm not the kind of a person that mentions the names that tells me those things. It's strictly political. They got the whole Saskatchewan out there, all they can think of . . . they don't think of contracts and the seriousness of this. But they will in time. All they can think of now is the two or three people with the large contracts. That's all they can think of that is wrong. And I think some of them were wrong. But that's all they have the people thinking.

But while they're slipping this Bill through . . . and what a time to slip it through when we want to all get home for Christmas — what a time. Why didn't they bring this House in about 10 days earlier or two weeks earlier? But no, that isn't what their plan was. They thought if we get into a jam on this Bill, Mr. Speaker, if we get into a jam on several things here about the supply Bill — and there's two or three Bills that we're really unhappy about — that they could force us out by Christmas.

Well I'll tell you, Mr. Speaker, they can't force us out. Because if we on this side of the House think it's wrong, we think in our hearts that it's wrong, and we think our people that elected us think it's wrong, we have the right to fight that Bill and just not quit because it's Christmas time.

All laws and all governments doesn't stop because of Christmas holidays. We can go home and take our holidays and come back and go at this in January. There's nothing to stop us.

And as the Premier said to me last night, the member from Arm River hasn't got the jam, along with his colleagues, to fight this another 10 days. Well those kind of heckles, Mr. Speaker, coming from a Premier of this province, all that does is rile up people like us that are set in our ways and

what we believe is right. It'll just set our feet more solid to the ground and make us fight.

So if you want to get things done, and we want to get out of here in a friendly fashion so we can all say that the work of the legislature for the short term is done, for goodness sakes, give in a little bit. Change some of these things that the public don't like.

The NDP are riding high on their blame-the-Tories campaign. In the meantime they're cleaning house for the NDP hacks and flacks. That's exactly what they're doing.

Frankly, Mr. Speaker, it's time the NDP started answering questions, started being truthful and up front with the Saskatchewan people. It is time the NDP government started working for the people, not against the people. And that's exactly what this Bill's going to be, is working against the people.

If I had the time, Mr. Speaker, I should have the government directory here. We could go through every name — several hundreds on there — one by one, and ask them. And I could list all their phone numbers. We could do that. We're not going to, but I'd like to — every individual name that works for government, what they're thinking at their Christmas table, say, I wonder if I'll be one of those contracts one day. I wonder if I'll be one. People that likely didn't even vote for us. But they're going to have second thoughts about you next time.

Mr. Speaker, it's time the NDP realize they should remove the democratic name from their party's title, because they have proven to be anything but democratic.

Mr. Speaker, I think it's permissible to read the Bill we're talking about. I just want to read the Bill, with your permission, Mr. Speaker, so we can think about it very carefully:

Bill No. 18, An Act to Provide for the Public Disclosure of Crown Employment Contracts, to Prescribe Provisions in Crown Employment Contracts governing Payments and Benefits on Termination or Expiration of those Contract, to Void Provisions in those Contracts respecting those matters and to Extinguish any Right of Action and Right to Compensation for any Loss or Damage resulting from the Enactment or application of this Act.

Now the first thing you can look at this Bill, an Act — it is an act all right. It's an act to fool the people and provide public disclosure of Crown employees. It's terrible. I just can't believe that the minister, the member from Fairview, a man that I've watched come into this House in 1986, and I earnestly say, Mr. Speaker, that I do believe, I earnestly say this right here, Mr. Minister, that you were one of the members that stood over here and handled yourself with honour.

Now we're not just saying this thing to you, Mr. Minister, just to make you feel good to kind of blow you up a little bit. We earnestly mean it. But I think you want to stay that way. And all I'm asking you, all I'm asking you, Mr. Minister, is when we get into committee — and I don't

know when that will be — that you seriously, seriously I ask you please to consider and talk over some of our amendments. That's all I'm asking.

And if some of these amendments that we're serious about, Mr. Minister, if we're really serious and we don't understand, if you can prove to us — because none of us are lawyers; we've talked to some lawyers and we think we have real reasonable doubts — but if you can prove to us and give us reassurance, it will make things much easier. And I'm sure the minister will, Mr. Speaker.

(1100)

So I want to leave it on that note. I think some more members . . . I'm not sure if they do or not. But I want to close now, Mr. Speaker, and leave it that way that when we do go to committee . . . And I've had a nod from the minister and I know that I can trust him that he'll at least consider our amendments.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. I appreciate the opportunity to speak on this Bill as well.

In the past few weeks I think it has been proved conclusively by the members of this Assembly that Bill No. 18 goes far beyond being just interesting and goes straight to being Draconian. Mr. Speaker, the NDP government has attempted to railroad the members on this side of the House. They've established committees to carry out their political revenge on the former Tory government, and they have fired hundreds of innocent people in order to regain a long string of patronage appointments.

Mr. Speaker, the NDP have brought a budget document before this House and refuse to debate it. The Bill before us today is Bill No. 18. It goes even further, Mr. Speaker. The Bill goes to the result of promises of open and honest government from the NDP. They promise to be honourable, Mr. Speaker. Too bad the results are not.

Bill No. 18 goes far beyond reducing severance packages and suspends fundamental rights of law. It does not require that all Crown employment contracts be made public, but provides a method for the NDP to make public only contracts of the previous government, and maintain all future employment arrangements in secrecy. Is this open and honest government?

Mr. Speaker, I say to the members opposite that they need to check on these words in the dictionary a little bit. I think the word open means: not closed; not blocked up; to make accessible; to reveal. Under "honest" there are phrases like fair and righteous in speech and act. But, Mr. Speaker, I think these words ring a little hollow to the other members.

They've suspended the application of law for a group of individuals, a very narrow group of individuals. And, Mr. Speaker, I think that while we have no problem whatsoever with the government wanting to negotiate

with the contracts of some of the large ticket type contracts that were there, it's the people that are at the other end of the spectre that we're concerned about, Mr. Speaker.

This Bill will apply to all of the out-of-scope public service and Crown sector jobs in excess of 400 of whom we've been able to document that have been fired so far by the NDP. Over the past couple of months we already have examples of shop stewards tormenting some of the out-of-scope employees with the goal of obtaining the resignations of those individuals. This Bill goes a step even further. It actually legalizes those actions:

. . . unjust dismissal, breach of contract, including breach of contract, interference with a contract, mental distress, loss of reputation, defamation, or any . . . (case) of action in contract, tort or equity . . .

This is quite a mouthful indeed, Mr. Speaker. Imagine a case where a manager is subjected to a public campaign by the member from Regina Elphinstone that the member stole public funds. The manager would have no legal recourse whatsoever. None whatsoever. And his reputation, his family, and income security would be devastated. Imagine that, Mr. Speaker.

Yesterday the Minister of Justice rose on his feet many times to answer questions on this Bill a few days ago. But we didn't receive what we believe were proper answers to these questions. Instead the minister took the NDP's standard lines and blamed the Bill on the former government.

I assure the minister that we would never want to have that type of thing happen in this House. We believe, sir, that this Bill is not a good Bill. There are a number of provisions in it that we disagree with whole-heartedly. In fact no other province or territory in the country has ever gone this far, Mr. Speaker, ever gone to these extremes. This Bill provides that all contracts are exempt from the law if they do not have explicit provision for benefits of the termination of employment.

So what this means is the NDP can enter into arrangements that for example include a monthly payment into a trust fund instead of severance payment. The trust benefit would be paid before the likely contract and would therefore not be payable on termination.

It's clever, Mr. Speaker. Such an arrangement would be completely exempt, completely exempt from public scrutiny. It would hide the contract within the protection of Bill No. 18.

Mr. Speaker, my question is, is the NDP government interested in hiding contracts? Why are they interested in hiding all contracts like that? Is this the type of open and honest government you people talked about? Further, is this the kind of action that is appropriate for governments with nothing to make appropriate for individual private employers?

Will the government pass similar legislation so that successor employees in the private sector who deem the

terms of employment contracts entered into by the predecessors successive or unfair to change those contracts and engage in infamy to obtain termination.

Why not, Mr. Speaker? Why should the government be above the law while the public must abide by it? Other organizations are exempt from the law as well, Mr. Speaker. It is possible or even likely that the NDP are paying off Barb Byers, will enter into unjustifiable contracts with the union.

This Bill does not apply to unions. Mr. Speaker, I'd like to ask the Minister of Justice what makes union agreements more sacrosanct than private ones? No matter how we look at this Bill, Mr. Speaker, the real motive behind this Bill is purely political. The NDP are riding high on their blame-the-Tories campaign. In the meantime they're cleaning house for their NDP friends.

Frankly, Mr. Speaker, it is time the NDP started answering questions, started being truthful and up front with the Saskatchewan people. It is time that the NDP government started working for all of the people in the province of Saskatchewan, not against the people of Saskatchewan. And, Mr. Speaker, it is time the NDP realized they should remove the word democratic from their name. They are anything but democratic.

On a standing vote, the public of Saskatchewan, Mr. Speaker, looked on in horror as each and every member of the NDP voted to suppress individual rights. They believe the same I think as the member from Regina Albert South, that the system is more important than any one individual.

Well, Mr. Speaker, we on this side of the House will always stand in support of individual rights and freedom. And now the public has on record who is for and who is opposed to individual rights. The Conservatives are for and the NDP are opposed.

In the election campaign, Mr. Speaker, it was interesting. The member from Riversdale made reference in Estevan to a steamroller rolling over the previous government. Well what the people of Saskatchewan didn't realize — although the quip was amusing, what they didn't realize was now the steamroller had indeed arrived. What we see the steamroller, the NDP steamroller doing now is rolling over everything that gets in its way. Freedom of speech for the opposition members in the supply Bill, the crushing of individual rights in the severance Bill — this steamroller, the NDP steamroller, the steamroller with vengeance as its licence plate.

The sole purpose of the last three weeks of the NDP government, in my mind, Mr. Speaker, as a new member of this House . . . and very proud to be a new member of this House. But what I've seen here in the last three weeks, Mr. Speaker, is a government that has been completely consumed and motivated by vengeance, the lowest form of motivation known to man — vengeance. That's what you folks have tried to bring before this House in the last three weeks. Vengeance, and only vengeance. Try to destroy the Tories; try to destroy us.

Well, Mr. Speaker, it isn't working. Here we stand and

here we'll remain. The sole purpose of the last weeks I believe, as I said, was to try and make the Conservative opposition look bad — to try and make us squirm, try and make us squirm. But so far I think the only thing that we've seen happen so far, Mr. Speaker, in the last few weeks is a couple of government members squirm.

We've seen the Minister of Agriculture squirming in regard to a Bill on farm debt moratoriums — trying to get out of their commitment during the election campaign on the farm debt moratoriums. Well we've seen him squirm, and now we're seeing the Minister of Justice squirm on this Bill. I'd be squirming too if I were you, sir. I'd be squirming too if I were you, sir. That's why, Mr. Speaker, he stomped across the Assembly last night to speak with our member on this Bill. That's the reason why you did, sir. That's why you stormed across the floor.

The Speaker: — Order. Before the member continues, it's not customary in this House — and I know he's not familiar with it — to refer to activities that go on the floor of the Assembly. And I know he's not familiar with it, and we are not to impute motives of members on activities that pertain on the floor.

Mr. Boyd: — Thank you, Mr. Speaker, I apologize for that. I wasn't aware of that. That indeed was my interpretation of the events though — that was my interpretation of the events though. That was my interpretation of the events.

I would like to just move on a little bit, Mr. Speaker. We think that that was indeed the motives of the government of this last few weeks, was to try and make the opposition look as bad as absolutely possible and that's the only reason we were called in for this last three weeks in this session.

Mr. Speaker, at this time I'd like to move an amendment to this Bill, moved by myself and seconded by the member from Maple Creek. And the amendment is as follows:

That Bill No. 18, The Crown Employment Contracts Act be now read a second time and that the subject matter be referred to the Standing Committee on Public Accounts.

Moved by myself and seconded by the member from Maple Creek.

Thank you.

The Speaker: — An amendment has been moved by the member from Kindersley and seconded by the member from Maple Creek that Bill No. 18, The Crown Employment Contracts Act be now read a second time and that the subject matter be referred to the Standing Committee on Public Accounts.

I find the amendment in order and the debate will continue on the amendment.

Mr. Goohsen: — Thank you, Mr. Speaker. I'm seconding this motion of amendment to send this legislation to the committee on Public Accounts so that it should not be

read for the second time.

And I will be speaking to the amendment where I hope to demonstrate the evils of this Bill and why it should be sent to the committee and why it should be re-examined to have these evil things either removed or reworded as we feel that in its present form it is fundamentally wrong, and that it may possibly even be unconstitutional in our country.

And I'm sure that the members would agree that they would probably not want to pass a Bill that could be somehow misunderstood as being unconstitutional. I'm sure that their motivations here are to do things according to the rules of our country and to the rules that we've set up through a long process of parliamentary procedure.

As was pointed out earlier, some members of this Assembly have worked long and hard as elected members of government over the years. And in that process have been included in the very repatriation of the constitution of this country, and in that repatriation of the constitution, the writing of the rules that govern us and direct us through our own constitution to this present time. Some members, I recall, have actually been quoted in many of the news medias as being very proud of their contribution to the constitution and the way that we have brought it into place within our nation.

I have to admit that I have some quarrel with that at times, especially when I see how many things do in fact end up in our court system. And it makes me wonder sometimes if we haven't just created a tool to keep the lawyers and judges all in business and employed.

(1115)

But that's another question altogether. And the reality is here that we have a Bill before us that now seems to take away the basic fundamental rights and privileges of individuals, and at the same time we have worked so hard over the past 10 or more years to bring a constitution into our country that would protect the people's individual rights.

And even though sometimes I'm frustrated by how long things take in our court system, I have to say that above all things I believe that we are doing the right thing when we take the time to protect individual rights. That's the rights of each small individual person, each big individual person, and everybody in between in the scale of whatever measure you happen to decide to use in your philosophy or your thinking.

The rights of individuals, that's what we protect through our constitution. And those rights, it appears to me, Mr. Speaker, have been taken away from us in Bill 18. And our amendment would simply ask that you take this Bill to a committee and re-examine the possibilities that maybe we've gone too far in this Bill or maybe we have worded it in such a way that we accomplish much more than what our original intention was intended to do.

Perhaps we intended to have the right to be able to dismiss some folks without recourse from the courts. And in the need to change some people at the tops of certain

corporations, you felt that you had to protect yourself from the recourse of the courts. And perhaps you felt that even in your minds that you're justified to change these people because their philosophical direction isn't the same as your own and you need to have that direction changed.

But in so writing this piece of legislation, you may have found that you've gone so far that you're not just accomplishing the goals that you've set for yourself in that respect, but you are in fact setting up the stage for future things to go much further to hurt an awful lot of people that you weren't even considering when you wrote this piece of legislation.

All of the folks that work within our society for any kind of government office or government position, it would seem now, are at jeopardy as to their individual rights and their individual security within this province. And I think, Mr. Speaker, that that is so basically and fundamentally wrong that we have to stand here and challenge this whole concept and this whole idea, even to the extent that we might miss being home for Christmas.

And I think our other colleagues here have pointed out how distasteful it is for those of us here to have to debate and challenge a Bill of this nature through the festive season. And it does make me wonder if they aren't right when they suggest that the government was in fact intending to use the festive season as a wedge or a prying bar to motivate us to drop this issue quickly and to forsake the needs of the people of this province and leave this kind of legislation go through unchallenged so that we could go home and enjoy being with our families.

And I want to emphasize, as some others have done, that it's no small measure of sacrifice for those of us on this side to be here any more than it is for those on the other side at this particular time. We have families that I think hopefully enjoy having us home for Christmas. At least we ourselves would like to be there.

I have a daughter who's working in Edmonton who is coming home for the Christmas season today. I only see her once or twice a year. And that sacrifice to me now is extremely great that I won't be there to be with her for the next few days perhaps, maybe not even through the whole Christmas season as this thing unfolds. And that is a great sacrifice to fight for the rights of the people of this province to see to it that this motion goes back as an amendment to the committee to make sure that it is reviewed.

And we have more sacrifices that I think you should be aware of — sacrifices of not being with our family. My second oldest daughter goes to school in Minot. She's coming home today. I won't be there to see her. My third daughter makes lunch for me in Moose Jaw. As a rule when I go home, I stop and have lunch with her and we've missed that occasion. There are sacrifices to be here.

And my second oldest daughter teaches. And she is at home now, and I won't see her for a long time after this because she'll be back to her job. My son had a Christmas concert yesterday. I wasn't there because I had to be here

as a result of the fact that this government tried to jam this legislation through this House during the festive season and tried to use that as a cover-up to get away with something that will hurt a lot of people over the next four years.

I suggest to this government that one of the first actions that any new government after four years will bring into place will be a change in this kind of legislation because it takes away the fundamental rights of the individual in this province.

There are so many people, Mr. Speaker, that are affected by this kind of legislation that I don't believe the opposition took into consideration for one minute. Here's a book of supplementary information — payments to individuals. There's 82 names to a page on average. There's 224 pages in this book, and that is a book of the names of the people that work just for the province of Saskatchewan just in certain areas. There's another book, at least twice as big as this.

And we can just take a name just at random out of this book, and go across here, a permanent, a Russell E. Haukeness. Is this person's rights being protected, or are they being taken away by this legislation?

We could go through and ask you the question on every name in this book, every name in this book. Are their rights as individuals being taken away in this legislation? Are their fundamental constitutional rights that are written into our new Canadian constitution, the rights of the individual being taken away? And we as an opposition have a responsibility to stand here and defy this legislation and say to you, yes, this legislation does take away those basic fundamental rights of the individual in this country.

And if that is so, then we are justified in asking you to accept the fact that this piece of legislation should be re-examined through the committee. It is not an unfair request. And it does give you time to look at it again. And if you're so determined that this is right to do, can't you take a few more weeks to look at it and bring it in in your next sitting of the legislature? Are you that sure that you're right that you have to jam it through before Christmas? Or can you wait and re-examine it and bring it in later? And if you're still so sure you're right, you will bring it back then.

And we've asked you simply to take another look at this whole matter to re-examine it, to re-examine in your hearts and your souls. Is this the kind of legislation you want to pass, a legislation that will take away the basic fundamental rights of individuals in our country and destroy the very constitution that your own people have fought so hard in the past to bring about in this country?

Do you really want people to be fired without recourse to the courts when they've suffered mental distress or loss of reputation or defamation? How would any of you like it if someone could defame your character out in public so that you could no longer hold a job? Suppose you're a school teacher and somebody defamed your character in such a way that you couldn't any longer hold a job in this province, wouldn't you want recourse to the courts? Why would you not give that same right to the people that work

for the government?

We are asking in this amendment, Mr. Speaker, that the people in the government take a very serious look at sending this matter back for further study. And we believe that sending it to the committee is a reasonable and fair way of doing this and bringing about some re-examination and some fairness for the people of Saskatchewan.

And with that, Mr. Speaker, I will conclude my remarks and hope that you will seriously consider this matter. Thank you.

Mr. Neudorf: — Thank you very much, Mr. Speaker, for this opportunity to rise and debate on this Bill. And I want to say at the outset, Mr. Speaker, that I certainly will not be supporting this Bill. And I want to give evidence of that as I speak to the amendment, Mr. Speaker, that has been proposed, and basically surround my remarks around the premise that this Bill should now not be read a second time, Mr. Speaker. And I want to provide evidence to the viewing public and to members opposite why I believe that to be the case.

Mr. Speaker, I rise at this time to debate a Bill that has no match in the free world. All the legislation proposed by the NDP that is their own legislation and not legislation left over from the previous government, has the same character as the Bill that we have been debating over the last while and certainly will continue to debate in the near future.

They started, Mr. Speaker, by appointing a secret tribunal with political appointees. And that has been well documented in this House on previous occasions, Mr. Speaker, and I have no intention in getting involved more into that.

But secondly, they started a process of firing large numbers of people without cause. My colleagues already have listed a long litany of these types of people that have fell victim to the axe of the government opposite.

Mr. Speaker, they further have expanded on that by dismissing all boards of directors that had private citizens sitting on them and replacing these private citizens with NDP cabinet ministers. They followed by announcing publicly that they would make sure that this first session of the legislature would only last two weeks, disregarding thereby the wishes of the opposition and indeed, Mr. Speaker, the Assembly itself.

Further, why this Bill should not be read a second time, they continued by proposing a motion that would essentially suspend the constitution of the province of Saskatchewan and eliminate the rules, procedures, and practices of this Legislative Assembly. Any law, any rule, any precedent that we have established in this Legislative Assembly that would be contrary to the wishes of the Bill, and specifically in this supply Bill, all of these would be suspended and they would not have any effect any more.

And now they have brought forward a motion that in my opinion — and I preface my remarks by admitting candidly I am no lawyer — in my opinion they have

brought forward a motion that goes against the Charter of Rights and the fundamental rights of the individual to equal protection under the law as well as many other breaches of rights.

Mr. Speaker, I believe that government did not expect the opposition to object to this bit of infamy. They expected, in my opinion, that we would be frightened by the ability of the member from Elphinstone to conduct a campaign by talking about George Hill and others.

Mr. Speaker, I am not here to support and to defend George Hill. I am by trade an educator and I am also only a hog farmer. And in my humble opinion, \$1.3 million is not going to be defended by this particular member.

But I think it goes much, much deeper than that. That is not the principle that we are talking about. We're talking about a basic, fundamental right, not just a privilege, a right that has been enshrined in this Charter of Rights. Mr. Speaker, that is what I am opposing to — when that fundamental right, when that fundamental principle is put in jeopardy.

Mr. Speaker, the government assumed further, in my opinion, that this opposition would value the favours of the media more than the rights of the individual. Well, sir, they were wrong. Be clear, Mr. Speaker, that we do understand how difficult it is to make people understand the evil nature of the Bill. And I want to spend a little bit of time on that.

People in general hear what the member for Elphinstone has to say and believe that it is good to reduce the severances. We know that, Mr. Speaker. And the fact is, Mr. Speaker, that if all that this Bill did was to reduce the severance payments, let me assure you I for one — and I believe all of my colleagues — would not stand in its way. That is not the issue. That is not the issue in my opinion.

(1130)

But it goes far, far beyond that objective and fundamentally attacks the most basic rights of individuals, Mr. Speaker, and that is why I am standing in this place now speaking in protest to the Bill. And even though the Bill is very complex and even though the media does not seem to assign importance to those things that I have just mentioned, the opposition cannot remain silent.

For if we do not speak up for the rights of Saskatchewan people, Mr. Speaker, who will speak? If we do not carry this battle, even at great costs to ourselves and other members of the House at this time of the year, who shall be the protection of these historic and hard-won rights? If we do not stand in the way of a massive majority that apparently has no concern at all for the terrible consequences of its bloodthirsty ways, if we do not put up whatever barrier we can, then who shall challenge the tyranny of the majority, the steamroller that my colleagues have talked about that seems to be running amok? If not us, Mr. Speaker, who then? Certainly, with due respect, not the Minister of Justice in this case, Mr. Speaker.

He has stood in this House and he has defended the Bill, and I expect that he will continue to defend the Bill, even though not publicly, Mr. Minister of Justice, but you are doing a good job occasionally from your seat in a silent way. But he has said that it was the only option the government has to reduce severances and that it is just kind of unfortunate that fundamental protections may have to be forfeited.

And, Mr. Speaker, this Bill shall carry the name of the member opposite. His name, as my colleagues have already pointed out, shall ever be as an example of a Minister of Justice, who in my opinion, sir, will not exercise his duty as a top law officer, the primary defender of justice.

I just say to members opposite, please, don't put politics before justice. Don't put politics before justice.

So I say again, Mr. Speaker, and I ask who will stand up for justice in this Assembly if it is not the Minister of Justice who continues to endorse the Bill? Who will stand up, Mr. Speaker?

I submit to you and to the members opposite, it will also not be the media, Mr. Speaker. They do not have the time to digest the meaning of this Bill, and frankly, Mr. Speaker, I also don't think that they have the inclination to do so. And I hasten to add I don't think that they can necessarily be blamed for that because, Mr. Speaker, they are not lawyers and they are not politicians. And I hear them saying now, thank God for that. All they do, Mr. Speaker, is report what the politicians tell them.

The Minister of Justice tells them that this Bill will only reduce severance payments. I tell them that it will do the basic fundamental . . . it will undo the basic, fundamental individual rights. And the media does report both sides. But they report both sides in a 30 second clip that we as members of this Assembly are so familiar with.

But, Mr. Speaker, freedom cannot be defended in a 30 second clip. And I truly wish there was some way the media could look at the individual sections of this Bill and decide in their wisdom that it is important for the people of this province to know just how grievous and how extreme the provisions of this Bill are.

And again, Mr. Speaker, that is why I am on my feet defending individual rights and why I must insist that this Bill not be read a second time.

So they cannot and so they shall not — the media — be the spokesmen for the rights of the people.

If not the Minister of Justice, if not the media, I pose the question then, Mr. Speaker, who then? Who then? Mr. Speaker, the opposition clearly has no choice but to oppose this Bill even at great cost to ourselves. We simply, Mr. Speaker, have no choice.

Let me read you a brief quote, Mr. Speaker, that should convey something of what I'm trying to communicate in this debate that is apt to last for however length of time we need to do.

And the quote I would like to quote, unfortunately I don't have the name of the original speaker, but the quote goes like this: They came first for the Communists and I didn't speak up because I wasn't a Communist. Then they came for the Jews, and I didn't speak up because I was not a Jew. Then they came for the trade unionists, and I didn't speak up because I was not a trade unionist. Then they came for the Catholics, and I didn't speak up because I was a Protestant. Then they came for me and by that time there was no one left to speak up. End quote, Mr. Speaker.

And in my humble opinion that is what this Bill is all about. That is what we on this side of the House are speaking about. If no one speaks up, it will be giving the government the power, the right, the quiet permission to dispense with the rights of the individual so long as the public is in some state of anger about something.

And, Mr. Speaker, the public is in a state of anger. And the NDP, the government opposite, is using those conditions to impose Draconian, unacceptable laws that appeal to the most negative part of human nature. Whether it was Draco himself back in the 7th century B.C., he has lived because of the harshness of his laws, to execute people literally for the simplest of transgressions against the law. His name has lived into infamy as a result. I want the Minister of Justice to consider that possibility in this case.

It is precisely, Mr. Speaker, politicians making the use of emotions of people that make this Bill acceptable to them. And that is why, Mr. Speaker, this opposition has no choice but to speak up. And certainly speak up we will, and we will continue to do.

Mr. Speaker, if this government is so confident that the Bill does not fail on constitutional grounds, so confident that it is not itself against the law, then why would it not accept our proposal, our motion that it be referred to the court for a decision — to the Court of Appeal — as we suggested in our amendment? Why would they not do that, Mr. Speaker?

They have no worry about timing, since the law that they are proposing itself is retroactive. So if it is ruled to be legal, then it would have the same effect then as it would have today.

But, Mr. Speaker, again, in my humble opinion, it is not legal. It is a shameful piece of legislation that has no place in the hearts of our people and no place on the floor of this Assembly. This Assembly must always be the greatest defence of individual rights. It is from those rights that all others spring, Mr. Speaker; it's from those rights that we have the fundamental basis of all of our other rights.

It is from those rights that the rights of the members of this Assembly spring. My right to free speech, already attacked by the government in other ways, my right is directly the result of the fight for the protection of individual rights, dating back hundred of years, and which this Bill is now attempting to overthrow.

Yet the government, in spite of all of this, will not allow a referral to the courts. And let the people be clear, let the people understand that the government has the ability to do that. The government has the ability to do that under

another small Act called The Constitutional Questions Act. There's an alternative. And let me quote that Act to document the fact that the government does indeed have the power to ask the court to make a ruling on this Bill before it is imposed upon the people. I quote:

The Lieutenant Governor in Council may refer to the Court of Appeal for hearing and consideration any matter that he thinks fit, and the court shall thereupon hear and consider the matter.

The lieutenant council . . . Executive Council, the Premier and his cabinet, sir, have the right to do that. And it goes on, and I quote:

The court shall certify to the Lieutenant Governor in Council its opinion on the matter referred, with the reasons therefor, which shall be given in the same manner as in the case of a judgement in an ordinary action; and a judge who differs from the opinion of the majority may in the same manner certify his opinion and his reasons.

The Speaker: — Order, order. Order. I'm not certain whether I have the wrong amendment here, but the amendment says that it should be referred to the Standing Committee on Public Accounts. I have nothing here which says that the Bill should not be read a second time and referred to the courts. The members have moved that it should be referred to the Standing Committee on Public Accounts and I'm not certain whether the member is speaking on the amendment.

Mr. Neudorf: — Mr. Speaker, I thought I clarified myself and I'll do so again for your edification. When I got up . . . we will have further speakers on this debate.

The amendment is in two sections and the two sections are: no. 1, that it not be referred . . . or that it not be read a second time, Mr. Speaker, and that is what I'm doing. I'm giving forth the logical sequence of arguments why it should not be read a second time.

Subsequent to my speech, Mr. Speaker, there will be colleagues of mine addressing the second half of that amendment.

The Speaker: — Order. I have no difficulties with the member explaining to the House why it should not be read a second time. I have some difficulties when the member gets off of that and then says it should be referred to the courts when the amendment says that it should be referred to the Standing Committee on Public Accounts. I have some difficulty in following the argument and the logic of your argument in stating that it should be referred to the courts and not to the Standing Committee on Public Accounts.

Mr. Neudorf: — Yes, Mr. Speaker, I appreciate that. And my line of reasoning is simply that I'm giving this as an alternative to what the government could be doing if it does . . . and so that it would not be read the second time. But because they are not so far willing to do that, then the only alternative we have is to send it to the Committee of Public Accounts. That's the rationale, sir.

Thank you very much. I appreciate your indulgence and I also appreciate you giving me the opportunity to make myself more clearly understood.

So now, continuing on then, Mr. Speaker, what that means is, the material that I was just explaining then, is that the government . . . all that the government has to do is to have the cabinet make that decision. And if the Executive Council would take that piece of advice, if the minister is prepared to get up at this stage and say that this is what he would do, then of course the amendment becomes redundant, Mr. Speaker.

But I have no indication from the minister opposite that he is willing to do that. And therefore I must continue on in my series, my sequence of arguments, to try to make the minister understand so that he will indeed change his mind, take it to the courts, Mr. Speaker, and then the discussion that we're having here certainly would be redundant and we could get on with other businesses of this Legislative Assembly.

(1145)

And that's all there is to it, Mr. Speaker — no big effort, no huge commitment of time, no huge commitment of resources. There's nothing really more involved. And I can't make it any simpler and clearer than that.

But the former government, Mr. Speaker, did precisely this: when there was dispute by members opposite, whether there was constitutionality in the electoral boundaries Act, for example, you did it then, sir. You took that route. And in my opinion . . . or we took that route, pardon me, and in my opinion that was the route to go.

And very efficiently, effectively, the courts rendered the decision and that is where we went. And then everyone knew precisely where they were at. We said it is better to have the court issue an opinion than to have the law operate in a situation of disrepute.

Mr. Speaker, I say to the members opposite, there is no shame in asking the courts for an opinion. That's why the court system is there; that's why our judicial system is there. And I would strongly, strongly urge you that it is there to help defend the people and to protect the basic law of the land. And I'm having difficulty understanding why you will not do that, and I hope that during the balance of my remarks that I will be able to persuade you to have a real close look at some of the alternatives that we're providing.

And that's why we don't want this Bill read a second time, because we have alternatives. We're proposing those alternatives so that indeed the integrity of this Legislative Assembly and the basic rights of the individuals in this province will be protected.

A wise government, Mr. Minister, a prudent government would make use of the expertise and wisdom of the courts that are before us. Because I'll tell you, Mr. Speaker, this Bill if passed would wind up in the courts anyway. There's no question but that this Bill will be tested in case after case by those that have been affected by it. The Bill offends the Charter of Rights very deeply.

Now, Mr. Speaker, to turn for just a moment as further evidence why this Bill should not be read the second time, I want to turn to the Charter for a moment and see where this Bill attacks the fundamental rights of the people. The Charter of Rights, Mr. Speaker, starts with section A . . . with a section providing a balance guarantee, a balance guarantee, and I would like to quote, Mr. Speaker:

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.

Now that is a very important section, Mr. Speaker, because what it tells you is that this government knows that this Bill, this Bill 18, cannot be saved by the test of being reasonably justified in a free and democratic society. If it did it would agree to ask the court for a ruling on the Bill. But the government knows full well that this Bill cannot be justified in a free and democratic society because it is such a clearly Draconian attack on the rights of the individual.

Now just very quickly to make my points, let's go on to the next section of the Charter:

2. Every one has the fundamental freedoms:
(a) freedom of conscience and religion;

Mr. Speaker, in this free society we are supposed to have freedom of conscience. Well, Mr. Speaker, this Bill goes beyond reducing severances. That's the fundamental issue here. The severance package — all right; go for it. But it goes beyond that and attacks the individual's freedom of conscience. What it says is that you can be fired for no reason other than the fact that you might be the supporter of a political party that doesn't necessarily share your viewpoints. The Bill does that, Mr. Speaker. It says that if your conscience makes you not support the NDP, you can be fired without any recourse at all.

Let's just look at a few of the people who have come under the gun. Mr. Speaker, the NDP like always to point to George Hill as a rallying point. That's the focal point. It's the emotional point. It's the public attention getting point. They say that he was a Tory and he must go. Well, perhaps. Fair enough.

The woman, Mr. Speaker . . . let me pose you the question this way. They fired George Hill. I say, fair enough. But, Mr. Speaker, should they have been able to fire the man's secretary? The woman answered phones and typed letters, Mr. Speaker. Not exactly, in my opinion, a dangerous creature to the NDP government. But they fired her anyway. And to try and cover themselves they are passing this Bill, which says that the woman, the secretary, will no longer have the freedom of conscience because it does not happen to suit the purposes of members across the floor.

Get rid of Hill's secretary and anybody else who had lunch with Hill — fire them. That could be the tyrannical cry of members opposite. But what about Elaine Kivisto,

Mr. Speaker. What about Elaine? She was fired because her conscience was not the conscience of the member from Elphinstone.

Mr. Speaker, what about Norma Morrow? Fired for her conscience. What about Marge Haddad? Fired for her conscience. What about all the other secretaries being secretly tossed into the streets by the government opposite without cause? Why are they firing people who answer phones and type letters? What terrible threat do these people pose for the massive majority across the way? What possible threat could they be? They pose the threat of a free conscience, alive and hopefully, in a government dominated by people who apparently do not have any use for freedom of conscience.

Going back just for a moment to the Charter of Rights, Mr. Speaker, that I am so fundamentally worried that is being transgressed. We find the second fundamental freedom in the list is, and I quote section:

(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communications.

Well, Mr. Speaker, this Bill is clearly set against freedom of thought, belief, opinion and expression.

Why was Richard Perry fired, the CBC (Canadian Broadcasting Corporation) anchorman? They fired him because of his beliefs. How dare he cross a picket line? This is a man who believes he should be allowed to feed his family and that the union bosses should not dictate his life for him, Mr. Speaker.

Now we know that the government office apparently is against those beliefs, but they are this man's beliefs and the constitution guarantees him the freedom to have those beliefs.

Be clear, Mr. Speaker, that this man never had a membership in my party, and as far as I know, Mr. Speaker, in fact had no membership in anybody's party. He has been a man who has exercised his beliefs quietly and appropriately and he has had that right, but not under this government, Mr. Speaker.

And, Mr. Speaker, the business that SaskPower will not be engaging in any more communication is plain silly. A pathetic excuse. The new emperor of SaskPower, one Jack Messer, said the kind of stuff that SaskPower had been doing was useless, and he gave specific examples of energy conservation.

Well, Mr. Speaker, this government is made up of the same party that says we need a lot more education about energy conservation. So, Mr. Speaker, they fired Richard Perry for his beliefs, and that is clear to every one.

Ted Urness, Mr. Speaker, Ted Urness is not exactly a prominent Tory. I know the member with Crop Insurance has made a comment about the significance of this gentleman and this member of Saskatchewan society. Ted Urness has been an extremely productive, an exemplary executive officer of the Liquor Board. He was fired. And this Bill, Mr. Speaker, this Bill says that's it's

okay.

And that's why I'm saying that it's not okay to give second reading to this Bill. That's what the amendment is all about. This Bill legalizes the illegal firing of Ted Urness. Why did they fire him? He did a good job. We heard that. They fired him, Mr. Speaker, because of his beliefs.

Let's go back to the charter just for one moment, Mr. Speaker. I may not make it by 12 o'clock. I'll try my best to conclude my remarks. Let's go back to the charter, Mr. Speaker, because this Bill offends even more provisions.

In this list of fundamental freedoms we find that in this free and democratic society people are also guaranteed, "(d) freedom of association," — freedom of association. Well, Mr. Speaker, freedom of association means you can associate yourself with who you will in a lawful way and not be discriminated against by government. That's what it means.

And the last time I looked, Mr. Speaker, the NDP had not yet gotten around to making political parties illegal, and I wouldn't suggest that that's necessarily coming. But, Mr. Speaker, it is perfectly lawful to associate yourself with the Progressive Conservative Party of Saskatchewan. It's perfectly lawful to do that in spite of the harangue from the member of Rosetown-Elrose who obviously does not agree with that.

Now, Mr. Speaker, in spite of that opposition, I would suggest to you that there are hundreds of thousands of people in the province of Saskatchewan who are accepting their legal right to be members of the Progressive Conservative Party. But it seems to me, Mr. Speaker, that the government opposite is now saying that if you associate yourself with the Progressive Conservative Party you shall be fired. That is what they're saying.

And members opposite applaud. That in essence, Mr. Speaker, makes my point exactly. That makes exactly the point that I am making here.

And I give you further evidence of that, Mr. Speaker, why this Bill should not be read a second time. And the member from Rosetown continues to harangue and harass me as I'm trying to make my point. But I shall, in spite of that, speak up for the people of Saskatchewan. The member from Rosetown-Elrose will not drown my voice. I will continue to speak, Mr. Speaker.

Why was Rod Hiltz fired, Mr. Speaker? Why was Rod Hiltz fired? He was a realty manager for SPMC (Saskatchewan Property Management Corporation), and as such a realty manager he had absolutely no impact on government policy — no impact whatsoever. Nothing. He posed no threat to the government, politically or otherwise, yet he was fired because the NDP said he had the audacity to work for the PCs during the last election and out he must go. You can't have that.

Freedom of association. Well he associated himself with the PC Party, and so he paid the price — he paid the price, Mr. Speaker. He's being denied the fundamental freedom which the constitution of our nation guarantees him, and

that, Mr. Speaker, is shameful.

Let us go back to the charter, Mr. Speaker, and we will find even greater evils and sins in this Bill. Section 7, brief quote:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Security of person, Mr. Speaker, means my person is sacrosanct from attack by the government. But this Bill takes the security of the person and holus-bolus throws it out. This Bill, Mr. Speaker, makes it legal for the government to defame people and try to get them quiet.

It makes it legal to cause mental distress, if it causes someone to break a contract. My colleagues have talked about that.

Well, Mr. Speaker, when you're defaming a person you are infringing his person. When you're consciously causing mental distress you are most clearly attacking the person, invading the person; in fact, Mr. Speaker, defiling the person. And so much, Mr. Speaker, then for the security of the person under this government.

And I will, Mr. Speaker, with your indulgence at this time, suggest that we go for lunch.

The Assembly recessed until 2 p.m.