

## EVENING SITTING

## COMMITTEE OF THE WHOLE

The committee reported progress.

## ADJOURNED DEBATES

## SECOND READINGS

## Bill No. 87

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens that **Bill No. 87 — An Act respecting amendments to Certain Farm Income Insurance Legislation** be now read a second time.

**Mr. Martens:** — Thank you, Mr. Speaker. I want to just begin today by making a few remarks about some of the things that I said the other day that relates to the constitutional reference.

Mr. Speaker, I believe that of all of the Bills that I've ever seen in this House, this one most demands an opportunity for a reference to the Supreme Court. I have gone through it; I've looked through it. And I take that not as a legal counsel but as an observation from a person who has sat on a legislative committee of this Assembly since about 1983. And, Mr. Speaker, one of the things that I have noted in this Bill over and over again are the various sections that cause and create a considerable amount of concern.

We have, as we had originally talked about, had a significant apprehension about the time that the government took to put into place all of the details relating to the GRIP (gross revenue insurance program) program, and the time went beyond when the government was supposed to make the information available to the producers.

And I want to outline just the reason why that that date was put into place, Mr. Speaker. The date was put into place on March 15, after we had gone through considerable amount of meetings across the province. It was a decision made by our government on the basis that the people had said to us over and over again that March 15 was the last day when any reasonable decision could be made in relation to the program to deal with government, so that the producer still had time to make some rational decisions about their management of their farms.

And that, Mr. Speaker, is the reason why March 15 was put in there. So that the time lapse between March 15 and seeding would be sufficient enough. And in order to bring this into perspective, this year for example, there were people who were busy on their land in the south-west part of the province by the middle and the end of March. And that is not an unreasonable happening in the south-west part of the province.

I want to make the point too, Mr. Speaker, that this has a number of references to that date and because it was

significant, I believe, in how the government responded, it took what they, I guess would consider the responsibility of putting that into the preamble of the Bill. And in the preamble of the Bill, Mr. Speaker, they mentioned the March 15, 1991 as a date-line for the kinds of things that they were going to discuss later on in the Bill. And it deals with that in a very significant way because it states that as a fact. And that, Mr. Speaker, is important, because what we find later on in the Bill is that there are certain areas that deal with that.

One of the areas is that it expressly says that all of the actions taken by government, except that those that will be established in regulation, will be placed in a sequence and made void — absolutely no reference to any of them. I believe that, Mr. Speaker, is why they put the date in the Bill so that they made sure that was one of the items that they would identify as having to void, having to make absolutely non-existent.

Now to make it void, it's as if it never happened. Mr. Speaker, it did happen. There was a reason for it being there. And, Mr. Speaker, not only that, they go back to January 1, 1991 as the day that from that point on everything is void. Now what's the significance of January 1, Mr. Speaker? On January 4 or 5, the Minister of Agriculture for Canada, the ministers of Agriculture from Saskatchewan, Alberta and Manitoba, met in Saskatoon to deal basically with a structure and the focus of attention on what it should be and finalizing some of the last aspects of the GRIP '91 deal. And that, Mr. Speaker, is why the decision was made to go back to January 1, 1991 because that was the first decision-making day. Nothing was signed, but the agreement was reached between the three ministers of Agriculture from the three prairie provinces and from the federal government. Now that is where the dynamics are of the making absolutely non-existent all of the activities that took place back to 1991.

Well, Mr. Speaker, the farmers across the province, prior to the date of March 15, were at a significant amount of meetings. The Department of Agriculture at the time organized at least 100 meetings across the province. I know that, for example, Mr. Speaker, I have personally attended 40 of them — 40 of those meetings from the last week of February till the last week of March. And that, Mr. Speaker, was a very, very intense education not only for myself, but for the rural people in the province of Saskatchewan.

And I know that those things happened. But, Mr. Speaker, what we have in this Bill is that they are made void. They didn't happen. According to this Bill as it's presented in this Assembly, when it's voted on, none of that happened. And that, Mr. Speaker, is what we find really, really interesting in this Bill.

Another thing that is in this Bill that strikes us as being interesting is that it deals, in the case of a court, where you have a reason to take an individual or a Crown or a government to court, it deals with what can be put into an action against the individual in a court or whatever. And that says that it's:

. . . any claim (against this individual), cause of action, suit, debt, account, demand, claim for damages, loss, cost, expense or interest, of any nature, whether arising in or imposed by law, equity, statute or otherwise and includes any judgment or order of a court.

That, Mr. Speaker, says that there is absolutely no way that anyone from dealing with this Bill and the GRIP program has any way to attach itself to a court action. No way. And, Mr. Speaker, we have said all along that this government is hard, imposing. And we said all along that this is what they would have to do if they didn't agree to the GRIP '91 to start with.

And so, Mr. Speaker, the farmers across the province, 50,000 of them, have a problem with some of this. And so do we. The people in this caucus here who are farmers have a problem with it, and so do 50,000 others. They have a serious problem with it. And that, Mr. Speaker, is the reason why we are concerned about it. It deals with that item on the one merit. It says in a cause of action you cannot take it to court. If you have a judgement or a court case pending, you do not have an option to take it to court or extend it beyond that.

And when, Mr. Speaker, when in the history of the province has that happened before? When has it happened before? And it goes back, Mr. Speaker, to earlier — not in this session, but earlier in this mandate for this government. In December of 1991 this government decided that all of the people who were in any kind of non-union contract in the province of Saskatchewan would have their rights extinguished as a part of the decision that they made and how they were going to deal with those people they didn't want working for government.

And they had all of their rights in court extinguished, Mr. Speaker. And those are exactly the same words, exactly the same words that this Bill talks about in extinguishing the rights of individuals for access to the court. It extinguishes them, Mr. Speaker.

And that, Mr. Speaker . . . and I would hazard a guess that the majority of people sitting in this Assembly who came from the eastern part of Europe came here for the right to have their day in court. Due process in court was one of the reasons they came, because they didn't have that opportunity in the land that they lived in. And that, Mr. Speaker, it extinguishes the right of an individual to sue the government.

And, Mr. Speaker, we have had the Premier and others here use land bank as an example. But never, Mr. Speaker, never did we ever exclude them from due process in a court of law. Never. We did not exclude them.

And I heard through the years that people on the other side have said, well everybody had you in court. Well, Mr. Speaker, it's easy to say that glibly when you are in a position to clearly eliminate due process in justice in a court of law. And what stops you from doing it, Mr. Speaker? It's because you have a constitutional right in this country, and in the province of Saskatchewan you

have a constitutional right to never, ever be refused from a court of law. Never.

And in fact, Mr. Speaker, if I recall correctly, it was people on the other side who put in the legal aid system. So people, Mr. Speaker, who were not able to afford a case before the court would be able to get a person who was legally competent to provide legal advice in a case-by-case basis for that individual. And that, Mr. Speaker . . . The reason was so that people, no matter how poor or how rich, could have equal access before the law.

And what have we got here now, Mr. Speaker? That right of the quarter section farmer or the guy that has 50 quarters is extinguished by this Assembly and is going to be extinguished by this Act in this Assembly and, Mr. Speaker, that is going to be all of the actions in a contract before the court, and a case before the court is going to be extinguished. The rights of individuals will be extinguished and that, Mr. Speaker, is very, very serious. In my view, Mr. Speaker, it is far more serious than the Electoral Boundaries Commission discussion that we had a little over a year ago. And that, Mr. Speaker, had a reference to the Supreme Court, and the Supreme Court made the decision that the Bill was within the framework of the constitutional rights of individuals. The NDP (New Democratic Party) didn't agree with that, but that's the way it came down from the Supreme Court.

(1915)

Mr. Speaker, this Bill does some other things that are, I think, unique. Mr. Speaker, in the presentation made by the deputy minister on behalf of the Minister of Agriculture, he said that he would be bringing a case before the court which would include a Bill that would deem that they would have sent a letter out to the people of the province of Saskatchewan prior to the 15 of March.

And that affidavit sworn before the court, Mr. Speaker, it was sworn before the court in Melville, stated that the deputy knew that this Minister of Agriculture would put a Bill forward that would say that the March 15 letters had been sent out prior to that.

And that, Mr. Speaker, was what this minister asked his deputy to do, because he said he would do it. And what have we got on the Bill? No, Mr. Speaker, they decided to do it a little different. They decided, in their wisdom, that they couldn't deem to have sent a letter out because it might interfere with a court and yet in the beginning in their preamble, it says, Mr. Speaker:

Whereas changes were made by the Government of Saskatchewan to (the) gross revenue insurance program contracts after March 15, . . . and the time for producers to make decisions was extended . . .

Now, they made . . . they made the decision, Mr. Speaker, when the court was held in Melville, to say that they were going to deem to have sent a letter out. They even say that they have incorrectly informed the farmers in the province of Saskatchewan, knowing all of that, knowing all of that, Mr. Speaker.

In section 5.4 they say, Mr. Speaker, that anything prior to

the first of April is void. It didn't happen. The March 15 was never a day.

Mr. Speaker, March 15, 1991 was not a day. In fact it makes reference to section 49, section 49 of the contract that individuals had with the Government of Saskatchewan and the Crop Insurance Corporation. That, Mr. Speaker, it makes March 15 never to have happened.

Now the farmers in Saskatchewan worked on March 15. Didn't the Minister of Agriculture? Was he void at the time? Where was he on March 15, 1991, when the contract he signed was there for him to see that the day on March 15 was what he was deciding he was going to do.

And that, Mr. Speaker, he said never happened. April 1 on back, never happened. It never happened, Mr. Speaker. It was gone. And that, Mr. Speaker, is what the problem is. That is what the seriousness of the nature of this Bill is.

And we have tried to explain it to the people of the province of Saskatchewan over the years. And that, Mr. Speaker, is why we think it's wrong. Not only, Mr. Speaker, if you want to make a point, you make a point by saying this is what happened on such and such a day. Or you make a point by saying, do you remember when this happened? Then that becomes a bench-mark for what you do in the future.

Well, Mr. Speaker, the bench-mark for farmers in the province of Saskatchewan, and they all know this, the bench-mark is March 15. Mr. Speaker, March 15 is the day that they said that they wanted their contracts to be dealt with, and we will deal with the changes through the year. And then next year, before March 15, we'll pick them up again.

And, Mr. Speaker, they didn't only say this once in this Bill; they say it at least three times in this Bill that individuals' rights are extinguished. Individuals' rights are extinguished. You know, Mr. Speaker, in a court of law, how many witnesses do you need to an action taken places? One? Two? Or three?

But no, this government says not only what they did wrong in the beginning of the Bill; they also take that and — to put it into perspective, Mr. Speaker — they say it didn't happen. And then to exclude any action at all, either through the safety net Act or The Crop Insurance Act, they said we will extinguish the rights of individuals to appear in court on that basis.

And then, Mr. Speaker, and then, Mr. Speaker, they have the foresight of all the knowledge in the world. They say we will put into perspective by regulation all of the days as we said that they happen. Now March 15 might be slid ahead or it might be moved back. The regulations will determine when the individual items of the contract the farmers signed happened. So you can move this all on a sliding scale, Mr. Speaker, on the time line from January 1 on.

And that, Mr. Speaker, is what this government is going to do. By regulation, they will be able to determine whether the rate was the right rate from '91 on. They'll be able to determine it by regulation. They will in fact, Mr. Speaker,

be able to say — as I have studied the Bill — they will be able to say that individuals have been overpaid even perhaps in the 1991 GRIP.

Mr. Speaker, by regulation they can determine that those are the items that they will give. We'll give you this amount of money and that's it and if the Minister of Finance decides that he doesn't want to pay any more, even though they have a contract, the Minister of Agriculture by his regulations will be able to determine what the premium will be or would have been. He will be able to determine what the coverage was and the crops that he covered — all by regulation, Mr. Speaker, and it'll go retroactive to January 1, 1991.

Mr. Speaker, all of this on a sliding scale from January 1, 1991 to where we are today will be . . . All of the actions that were done and all of the things that were accomplished, all of the principles that were set down in the GRIP program, will, by this minister, be decided because he knows best. That, Mr. Speaker, is the capacity of the Bill and, Mr. Speaker, he could, for example, say that what payment you got in the spring of 1992 was all you're going to get. And, Mr. Speaker, that is the kind of thing that we have a great deal of concern about.

Who are you going to deal with next in exactly the same fashion? That, Mr. Speaker, all of those reasons, all of those reasons, I believe, should initiate this government to give it a chance. The people of this government should be giving the farmers a chance to present it to the Supreme Court. And then, Mr. Speaker, even the people in government should say, well if it is unusual and maybe we've overstepped, they should say, should we take it to the Supreme Court ourselves? And that, Mr. Speaker, would be the honourable thing to do. If you really believe that you are within your constitutional right by putting this kind of a Bill before this Assembly and before the people of Saskatchewan, then turn your courage up and give it to the Supreme Court for a reference. Mr. Speaker, it is significant to the people of Saskatchewan that that should be provided. Why don't they turn up their courage and do that.

Mr. Speaker, our Justice minister and our Premier have been in Toronto and Ottawa and at various places talking about constitution. And the constitution has been talked about a number of times in the last 15 years. In 1981-'82, the now Premier, who was the attorney general at the time, brought the constitution home together with a Bill of Rights that said you have equal access before a court at any time for redress, without discrimination, without anyone being able to tell you you do not have a choice.

And, Mr. Speaker, I am just now brought to mind about an individual who had that right, who was a retarded child in British Columbia, who was given the right before the court to have representation, and that child got it, because it had an individual right — an individual right that was established by the constitution; an individual right that was established by the Charter of Rights. And put the two together, Mr. Speaker, that constitutes what I say in a reasonable sense that this Bill should go to the Supreme Court for a reference. Mr. Speaker, I believe that to be only fair to the producers of the province of Saskatchewan.

Mr. Speaker, that is a tremendous risk, but it's also a responsibility. I believe that this government has not shown any proper stewardship, even in how they presented the Bill. I don't believe they have. I don't believe they understand the depths to which the process of law and the impact of this law would have on the people of the province of Saskatchewan. And I say to the people of this Assembly, that you've got serious, serious problems in relation to this.

I want to go on to talk about one other area tonight yet and that deals with what I think GRIP should be. We've got GRIP '91, which I have said right from the very inception, that there were changes that were necessary. People wanted a contract for 1991 because in the spring of 1991, Mr. Speaker, it was very, very dry. Across the province of Saskatchewan there was almost drought all over the province. Almost no one had snow. And that, Mr. Speaker, was what we had from the north at Tisdale through to Carlyle, from Maple Creek to Meadow Lake. And that, Mr. Speaker, were the kinds of conditions that existed.

People said, if I don't have coverage, then what am I going to do? I don't have any money. I don't have any chance to put my crops in. And so we said, okay, we will work hard to deliver an opportunity. What do you need in this? And we had had some recommendations brought to us, as representatives of the province of Saskatchewan, to deal with it.

And under the framework of discussion from across Canada, we said, this is what we can reach from consensus and compromise. And in the three prairie provinces we had Alberta, Saskatchewan, and Manitoba, who had typical weather conditions, typical . . . or similar land conditions, similar farming conditions. Those all existed as a part of a decision-making process. And as we went along, that decision to do the things that we did became a reality.

And then on January . . . I think it was the 4th or the 5th of 1991, the decision was made to go ahead. Now as we went into the meetings from January through to the middle of February, it became evident to us in Saskatchewan that we needed an opportunity to make presentations to the farmers. And they had heard about it, and the first one we began with was a meeting in Swift Current and we had over 500 people at the meeting, Mr. Speaker. There was a definite interest. So we said, we'll plan about a dozen meetings, see what happens, and then, Mr. Speaker, it went on and on and on until we had over 100. And all told we probably averaged 40 . . . 400 people at every one of them.

And, Mr. Speaker, I spoke at John Deere shows across this province. I think we had nine of them that we were invited to. Machinery dealers were asking us for all the kinds of things that they could so that people could be provided with the information. And, Mr. Speaker, we gave the people the opportunity to do that.

(1930)

There were things that we should have done different.

There are still things that I think should be changed. But what happened in the process, Mr. Speaker, is that we had an election. People were disgruntled, people were disgruntled all over Canada. And what did they say? I don't like GRIP. Well what did they not like about GRIP, and what did they like about GRIP?

Well, Mr. Speaker, I want to point some things out that they liked about GRIP. Number one, they liked individual coverage. They wanted their individual farm protected. And the second thing, Mr. Speaker, they wanted was individual crops on their farm.

The two things, Mr. Speaker, that I heard . . . I was in an RM (rural municipality) meeting in Maple Creek, and I spoke there. And they grow a lot of fall rye there. That's exactly what they asked me for there. I was in Arcola at a meeting there. There's a lot of people who grow canola down there. They said, we want individual coverage for our individual crops. We want individual coverage for ourselves on our own farm.

Because underlying every farmer in the province of Saskatchewan, Mr. Speaker, is this pride that he has in himself — the pride that he has in himself that I can do better than my neighbour. And they have that across the province. They have that within their gut feeling, Mr. Speaker. They say that I can do better, and I can even do better next year than I did this year. That's the underlying philosophy of farmers across this province.

So what did that mean when you had individual crops and individuals having coverage for their own farm? What does that mean?

Well through the process . . . And I won't elaborate on all the details of why things were done at this point, but I know that there were some concerns. And as I went around, I heard some of them. And some of them we addressed and some of them we couldn't. Because administratively, Mr. Speaker, we were running the same time line as the Minister of Agriculture was at this point. And, Mr. Speaker, we said, we'll go with this, and then we'll make changes as we go along so that next year we can do it better. And we set up a committee to do that.

What was also happening at the same time, Mr. Speaker, was that Crop Insurance had set up an agent process — an agent process to deal with the various aspects of the crop insurance programs that came forward. And, Mr. Speaker, those agents became a valuable asset in allowing the information to be sent out to the people of the province of Saskatchewan . . . (inaudible interjection) . . . Well, Mr. Speaker, the House Leader from the other side says it was a bunch of Tories. Well, Mr. Speaker, if you come into my constituency you won't find a bunch of Tories. You'll find that there is a mix equally among all three parties, Mr. Speaker. And I will tell you that straight out, straight out.

And, Mr. Speaker, I know this for a fact that those people don't vote for me. They didn't in '82, they didn't in '86, and they didn't in '91, Mr. Speaker. But they were, as perceived by the people who selected them, to be the best people for the job when they applied. And so that was the way it went forward. And I could take, and I won't do it

here in this Assembly, but I will show the House Leader some day who is Liberal and who's Conservative and who's NDP in that group.

Well, Mr. Speaker, how do you know, Mr. Speaker? They come and tell you what they vote. And, Mr. Speaker, that's the kind of thing that they have a reasonable comfort in telling this member at least, Mr. Speaker, what they vote, because they know they're not going to get turned down, thumbs down, on the things that they get coming to me.

Well, Mr. Speaker, I want to talk a little bit about what I think some of the changes should have been. And I think it would enhance the GRIP program even if they were changed to that place right now. Mr. Speaker, the people in the province of Saskatchewan had GRIP '91, so I'm going to use that as the base because the people compare it to that.

GRIP '91, one of the first things that I think it should be today is crop specific.

Mr. Speaker, I listened to arguments from the university; I listened to arguments from various people in the economics department of the university. I listened to all of that, and then I went to the farmers and I said . . . but they don't agree with what the farmers are saying. And so I said, what do the farmers want to have. And they said it needed to be crop specific. They said it needed to be farm specific. Mr. Speaker, that is exactly what I believe that it should be — crop specific and farm specific. No area risk, Mr. Speaker, and no basket approach to the kinds of things that we have seen in GRIP '92.

The second thing that I believe, Mr. Speaker, that we should have in here, and I met specifically with the pulse growers. Pulse growers, I believe, should have the option to include or exclude some of their crops. No, I'll give you the reason why, Mr. Speaker, because these reasons were told to me over and over again. It needs to be crop specific on the pulse crops. Why? Because most of the time there isn't a capacity to establish what the yield potential of that individual crop will be on that individual farm.

So they have to be treated a little different, Mr. Speaker, and that's why I believe that the pulse growers and their representation to me should have that acknowledgement, that these crops should have some way to deal with how they get identified to get a significant average over a period of time. And that, Mr. Speaker, is there so it enhances the opportunity for diversification.

The third reason, and I've outlined this before, is that basket or offsets could be offered with reduced premiums. Now, Mr. Speaker, if you have crop specific, which was the way it was in '91, it cost X amount of dollars. If you go in a basket, it could be reduced.

And, Mr. Speaker, the opportunity is evident in certain places and a benefit to certain places. There are certain producers who only grow wheat; there are certain producers who would only grow flax; there are certain producers who would only grow canola. And, Mr. Speaker, that's the reason why, if you give an opportunity for this individual, because he only has one crop, to be

allowed the choice, then I believe it should be done.

Another option I believe that should be in GRIP, Mr. Speaker, is a buy-back option for dry land producers, so that people would have an opportunity, if they wished, to buy an option that would give them a target yield. So that they could say, I'm going to see if I can target all of the conditions that exist this year. I've got a four bushel over average target, and I would put that on.

And, Mr. Speaker, that was done last year in Saskatchewan, Mr. Speaker. It was done with 100 irrigators in the province of Saskatchewan as a pilot project. And, Mr. Speaker, that was done because of the insistence of individuals from the Outlook area who grow the kinds of crops that are crop specific, but also have very intensive production management styles, because they add water, they add fertilizer, and then they seed different than dry land. But a dry land buy-up option, which they have in Alberta, worked really good.

There were other areas, Mr. Speaker, that needed to be addressed. And we had a lot of discussion this year about lentils. And lentils was touted by the minister as being something that should be discussed, but he, I think, was making false observations. If the lentil production in the province of Saskatchewan would have been managed the same as it was in '91, it wouldn't have caused a problem because the people in the pulse crops said that that is what we should do. And I met with the president of the pulse crops, Mr. Tait, from Rosetown. And that is what they told us we were supposed to do, Mr. Speaker.

So there are others that would be typical of the same kind of observation. The people in the west side of the province talked to me about fall rye. They said it should be crop specific, and give us improved probable yields so that we can increase our production. That, Mr. Speaker, is the fifth item.

Number six, compliance to GRIP guidelines and regulations. Now in compliance . . . The federal government told us last year that we had to have compliance, very rigid compliance. And so to begin with, you had to have a bench-mark. And compliance was a difficult thing to do, so people were asked to provide that compliance opportunity. Some of it had dealt with the crop insurance from the year before, some of it dealt with initiatives of GRIP in 1991.

But we believe that you need to improve random auditing. And the second thing in that compliance is that grain measuring only for compliance, a random sampling. Just like you do with E&H (education and health) tax across the province, you do the same thing with farmers across the province.

Another thing that people said we should do, we should have more farm checks during the period of time when the crops are growing and see whether the crop was doing what it was supposed to do. And I've travelled. You know, people talk about moral hazard. People have talked about moral hazard, and the government has talked about it all the time. But you go across this province last year and this year, you go across this province and you watch to see how many people on a

road from here to Saskatoon, from Saskatoon to Swift Current, from Saskatoon to Lloydminster, you just watch to see how many people are not complying with good farming practices.

And in all of those travels that I have done, Mr. Speaker, I'll bet you you wouldn't find a dozen. Mr. Speaker, people have the basic philosophy within themselves to say that, I am going to do it for all the right reasons. And that, Mr. Speaker, is what I believe.

And, Mr. Speaker, people on the other side have said, it's because you've got GRIP '92 that the fertilizer sales went up. Well I'll be switched. What happened to the cost of money in the province of Saskatchewan? It went from 15 down . . . or 12 per cent down to 7 and 8. And that, Mr. Speaker, is a bigger reason why there's fertilizer sales in the province of Saskatchewan than any other reason. It has nothing to do with GRIP '92.

If fertilizer was the reason and GRIP '91 and GRIP '92, then what happened to the lentils, Mr. Minister? You get up and answer that question — why lentils are increased this year over last year. And that, Mr. Speaker, is . . . When you get to your chance to talk about this, you can talk about it.

And then we need to probably take, as the farmers have told us, provide some guidelines for better farm practices and show them to people and have them more clearly defined.

Another thing that farmers said should be changed . . . and this is significant because most of crop insurance assessments on land across the province today, and the capacity for it to produce, is based on the type of soil that it is. And, Mr. Speaker, people across the province know, people who have been in the farming business know, that it isn't only the type of soil that makes the crop grow, because we have today an option on inputs that is far in excess of the capacity to influence the ground today than it was 20 years ago. And that's why, Mr. Speaker, there should be less of a reliance on the soil class to give the individuals their long-term average yield.

(1945)

And, Mr. Speaker, I'll just use an example. In the Outlook area, if you go into the Outlook area and take a look at some of the farms that have irrigation on them, they have pure sand there, Mr. Speaker. It is pure sand that they grow alfalfa, canola, and all of these crops. It's a condition that exists to most effectively use not only the water but also the nutrients that are put into the ground. So there should be an adjustment on that.

Another thing that the farmers said is you should eliminate risk areas. And I'll give you an example, Mr. Speaker. If you take a risk area which is in the very southern part of the province of Saskatchewan — you take a risk area that is somewhere in the area of Rockglen, and it goes all the way across, all the way to Eastend and then up north to Maple Creek, and I think maybe even it goes as far north as Richmond and Fox Valley — now, Mr. Speaker, the risk areas in those kinds of conditions are far too big. And I believe, Mr. Speaker, that the farmers are

right. Another thing that, Mr. Speaker, GRIP '92 uses those risk areas. And I believe, Mr. Speaker, that they are a detriment to the kinds of things that farmers can do, because I believe that they need to be covered on an individual basis.

And I guess in order to understand this, I'll use the analogy of people buying insurance on their homes in Regina. Should all of the people in the city of Regina be required to buy the insurance for their homes at a fixed value that would be the average of all of the homes in Regina? And let's say that's \$100,000. If that was what was the limit to what you could buy insurance on houses in Regina, then the people who would be over 100,000 wouldn't be protected, and those who were under 100,000 would be over-protected. And if you had a fire in one that was under, he would be getting 100,000. If you had one over 100, he would only get 100.

And that's why the risk areas under this kind of insurance and 1992 GRIP are wrong. Because they allow averages to dictate what the insurance is going to be. And that, Mr. Speaker, is what's wrong — individual farms for individual crop production.

Another thing that should be done, Mr. Speaker . . . And as we go through the process of dealing with this, we are going to see that different crops have different time lines that they should be seeded in. Different parts of the province have different time lines. And I believe that we should be dealing with those in a very real way.

Another thing that should be done, Mr. Speaker, and the farmers told us this, is that good-experience discounts should be earned on the same basis as with crop insurance. So that if you don't use the program, your premium goes down or your coverage goes up. And, Mr. Speaker, in order for people to understand, if you didn't claim on crop insurance, you could get up to 125 per cent coverage on your yield — or 25 per cent over your yield — in order to give you the benefit that would accrue. And that, Mr. Speaker, is what crop insurance enjoyed, and that's what people asked us to provide in a revenue insurance program. If you don't use it, you get an added benefit.

Another thing that the farmers asked us, Mr. Speaker, was that producers would like to exit the revenue insurance without a three-year notice. Now that is a tough one. But farmers across the province are hampered, I believe. Crop insurance, they can come in and go out every year. They can decide what they want to do. But in revenue insurance, farmers have said, maybe we should do it the same way.

And then, Mr. Speaker, if they wanted to come back in they could have a penalty. You could go out when you wanted to, but you would have a penalty to re-enter, at a staggered rate; let's say 50 per cent the first year, 75 per cent the second year and 100 per cent the third year. You would have full premium cost, full premium load, but that's the way you would work yourself back in.

Now what are some of the administrative-type things that I think should be done? One of the things that one of my constituents told me, Mr. Speaker, as I was travelling

around in 1990 . . . in the spring of '91, and that, Mr. Speaker, was that people should be able to deduct, at the point of delivery of their grain, their premium for the GRIP program. That, Mr. Speaker, would be an added benefit to the people of the province . . . the producers would.

There are a number of reasons why I think it would be a good idea. First of all the farmers would be able to pay it at one point; they would know where it would be. It would be deducted as a part of the production. The third reason would be that it would have an attachment. I believe that the collection on the part of the government would be a whole lot easier, because a little bit all of the time is not as hard to take, Mr. Speaker, as a whole chunk when it comes due in the fall. And that, Mr. Speaker, is the reason why I believe that the payments should be made all through the year.

There are others, Mr. Speaker, reasons why it should be done. Because the Government of Saskatchewan and the Government of Canada borrow money on a continual basis to pay for the premiums. And their cost of financing the programs would be reduced at the same level, because they wouldn't have to borrow or they could forward, hedge the borrowing, whatever they decided to do to accomplish what they anticipated in the premiums. That, Mr. Speaker, is the reason why I think the premiums should be paid at the elevators.

Mr. Speaker, I think that what should be done to enhance the payment process should be that you should have a different kind of ratio on the split on the way payments are made through the years. Farmers told us three times was fine, but moved more to the beginning of the year rather than to the end.

Another thing the producers said, they should have an option to apply their interim payments to any outstanding account balance. So that if you had payments coming and you had a lands branch account, you should be able to say, okay I'm going to pay my lands branch account with my payment from GRIP. Allow the farmers the flexibility to do that.

Mr. Speaker, there are a number of others here that need to be addressed. If people could get an advance on their GRIP like they can get a cash advance on their grain when they know that there's a default, or there is going to be a payment, and then, Mr. Speaker, the farmers could get an advance on that.

I had in here yesterday — and the reason why this is important — I had in here a member of the native community in the province of Saskatchewan. And the natives in this province, because of the relationship they have with the federal government, cannot borrow money against the land in the reservation. They can't do that because they can't use that as collateral.

But what they could do, Mr. Speaker, with GRIP '91 and they couldn't do with GRIP '92, is they could not take it to the bank and borrow against '92 GRIP. But they could borrow against '91 GRIP. And, Mr. Speaker, you want to talk to some of the native people. They will be back again, because they're going to be coming back in. They told us that. They told us that, Mr. Speaker, and I believe them.

And they told us they had voted with the NDP. And they said, we made a big mistake, Mr. Speaker. And that, Mr. Speaker, is the reason why we should have advances on this and also make it bankable.

Mr. Speaker, I believe that one of the items that needs to be addressed, and from all of the indication that I have heard, is that the people in the province like the marketing agents. They like the concept of the marketing agents. And, Mr. Speaker, as I've gone across this province, I've met a lot of them. And you know what they like about it, Mr. Speaker? The people come right to their own yards. The people drive out. They're interested in their own particular farming operations. And that, Mr. Speaker, I think is a very important part of the GRIP program, and I think it should be maintained.

Now what are some other options that could be put in here, Mr. Speaker? I believe because we have so many of the farms in the province of Saskatchewan where livestock are involved directly, Mr. Speaker, directly with livestock and grain, I believe that across this province, Mr. Speaker, we need to have people be allowed to use their livestock as a part of the total revenue from GRIP. They need to be able to insure their livestock or their capacity for net income and gross income and its relationship to the program. They need to include that.

And, Mr. Speaker, I know that as we have talked about it earlier in the period of time, Mr. Speaker, that was voided by the Minister of Agriculture across the way. All in that period of time there was a lot of discussion by the now Minister of Finance, Mr. Mazankowski and Mr. McKnight in dealing with providing an opportunity for forage crops to be included.

Mr. Speaker, there is no hail coverage for forage. There is no storm loss coverage for forage. And today, Mr. Speaker, people who irrigate land in the province of Saskatchewan for forage are not covered and cannot buy coverage.

And so, Mr. Speaker, it would be, I believe, an important part of developing a new strategy — better than tripartite stabilization even, Mr. Speaker — that we would be involved in including all of the farm income in a gross revenue insurance plan. And I believe, Mr. Speaker, that we would have a significant amount of people who would be interested in that.

The second thing that I would like to look at, because it has been an option on the part of the people of Saskatchewan in farms, is that spot-loss hail be made available through the GRIP administration. People from across the province have said that. And as a matter of fact, I would say to the minister that it could be made available through private people if some imagination was used. And that's what I would believe that was a necessary kind of an opportunity. Mr. Speaker, that would provide a method so that the people could have that spot loss covered in a way that would help them out.

Well, Mr. Speaker, as I have made this information available, I want to identify the people who helped make this available from across the province of Saskatchewan. And those were the agents themselves when they asked

farmers, what do you think? What do you think?

Mr. Speaker, they said that these are the things that farmers brought forward. And, Mr. Speaker, I want to point out a number of things, what they are. They are, Mr. Speaker, first of all, sensible; they're reasonable; they would have been the kinds of changes, I believe, that would have made a '91 GRIP almost perfect.

Mr. Speaker, one of the things that they outlined in their letter to us, I believe is very significant. And I want to point out a number of things too, Mr. Speaker. This letter and this information was made available to the Minister of Agriculture himself. This information was detailed in a letter that they sent. And one of the statements that they made, I believe, Mr. Minister, are very significant. One of the things that they said is this: many are concerned that too many changes will flaw a program well understood and a program that has been working for them.

Now I didn't write that.

(2000)

**An Hon. Member:** — That's obvious. It's good English.

**Mr. Martens:** — Mr. Speaker, the member from Churchill Downs didn't write that either, because it would have been worse English.

However, Mr. Speaker, the people of the province of Saskatchewan who deliver the program had that to say about what the '91 GRIP was. Why? Because the farmers from across the province told them that. And, Mr. Speaker, I think, as a part of this, that we need to seriously evaluate how we can, as a farm province, initiate a kind of a program that has revenue insurance that will provide, not a liability to the province of Saskatchewan, but an asset. And so, Mr. Speaker, when all of this comes down to the very last straws and when we vote on this Bill as I've outlined it here today, I will categorically, Mr. Speaker, never ever vote for this Bill.

Mr. Speaker, for me and the province of Saskatchewan, I believe the farmers will never vote for this Bill either. As a matter of fact, I had a fellow from Climax come into my office who told me, he said, you think these guys think that I will ever forget what they have done to us? They think that I'll forget in four years. But he said, I will never forget what they have done to us. And that, Mr. Speaker, are the kinds of things that I have heard from all over this province, from people who have called me and said, it's the wrong thing to do, GRIP '92. And if you go and deal with it in the context of what Hartley Furtan suggested, he said two things that stick out in my mind that will always be there. If you want to look up moral hazard, moral hazard will always continue to exist whenever taxpayers' dollars are involved in any kind of a program. The second item that he said was, if you have drought, you have a problem with '92 GRIP. That, Mr. Speaker, is a fact.

And what do we have across the province of Saskatchewan? We have serious drought problems. Mr. Speaker, the second thing that we have a serious problem with is frost. Where we don't have drought, we have frost, and that, Mr. Speaker, is a fact in the province of

Saskatchewan. As a matter of fact, in July we have had frost in my constituency this year, and not in the fridge either. Mr. Speaker, that's the kind of province we have, and that, Mr. Speaker, is the kind of things that we need to talk about in this province, and we should.

My recommendation to the Minister of Agriculture is this. Let it go for a reference to the Supreme Court. Turn back the opportunity to let the farmers have '91 GRIP. You're almost there already. You've got an offer from the federal government. Take that offer and give yourself time to do the program right, Mr. Speaker, do the program right. Go back to '91 GRIP and do the program right so that all the farmers in the province of Saskatchewan can say, Mr. Minister, you listened.

But have you listened, Mr. Minister? To who? Were you in Shaunavon the day the 1,200 people met and 400 of them walked out when the minister responsible for Crop Insurance decided to talk about whose responsibility it was, and he blamed the federal government? There were people who stood up there and said, you're wrong, Mr. Minister. They yelled at him. They hollered at him: you're wrong, Mr. Minister; just give us '91. You're the one that's taking it away. And when he just blundered on, they turned around and walked out — 400 of them at least just turned around and walked out. And that, Mr. Minister, was not initiated by me. Mr. Minister, in fact that was initiated by some very strong supporters of the member . . . or may be used to be supporters of the member from the constituency of Shaunavon. And that, Mr. Minister, is a fact.

So as I make my presentation as a plea not from the opposition but as a producer in the province of Saskatchewan, think about what you're doing in a number of areas, Mr. Minister.

Number one, you're throttling the court. You're saying you're higher than the court. You're saying that you have more power than the court. You're saying that you know better, and that you will tell the farmers what they're going to do and what they're not going to do. And, Mr. Speaker, that isn't good enough for the people of the province of Saskatchewan. The honourable thing for you to do, sir, would be to say, provide an opportunity for them to decide on their own.

Give them an opportunity. Let them decide which is better. And the consequences, Mr. Speaker, are significant. They are significant in the economic benefit to the province of Saskatchewan because you, sir, are leaving a considerable amount of money from the Government of Canada on the table. And that, Mr. Minister, is significant and I think you should be held accountable for what you're leaving on the table with the federal government.

Mr. Speaker, those are my remarks for today and, Mr. Speaker, I'm going to be voting against this Bill when it comes up the next time.

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

**Mr. Devine:** — Thank you, Mr. Speaker. I too want to join my colleague from the Morse constituency in speaking



against this Bill and I'll do so on several fronts. But I believe among the most relevant arguments why this Bill, as my colleague said, should be referred to the Supreme Court, is the fact that the legal community, including the Premier, including legal counsel across Saskatchewan — and increasingly now across Canada, as we see people look at this Bill — believe that it's unconstitutional.

We believe, as many people here now know, that this retroactive piece of legislation will not only hurt farmers and not only change their economic conditions, but it deprives them of the right before the law and the right before the courts, and it violates their Charter of Rights and Freedoms.

And I'm going to start my arguments tonight, Mr. Speaker — and I will move an amendment to the Bill — but I'm going to start by looking at the latest evidence in the media from the legal community who are saying that this Bill could be unconstitutional. And imagine, here we are dealing with an NDP administration supposedly wanting to help farmers, and they're going to end up in the Supreme Court of Canada breaking the law, breaking the Charter of Rights and Freedoms as they attack farmers — this rural revenge.

Farmers didn't vote for them in '82 and didn't vote for them in '86, and so finally they led them down the garden path and said, we'll give you the cost of production and really help you with your GRIP. And when they got elected, they not only wrecked the GRIP, but they've broken precedent in this Legislative Assembly. They have now broken the law, they are covering up, they're trying to legislate change in history, and now they're going to end up before the Supreme Court. And they've completely violated individual rights before the Charter of Rights and Freedoms.

Today in the paper, in Saskatoon, we had the legal community coming forward — and legal community who at least have been known as NDP supporters — have said, the Bill maybe should be referred to the Supreme Court. Well I don't know where the minister got his legal advice or what the Attorney General is doing, but when you've got NDP lawyers coming out and saying, this is likely unconstitutional, it should go to the Supreme Court, then we've got a serious problem at hand. And the farmers deserve their day in court, as does everybody else.

The Saskatoon . . . I'm going to quote, Mr. Speaker.

A Saskatoon lawyer believes the bill amending the Gross Revenue Insurance Plan is on very shaky constitutional ground and thinks it will be challenged in court.

Audrey Brent, who specializes in farm law, said Thursday she advised clients unhappy about GRIP changes to avoid suing over breach of contract, but to wait and see the legislation and decide whether there were grounds to challenge it.

"Now we know the pill that has to be swallowed" . . . says this NDP lawyer.

"Now we know the pill that has to be swallowed and it will be up to each individual to decide what to do," she said.

The 16-page bill does several things.

In the preamble, the government argues the details of the original GRIP evolved through the spring of 1991 and the former government didn't meet deadlines when introducing it.

The text of the bill not only provides for the coverage changes made this year, it also gives great flexibility to the government to change GRIP in the future. Cabinet will be able to make and change terms and conditions of the revenue insurance contracts, state which crops will be covered and how premiums and payouts will be calculated without a requirement to notify the insured of the changes.

So once the Bill is passed, not only is it retroactive, but the government can then make all kinds of changes retroactively without even notifying the farmers, says this NDP lawyer.

The notification issue is a key element in the opposition to the 1992 GRIP changes.

And she goes on to say:

This week's legislation eliminates the March 15 notification requirement and any future notification provisions.

Well, well, well. The NDP lawyer points out that the GRIP Bill removes past notification obligations and any future notification obligations. So no matter when a farmer signs up, even into the future, it can be retroactively changed because there are no requirements to give notice.

What kind of a Bill, what kind of confidence could you generate in Crop Insurance, a multi-billion dollar agency, when you don't even have to give notice of changes? You can do them retroactively. You can do it in cabinet. You can do it by regulation. Who would trust, who would trust the NDP administration with that kind of power given what they've done — given the flip-flops on taxes, given the flip-flops on health care we heard today, ripping up rural roads, closing hospitals, nursing homes, and now changing tens of thousands of contracts. And this Bill lets them do that retroactively for ever.

This week's legislation eliminates the March 15 notification requirement and any future notification provision.

The bill would also make it impossible (now listen to this — the Bill will also make it impossible) for anyone to sue the Saskatchewan Crop Insurance Corp. or the government over the changes cabinet makes to GRIP.

Not only are you going to be above the law retroactively, but in all future changes that you can surprise people with, you will be above the law. And Crop Insurance or

cabinet cannot be sued in court. What awful, terrible, mean-spirited, ugly legislation. For what? For farmers, you're doing this for farmers? Who's this for, Mr. Minister? Who's it for?

Where are the crowds and herds of people are saying, I want the government above the law. I want you to have these kinds of powers. You can change all of this and I can't sue you, but that's good because you're New Democrats and you're always fair. There's never any patronage. You're always right on the mark.

Do you think the public believes that? And the NDP members left in the House here are saying, well that's what they think, yes. Well imagine the dream world they must be living in when your own NDP lawyers are saying this is unconstitutional and violates the Charter of Rights and Freedoms. And they say, oh that's okay; we're NDP. What an attitude. What an attitude. And the member from Swift Current says, yes and we're nice guys, good guys. And he says, you bet — dream world, the whole bunch of them.

And the NDP admit. They say, well we messed up; we messed up. The minister says, well we'll fix it somehow; it's okay. And they use rougher language than that when they're out in the halls. And in the media they say, well we really made a serious mistake, but we'll ram it through. We'll get over this. We'll get through this. You know who says it. Cabinet says it. You talk to them and say, oh well we don't . . . we'll let the Minister of Agriculture hang out to dry.

(2015)

The article goes on to say:

In court actions already proceeding against the government the Bill states that "a court shall not consider any principle of law or inequity that would require adequate, reasonable or any notice with respect to any amendments or change to the contract."

And this is where the lawyer says, and I quote:

"I think this is the most disturbing aspect," said Brent.

Audrey Brent, a known NDP supporter and lawyer in farm law, said this is the most disturbing because it is retroactive, and they are above the law for ever.

And then she goes on to say retroactive legislation is not something new. It's not necessarily unusual. She said the Conservative opposition has had it. And she referred to the highly controversial Bill 16.

There is precedent for the government making changes . . . but here what you have is clear acknowledgement of breaches of contract and then, for their (the government's) own purpose, legislating them away.

See she even makes these changes, Mr. Deputy Speaker. She says:

There is precedent for government making changes . . . but here what you have is a clear acknowledgment of breaches of contract . . .

In other words, the government has acknowledged it broke the law — a breach of contract, and then, for their own selfish purposes, legislate these responsibilities away. Now no wonder lawyers are upset and no wonder people are saying this should go to the Supreme Court. You admit you've broken the law. It's a breach of contract. And then to cover your tracks, you bring in this legislation so NDP lawyers are on the front page of the paper in Saskatoon saying, no you can't do this.

The rule of law, rights and freedoms, legislative rights, democratic rights are more important than your political agenda or more important than one-half of 1 per cent of the budget that this was going to cost you.

Brent says, the legislation can be attacked in two ways, Mr. Deputy Speaker. This ugly piece of legislation, according to NDP lawyers, can be attacked in two ways.

(She) would argue that the GRIP is a tripartite program involving the farmer, province, and federal government. This bill affects the federal government and because provinces can't make legislation binding on Ottawa, the bill is unconstitutional, she said.

Second, she would argue the bill contravenes the Charter of Rights and Freedoms.

Well how about that? Here is the Minister of Agriculture for the NDP, who is being chastised by an NDP lawyer saying the Bill is unconstitutional and should go to the Supreme Court. Second, she would argue the Bill contravenes the Charter of Rights and Freedoms.

And this is attempted to be passed in this Legislative Assembly, Mr. Deputy Speaker, when lawyers are saying they've never seen as ugly, retroactive, unconstitutional lack of respect in terms of a piece of legislation in their life.

Well it seems, Mr. Deputy Speaker, that the Minister of Agriculture and the Premier and the NDP cabinet ministers want to be above the law. And they deny people their right to be in court and have their day before the courts — no rights. So who could be next? You can do this to farmers. In the legislation we've seen before the House, you can walk into anybody's house now, and a cabinet minister has the power, if there's a bar of soap at a person's house and you think it might be environmentally a problem, in you go. And there's no recourse before the courts.

Will you break union contracts like this? Retroactively. Somebody signs a contract, they go by the dates of the contracts, they've been operating without a contract, you say well, we'll unilaterally change this, the contract won't be valid. Can you imagine the uproar, Mr. Deputy Speaker? Can you imagine it in your riding if you retroactively changed union contracts like this? Would you support that? Would members of this Legislative Assembly

support retroactively breaking union contracts?

What about teachers? Teachers sign contracts. Nurses sign contracts. And we have federal money involved in health care, in transfer payments, big time money. And you say, well they cut us back, the feds cut us back in health care transfers or something else, therefore we're retroactively breaking the nurses' contract. That's what you're doing here. How unconscionable. How undemocratic. How illegal. Breach the contract because the feds say that they're going to change the money supply, and you're saying well, I'm going to retroactively change the legislation so that they have no more contract; it's void.

Now can you imagine campaigning on that, Mr. Deputy Speaker? Can you imagine that? Nobody would dare do that. But you've done it here in this Bill for farmers, and it means you have the moral mind-set then of course, or the immoral mind-set, to do it to anybody. You could apply this same logic because the feds are involved in money and health, money and education, money and agriculture. You could change teachers' contracts retroactively, health care contracts retroactively, telecommunication contracts. SaskTel was competing interprovincially and internationally, you'd say well, SaskTel employees, you have a contract, but because this is changed, we're going to retroactively rewrite your contract or it's void. How absurd.

And that's the kind of legislation you have here. And that's what people know you can do. You've done it with civil servants already, and put yourself above the law. You fired them. You've asked people like Judy Bellay, for Heaven's sakes, who used to work for the deputy premier, Pat Smith, pay last year's salary and don't even work. I mean, we're above the law. What a way to treat a person. Ugly pieces of legislation. And you passed Bills in here last fall to protect you so people couldn't sue you.

This GRIP Bill has got NDPers, Liberals, Tories, anybody else with any kind of decency, really upset. It's the worst piece of legislation in Saskatchewan's history. And on top of that — given all the history of the medicare debate, the potash debates, and other kinds of controversial debates in here, and privatization, nationalization — we've never had closure, on closure, on closure, and muzzled the members, but only the new-found Democrats do that.

Bring it right into here and change the rules, change the law, retroactive, all of those things, because you're above the law. Above the law. Forget the morality of it. Forget the constitutionality of it, the parliamentary democracy associated with it. You're above the law. And I'm going to get into what your reasons are. And I can quote you some of your hypocritical attitudes when you were in opposition.

Well I point this out, Mr. Deputy Speaker, that today in the newspapers we've got well educated, trained, recognized NDP lawyers, who are saying this is a terrible Bill for two reasons: one, it's unconstitutional and two, it violates the Charter of Rights and Freedoms in the country of Canada. And it's done by NDPers who supposedly want to help you.

And it's the same legislation they could use to break contracts and yes, as my colleague pointed out, to break treaties. And the native community and the Indian community have brought that to our attention. Because if you can break any kinds of laws like this, you can therefore retroactively break treaties. And this kind of Draconian, unilateral action has them upset. And you'll certainly be hearing more about it. And native leaders and native people who've come in to see us said, we voted NDP but we had no idea these people would be like this. And they're ashamed of it. And they're telling their members. Ashamed of it. It's awful, ugly piece of legislation. For what? For what? What's the reason behind this? To protect the Minister of Agriculture's political hide? Is that what it's all about?

It certainly can't be about \$23 million. What is it? It tells you what they're really like. It tells you what they're all about. The rule changes here, the unilateral changes in the Assembly here, going into estimates with closure where the minister can't get on his feet. I mean, we have never seen this kind of stuff before.

Well I agree with my colleagues that this should be a reference to the Supreme Court right now. Screw up your courage and do it. Show them that you're not afraid, that you've got some backbone. You've got some principle. And if you're right before the Supreme Court, fair enough. But you are not above the law. In this Legislative Assembly, even though you've muzzled our right to speak on many, many occasions, people are now recognizing that you are not above the law.

And we'll have this Bill all over the province in every hand . . . and anybody whoever concerned about their rights and freedoms constitutionally in the Charter of Rights and Freedoms.

This is another article. And the headline is that the NDP Premier is dancing around the GRIP issue. And it goes on to say:

Back in the legislature Thursday after a round on constitutional talks . . . (the Premier) was dancing around the issue of whether the . . . GRIP farm aid Bill would rob farmers of their constitutional rights . . .

The law, if passed, would extinguish the right of farmers to sue the government over failing to give proper notice over changes to the program . . .

Outside the Assembly (outside the Assembly) Romanow deflected reporters' questions about whether the rights of farmers to sue the government were being legislated away saying he didn't want to express a legal opinion.

Here's a former attorney general, a lawyer, who doesn't want to express a legal opinion. And he goes on to say, which is very interesting:

"The courts will have to decide that," he said.

Well first of all, the farmers can't go to court because you've made it above the law. And secondly if he really

believes the courts should decide, then have a reference to the Supreme Court.

You can't have it both ways. He can't run out and say, the courts will have to decide when you know that the courts can't deal with it because you won't let farmers go to court and sue you because it's right in the Bill. That's how cowardly it is. You won't let the farmers go to court.

And your leader stands up and says, the courts will decide. Who does he think he's fooling? The only other court is the Supreme Court. So if you've got the courage, then take it to the Supreme Court. Then we'll all know. Get a reference because it's going to end up there anyway. People are so upset with this ridiculous piece of legislation and the attitude and the reasons for it. There are no reasons for it. What's the reason for this? To help what farmer? To help what principle? Well if the NDP Premier said this should be settled in the courts, there's only one court left, Mr. Deputy Speaker. That is the Supreme Court and he talks on it.

... the issue of retroactively changing contracts, Romanow said the 'larger public interest' justified what was being done to the GRIP program.

The larger public interest — what is that? What is the larger public interest that puts you above the law? What is it?

On the issue of retroactively changing contracts, Romanow said the 'larger public interest' justified what was being done to the GRIP program.

What is this larger public interest? Whose public interest? Whose public interest? Is it dollars are more important than the law; dollars are more important than principle; dollars are more important than this Legislative Assembly; dollars are more important than the constitution; dollars are more important than the Charter of Rights; dollars are more important than people, from so-called socialists with a heart. This larger public interest — whose interest is it to bring in this Bill?

My goodness, what a statement. He says it'll be settled in the courts and he removes the courts from the farmer, then he says it's in the larger public interest. Whose interest? For who is this going to help? What? Who? What constituency benefits from this? What legacy to Saskatchewan benefits from this — this new-found democratic principle that you're above the law and retroactively can change it and for ever retroactively change it, for ever, without notice?

Well these stories yesterday and today tell you what it's about. There's no plan; there's no idea of helping; there's no idea of conscience; there's no idea of decency. Nobody would vote for this; nobody'd campaign on this.

I raised this in question period. And I'm going to go back to it again. This is June 23, '92.

(2030)

This is the NDP Premier and it's about GRIP and he says, and I quote. This is a little bit of conscience coming out,

okay. I quote:

I worry about contracts and all of that (says the NDP Premier). I mean, one has certain rights (he says).

One has certain rights. What did the lawyer say today in the paper? You have rights. Decent men and women in democracy have rights before the law and a Charter of Rights and Freedoms. And the NDP Premier let it slip here on June 23. He says:

I worry about contracts and all of that. I mean, one has certain rights. That's where the merit of the PC walkout is.

Well how would you like to hear that in a court of law, when the Premier that's introduced this retroactive legislation that is going to be challenged constitutionally admits that he's worried about the rights and he's worried about contracts. Well, Mr. Deputy Speaker, I think that says it all. Out here in the alley, out here behind the rail, he says it'll have to be settled in the courts; I'm not going to give you a legal opinion. And then he takes your right away to sue, and then he goes on to say:

I worry about contracts and all of that. I mean, one has certain rights. That's where the merit of the PC walkout is.

So we have to wonder, Mr. Deputy Speaker, what is this bigger public issue, that he'd run the risk of his political career, his political history, that he would run the risk of hurting people's rights, denying rights, denying access to the Supreme Court, flying in the face of the Charter of Rights and Freedoms as one of the attorney generals that was involved in the Canadian Bill of Rights, and he's worried about ...

Why would he do this? This has got to be — you think — maybe the dumbest thing that you could do politically. It hurts everybody. It hurts the whole party. It hurts your caucus. I mean, it's obviously the minister is into it right up to here. And you could say, well let him go; he's done. But why are you all sort of riding with it? You know that it's not right. You can let him go, but the problem is more of you are going to go with him, because if you vote for this, you're just like he is. He made a mistake, and he says, we'll get by it somehow. But your caucus rode it with him. He got on that bronc and it piled him into the rhubarb, and you were right there in the saddle with him, and you're going to go down in the dust with him because the Premier's admitted it isn't right.

And NDP lawyers admitted it isn't right. Your caucus admits it to us and to the public; it wasn't right. It's a big mistake. Your cabinet ministers admit you really messed up on this one. And yet you still do it. You're up to here in political sin, and you're still revelling in it. Money is more important to the NDP than rights — legal rights, democratic rights, or parliamentary rights. That's what we're into right here. Twenty-three million dollars and it's above the law because that's what it cost you. You don't care. The bigger public issue ... If you don't think it's money, then you tell me what the bigger public issue is. What is it? What is it?

The NDP Premier says:

I worry about contracts and all of that. I mean, one has certain rights. That's where the merit of the PC walkout is.

**The Deputy Speaker:** — Order, order. I ask the member for Last Mountain-Touchwood to have the courtesy of listening to the member as opposed to interrupting the member, and to not interrupt the proceedings again.

**Mr. Devine:** — Well thank you, Mr. Deputy Speaker. Obviously I'm getting the attention of the opposition who are ashamed of this piece of legislation. And they should be. They should be absolutely ashamed. There's no defence of this — none whatsoever. I don't know who it helps.

Last fall on a CBC (Canadian Broadcasting Corporation) program on several items — this is October 9, 1991 — the NDP leader was a guest. And he's talking about GRIP and NISA (net income stabilization account) and he says, well the contract calls, for example, in GRIP and NISA, the agreement calls for a one-year review of how it's working. This is the NDP leader, then leader of the opposition, and he says, the GRIP Bill calls for a one-year review of how it's working.

Then he goes on to say this: that is written right into the contract. October, he says, in that GRIP and NISA contract there's a one-year review. And I quote: that is written right into the contract. I am presuming that the authors of that program contemplated that by after one year's operation that we will have a better idea of whether or not it's working.

He admitted that there's a one-year provision in the contract, and he said contract like maybe you should live up to the expectations and the letter of the law on a contract. Here's a lawyer talking about a contract and says, we can review it after a year; that's built right in. And he brings in legislation that not only doesn't give you a year, it doesn't give you six months, it doesn't give you 10 seconds. It gives you a void and it takes it right back to January '91. You didn't exist in '91.

And he talked holier-than-thou about, well it's right in here, that is written right into the contract. What malarky. And you're going to vote for this and you're going to defend this. Where? I wonder, I wonder.

I'll tell you, everybody's going to get a copy of this Bill and all your comments about how you have some higher, higher calling that puts you above the constitution and the Charter of Rights and the Bill.

And the Bill, and ironically, Mr. Deputy Speaker, and the Bill in the third . . . whereas in the Bill, they go right on to say . . . and it's ironic because they just come right out and say, well they messed up, and we'll just retroactively rewrite it. They say:

WHEREAS changes were made by the Government of Saskatchewan to gross revenue insurance program contracts after March 15, 1991 . . .

Whereas the changes were made . . . which means they broke the law and they acknowledge it. Then they go on to say, section 5.4:

Notwithstanding any other provision of this Act or the regulations, section 49 of every revenue insurance contract deemed to have been entered into pursuant to subsection 5.1(1), being the provision stating that any changes in the contract shall be mailed to the insured not later than March 15 of the year for which the changes are to be in effect and that those changes are deemed to be part of the contract on and after April 1 of that year, is void and of no effect and is deemed to have always been void and of no effect.

Imagine, you are deemed to have always been void in 1991. What's void? It's empty, hollow, of no substance. That describes not only the minister but the cabinet and the caucus that would present this before the people of Saskatchewan saying, well this probably is against the constitution; it's probably against the Charter of Rights; it really upsets a lot of farmers. And we could probably do it with other people, but we'll do it anyway because we have a higher calling.

Well what is it? What is it that drives you to do this?

**An Hon. Member:** — Money.

**Mr. Devine:** — And if it's only money, what are you NDPers for? I thought you believed in rights and conscience and the poor and the farmers and the down-trodden. And the Minister of Health advised me today she's getting 13.6 million out of people who are sick just with eye problems and with back problems — today.

And now you're retroactively changing the law so you can get a whole bunch more money out of farmers. Doesn't matter that they're going broke. You campaigned in the middle of a crisis, a rural crisis. Cost of production for the farmers, says the NDP leader, lower premiums. And that's in here too, lower premiums. And you got none of it. You got higher premiums; you got less coverage. No cost of production. Less money from the feds. You've broken all kinds of contracts. Used to be able to write off your sales tax on your trucks or your farm machinery or anything else, but you wrecked that too. And then you bring in this legislation which is far beyond agriculture — way beyond agriculture. It goes at the heart and soul of democracy and the rule of law.

And we have more and more and more people going to recognize this is ugly legislation that belongs in some other century, in some other country — not here in Canada in 1992.

I want to give you some idea of what people think of this. And, Mr. Minister of Agriculture, you wrote farmers on July 21 telling them what a good idea this GRIP was. I've had lots of letters from NDPers who said, I didn't think he was going to do this; I can't believe it.

But there's a couple of problems in here, and I've raised it in question period, Mr. Minister, and I'm going to raise it again. You wrote the farmer, after we've had it confirmed in the budget, that your Agriculture and Food budget is reduced from \$331 million down to 265 — 40, \$50 million reduction. Crop Insurance is down; roads are down; rural hospitals are down. You're spending less in rural Saskatchewan.

I'm going to tell you something. And the minister says that the interest is up. Interest rates are down, thank you very much. Interest rates are down. Interest rates are down . . . (inaudible interjection) . . . And the member from Swift Current hollers, 760 million. Well if you think that was serious, why did you promise to cut taxes, Mr. Minister . . . (inaudible interjection) . . . Now he says that he didn't know. Well the Leader of the Opposition knew. Everybody knew. They said in here that it was 14 billion, and that's what it is. And then he promised tax cuts. What about . . . (inaudible) . . . It's still the accumulated is there and he talked about it. And then he says, I'll cut taxes. Boy isn't that something. Now they chirp, Mr. Deputy Speaker, now they chirp. They have cut the agricultural budget by . . .

**The Deputy Speaker:** — Order, order. This is the second time that I've had to call members to order, and I ask them — order — I ask them to observe decorum and not interrupt the speaker.

**Mr. Devine:** — Thank you, Mr. Deputy Speaker. I want to go back to the budget because we talked about it with the Minister of Finance and I want to remind the Minister of Agriculture. He's cut the agricultural budget from 331 to 265 million — 40 or \$50 million cut. He has cut crop insurance. He's cut rural health care. He's cut the Highways budget. He's cut agriculture in terms of FeedGAP (feed grain assistance program) and other things. And then he writes to farmers on July 21 and he says this:

The province, in spite of its limited financial capacity, has taken on a dramatically increased role in providing income support to farmers.

Where is that, Mr. Minister? You've cut every single department. And you went out and didn't tell them the truth. Your letter says:

. . . in spite of its limited financial capacity, (the province) has taken on a dramatically increased role in providing income support to farmers.

Try that to the hog producers. Try that on the beef producers. Try that on wheat and canola growers. That's a bold-faced falsehood. You didn't tell the truth. You didn't tell the truth. You cut the budget by tens of millions of dollars in all of agriculture and you write the farmers a letter. Why don't you send them a copy of the budget as you're ripping up the roads and as you're cancelling their pension and as you're wrecking the GRIP and as you get rid of all that?

That's the first thing. You know, that's what makes these mad. And then here's a letter. You sent this letter to a Mr. Hookenson at Kisbey. Some Hookensons are known to

be fairly good NDP supporters. Well they're not any more.

And he gets this letter and he's just irate, he's just irate. He says, where did this guy come from? And I'm going to read. And he sent this to the *Leader-Post*. I mean, this isn't confidential. He sent it to the *Leader-Post* and to the Leader of the Opposition and the NDP leader.

(2045)

He says: please find enclosed copies of the correspondence taken to all the farmers. That's where you didn't tell the truth. You tried to tell the farmers you were spending more money for income support, but you're spending less. I don't know how you could . . . Where do you get the conscience to do this? Where do you get the conscience to do this?

What is he going back to 1988. They're void, right? Remember the past? You've wiped that out. It doesn't count. You can't be that hypocritical and jump back into the past and make it relevant, and then when it isn't, bring in legislation to say, oh no, that's void. What a joke.

First, let me point out . . . and this is Mr. Hookenson writing you.

First let me point out that on the meeting with you the day of the Farm Rally at the Legislature. We the concerned farmers pointed out that by changing GRIP without due consultation you were in breach of contract and therefore you would bring about a law suit from farmers against the Province.

Secondly, (Mr. Hookenson says this) we pointed out that by changing GRIP in this way, you would be subjecting farmers to the full brunt of any natural disaster, with very limited protection compared to the old program.

This is what they told you.

We pointed out that by doing this you have placed the farmer in the firing line between Ottawa and the province. (And you were warned.) It is bad enough that we have been caught in the middle between the U.S.A. and the E.E.C. but now we're also caught between two Warring Political Factions!!! The Provincial N.D.P. and the Federal Conservatives. On my farm alone (Mr. Hookenson says) the changes to GRIP amount to a possible loss of over \$71,000.00 from GRIP 91 to GRIP 92 based on the same seeded acreage (of) . . . of Durum and Hard Red Spring wheat.

Then he goes on to say, Mr. Minister:

You dismissed our plea and warning and therefore have placed thousands of farmers in a disastrous position due to drought and potential frost.

He's recognized it immediately. Not only your letter was phoney, but he says, if you have a crop failure because of drought or frost, he can be out \$71,000 in his farm alone.

When you developed a program that would pay a farmer who grew 50 bushels per acre of canola, a full acreage payment under GRIP, what in the world were you thinking of? You weren't sensitive to the things that the member from Morse brought forward. You don't know what . . . have any concept of what the moral hazard means, when you bring this kind of problem in, you have a great crop, 50 bushel canola, and you get a payment. And if you get burned out, dried out or froze out, you just get a little bit of coverage.

And he goes on. This is the classic line:

Farmers need protection against bad times and not against good times!!

And you're suing them to make sure that they get it bad all the time. This is the agricultural wellness model — the new ag wellness model. And it's just as much of a farce as the health wellness model. Charge people. Charge them if they're sick. Charge them if they're in a drought. Charge them if they've got problems. Charge them if they've got low-price wheat.

In closing let me say this, I feel greatly for the farmers with no crop caught in the middle between the Province and Ottawa. The people of this province deserve to know that you have given every farmer in this Province a horrendous cut in income and that because of this every city, town, village and business will suffer the consequences.

For the people that designed this New GRIP and signed it I have nothing but CONTEMPT, (says Mr. Hookenson) every farmer and business person in this Province should write and let you and the GRIP Committee know exactly what they feel about it in no uncertain terms.

Well, Mr. Minister, you have got lawyers saying that it's all wet and it's wrong. You've got farmers saying the same. You've got the native community saying it's not right. It's dangerous precedent legislation. You've got union people who have contracts who say this is very, very scary stuff. You've got public employees who you've fired and then went above the law. You have taken this Legislative Assembly, you have changed the rules. You have modified the behaviour in here so that in fact you can muzzle people when you want to. You have protected ministers from even answering questions in estimates, and then you pass legislation or bring it in here that puts you above the courts.

Now what is this higher purpose, my NDP colleagues, for this kind of activity. What is it? Because you don't have money? You had the opportunity to have harmonization. You have the opportunity to raise money in all kinds of ways. You've got money for your friends. You've got all kinds of money for patronage. You've got patronage coming out your . . . you got money for this friend, that friend, on this board. This land bank guy gets 60, \$70,000 with the same house. You've got money for all your friends but you don't have the courage and the decency to deal with this place and the public fairly, and that's a fact. Because I don't see what higher calling this is all about.

There's no legal protection or justification. The Premier doesn't give us any legal justification. He says, I don't want to talk about it legally. If he had half a case he'd be talking about it legally, but he doesn't want to talk about it. And what's more, he won't let anybody sue him, because he's going to be above the law and he says, I won't talk about it legally.

Well you're right. The NDP are not above the law, and they're not above the political law of the land, which says you will have to justify this and similar kinds of legislation in front of everybody in the months and weeks and years ahead. And this is your legacy. This goes down for ever. This is here. You changed the rules. You brought in the legislation. You will be before the Supreme Court. You will be challenged on the Charter of Rights and Freedoms.

You'll have NDPers ripping up their cards, farmers, lawyers, union people, and others — and I don't know for what. What's it all about? What's it about? What's it about? It's because of good management when you're elected to be for the people, for the people? For Heaven's sakes, this Bill isn't about management. It's about your own narrow-minded self-interest.

I want to point out, Mr. Speaker, Mr. Deputy Speaker, if I can find it here . . . If in fact they think that this is something that is going to balance the budget, it's just a little bit like the health care Bill that was in here earlier today — 13.6 million they're going to tax the poor that are sick so that in fact they think that they can contribute to balancing the budget.

And every time we ask the Minister of Health, why are you doing this, she says, well we have a deficit. Well every province in Canada has a deficit. How about that? So the end justifies . . . Tax the sick. Be a good NDPer and tax the sick.

**An Hon. Member:** — You're the champions of deficit.

**Mr. Devine:** — Well and the member from Swift Current says, we're the champions of deficit. Well I'll tell the member, if you can have your leader before an election say this — just think about this for a moment — we've got a \$14.2 billion debt. That's what he says. This is early October, '91. And then he goes on and says, but if we're elected, we will remove the provincial sales tax. Well how could you campaign on removing the provincial sales tax when he acknowledges we've got a \$14 billion debt and still look yourself in the mirror?

And the member said, oh, it was a dumb tax. Well the chambers of commerce and the board of trade and the farmers and the oil patch and others said, well at least we co-operated with the feds, with their national tax program. We get it all back. We save 5 million a year, which you can use for agriculture and health care.

But no, you were so hungry for power you said, well we'll go do it some other way. We'll get through it somehow. And isn't that what the Minister of Agriculture said? So you campaign to reduce the tax or take it off, to lose 2 or \$300 million and then when you're elected go back in, and what do you do? You have a higher calling all of a sudden.

What's the higher calling? Oh, oh, we need money. Oh, oh, there's a debt. You talked about the debt for years and all of a sudden, oh, there's a debt, and you got to do something. And what do you do? You attack farmers; you attack the sick. You break contracts; you break the Charter of Rights and Freedoms. You're going to be challenged at the Supreme Court because it's unconstitutional, and you're doing this because you got elected on a sham.

That's the whole reason. There's no other justification. Well we got elected; now what are we going to do, boys? Holy smokes, they voted for us; they believed us. Oh my goodness! And they open up the books and say, well there's a \$14.2 billion debt. Well that's what we said before. What'll we do now?

Well we'll go tell them that we found some new debt somewhere and we'll take the old accrual method and we'll bring up all this stuff and we'll write it off and say, oh my gosh, look at that. We won't have any tax measures for the first six months — blame Devine for that. Got an \$800 million debt in the first month; 500 million with this budget. And then say, but then we have to get really miserable and people will understand. They figured you out.

Who do you think . . . this province is politically astute. And you can play those kinds of games but nobody believes you can't do better than this. They threw us out, he says, and they voted for a falsehood because you said you could balance the budget and cut taxes at the same time. And you campaigned on it. And do you know what? You're not doing it. You are against the law; you are breaking contracts; you're going to break the Charter of Rights and Freedoms. And you increased the sales tax 15 per cent on every item in the province of Saskatchewan.

On top of that, Mr. Minister, Mr. Member, you're going to do that. And you're going to continue to increase. You took off harmonization on a handful of items and then you increased it on tens of thousands of items. Every time you go to a shopping centre, you go to a store — Canadian Tire, Eaton's, Sears — you pay 15 per cent more on everything because they voted NDP. That's the higher calling, the reason that you think you're above the law. You got caught on your own falsehood.

**An Hon. Member:** — Because we believed you.

**Mr. Devine:** — No, they thought they believed this guy over here, that he knew what he was talking about. And you didn't tell him the truth. You didn't tell him the truth. So you ask people.

When you said, I'll give you cost of production; I'll cut your taxes; I'll increase health care expenditures; I'll do all this and I'll do that . . . You've got \$1.3 billion extra deficit and your credit rating's going through the floor.

Your reputation is as bad as it is in Ontario. What have you got in Ontario? Nine billion deficit the first year; nine billion deficit the next year. What did they promise? Oh we can do better than the Tories or the Liberals.

You're twice as bad as they are. Your credit rating is worst

than Ontario's, just going like this because you don't have an economic plan. You don't have an agricultural plan. Your wellness model is just huff and puff, as the member from Rosthern pointed out. You tax the sick. And then when you get in real trouble, you change the rules in the legislature because you don't want people to debate. You bring in closure, and then you say, and we won't let anybody sue us because the NDP are above the law.

What a bunch. It is pathetic. It is the weakest show of honourable Democrats in the world. It's awful. It's absolutely awful.

So, Mr. Chairman, I'm not going to support this Bill. I don't know how anybody over there . . . That's why the House is practically empty because they don't like this. I'd go on holidays too if I was an NDP member and had to sit and kind of clap for this stuff. But I'm not going to support it. I'm not going to support it. And I'm here arguing for it on Friday night . . . arguing against this on Friday night because this is shameful legislation.

So I'm going to move an amendment, Mr. Deputy Speaker. And it's going to be seconded by the member from Rosthern . . . Morse, pardon me. And the amendment is simply this:

That the words following the word "that" be deleted and the following substituted therefor:

this Bill not be read a second time because the House Leaders have not reached agreement on the principles involved and the process in which it has been brought forward.

I so move, Mr. Deputy Speaker.

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

(2100)

**The Deputy Speaker:** — I thank the Leader of the Opposition for the amendment. I wish to reserve my ruling on the amendment itself but will allow debate to continue on the main motion and then we'll bring in a ruling on the amendment. In the meantime debate can continue on the motion.

**Mr. Neudorf:** — Thank you, Mr. Deputy Speaker. On a point of order, it is significant to the opposition that we be allowed to speak in the order in which we intended to speak. And the member from Morse originated this debate, and then the Leader of the Opposition has spoken secondly to the main motion and made an amendment. And it is the desire of the member from Morse to speak to that amendment. So I would ask you now to make a decision on the validity of that amendment before we continue further in this debate.

**The Deputy Speaker:** — Order. I find the amendment to be in order. Debate on the motion and the amendment will continue concurrently. Those who have spoken to the main motion but wishing to speak to the amendment must speak directly to the amendment.

**Mr. Martens:** — Thank you, Mr. Chairman. Mr. Speaker, I



want to read the amendment so that people will understand what we're dealing with here. We want this Bill not to be read a second time for this reason: because the House leaders have not reached agreement on the principles involved and the process in which it has been brought forward.

And so I want to raise that as a point and as two basic points, one on the principles and one on the process. And, Mr. Speaker, the principles of the response that I want to make come in this fashion. There were, in the province of Saskatchewan, some 50,000 people. There were some 50,000 people, Mr. Deputy Speaker, who either received or got a copy or could get a copy of a little pamphlet called "The Contract of Insured Revenue Insurance." And, Mr. Speaker, the heading at the front end of the little pamphlet says this, and this has been the stumbling block for the Minister of Agriculture right from the beginning. And the first day I discovered this, I said the fellow has floundered and has fallen. The contract reads this, Mr. Deputy Speaker:

And these are the principles that haven't been brought forward to be discussed between the House leaders. Saskatchewan Crop Insurance Corporation is making a contract.

And it states that and goes through it, right through the whole process.

Mr. Speaker, I want to tell you where I picked this up. It was available to me at a rural service centre. That's where I went and picked mine up because I personally don't have a contract with Crop Insurance. However, Mr. Speaker, I went and picked this up at the farm service centre in Swift Current. And I went through the details of this little pamphlet. And there's two of them like this. One deals with a crop insurance contract. And the other one deals with the revenue insurance contract.

And in this contract, Section 49 states this:

Any changes in the contract shall be mailed to the issuer not later than the 15th of the year for which the changes are to be in effect. And those changes are deemed to be part of this contract on and after April 1 of that year.

And that, Mr. Speaker, is where the farmers of Saskatchewan have a legitimate case in court.

And those are the principles, Mr. Speaker, that I believe that the House Leader on our side and the House Leader on the government side should have been discussing because we have some very fundamental differences of opinion. And, Mr. Deputy Speaker, the people who are responsible for leading this Assembly asked this Assembly to have the House leaders review that and negotiate a settlement not only on the GRIP Bill, not only on the GRIP Bill, Mr. Deputy Speaker, but on the fundamentals of process that came to the place where we are today.

Mr. Speaker, the people of the province of Saskatchewan, I believe, were denied a democratic right. And if I was to bring forward all of the different speeches that I have

heard in this Assembly in 1989, that said that bell-ringing, stopping bell-ringing was against the constitutional or the democratic right of individuals, Mr. Deputy Speaker, I could read here for days on just the speeches that were made and the total contradiction of the focus of people from that side of the House and what they believed three years ago and what they believe today. And, Mr. Speaker, I wonder if it's what they believe or whether it was what they were told to say.

Mr. Speaker, in the process that evolved in coming to this point, we have had a series of very, very serious areas of differences. I want to lay this out because people in the province need to understand, because this whole discussion on GRIP is tied to the process that we got to in this Assembly.

Mr. Deputy Speaker, prior to this session beginning, I and the member from Rosthern were asked to be members of a committee that dealt with rule changes in this House. And, Mr. Speaker, in that process of events as it took place over the period of time, the process evolved to this point where we are today. And that says that you can have bell-ringing for 30 minutes on a basis of a major debatable motion, and 10 minutes for anything else.

And, Mr. Speaker, I heard members, one after the other, of the 26 that are sitting on the other side who were here prior to '91, speak on this issue, speak on this issue. Sometimes they were good debates and sometimes they were not. But, Mr. Speaker, the fundamental freedom that they got when they discussed it was that the government of the day withdrew the motion to restrict bells. They withdrew it.

And you know what they did with it, Mr. Speaker, in 1989? They put it in the hands of the Rules Committee. That's what they did, Mr. Speaker. They put it in the hands of the Rules Committee so that the Rules Committee, outside of a session, brand-new people in it, could decide on process — process that would evolve into a place where the Legislative Assembly could function in a fashion that was better than it was before, not worse; where the rights of individuals would be more enhanced, and the rights of the democratically elected people would be enhanced.

And what have we got, Mr. Deputy Speaker? The process evolved from the place where we went through, we've got agreement on about 18 or 19 items, and the process came to the place, Mr. Speaker, Mr. Deputy Speaker, where a decision was made to have 50 sitting days on the changes in the Assembly.

One of the things that was said by the chairman of the committee was that the decision reached would be unanimous and it would be a unanimous presentation in the Assembly. And, Mr. Speaker, I was asked to be the vice-chairman of that committee and as a vice-chairman of that committee, I seconded the motion to present the new rules to this Assembly and the process that evolved is dominant history in the province of Saskatchewan today.

Mr. Speaker, Mr. Deputy Speaker, the first unusual item or event that occurred was when the member from Regina Victoria came to me and said . . .

**The Deputy Speaker:** — Order. Order. The member should know better than to involve the Chair in his remarks.

**Mr. Martens:** — Mr. Deputy Chairman, Mr. Deputy Speaker, there was a member from this Assembly who came to me and said, would you be prepared to second a motion that would change some items in the rules that were there that weren't of benefit to the media in the province of Saskatchewan? And he came to me after the bells rang and he said, would you move this as a seconder? And I said, what's it about? Tell me. Most of the time, Mr. Deputy Speaker, this is all done in the committee. Most of the time it's supposed to be done in the committee.

And that, Mr. Deputy Speaker, was what should have happened on that occasion. And I said, no, I'm not. I would have been prepared to do it if the process would have been followed. But no — a big, overpowering government says, we can do it just like we want and nobody can stand in my way.

It's like this Bill, Mr. Deputy Speaker, like this Bill. Just because I made a mistake, I'm going to make everybody pay. Everybody's going to pay for my little mistake from the member from Rosetown-Elrose. And all of you are going to pay for that when you stand and vote in here to snub the nose of the court. Those are the principles involved, Mr. Speaker, and that's process. And how can you eliminate one and uphold the other?

Another item that was brought forward is that the decision was made in the Rules Committee unilaterally — unilaterally without any option for change whatever, that the rules would be changed in the bell-ringing. And what have we got, Mr. Speaker? We have a decision on the part of an overpowering majority in government to say, we're going to change the rules. We're not going to do it this way. We're going to make, Mr. Speaker, the rules so that you have to live by them. And that, Mr. Speaker, is exactly what we've got here, Mr. Speaker. The process of the Rules Committee in dealing with the kinds of things that we have here today is wrong, Mr. Speaker, totally wrong.

I want to point out to you, Mr. Deputy Speaker . . .

**The Deputy Speaker:** — Order. Why is the Government Deputy House Leader on his feet?

**Hon. Mr. Shillington:** — With leave, I'd like to introduce a guest.

Leave granted.

(2115)

## INTRODUCTION OF GUESTS

**Hon. Mr. Shillington:** — In your gallery, Mr. Speaker, is an individual by the name of Eldon Johnson with whom I've had the pleasure of working over a number of years.

Although I believe his brother was in politics, Eldon always showed just a touch more sense than that. He has been very active in the Saskatchewan Archaeological

Society and has contributed a great deal to this province and the preservation of our archaeological records. I'd like all members to join with me in welcoming a citizen who is both distinguished and has given long service to this province.

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

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 87 (continued)

**Mr. Martens:** — Mr. Deputy Speaker, the involvement of the Rules Committee in room no. 10, as we went through the dealing with the change of the rules, spelled out some very, very serious changes in the way this House is going to run — very, very serious changes, Mr. Speaker, on the way this House is run. They had serious implications as to the things that were going to happen.

And, Mr. Speaker, we went through the process of debating whether that was the right thing to do. And nowhere, Mr. Speaker, nowhere, Mr. Speaker, was there consensus and compromise ever in the process involved in the time that it took to deliver a unilateral change to the rules.

Mr. Deputy Speaker, as we deal with this issue in the process, in the rules, the rules were disregarded as it related to consensus and compromise. There was no compromise, Mr. Speaker. There was absolutely none.

And as we go through this debate, Mr. Speaker, the reason why we're here today on this Bill is because the unilateral changes made by the government opposite without the consent of the opposition. And, Mr. Speaker, you know why that's unprecedented? Because it is. It has not had history. History does not record that it's happened before. Rule changes are based on consensus. Rule changes in this House are based on consensus. And when this issue was discussed and debated and the Bill was suspended and the suspension was lifted, all of that was due to process change that did not involve consensus and compromise on the part of the government. It did not involved any of that.

That, Mr. Speaker, is the reason why we're here debating this today at all. Because, Mr. Deputy Speaker, if this group of people who are the government here today hadn't rammed through their unilateral changes in the Rules Committee, they wouldn't have got this Bill forward. They wouldn't have.

And the reason is, the reason is, Mr. Deputy Speaker, as I've outlined earlier, it is against the law. It is against the law. In fact, the minister had to take and remove all court action, so he could put this Bill forward. He had to void all the incidents that happened after January 1, 1991. And that's what the leader of the . . . the House Leader of the government and the House Leader in this government should have . . .

**The Deputy Speaker:** — Order. Why is the Associate Minister of Finance on his feet?

**Hon. Mr. Shillington:** — Point of order. The point of order is that the amendment is a fairly narrow one. The member from Morse occasionally sweeps past the subject, but it is an occasional sweep. Much more often, he's not dealing with the substance of the amendment itself, and he's already spoken on the Bill.

**Mr. Neudorf:** — Thank you, Mr. Deputy Speaker. I've been listening very carefully to the debate. And when one takes a look at the amendment, Mr. Deputy Speaker, and says that:

this Bill not be read a second time because the House leaders have not reached agreement on the principles involved and the process in which it has been brought forward.

I've been listening very, very carefully to my colleague, and that's what all he's been talking about, is the process through which this has been brought forward and the parameters wherein. And it would seem to me that the Opposition Deputy House Leader here is kind of out of his, out of his . . . (inaudible) . . . and so that certainly the point of order, Mr. Deputy Speaker, cannot be well taken.

**The Deputy Speaker:** — Order. I thank . . . Order. I thank the Associate Minister of Finance and the member for Rosthern for their contributions. I've listened with interest to the member for Morse. And I read the amendment, and I must confess there are times that I'm having difficulty in understanding the relationship between remarks and the amendment but would rule that at this point that he's on the amendment. But certainly he will help his cause if he makes it clear from time to time how his remarks pertain particularly and strictly to the amendment before us.

**Mr. Martens:** — Thank you, Mr. Deputy Speaker. There are two things that are basic to what the amendment reads. And I want to say this to the member from Churchill Downs because the House leaders have not reached agreement on the principles involved, and the principles, Mr. Speaker, are exactly what I was talking about. And, Mr. Member, the process is what I was talking about, the process that brought us to this place.

And, Mr. Deputy Speaker, the kinds of things that I was talking about deal with the process of getting here because the two, the Bill and the process of the Rules Committee in dealing with the functions that we are going through here today, dealt with the kinds of things that I've been talking about. And the process is just so fundamental to this discussion . . . (inaudible interjection) . . . Mr. Finance Minister, I am not struggling. What I am doing, as a matter of fact, is I'm going to get into the real process, and then I'll get into the principles.

Mr. Deputy Speaker, the process involved made unilateral changes that were far in excess of what was necessary to deal with this Bill. We on this side of the House, Mr. Speaker, offered compromise after compromise to the House Leader on the other side in order to resolve the issue. And what did we have, Mr. Speaker?

I want to point out where the compromise existed. The

compromise existed on setting a different time line to have this Bill go out for hearings to the people of Saskatchewan.

And I want to point out precedent in that, Mr. Minister. Precedent was established at . . . last year the budget in Ontario was allowed to go to committee to be dealt with by the public of the province of Ontario. And what did they do? They took it upon themselves to take it out. And that, Mr. Minister, is what we were asking. Allow us an opportunity to take it to the people of Saskatchewan to have them make a decision.

And, Mr. Finance Minister, I believe that you were hanging your Agriculture minister out to dry so high and so far out that you are the problem in this. Mr. Minister, you are not prepared to move one single inch. And yet, Mr. Minister, I'm going to point this out to you, that the Minister of Agriculture, who's also the Minister of Highways, changed his mind about tearing up tarred roads. Make them gravel; they're better.

And then the people from Beechy . . . we're talking about compromise and process and the principles of change. And, Mr. Minister, I am going to tell you this. You had the opportunity to send this Bill out and to have the people talk about it and tell you exactly what it was that you should change.

And, Mr. Minister, I doubt very, very much that they would have liked the part that says to make void all of the incidents that happened from January 1, 1991 and forward, so that you could make regulations to deem whatever you want to have happened, to have it happen. And those are the principles involved in this, Mr. Deputy Speaker. Those are the principles involved in the debate that we have today and what we're bringing forward. And that, Mr. Deputy Speaker, is why we on this side of the House are against it.

I want to point out another area on the basis of principle, Mr. Speaker, that I think we should be debating. One of the principles in the discussion that the minister had . . . and said that the people who made the report to the minister were all in agreement. They signed it, he said. They signed it. But there was a caveat on it, Mr. Deputy Speaker. There was more than one caveat on it. Mr. Gil Petersen had a caveat on it, Mr. Minister.

This is principles, Mr. Finance Minister. Nettie Wiebe had a problem with it, Mr. Minister. These are principles involved and why you brought this forward. Mr. Minister, I want to point out some of the other people who had a problem with it.

One of those people was SARM (Saskatchewan Association of Rural Municipalities). I want to point out what SARM said about this. And I point out to you, Mr. Minister, seven principles that they said are wrong. And what our House Leader would have conveyed to the House Leader over there . . .

**An Hon. Member:** — If he was interested.

**Mr. Martens:** — Right, if he was interested. It would have been prepared to make up some reasonable consensus so

the people of the province of Saskatchewan could have become involved in the democratic process.

This is a letter sent to all of the reeves and councillors from the SARM. And I want to point this out. This is the caveat they put on the Bill, Mr. Speaker. And these are some of the discussions we would have liked to have had, not only with our House leaders, but in the province of Saskatchewan.

The SARM has representation . . . This is the statements that they made, Mr. Deputy Speaker:

The SARM was represented on the GRIP review committee by director Harrison. We are one of twelve participants. The committee submitted their final report to the minister on February 15, 1992. As of that date, the input from the review committee as a whole was complete. At that point in time the government would not give any indication of what level of premiums would be necessary.

What does that say, Mr. Speaker? The principles of what it would cost the farmers on the February 15 was not available. And these are the things that we would have asked our House leaders to discuss so that we could take out to the people of Saskatchewan so that they could talk about.

On February 10, director Harrison made a final attempt via conference call with a balance of their GRIP review committee to get the committee to defer any changes for one year, Mr. Deputy Speaker, for one year.

We wanted to have our House Leader provide an option with the House Leader over there to reach a conclusion. One year, Mr. Minister, defer for one year. SARM is asking for that. And you go around the province and say, oh they signed it. They signed it. They had a caveat, Mr. Minister, a big caveat. Take it around for a year. And then tell us what you like about it. And tell us what you don't like about it.

Major support from the balance of the committee was absent. That's what SARM found out. They said, well the other guys are going with it, except Nettie Wiebe and Gil Pedersen. And you know what, Mr. Minister, you know what, Mr. Minister, I'll tell you why they were against it. Because you weren't keeping your word on cost of production. You weren't keeping your word on cost of production.

And that, Mr. Minister, is another principle that should have been discussed around the province — principles that our House Leader should have had a chance to discuss so that the people of the province of Saskatchewan could have become involved. But that, Mr. Minister, is exactly what we're talking about.

After the committee report had been drafted, the SARM voiced five major concerns with the recommendations of the report, and by written letter as well as a meeting with the minister February 13, 1992. At that point the five concerns that SARM had were added to the GRIP review committee report.

You never talk about that, Mr. Minister, in your report. You never talk about that in speaking about your report. They had five concerns — five concerns. SARM had five concerns and they were added to the GRIP review committee report.

(2130)

These are the kinds of things that our House leaders should have had an opportunity to discuss, so that we could take it out to the people of Saskatchewan. That, Mr. Minister, are the principles that we should have involved.

And I'll tell you what those concerns were, Mr. Minister. Those concerns were time limitations, bankability of the program, federal and provincial agreement, lack of broad-based producer input, and significant change violates the contract.

Mr. Minister, the people of the province of Saskatchewan had a right, Mr. Speaker, to deal with these principles. They had a right, Mr. Minister, to deal with these principles that SARM pointed out to you.

One of the things they said on February 13, Mr. Minister, is you weren't going to have time to put it all together. And then you have the nerve to say, oh there somehow we'll get around it. Somehow we'll get around it.

And we discovered today what it is you're going to do to get around it. They say that we're going to get around it, Mr. Minister, by making void the incidents that happened from January 1, 1991 and on. That, Mr. Minister is how you get around it. That, Mr. Minister, is where you've got a problem.

The report was then signed by SARM as a participant, as a participant, Mr. Minister. And I don't believe that says anything about supporting. The letter was signed as a participant. And that is what they signed, Mr. Minister. And this is a letter from SARM with their own letter-head. They signed as a participant, not as a supporter. And that, Mr. Minister, are the principles that should have been taken around to the people of Saskatchewan, that our House Leader should have had an opportunity to discuss.

And then they submitted it to the Minister of Agriculture. Item no. 4, on March 4, SARM representative met with the federal Agriculture minister, the Hon. Bill McKnight, to again express our concern. Again he wanted to say that there is something wrong with process here, Mr. Deputy Speaker — something wrong with process. Director Harrison briefly described the above course of events at the GRIP rally in Regina on April 6.

Mr. Deputy Speaker, the Minister of Agriculture was at that meeting when Mr. Harrison read that letter that gave him the reasons why he was not a supporter of the report, he was only a participant. And that, Mr. Minister, is exactly the reason why we're here discussing it. Because people who are the fundamental backbone of the province of Saskatchewan, like the rural municipalities, don't support it. They don't support it. They were a participant, not a supporter. And there is a significant difference — a very, very significant difference.

On April 16, the SARM board as a whole again went back to a meeting with the minister to once again point out that the concerns expressed by SARM were the precise concerns that were causing the major problems with the producers. Mr. Deputy Speaker, in the process and in the principles of the Bill, and the principles involved in the Bill, and why it was brought forward, were a major concern to producers. And they pointed that out to you on numerous occasions. They were not supporters, Mr. Minister, they were participants. Just a huge, huge difference, Mr. Minister — huge.

On April 23, 1992, President Kirwan brought forward another letter to the Minister of Agriculture addressing the shortcomings of the new program and the premium increase coupled with a coverage decrease.

Mr. Minister, and to the members of this Assembly, we have talked long and hard about the principles that are involved here over the past few days. I outlined some of them earlier and the things that I thought should be there. The member from Estevan has reviewed them in a serious way. And, Mr. Speaker, as we talk about the principles involved, those are some of them. I want to point out another one. I want to point out another principle that is significant, why this should be taken out to the people of the province of Saskatchewan; allow the farmers a reasoned approach to what's going on.

Mr. Deputy Speaker, there are a number of items that I want to bring to the attention of this Assembly as it relates to the court case that was heard — principles that should have been discussed by the House Leader in the opposition and the Government House Leader for reasons of principle; the principles, the reasons for principle.

And the principle is this, Mr. Deputy Speaker, that there was a serious error on the part of the Minister of Agriculture in dealing with the items that he brought forward as a part of '92 GRIP and that they were in breach of the contract. They were in breach of the contract. Those principles should have been laid out with the Minister of Economic Development, the House Leader from the government, and the member from Rosthern. Those principles should have been laid out as the principles that we should be discussing. And I want to point some of them out. One of the things that was said in an affidavit presented to the court — presented to the court, Mr. Deputy Speaker — and these are the words: "I have been advised by the Minister of Agriculture . . ." this is the words in the affidavit signed by the deputy minister of Agriculture, and he said this in a sworn affidavit in the court in Yorkton.

I have been advised by the Minister of Agriculture and Food, the Honourable Mr. Weins, that he has obtained the verbal agreement of the Federal Government and a sufficient number of . . . other provinces participating, to amend the Agreement and therefore to effect the changes to the 1992 Program . . .

That's article 4 in the affidavit that was given to the court.

Item 5, Mr. Speaker, was this:

I am aware and do verily believe having been advised by the Honourable Mr. Weins that in addition, he intends to introduce legislative amendments in the current Session of the Legislature. These amendments will include a provision in which notice of the 1992 changes will be deemed to have been given . . . Producers by March 15, 1992 as required in their individual contracts.

Mr. Deputy Speaker, the principles that needed to be discussed were those that stated that this was an illegal action being taken on a breach of contract. And that is a principle that's the most significant thing of all. And this, Mr. Deputy . . . and this is what the justice said: what is clear from the affidavit of Kramer is that notice was not given to the farmers on or before March 15, 1992. It was absolutely clear to the justice that the contract had not been lived up to. And that, Mr. Deputy Speaker, should have been a part of the conversation. But no, it wasn't. It wasn't for a number of reasons.

**An Hon. Member:** — Why?

**Mr. Martens:** — Because the Minister of Agriculture was being hung out to dry by the Minister of Finance. And I don't know the reason why, Mr. Deputy Speaker, but there is significant resentment for the actions taken by the Minister of Agriculture and the things that he did — a significant resentment.

What is clear, from the affidavit of Kramer, is that notice was not given to the farmers on or before March 15, 1992, as required by their individual contracts of revenue insurance under the GRIP program.

Further, the federal-provincial agreement has not been amended to provide for the changes to the '92 GRIP program, as proposed by the Government of Saskatchewan.

Mr. Speaker, there are principles in this Bill that haven't been followed. There are principles of the action of the Minister of Agriculture that have not been followed, either by ethics or law or morality. You name it. It hasn't been followed by this Minister of Agriculture, not in any way, shape, or form. That is why the minister . . . or the member from Rosthern and the member from Elphinstone, Regina Elphinstone, should have had the opportunity to discuss this. I really believe that it should have been.

Mr. Speaker, what I find in the process was that this process was done in the middle of a session that dealt strictly, in my view, with this Bill and only this Bill. This Bill was the culmination of the process that the individuals opposite decided to take to eliminate all opposition from the members on this side of the House.

And as the Premier said in a statement earlier this spring, he said, the PCs (Progressive Conservative) are right in principle, Mr. Deputy Speaker. He said that. They have a right to walk out and ring the bells. This is about process.

And, Mr. Deputy Speaker, the process involved and the

evolution of what we have here today is right on the head this Bill. This Bill is the fundamental reason why the process was set up the way it was. It is my belief that that is the absolute truth.

Another principle that should have been discussed between the House leaders is this, Mr. Deputy Speaker. As to the first . . . And this is a statement by Her Honour, the court:

As to the first criteria, the plaintiffs had made out a prima facie case. They have a case before the law to present and go to trial.

And, Mr. Deputy Speaker, the Minister of Agriculture should have asked his House Leader and said, we have a court case in here, and we should do something about it. And that, Mr. Deputy Speaker, is exactly what should have happened. It has been acknowledged in the affidavit of the deputy minister that the federal-provincial agreement has not been amended in accordance with article no. 23 in the agreement.

And that also should have been identified as one of the principles talked about by those two people.

I want to point out something else:

And accordingly, the changes proposed for the '92 GRIP program are not incorporated as a part of the federal-provincial agreement. Further it is clear the individual contracts of revenue insurance with the '91 participating farmers requires notice of changes to have been given to the farmers prior to March 15, 1992.

That, Mr. Deputy Speaker . . . And it's pointed out here. It is clear on all of the evidence before me that this — Mr. Deputy Speaker, Mr. Minister, and to the Premier and to the Minister of Justice — it did not occur. It did not occur. That's what the judge said in relation to establishing whether the farmers in the province of Saskatchewan legitimately had a case. It did not occur.

You know what the justice goes on to say, Mr. Deputy Speaker? And this is why it's so important.

There is no assurance that the Crown will pass legislation or that whatever legislation they propose to pass will in fact remedy the defects. And therefore, based on the evidence before me, the plaintiffs have established a prima facie case. They have established enough fact to have a case go before the court.

(2145)

And that, Mr. Speaker, is exactly what we were talking about. We have heard it over and over and over again. The process was flawed right from the beginning. The principles involved had been flawed right from the beginning, Mr. Deputy Speaker. And in putting together the dynamics of the process and putting together the dynamics of the principles and putting together the dynamics of the politics, it should have been, in my opinion, at least tried to have the House leaders agree

with it.

But you know what, Mr. Deputy Speaker? And I firmly believe this, having sat in this House for 11 years and followed with a great deal of interest the activities in this place, that I believe that the House Leader, the Government House Leader, didn't have to make a decision on the things that he was doing because he knew. He knew beyond a shadow of a doubt that process would give him the benefit. The process as it came to the place where the committee met gave him the advantage. He didn't have to make up his mind. The process involved in the committee work in the Rules Committee gave him an advantage. He did not have to make up his mind about making alternative arrangements. He didn't have to, and we say, on this side of the House, he should have.

And that's where the principles involved in this Bill are seriously flawed because they haven't been dealt with in the fundamental fashion in the proper fashion in this House.

Mr. Deputy Speaker, the House Leader and the government did not have to do anything about it at all and he knew. He knew beyond a shadow of a doubt that it would go through exactly as he wanted. Why, Mr. Deputy Speaker? Because process had given it to him. Process had given him the principles that I'm talking about to allow the Minister of Agriculture to place before the court, no evidence. No evidence that he could defend in the court that was held in Melville. No evidence of any of that did the Minister of Agriculture present.

In fact, Mr. Deputy Speaker, when the court was told that they were going to appeal to the Appeal court, the Appeal court threw them out of court because they had not provided evidence. Because the House Leader, the House Leader on the opposite side of the House, knew that process, he knew that process would do it for him. And the Minister of Agriculture knew that process would do it for him. That, Mr. Minister, is exactly what happened.

Mr. Speaker, process, in my view, is the problem in this place, and the principles involved. The people sitting on that side of the House and the House Leader on this side would have had an opportunity to discuss it but the process did not allow equal competition for the process to do its work.

Mr. Deputy Speaker, I want to point out this fact, and this is a fact: that process was not infringed on in 1989, and that's why the principals had to get together — the House Leader and the opposition, who was the member from Elphinstone and the member from Melfort had to get together — and decide that process was going to evolve, and that the principles would have to be deferred. And that, Mr. Minister, is exactly what happened. And that is why this process did not evolve.

And that, Mr. Deputy Speaker, is exactly why this minister . . . the House Leader from . . . the member from Elphinstone did not have to proceed on this. And that's why we moved this amendment, Mr. Deputy Speaker. That's why we moved this amendment because the

process needed to be dealt with by the House leaders, and it wasn't. It wasn't. It wasn't necessary because the Rules Committee unilaterally could change.

Mr. Deputy Speaker, I want to point out some other principles of process that need to be addressed. One of the items that was brought forward states this:

... that if I have suffered damages for the next five years as a result of decisions I must now make as a result of the defendant's breach of contract, those damages will be incalculable by reasons that it may be necessary to change crops and farming practices, making these calculations hypothetical and the defendants will not keep records if I opt out.

That's one of the farmers making a statement and a declaration to the court.

And this is what the judge says, and these are why the principles needed to be talked about and the process was so directly involved.

As to the issue of irreparable harm, Saskatchewan Crop Insurance argues that if plaintiffs are successful at trial they can be adequately compensated by way of money. There is no question but that Saskatchewan Crop Insurance is in a position to pay any monetary compensation that might be ordered.

Mr. Deputy Speaker, the principles in this case were very, very significant. The process was even more significant because the principles did not have to be dealt with in the matter of a political sense because the process was going to do it for them.

And that, Mr. Minister, and, Mr. Deputy Speaker, is the reason why we're raising this point.

I want to go on, as it stands, and make another point about the Saskatchewan Crop Insurance is in a position to pay. And that is not to those five farmers, Mr. Deputy Speaker. It is to the 50,000 contracts that the Saskatchewan Crop Insurance holds in revenue insurance. And that, Mr. Speaker, is the reason why we feel so strongly about it, because the principles are being infringed on.

And you, sir, stand here in the House and raise with a Bill, and say none of that, none of that is going to impact on this because I have decided. I have the ultimate decision. I will make a decision about who gets what, where, and when, without anyone asking.

And what should have happened is the people in this side of the House and that side of the House should have gotten together to provide the opportunity to send it out to the people of Saskatchewan.

Mr. Speaker, that's the reason. That's the reason why the House leaders should have gotten together. Because the House Leader on the government side did not have to do anything. And process would have evolved to make the difference.

Mr. Deputy Speaker, process and the principles involved are absolutely necessary to consider,. Because the process infringed on the principles. And that, Mr. Speaker, is exactly why we have a problem. That's why we've had a problem all the time.

As it stands — this is a report by the justice — as it stands today there are only proposals as to the terms of the '92 GRIP program. According to the affidavit filed by Kramer, both legislative amendments and amendments to the federal-provincial agreement are required to implement the '92 proposed changes.

Those are principles that are involved that should have been discussed with the two House leaders. The agreements in the federal-provincial agreements have not reached a conclusion. And that, Mr. Deputy Speaker, is why the House leaders should have done it.

We have process in this Legislative Assembly being changed in the middle of the stream. We have the House Leader on the government side not needing to do anything because he knew, he knew without a shadow of a doubt that time would lend him the benefit.

And you know what the principle there was, Mr. Deputy Speaker? The fact is that the bells were stopped from ringing. And, Mr. Deputy Speaker, members of this Assembly on the opposite side spoke long and hard about that process in 1989. And each time, Mr. Deputy Speaker, each time those people on the opposition side spoke when they were on this side of the House, each time, they raised the arguments about democracy.

Mr. Deputy Speaker, that's the kind of thing we're talking about and that's the fundamental reason why we put this amendment forward. Because we on this side of the House feel that process infringed on the principles. And the principles being two separate items, Mr. Deputy Speaker — the principles of the Bill and the principals involved, being the House Leader and the Government House Leader, our House Leader on this side. Those two principles, the principals as being the people involved and the principles of the Bill.

And, Mr. Deputy Speaker, we can only say that on this side of the House that process was not fair. We have said it over and over again that process wasn't fair. We have said it many times that process wasn't fair. We said it in committee; we said it in this Assembly, and, Mr. Deputy Speaker, we still believe that. And I believe that every one of the speeches that was presented by the members opposite when they were on this side of the House in 1989 said it wasn't fair to take bell-ringing away. It wasn't fair, Mr. Deputy Speaker.

In two times that we had closure on process, Mr. Deputy Speaker, the world said, no don't have closure. And you know what, Mr. Deputy Speaker, we've had it three times this week. And, Mr. Speaker, they will glibly pass off that this one will probably go for closure too. Do you know why? Because the process was not fair.

And I want to point this out to you, Mr. Speaker. Why was the process not fair? Because the ball game changed the rules half-way through. They changed the rules in the ball

game half-way through. Mr. Deputy Speaker, the rules were changed in the process half-way through and therefore the House Leader on the opposite side didn't have to negotiate a change in the principles involved in the discussion.

And that, Mr. Deputy Speaker, is the reason why we're standing here today, because the process was infringed on. Because the rules were changed. When the batter went to bat and it was strike three, no you got a walk instead. And when you hit a home run on this side of the House, oh no that's a foul ball.

That, Mr. Minister, Mr. Deputy Speaker, is process, and the process was flawed because the Minister of Economic Development did not have to deal with process. And that's why the two House leaders ought to have been meeting, but they didn't. And that, Mr. Speaker, is the reason why we have a serious, serious problem.

The process was flawed because the rules changed half-way through. And, Mr. Deputy Speaker, as I stand here today, in 9 years or 10 years of being in this place, not once has it happened other than this time. Not once, Mr. Deputy Speaker, has a rule change occurred in the middle of the ball game, when things are tied — especially when they're tied.

And what's the balance, Mr. Deputy Speaker? What does the balance weighing for 50,000 contracts have in relation to this government getting its will? Fifty thousand contracts are broken and made void today. Void; they didn't happen. The farmers, the 50,000 contracts, the farmers did not sign their names to them. They didn't sign. Not one of them signed; do you know that, Mr. Minister? Not one of them signed their name because you said they didn't. You said they didn't, Mr. Minister. They didn't sign their names. And yet, Mr. Minister, I know that every one of them did. Fifty thousand of them signed the contracts. Mr. Minister, the contract for crop insurance and GRIP was signed by the individuals who were there. And, Mr. Minister, when they filed their seeded acreage report and all of the things related to that, they were in the contract. They made an agreement.

(2200)

Mr. Minister, you might even remember this, when you used to go to your neighbours and sign a deal on a handshake, on a handshake. And, Mr. Minister, now you're going to say that you never did. You never did it. And that, Mr. Minister, is the political sensitivity that you have to face today. You never did it. And who else, Mr. Minister, is at risk? Who else, Mr. Minister, is at risk? That's the big question.

Mr. Minister, Mr. Deputy Speaker, that's why process was seriously, seriously in a problem. Process in this place was not adequately addressed at the beginning of the session. I'll agree with that, but if we would have played according to the rules all the way through this ball game, Mr. Minister, this Bill would never have been introduced. Because you, sir, have eliminated all of the agreements, every one of them, with every one of the farmers. You have said they did not exist.

And, Mr. Minister, I'll point this out to you. Mr. Minister, when you go to collect on the premiums owed by individuals, will you have the authority to do that? And what authority will you use, the voided one or the one that you will build into the regulations? That, Mr. Deputy Speaker, is the reason why this opposition said the process was flawed, because the process dealt with making inequity in the system. Inequity in the system, Mr. Deputy Speaker — that's why the process was flawed. That's why, Mr. Deputy Speaker, we have a serious problem.

Mr. Deputy Speaker, we had a prime example of this in the Olympics and I haven't heard one person that has said different. But why, why did the U.S. (United States) shotput thrower get four throws at the shotput? Why? Because somebody changed the rules. Somebody changed the rules, and I haven't heard one person say that he should have got four shots with the shotput and win the gold medal. But what we have here today is exactly the same. You change the rules in the middle of the ball game. If every one of them would have had an opportunity to do it four times, nobody would have complained.

But process has evolved so that we have change of the rules in the middle of the ball game. And, Mr. Minister, process did that. And you know what process did? It said that the minister, the minister responsible for the House, did not have to negotiate a change. And that, Mr. Deputy Speaker, is why we are here today. He did not have to negotiate a change. He could just sit there and wait for process to happen.

And you, sir, are going to make absolutely of no significance a contract that was made valid by an agreement between the Saskatchewan Crop Insurance, the Government of Saskatchewan, and the people of the province of Saskatchewan. You will make it void. You will make it void. I might have ignored it. They could have taken me to court, Mr. Minister. They might have taken me to court, and I would have never have denied them access to that, Mr. Minister, but you have.

Mr. Deputy Speaker, I will repeat it as often as it takes to make my point heard. And as many times as I have heard members opposite talk about things that had no relevance in the discussion, I would at least take this into consideration because it is relevant.

Mr. Minister, and Mr. Deputy Speaker, I have people from all over this province who have said that process was not right. They said process . . . keep those bells ringing. I have lists and lists of names of people from all over the province of Saskatchewan, from every constituency except . . . well, no, I even have them from Regina and Saskatoon.

And, Mr. Minister, the Associate Minister of Finance might think this is a flippant kind of a thing. That's probably why he will never be a judge, because he would have to, Mr. Minister, and Mr. Deputy Speaker, he would have to make some rational decisions about process in a legal sense and he wouldn't have the capacity to do it. That's the reason why.



I want to talk about another thing about process. This minister doesn't have an agreement with the federal government yet. Has he had agreements signed by other provinces, agreements to his changes? And why doesn't he table them then? Why doesn't he table them in this Assembly? And when has process evolved so that he can go around and say, we can get an agreement through the middle of the summer, Mr. Deputy Speaker, and then ridicule us for making an agreement and not have all of the principles in there.

But, Mr. Deputy Speaker, I wouldn't have taken those people to court, and they wouldn't have likely taken me to court either because I went to listen to them. You, sir, haven't gone to listen to anybody yet. You say that you've heard 10 people. Well my goodness' sakes, 10 is a lot in your view of consultation, but not in mine. And that, Mr. Deputy Speaker, is another reason . . . and that, sir, is another reason why process was infringed on when the rules were changed.

I want to point this out because it's important for the people of Saskatchewan to hear this: The question of irreparable harm must not be interpreted too narrowly — Mr. Minister, it must not be interpreted too narrowly — in this case. This is not a situation of private rights as between two equal contracting parties, but rather involves contracts affecting nearly 50,000 farmers in this province, and the Crown is represented by its agent, Saskatchewan Crop Insurance. Individuals must be given the opportunity to challenge government conduct which they believe is unlawful and a right to interim relief so that their rights are not abolished prior to a decision on the merits.

That, Mr. Deputy Speaker, are the principles involved in this. It's not just the opposition. It's 50,000 contracts, Mr. Minister. What about those people out at Melfort or Tisdale that have no crop? They are in very, very serious straits, Mr. Minister.

And as the member from Estevan read the letter from Mr. Hookenson, the people will get . . . some people will get 50 bushels to the acre on canola and get a payment. And the person who has it dried out will get hardly anything. He'll get 80 per cent of his coverage.

Mr. Minister, the farmers in Medicine Hat, the farmers in Lloydminster, the farmers in Provost, the farmers in Brandon, the farmers in Swan River — all will do better than the farmers in Saskatchewan because of your incompetence, sir, your incompetence. And that, Mr. Minister, is exactly the reason why.

I want to point out, Mr. Minister, that I'm going to move a subamendment to this motion, at a later time. I will, Mr. Speaker, at this point, move that this House adjourn.

The division bells rang from 10:11 p.m. until 10:22 p.m.

The motion negatived on the following recorded division.

#### Yeas — 8

Devine	Britton
Neudorf	Toth
Swenson	Goohsen

Martens

D'Autremont

#### Nays — 25

Thompson	Johnson
Wiens	Trew
Tchorzewski	Whitmore
Lingenfelter	Sonntag
Shillington	Flavel
Koskie	Scott
Anguish	Wormsbecker
Penner	Kujawa
Hagel	Crofford
Bradley	Carlson
Lautermilch	Renaud
Calvert	Langford
Hamilton	

**Mr. Swenson:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, there are some things that have become very obvious in this debate over the weeks and months that this House has had to deal with this motion, and one of them is that there is a very serious problem in this Legislative Assembly on process.

And the problem I guess, unfortunately, Mr. Deputy Speaker, hinges a lot on . . . perhaps on individuals. It hinges on the inability of this Legislative Assembly to come to any type of a consultative approach to anything. The devastation will come a little later to the member opposite. And I would say to the members of this Assembly, that by what's happened here in the last 60 days means that this Legislative Assembly, this Legislative Assembly has deteriorated further than at any time in its history, at any time in its history.

There are members in this House that have been here for many, many years, that always have boasted about their ability as members of this Legislative Assembly to make this place work. But that boasting is hollow, Mr. Deputy Speaker, and it's hollow because it hasn't worked. It's hollow because this amendment that we have put forward, this amendment, that this process that should have happened hasn't happened. This House has been desecrated in the last 60 days, time and time again, by this government. And that's because they have absolutely refused to let process, a proper process, take place.

Mr. Deputy Speaker, normally House leaders get together and solve 90 per cent of the work that goes on in this Legislative Assembly on a day-by-day basis. And instead, we haven't had that happen. Instead we have had the rules of this Assembly changed unilaterally. We've had closure brought in day after day and we have had members of this Assembly who spoke with such great eloquence about how this particular place should work in days gone by, now absolutely refuting their own words, their own deeds, their own messages that they gave to their constituents over the years. And it's meant that we've come to an absolute impasse in this Legislative Assembly.

Mr. Speaker, we have read into verbatim, time and time again, the words of the members of the New Democratic Party in this legislature. And obviously that's all they

were, was words. There was never any substance, there was never any feeling, there was never any reality to those things. They were simply words.

Words that were spoken in here so that they could get the attention of the TV cameras. Words that were spoken in public places in this province simply to convince people that they should be allowed to exercise political power. The words had nothing to do with reality. The words had nothing to do with morals. The words had nothing to do with substance. They were simply words and nothing but words.

And I would say to you, Mr. Deputy Speaker, that they have, by this diametric flip-flop that has occurred with these members, that they have probably, in the view of many people, sullied some very long parliamentary service in this province beyond repair.

I mean, it's like the minister's piece of legislation that talks about a void occurring, a big, black void. All of a sudden the words and deeds of these members of this House, who spoke so eloquently, have passed into this void, this void that will never come back. And that's why, Mr. Speaker, that we say that the process, the process around this Bill is flawed, that the process that this House has undertaken in the last 60 days is indeed flawed.

(2230)

You know, Mr. Speaker, I can remember when people like the current Premier used to come and sit in the gallery here and watch the proceedings of the House. The current Premier was the House Leader for approximately 11 years. And he dealt with a number of House leaders on the other side.

First of all, in the early '70s there was the Liberal Party as the official opposition. After 1978 it was the Conservative Party. And you often saw people like the former member from Lumsden, Gary Lane, and the member from Riversdale going at it tooth and nail in this Assembly. You saw them very argumentative in here. But I think as House leaders you often saw resolution of events afterwards. You saw people like Cy MacDonald who was elected to the Liberal benches for a number of years, was a cabinet minister; you saw people like that able to do process and make it mean something.

And obviously, Mr. Deputy Speaker, something in the intervening years has gone wrong. The process doesn't work any more. And the process doesn't work any more because I think members of the New Democratic Party who always have spoken so eloquently in this legislature over the years, have always spoken so eloquently, at one time actually believed the things that they said.

And what we have now, what we have now when one reviews 1989 in particular with the reality of 1992, is that that's all they were, was words. Because the soul that used to back up members of that political party doesn't exist any more. The words were spoken in this Assembly and they were spoken outside of this Assembly for one thing and one thing only. It wasn't the process of making this place work or making the province work — the process that used to govern this place on a day-by-day

and year-by-year basis — they simply spoke those words for one thing and one thing only evidently, Mr. Speaker, and that was to exercise political power. To be able to hire your friends I suppose, and to do things that they in some way believe will punish the former government over and over and over again.

Now I say to you, Mr. Speaker, when we're talking about the fundamentals of democracy, about processes that have been in this House for many decades, the ability of House Leaders to get together and iron things out, when we compare that to what is happening, I would say to you, sir, that we have a serious flaw.

And it really makes one, I think, Mr. Deputy Speaker, sort of sad to think that it's come to that, that there was so much animosity and so much political bile built up in the government members that they would be willing to sacrifice a long-standing tradition in process in order to bring forward this particular Bill.

And I guess it's kind of disheartening to listen to the members opposite, some of whom know of the things that I speak. They were actually here. They saw that process work time and time again. They saw some of the most acrimonious debates in this legislature's history take place without unilateral rule changes and without closure being brought in day after day after day.

You know, I just can't believe, Mr. Deputy Speaker, that it's come this far, that these people who spoke so eloquently, who said to the people of Saskatchewan that our hearts and souls were in the defence of democracy, our hearts and souls believe that unilateral rule changes should not occur, our hearts and souls believe that closure is a terrible, terrible instrument in a democratic process . . . And now to find that there was no heart and there was no soul. There was simply, in the words of the Minister of Agriculture, a void, just a big, black hole — a void that was with the New Democratic Party. There was nothing, that this process that normally occurred between House leaders of the official opposition and the government should cease to function in our province some time after November 1991, a process that had been in place since 1905.

And that's why I think, Mr. Deputy Speaker, that this amendment was right and proper to bring into this debate. It's important, I think, that the government members be reminded, be reminded of some history, be reminded of the process that was in place for so long, be reminded of their own words, over and over again.

And I wondering how they're going to get that back. I'm wondering how they're going to get back any of that credibility that used to exist there. I'm wondering if we'll ever see a New Democrat in this legislature stand in his place some time in the future and speak against closure, speak against rule changes, speak against the things that used to be strongly felt by all members of this Assembly. Or are we going to have now a precedent set? Instead of House leaders ironing out the business of this legislature in a well-defined and time-honoured process, instead of that, I guess what we will see is New Democrats always operate in the mode that they are now, where they bring in legislation that says you can't take me to court. I can

create a void in a province with 60,000 people, like some things never happened. The unilateral rule changes will become the norm instead of the exception; that closure will become the norm not the exception.

And if one listens to the Government House Leader in his chats with the media, one would have to believe that closure will become the norm. That this . . . and I fully expect, Mr. Deputy Speaker, given the government's track record, that we will see more unilateral rule changes in order to allow closure to become that normal functioning creature of this House.

And that tells me that whatever soul, whatever soul there was in the New Democratic Party about democracy will have ceased to exist, will be extinguished because they don't believe in process any more. That the time-honoured processes of House leaders will never work, because I can never imagine an instance, Mr. Deputy Speaker, where a House Leader from the official opposition will want to have any truck with the New Democratic Party House Leader.

Because he knows, he knows that he'll be dealing with an individual who believes in unilateral rule change and believes in closure, who speaks words that mean nothing, who speaks words in defence of democracy that mean nothing. Because one can draw no other conclusion, Mr. Deputy Speaker. Absolutely no other conclusion can be reasonably drawn.

So it could be any political party over here, Mr. Deputy Speaker. It won't necessarily be maybe this political party or the Liberal Party or the Reform Party. Anybody dealing with an NDP government and an NDP House Leader knows that that process is fraught, is fraught with suspicion, is fraught with danger because it is simply words. It is simply words — words that are spoken to attain political power and nothing else. Because all that matters is the exercise of political power. And that is a sad, sad day, Mr. Speaker, when this House, when this House sinks to that low. Mr. Deputy Speaker, we have a Bill before this House that has set unprecedented lows — unprecedented lows in dealing with the people that we are supposedly to serve.

Now as has been pointed out a little bit earlier, Mr. Deputy Speaker, in this case we're only dealing with 60,000 farm families — 60,000 farm families that actually believe that New Democrats spoke more than just words; 60,000 farm families that said, we expect fair and honest and equitable treatment from people who in our province have taken pride in the fact that our Premier was one of the people that brought home the Charter of Rights and Freedoms in 1982, a charter that guaranteed each and every one of us our day in court; a charter that guaranteed each and every one of us our freedoms in religion and many other areas — a charter that we hope was more than words; a charter that actually had people that were ready to stand up for it; a charter that people were ready to go to the wall for others; a charter that said that no longer will the executive branch of government be the only recourse for individuals. Well, Mr. Deputy Speaker, obviously that is as hollow a belief by New Democrats in this province as is their words spoken in this legislature on closure, on bell-ringing, on democracy.

Because today and yesterday, and days and days and days in this legislature, we have seen this government determined, absolutely determined to bring forth a Bill in this legislature that goes against all of those principles — a Bill that says to individuals in this province, you don't have your day in court. You never will have your day in court. As long as the New Democratic Party is in power in this province, you as an individual are stripped of your rights.

(2245)

If you are a farmer in this province, you are no better than a serf in medieval Europe. You do not have a right to take the king to court. You do not have a right to challenge the dictates of Executive Council. And Executive Council can now change your life arbitrarily, I would say by this legislation, Mr. Deputy Speaker, on a monthly basis. And I think, Mr. Deputy Speaker, that that rings hollow with what I have heard in my seven years in this Assembly, come from the mouths of New Democrats session after session after session. The time-honoured process of House leaders working out the proceedings of this legislature have gone the way of rights of farmers.

In all, Mr. Deputy Speaker, there are so many people in this province whose ancestors a short two and three generations ago, as the member from Morse pointed out, who absolutely fled from tyranny, who put everything on the line to come to a place, to come to a place where they would have an opportunity, an opportunity to raise their family, to have a farm where the king or the lord . . . where someone could dictate to them on a daily basis what crops they were going to grow, how they were going to market them. And when they signed a contract or they shook someone's hand, they would know that there were people there ready to protect them through English common law, knew that they were going to protect them no matter what.

You know it was interesting, Mr. Deputy Speaker. I read a book last year that talked about the involvement of the Right Hon. John George Diefenbaker, and it talked about his early trial period before he entered the political realm. And in it he talked about his early law practice in the Wakaw area.

And while there he was involved in a number of fairly sensational cases that often involved murder, involved very serious family situations. And it talked about his defence of people primarily from eastern Europe, people who didn't necessarily believe that this system of justice that we had in our country would back them up. It uses the term Ruthenian quite often. Now Ruthenia was a province, Mr. Deputy Speaker, on the edge of the old Russian empire. But a lot of people that were very fearful that they would get their day in court, that they would get justice with the system that was in place in Canada.

And one of the hallmarks of John George Diefenbaker as he defended people in very serious circumstances, was that he proved to them that in our country, when you prove to them that a jury of their peers, when the evidence was presented fairly, would adjudicate the problem and come up with a fair solution. And of course one of Mr.

Diefenbaker's hallmarks, I guess, as a barrister in our province was the fact that he defended so many people from eastern Europe, of eastern European origin, successfully in a system that they didn't fully understand, that they didn't fully trust, and was able to keep a number of people from the death penalty in our province who might otherwise have been adjudicated differently.

And the reason I raise it, Mr. Deputy Speaker, is because it has become a part of our tradition in this province, a part of our being because we are of such diverse backgrounds, that people will have that confidence in the judicial process. That they will feel absolute security, absolute security in their knowledge that as individuals their inherent rights cannot be trampled upon.

And, Mr. Deputy Speaker, what we are seeing now is that trampling. What we're seeing now is people who, from their very earliest origins as a political party, have always ascribed themselves as the ultimate defenders — the ultimate defenders of the little guy, the defender against the multinational corporation, the defender against people who would take advantage. That they were the defenders of the processes in this House, the defenders of the processes in this House that allowed dozens of House leaders over the decades — Liberal, Conservative, CCF (Co-operative Commonwealth Federation), New Democrat . . . they were confident that that process would keep their freedom, that that process would keep their democratic rights; that that process would guarantee that day in court; that that process that had been here would say to people, no matter from whence they came, that this province, this province would above all, give them that day in court. It would give them that freedom as individuals.

And, Mr. Speaker, I know the members of the government like to make light of this, that this is a very small, small thing and you shouldn't be worried about it. You, the official opposition, who have just recently suffered electoral defeat shouldn't be worried about what we do, that you should let us sort of do whatever we want in this province because we attained some divine right because of an electoral process. That we have the ability to speak words that are nothing but words, that we should be able to have access to the king's money without grievance, that we should be able to change the legal rules of our land . . .

**The Deputy Speaker:** — Order, order. I'm listening patiently to the member from Thunder Creek, and although the remarks he makes may well be relevant to the amendment and to the motion that's before the House, the member fails to make that connection and I encourage him, I encourage the member to make his remarks relevant to the questions that are before the House.

Order, order. The Chair doesn't need the assistance of the government members in this ruling.

**Mr. Swenson:** — Thank you, Mr. Deputy Speaker. Well, Mr. Deputy Speaker, I appreciate your ruling, and I think when talking about Government House leaders in this Assembly, when talking about House leaders in general and the process that have been traditional here, that we

are speaking about the Bill in question and the amendment posed because the Speaker of this Assembly over the process of the last 60 days has twice intervened as never before in this Assembly's principles and process.

And one of the things that was enunciated at each of those interventions was that there should be a process for the government and the opposition to work out this problem. And every time that this particular piece of legislation was set aside, it was always with a very public pronouncement that there should be some type of negotiation, some type of process entered into. And I think the Speaker did that — and this is only my own opinion, Mr. Deputy Speaker — and it was so that some of the principles that have governed this place for so long, through so much trial and error, through so much tribulation, would stay in place. I think that's why it was done. That's why we had the Speaker of this Assembly out into land that had never been ventured into before, so that the principles of this place would have an opportunity to be protected, would have an opportunity to be protected.

And that was clearly predicated each time on the fact that a negotiating process was supposed to take place. He believed that there were certain irrefutable principles at work in this place here. It said that those negotiations should come to some kind of a reasonable conclusion.

And instead of that happening, Mr. Deputy Speaker, instead of those government and opposition House leaders getting together, as I believe were ordered by the presiding officer of this Assembly, it didn't take place. All it was was this feeling by the government that they simply had to wait a certain period of time and then it was just a simple matter of carrying on the heavy-handed process.

And it didn't matter that the presiding officer of this Assembly had gone out where no other Speaker had gone before, so to speak, and come up with alternatives to a problem that was viewed as impassable. And each time that he went out beyond where anyone had ever gone before, the impression was left, the impression was left that the time-honoured process and principles of this House would take effect, that there would be a negotiating process, that here would be some give and take, that there would be the ability of members of this legislature to come to some kind of reasonable agreement, without putting asunder the things that had been here for so long.

**The Deputy Speaker:** — Order. Order. Before the normal time of adjournment, I wish to make a ruling. During second-reading debate on Bill 87 this evening, the hon. member from Morse spoke as the seconder to the amendment proposed by the Leader of the Opposition.

When speaking to the amendment, either as the proposer or the seconder, a member is speaking not only to the amendment, but also to the main motion, and I refer members to Beauchesne's, 6th Edition, citation 465(10).

Under our rules, a member is allowed to speak only once to a question. See rule 31. The hon. member from Morse had already spoken to the question of second reading yesterday and consequently was ineligible to second the amendment.

It is not out of order for the member for Morse to speak to the amendment once it has been moved and seconded by other members, but he cannot propose or second an amendment or he would be speaking twice to the main motion.

A remedy for this situation is to name another member as seconder, that is, another member who has not yet spoken in the debate. I remind members that this seconder will be able to speak in debate on the amendment but in so doing he will also be speaking to the main motion.

So the question I have: is there another member who can be named as seconder for the motion?

**Mr. Swenson:** — I would second that motion, Mr. Deputy Speaker.

**The Deputy Speaker:** — The member for Thunder Creek then will be named as the seconder for the amendment; therefore the amendment is in order, and debate can continue. And the member for Thunder Creek can speak to the amendment and to the main question. It now being 11 o'clock, this House stands adjourned pursuant to special order, until 9 a.m. on Monday.

The House adjourned at 11 p.m.