

The Assembly met at 9 a.m.

Prayers

ORDERS OF THE DAY

SPECIAL ORDER

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. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, the debate on the GRIP (gross revenue insurance program) legislation has been ongoing for some time now. Most of our members . . . I think all of our members have had an opportunity to speak on the legislation.

We've reviewed the legislation. I think the farm communities have reviewed the legislation, and generally I think the results of that review are clear amongst farmers. They don't believe that the government has heard the protests of farmers — protests which are put together by a group of farmers that have shown that they definitely want an opportunity to challenge this legislation in court, which they've already started proceedings some months ago, Mr. Speaker.

I think at the time, the opposition raised concerns that the government would be coming in with legislation that would take the rights of farmers away from them in court. I think a lot of people . . . the government members expressed surprise that we would go so far as to say that would be in the legislation. And indeed, Mr. Speaker, when the legislation came down, that was exactly what was in it.

It took away the rights of farmers to have their day in court. It stripped farm families of their contract that they thought they had with the government, that seems intent on reducing the amount of support for farmers.

That I think is the bottom line here, is the contracts being taken away from farmers and a government that wants to cut back on support for farmers, a government that says Ottawa has shown no support for farmers in the past or possibly into the future, and yet a government in Ottawa that has pumped in \$13 billion into farm help over the last number of years — \$13 billion.

And we see in this province a Premier and a Minister of Agriculture that say Ottawa isn't doing enough. I say to them, they aren't doing enough. They haven't put in one red cent into agriculture since forming office last fall, and yet they continue to say that they are going to continue helping farmers.

Mr. Speaker, the farm community is getting, I think, very,

very tired of a Minister of Agriculture that makes all sorts of promises during an election campaign and a Premier that makes all sorts of promises during an election campaign and then, once they form office, doesn't carry on with any of them.

Mr. Speaker, the GRIP '91 program . . . I wanted to confine my remarks to two areas, and that is the '91 program versus the '92 program and as well the second area of my comments will be the illegal nature in which I believe this government has put forward these changes to the program.

The '91 program was introduced in the spring — early spring — I believe it was in January, late January of '91. There were public meetings held all over the province. I can recall something in the order of 50-some public meetings held all over the province. Seven ministers, I believe it was, toured the province. Seven ministers, I believe it was, toured the province. The minister of Agriculture, the associate minister of Agriculture, toured the province at these meetings, laying out the groundwork for the '91 program.

There was consultation, direct consultation with over 40,000 farmers about the '91 program. The ministers — and I want to make that point very clear — the ministers of the government toured the province and consulted with farmers. Then at the time, I think the farm community showed support for the program, showed concern for the program in certain areas, and we recognized that right from the outset. They showed concern in certain areas.

Now the election came about. We saw a government — government members opposite — touring all over the province in their constituencies. The Minister of Agriculture in his constituency and the Premier in his constituency saying that, and all throughout the province, they were going to provide more support for farmers. They were going to get more out of Ottawa. Everything was going to be good for farmers.

And unfortunately I believe, Mr. Speaker, they were able to convince farmers of a half or maybe even not a truth whatsoever. They were able to convince farmers to support them, and they did. And they are elected, and now they form government.

And then what did we see? I think shortly after taking office the Minister of Agriculture reconvened the GRIP advisory committee, and I think he went in with the premise and told them that this program had to be cut back. They wanted to save money. They wanted to cut it back. And that was the premise at which this committee came up with the recommendations they came up with. And I think those recommendations, had they been given another opportunity, they certainly wouldn't have come up with the same conclusions.

They were told, this is the amount of money this government is prepared to put in to this program. You do the best you can with the available dollars that we're going to allow into this program. And they came up with a program that was seriously flawed — a program that has a lot of farmers upset and will continue to have farmers

upset.

The program . . . and I want to, as I said, confine my remarks to two areas — GRIP '91 versus '92. And we'll do that right now and then deal with the illegal nature that the changes have been brought in.

GRIP '91 was not perfect, and everyone realizes that. No one on this side of the House, no one on this side of the House has suggested that GRIP '91 has been perfect — no one. But it offered a couple of things that I think farmers looked at and appreciated.

It offered a bottom-line guarantee of total production — 100 per cent of production versus price, the long-term average price, to come up with a bottom-line guarantee. '92 GRIP offers a bottom line but it is nowhere near the '91 guarantee, and everyone has to recognize that. The bottom-line guarantee, the bottom-line guarantee in '92 GRIP is simply crop insurance.

And any of you members, and I'm sure some of you have had to opt . . . to negotiate operating loans and things of that nature. I had to on my farm. Farmers all over the province had to on their farms.

You went into the banks this spring and they said yes, '91 offered you anywhere from \$20 an acre upwards in a lot of cases — \$160 in some cases on wheat or durum. And this year the '92 GRIP, the bottom-line guarantee was crop insurance. So you're somewhere in the 70 to \$80-an-acre range. That was the guarantee, Mr. Speaker, in the '92 program.

Of course, and I recognize that there was a market . . . or there was the potential for a revenue payment in '92 GRIP and the potential is based on your performance gauged against the area average. And yes, indeed it could come up with 40 to \$45 an acre, probably starting at about \$20 to \$40, 45. That's the range.

But there is no guarantee of that like there was with the '91 program. The bottom-line guarantee in the '91 program offered both the revenue side and the yield side as protection. The '92 program offers the yield side at a reduced level — 80 per cent. And the guarantee on the market revenue side is not there — is not there. It's dependent upon the price of the grain and your performance relative to the area average.

So, Mr. Speaker, there definitely is a shortcoming in the difference of the guarantee. In a lot of cases it's in the neighbourhood of 20 to \$30 an acre. That's the bottom line difference in the guarantee. And farmers recognize that. And I have a short little thing that I'd like to read into the record. Monday, August 10, '92, a farmer in the Kisbey area, Mr. Brian Hookenson, he reports and sends in a letter to the editor. And it suggests:

On my farm alone, the changes to GRIP amount to a possible loss of over \$71,000 from GRIP '91 to GRIP '92 (based on the same seed acreage of growing the same crops of durum and hard red spring wheat).

(The Minister of Agriculture) dismissed our plea

and warning and, therefore, placed thousands of farmers in a disastrous position due to drought and potential frost.

Now I respect this man's opinion. I respect this man's numbers. He clearly has shown, I think, to the people of Saskatchewan that the '92 program offers substantially less guarantee. And, Mr. Speaker, in these extremely difficult times in agriculture, that guarantee was of paramount importance in a lot of farming operations. They needed that guarantee in order to secure financing for their ongoing operations this year.

The '91 program was bankable. The entire guarantee was bankable. And I appeal to the members opposite again. You know very well if any of you went in to make banking arrangements this spring, that that's what the bankers told you and that's what they told me and that's what they told thousands of farm families.

They went in and the banks looked at the '91 guarantee and said, we can lend on a basis of the entire guarantee — the entire guarantee — because it is there; it's locked in; we know what it is. You brought in your crop insurance information and they showed it to you. You showed it to the bank and they said, we'll base your operating loan or your financing on that entire guarantee. It was fully bankable.

The '92 program, it is bankable to an extent, yes, but the extent is that it's bankable only to a percentage of the total crop insurance guarantee. They will not in a lot of cases lend on the market portion, the revenue side of that guarantee, because it is not predictable and it is not guaranteed, Mr. Speaker. So again I think the '92 program comes up short.

The '91 program was predictable. It offered farmers the opportunity to go in in the spring, find out their total guarantee. They knew right to the cent what their guarantee was going to be for the entire year. The '92 program does not offer that. It offers, sort of again, a two-thirds guarantee compared to the '91 program.

In the spring we all went in as farmers, and farm families all over the province went in and saw their crop insurance agents and that's exactly what they found. They found that it offered a guarantee, a predictable guarantee at least, up to 80 per cent of their crop insurance long-term average relative to their average, and then the revenue side of the equation was on top of that, if there was going to be a revenue payment. And no one is sure of that yet. Even the Minister of Agriculture, I predict, could not stand in this legislature and give us any kind of firm guarantee of what that revenue side is going to be. No one can until the final figures will be in in the fall of '93, before that full guarantee can be assumed.

In the '91 program, Mr. Speaker, the government has said that the reason there needed to be changes was because farmers were working the program, Mr. Speaker. They were working it to their benefit. They were abusing the program. The program was fraught with moral hazard.

(0915)

And they hold up examples. And the one that they most often like to talk about is lentil — the crop of lentil. Well, Mr. Speaker, if the crop of lentil was in such jeopardy of moral hazard, I would like the Minister of Agriculture in this province to explain to me why then the acreage of lentil continues to increase and yet they have taken away the guarantee that was associated with the '91 program. Why is there still so much moral hazard? Why do farmers still want to grow lentil, if indeed the only reason they wanted to grow it in '91 was because it offered a large guarantee.

Well, Mr. Speaker, that argument doesn't . . . it doesn't hold any water with farm families. And the evidence is clear. They continue to grow a crop that the Minister of Agriculture said, the only reason they grow it because they had a big guarantee in '91. Well that's not true, and the Minister of Agriculture knows that. Because the evidence is in. The lentil acreage is still up.

I don't believe there was a substantial number of farmers that were associated themselves with moral hazard. The vast majority of farm families in this province still want to farm the land to the best of their ability. And we all can debate whether or not the program had too many moral hazard or no moral hazard. But, Mr. Speaker, the farm families in this province I think believe that the '91 program offered to them a full guarantee that they need, particularly in these desperate times.

The '91 program, as I said, was not perfect and it needed some improvements. And I think those improvements could have been worked into it. The Minister of Agriculture knows in his mind what some of those improvements could have been, and I just want to touch on a few of those possible improvements that could have been made in the program.

There could have been a mechanism for over-production. The crop of '91 was one of the largest crops in the history of the province, third, I think — second, third, somewhere in that neighbourhood — of total production. And as a result of that, Mr. Speaker, I think there was a lot of farmers looked at the '91 program and said, here is a shortcoming — not a possible one — here is definitely a shortcoming in the '91 program. Anything above their guarantee came off of their total revenue side.

So farmers looked at it and said, there's an area that needs to be improved on. Farmers in Alberta looked at it. Farmers in Manitoba found themselves in similar circumstances, Mr. Speaker. And that's why I believe that the governments of those respective provinces made some changes — the Jackson offset in Alberta and some changes in Manitoba — which allowed farmers an opportunity . . . And I think the same thing could have been done in Saskatchewan. There could have been a mechanism put in place to deal with over-production over their long-term guarantee, which I think farmers would have accepted.

In speaking with farm families and in talking with them, I've found that that would have been an acceptable avenue for farmers. And I'm sure the government members have found the same thing — farmers wanted

some adjustments made in that area.

The premiums, I think, farmers looked at that and said, it's a lot of money in one Bill, sort of thing. It's a lot of money to have to pay out for a program in one shot.

And I think they were asking for something in the nature of being able to pay their premiums at the elevator as they delivered the grain. And I don't think that would have been an . . . I think that would have been a popular program if we could have implemented that into the '92 changes. I think if premiums would have been able to be paid at the elevator as you delivered your grain, the farmers would have appreciated that part of it.

I think another thing that could have been done to the '91 program, Mr. Speaker, is a producer-elected advisory committee to advise of changes in the future. We have crop districts. The Crop Insurance Corporation sets out crop districts. I think there's 23 in the province. We could have had producer-elected advisory committee elections held in each one of those advisory committees and had an election set up to come up with an advisory committee — 23 members, 23 crop districts. And then I think the farmers would have recognized, clearly recognized that their voice was being heard in any changes.

What we did see though was a government that went along with the previous committee set up and brought in changes that I believe are extremely unpopular — extremely unpopular.

And we've seen rallies all over the province, Mr. Speaker, that I think lend evidence to that claim. We saw a rally in Shaunavon where 1,200 people showed up at it. The Crop Insurance minister was there. I'm not sure whether the Minister of Agriculture was there or not. The Crop Insurance minister was certainly there. And I think there was a lot of discontent, and I think it showed. And the media reports of that meeting clearly show that farmers were upset with the changes in the program.

We saw a rally in Regina here at the Agridome, Mr. Speaker, and I think it clearly showed there today. There was a show of hands a couple of different occasions with respect to changes in the '91 program, and farmers wanted to go back to that '91 program.

And the Minister of Agriculture I think . . . the provincial Minister of Agriculture I think should have clearly got the message that farmers wanted the '91 program. Or at least, at the very least they wanted an opportunity to choose between the two programs. And what would have been wrong with that? What would have been wrong with offering farmers that option of a choice?

If your program is as good as you say it is — and I don't believe it is; a lot of farmers don't either — if it is truly as good as you said it was, offer farmers the option of '91 versus '92. The federal government said they would help pick up the cost of administering two programs side by side, '91-92. I think it was an offer that farmers in Saskatchewan would have appreciated their government picking up that offer.

Mr. Speaker, there was another rally held out front on the

grounds of this legislature. And I think at that time it was clearly shown once again — and all MLAs (Member of the Legislative Assembly) who were present at that and I was present and I recall a whole host of government MLAs being present that day — and we I think clearly were shown again, Mr. Speaker, that farm families do not believe that the government made changes that were in the best interests of the farming community.

They may have made changes that were in the best interests of this government with respect to fiscal restraint, but they certainly didn't make changes that the farm community wants. There were changes, and I've outlined them earlier, that could have been made that farmers would have gone along with, but they will not go along with the wholesale gutting of a program just so a Minister of Finance can stand up a year from now and say, see, I brought the budget in exactly where I said I was going to bring it in. But on whose backs is he bringing it in on that?

And I suggest changes in this program, as well as changes in a whole host of government programs that this government has made, are changes that are not wanted in the farm community.

When you look at the two programs side by side, Mr. Speaker, I think the shortcomings in the '91 program are there. I think the shortcomings could have been addressed relatively easy. I think the program changes in the '92 program, although it has some promise with respect to moral hazard, it certainly has some serious down side for the incomes of farm families.

Mr. Speaker, the other area of my comments that I wanted to address were the changes in what I believe and what a whole number of people throughout this province and a lot of farmers believe were the illegal nature in which the farm program was changed. And I think this, Mr. Speaker, comes down . . . And I've debated the '91, '92 program and now I want to turn my attention to the nature of the changes, the illegal nature of the changes.

Mr. Speaker, we all, as farmers in this province that were participating in the program, we all had signed a contract with the government. And we expected, just as I'm sure the government of the day at that time expected, that farmers would live up to their obligations in the contract and government would live up to their obligations in the contract.

And here is an example of the contract terms of the agreement. We all signed a document — I forget, probably had to sign four or five times, something like that; I just don't recall any more — and it lays out for both the farmers and the government the terms of that contract and its rather extensive changes . . . or terms, I mean, to the agreement. And I think that farmers signed it in good faith and government signed it in good faith, suggesting that here is a program, although it may not be perfect, but here is a program that offers you a bottom-line guarantee. And farmers all over the province took up the challenge and took up the cause, took up the contract by the thousands, Mr. Speaker. They looked at it and said, well it may not be perfect but it's a pretty good program; we'll go along with it.

So they signed a contract; they signed a contract. And we've all done that. People that aren't associated with the farming community, they have signed contracts in a lot of areas. Most people have bought houses or they have signed rental contracts with apartments. Or they have bought a car, and they have financed it through various institutions or the car manufacturer's finance companies themselves. We've all signed contracts.

And we know, we know that we're bound to those contracts, Mr. Speaker. We know that we're bound to those contracts just as sure as our name is on the bottom of that contract. We have an obligation that we must live up to in that contract. And we believe the other party has an obligation that they must live up to in that contract.

The contract set out the way in which one party — not the farm community, incidentally — but one way in which the government could make changes in that contract. And the changes in the contract were to be done by a prescribed date in that contract. And a date early enough — it's March 15 of the year — early enough in the season, I believe — the upcoming production cycle . . . production season — that farmers, if there were changes made in the programs, could adjust their practices if they wanted to, or they could continue exactly the way they were operating their farm.

But they would set out earlier enough in the season that farmers could look at the program changes, if there were going to be any program changes, and adjust their farming practices accordingly to make the best use of their farm and, as well, make the best use of a program that was set out to help them.

In article number 49 of the changes in the contracts:

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 those changes are deemed to be part of this contract on and after April 1 of that year.

Mr. Speaker, that was the obligation, that was the obligation that the government gave in their contract to farmers. That was what they said would be the way in which changes in the program would be set out. And farmers agreed to it and government agreed to it at that time and the changes were going to be set out and made in that way.

Well, Mr. Speaker, the Minister of Agriculture and his advisory committee, which I believe was set up to make changes in the program but were based on the premise that the government wanted to cut back the program . . . The government made changes all right. They came in and announced . . . and there was an announcement in the legislature here on March 13 that the government was going to make changes.

Well that's fine. The Minister of Agriculture . . . It's two days in advance of the deadline. The Minister of Agriculture is perfectly in his legal right, I believe, to make those changes on March 13.

But he had one more obligation that he had to meet. He

had one more obligation that the contract set out that he had to meet: and that was that contract changes are to be mailed to the insured not later than March 15.

So anyone that wasn't able to or didn't hear or was away or whatever reason wasn't aware of the Minister of Agriculture's announcements on March 13 . . . and that's the reason for a registered letter going out to all participants in the program. That would be the reason for it. We all recognize that the legal nature is such that the contract suggested that changes had to be mailed out to the insured.

Well March 13, the Minister of Agriculture makes the announcement. One has to wonder how much sooner he was aware of the announcement and how much time it took to arrange to make the announcement and all of those kinds of things. My guess is it's a couple of days. A couple of days in advance of March 13, he was aware that on March 13 they were going to make the announcements, make the announcement of changes.

Well then why, why didn't the Minister of Agriculture live up to the other remaining term, the only other remaining term of the contract that his government had to and was obligated to live up to. He had at his disposal all of the resources of government, all of the resources of government that could have been put in place, put into gear, to make those changes and to get letters out to farm families.

(0930)

There's something in the neighbourhood of 50,000 contracts, GRIP contracts, something in that order, throughout the province. The Minister of Agriculture, he knows full well that as Minister of Agriculture he has all of the power necessary to enlist every single printing company in this city and throughout the province if necessary, to come up with 50,000 letters.

I suspect in the government, the Minister of Agriculture's office alone, they've got a copier capable of putting out that many letters in probably a couple of days. One photocopier, Mr. Speaker, could probably do that. One photocopier could probably take care of that job. And yet he had all of the resources at his disposal that he could have dealt with that problem.

If it wasn't one copier — the members opposite, they laugh at that kind of comment — if it wasn't one copier, there's at least probably, in the government offices, 50 copiers, 1,000 copies a piece. You can run them off in an hour on a good copier today, and send them out to producers.

That could have been done. You had all the resources at your disposal to do it. You had all the resources at your disposal to do it. And yet, and yet, Mr. Speaker, the Minister of Agriculture . . . I don't know what he suggests. Is he suggesting to the people of Saskatchewan, he forgot? He forgot about that other obligation he had to make?

Well, Mr. Speaker, the members of the advisory committee didn't forget. The members of the committee that suggested changes in the program, they said time and

time and time again in their deliberations with the Minister of Agriculture over changes in the program, they said to him, sir, we have contractual obligations to make changes in this program that have to be met. It isn't good enough, it isn't good enough to say that we're going to make changes without giving proper notice. And that's what they told the Minister of Agriculture.

And the Minister of Agriculture's response . . . and I think the farm families were absolutely shocked at his lack of respect for this contract, Mr. Speaker. What did the Minister of Agriculture tell his advisory committee who said to him, you have an obligation to make changes properly? He said to them, he said to the advisory committee, the Minister of Agriculture said, don't worry about that, Mr. Speaker. Don't worry about that. We'll get around it somehow. We'll get around it somehow.

The Minister of Agriculture has shown a clear disrespect for the law, I believe, a clear disrespect for the advisory committee, a clear disrespect for the contracts that farmers had. And symbolically, I believe, he broke the handshake with rural Saskatchewan.

And the members opposite, they laugh at that. They don't care. They think they're above the law. They think as because they're MLAs on the government side, they don't have to respect the law. The law said you had certain obligations that you had to make. And the member from Shaunavon, he had a rally in his constituency. Twelve hundred farmers showed up at it. And they said, Minister of Agriculture, you've made some mistakes in this. You didn't abide by your conditions in your contract. And the Minister of Agriculture brushes it off and says, we'll get around it somehow. We'll get around it somehow.

Well, sir, and members of the legislature, and particularly the members that are laughing and joking about a government that, I believe, thinks they're above the law; I think that what you will find is these farmers, although they have taken you to court, in spite of all the obstacles you've put in front of them — a \$750,000 bond that was placed in front of them to try and scare them off in their court case . . . That's what it was there for, Mr. Speaker. We all know that that's the reason they did it. The farmers — five farmers from the Melville area — took this government to court over these changes. Took them to court, drug them in there kicking and squealing, literally, and said to them . . . the government said to them . . . well I can just hear it in the Minister of Agriculture's office, along with a few lawyers: ah, we'll fix this. We'll get around it somehow as well, Mr. Speaker. Slap a bond on them. Slap a bond, \$750,000 bond. That'll scare these guys off. They don't have that kind of money.

So that's what they did. They went into the court in Melville and said, put a . . . you guys, if you want to show your sincerity. Isn't that something, Mr. Speaker? They want to show their sincerity in this case, put up \$750,000 bond to show your sincerity. Well where in the world would five farmers, particularly in the depressed economy that Saskatchewan has today, where would they have \$750,000?

Fortunately farmers all over the province rallied around them and they came up with that bond to be able to take

the government to court. And they've proceeded with their court action. And the government, I believe, again flaunted the law. They came into the court and said in an affidavit presented by the deputy minister of Agriculture, that we will deem the provisions . . . that we will deem that the farmers did receive a letter as the contract sets out.

Well the farmers didn't get a letter, and no amount of deeming on behalf of the Minister of Agriculture and this government will ever set that straight. We all know it didn't happen. Every single member of this legislature knows that that never happened. They know in their heart of hearts that the government broke the contract, and now, as the Minister of Agriculture says, we'll get around it somehow.

Well we're into the getting-around-it-somehow actions these days, Mr. Speaker. And I think what's going to happen — and I sincerely believe this, Mr. Speaker — that the farmers of this province will do their best, do their best to stop a government that thinks they're above the law from getting around it somehow. I think you'll see this law, this Bill, Bill 87, that's being brought forward to this legislature, I think you'll see the farmers will continue with this court action. I don't think they're going to give up.

And members of this government, I think you're sorely mistaken if you think farmers are going to give up on this. From what I'm hearing, farmers all over the province are sending hundred-dollar cheques to those farmers in Melville to try and help them with their court action. That's what's happening, Mr. Speaker. Farmers aren't willing to give up on this. They believe that the government has an obligation to live up to contracts.

And the Minister of Rural Development and Crop Insurance, he may not believe that. And the Minister of Agriculture may not believe that. But I believe it. I think we will see this court case continue. I think we will see the farmers of this province go so far as to Supreme Court if necessary, to have their case heard before a court that this government fortunately doesn't have any jurisdiction over.

They have jurisdiction over the courts in Saskatchewan and that's why in this Bill it says that no action can be taken or brought against the government on ongoing . . . or starting up a case. They made sure they got the ongoing into this Bill, Mr. Speaker, to cover off the court case that's already started. They made sure that they put that in. Oh they've been very, very thorough, very, very thorough with this legislation, Mr. Speaker.

There was only two obligations that they had to meet in the contract that was originally set out and they didn't meet them. But when it comes time to getting around it somehow, this government is very thorough — very, very thorough. They've gone through every single issue that's been put before the courts, and they've made sure that they've covered off every single one of them in the legislation.

Sections of the Bill void the requirement to inform producers in writing of all revenue insurance contracts.

That's one of the provisions in the Bill. They're trying to cover off that part of it. It makes it very difficult for the continuation of any legal challenges since there is no requirement under the law for contract changes.

And yet I have the copy of the contract right before me, and I see right there — March 15 is the date. And they say no, no that isn't a requirement any more, Mr. Speaker. And yet farmers believe it was a requirement. That's why they're in court.

And as I say, the government — we're into the getting-around phase now — and the government is trying to cover off all avenues. And the Bill goes on in certain sections to talk about taking away the legal-challenge right, against the Crown. They're taking it away. They believe they're above the law, Mr. Speaker; above the law.

As law makers on the government side, they all sit there and say: we'll do whatever we want in this legislature. We'll do whatever we want to farm families. We'll do whatever we want to these contracts. And we're going to make it so they can't take us to court and challenge it.

Well fortunately, Mr. Speaker, in this country of Canada there's a higher authority than these people that think they're above the law, and that's the Supreme Court. And you're going to be, I believe, drug kicking and screaming into the Supreme Court.

And the Minister of Agriculture, hopefully he'll be called up on the carpet there, and hopefully the advisory committee will be called up on the carpet there. And I suspect any good lawyer would look at them and say: you've got yourselves in a real jam here, sir.

And I think that's exactly why the government has had to proceed with the kind of actions that have gone on to date. The opposition right from the outset said, you're breaking a contract and we're going to try and hold you in this legislature to that contract. And farmers have said that, Mr. Speaker, and that's why they're in court.

And, Mr. Speaker, I think that in a democracy one of the fundamental rights that we have is the right of an individual to be heard, the rights of people to have their day in court. And we should all respect that right. We should all respect that right.

And the member from Indian Head-Wolseley is shaking his head and he believes that he should all have his day in court. And he had his days in court when we talked about Rafferty-Alameda. And what would he have thought of a government that would have brought in legislation that says your right to court is extinguished, sir? What would you have thought of that? What would you have thought of that, sir?

Well I suggest he would have really been opposed to that kind of legislation. And yet he sits there as a farmer and he has a . . . I suspect had a contract — I'm not sure — but I believe certainly constituents of his had a contract; certainly constituents of his had a contract. And he's willing to . . . and my guess is he'll stand up in this legislature when it comes time to vote on this Bill and

he'll say he's in favour of taking the rights of individuals away.

One has to wonder, one has to wonder how many government members will be in a position that day to vote on that Bill. I hope the people of this province can get every single one of them on the record — every single one of them. We'll know in this province who believes in the rights of individuals and who believes in contracts that day. And it's coming very soon and we all know that. There's only a couple of days left on this legislation because you guys have . . . this government has forced through changes in the rules. They've slapped closure on. They want to muzzle the opposition. They want to be absolutely sure that no one in this province can oppose their legislation.

You people think you're above the law. Well the Supreme Court will find that out very soon — hopefully, hopefully, this fall, Mr. Speaker.

The opposition, we demand the rights of farmers to be heard in court. We demand that right. And in a democracy we shouldn't even have to ask for that right. You people should be — as government — you should be willing to give that right. You should be willing and absolutely able, capable in suggesting in every piece of your legislation that everyone should have the opportunity to challenge it in court.

Every fair-minded individual in this province, I believe, looks at this legislation and they say, it's wrong. Why is it, why is it that a government has to go so far as to suggest that they are above the law and people cannot take them to court and have their case heard?

I think, Mr. Speaker, in conclusion — and I want to move an amendment to this Bill and I'll do that in a few moments — but in conclusion, Mr. Speaker, I believe the government had a opportunity to live up to their obligations of the contract, and they chose deliberately not to do that. The Minister of Agriculture chose not to do that. Because I suspect, as a new minister, he got the advice, well we don't have to do that; I mean we can take care of that. We'll smooth it over. Don't worry about that, Mr. Minister from Rosetown-Elrose. That was the advice — don't worry about that; we'll get around it somehow.

(0945)

And so he took that advice. And in spite of the opportunity that he had and the resources that were at his disposal to meet obligations set out in that contract, he chose, I believe, he chose not to do it — deliberately chose not to live up to the obligations.

And now, Mr. Speaker, they're in court. And I sincerely hope the farmers of this province can afford to stay there. They know very well fighting government's not easy, and it's expensive. But they know very well that they are right. They're on the side of right. And in the end their right will be upheld, I believe, in a Supreme Court of Canada.

You people are not above the law. None of us are above the law; none of us in this legislature is above the law.

Mr. Speaker, the farm families in this province want their day in court. And this legislation takes it away. And that's why I'm opposed to this legislation. And that's why I believe every farmer in this province is opposed to this legislation. And that's why the Supreme Court, I believe, will strike this legislation down.

Mr. Speaker, I want to move an amendment to this legislation:

That the motion be amended by deleting all the words after "That" and substituting the following therefor:

That Bill No. 87, An Act respecting amendments to Certain Farm Income Insurance Legislation, be not now read a second time but that it be read a second time this day six months hence.

Mr. Speaker, I move this motion, seconded by the member for Maple Creek.

Mr. Goohsen: — Thank you, Mr. Speaker. Well I think it should be obvious to the government this morning that we on this side have chosen to give the government one more chance to do the right and honourable thing with regards to this Bill and the implications of the Bill towards all of Saskatchewan farmers, but in particular to those people who are involved in a court case in our province with respect to the matter within the Bill and those things that are being dealt with within the structure of the Bill.

We've decided, Mr. Speaker, that the government of course is in a difficult position. They themselves, I think will admit that they've put themselves into a corner where there are no doors and no windows and no escapes. There is no chance for them to be able to back off of this Bill at this point and save face, so they will have to probably, as I said one other day, eat some crow on this matter. But they could do it in a gracious manner by hoisting this Bill, if that's the right term, for another six months and allowing the process of justice to occur throughout our legal system.

After that had happened, I think they could probably finish this Bill in the next session. And in all fairness, by then the court system should have had time to work and it should be through the system and we would have provided them with the opportunity then to still deal with the Bill in future and at the same time allow justice for the people of our province and to allow the court system to work.

In order to fortify my position and that of the opposition, I want to review briefly the chronological events that have led up to this whole confrontation at this particular time and on this day. And I'm going to do that, Mr. Speaker, by not trying to make up flowery phrases of my own, but rather I'm going to do it by using quotations from various sources of our news media throughout the period of time that has elapsed while this issue has been before the people — before the people through this Assembly as well as through the various media forums.

And so, Mr. Speaker, in doing so I'm going to try to show the Assembly, as well as yourself and the rest of the

people, that the reading of the situation is not necessarily just our own but that of the people who report the news to the folks in the country, who I think, try to get a reading from their audiences as well as from those of us who make the statements that go into the news. And with those kinds of reflections, they write their articles depicting what their feelings are about a certain situation, whether it be this one or some other one.

Today of course I want to deal with the GRIP issue and the ramifications as they have unfolded through the eyes of various people in our media.

I'll go back and I want to point out, Mr. Speaker, that I will be quoting the names of some of the members in my quotations, but they will only be in the quotes, they will not be my own words. I will only be reading the quotes as they are from the various papers. So if I start off a quote and say a name, I can assure you that when I finish the paragraph, I will be saying the name of the paper or the name of the radio station.

The Speaker: — Just for clarification, the member may only use the name if it's used in the quote. He can't use the name beforehand and then use it in the quote as well.

Mr. Goohsen: — Thank you, Mr. Speaker. That is the point I was going to make, is that I will be quoting at the end, for example, *Star-Phoenix*, so and so. Or if you find the need as I progress, you can simply say so and I'll go to the bottom and read that first. Okay. This is a quote:

On the eve of a political showdown, Premier Roy Romanow swept into North Battleford Thursday to spread the gospel of good GRIP.

But just a few kilometres away, farmers remained oblivious to the message.

"You don't have to have a sharp pencil to see the program isn't as good," says Stewart Mitchell, the owner of a mixed farm just southwest of the Battlefords.

That's a quote from the *Star-Phoenix*, July 31, 1992.

The process at that point in July had gone to the point, Mr. Speaker, where some damage control, I think, was being looked at in terms of the government trying to say to folks that they had areas where in fact this program was going to be better than the old program. And so obviously the Premier of our province went to an area where he thought the crops were the best, to try to spread the news that the new program would in fact be better.

Obviously it is better for those people that have a bumper crop, and we've conceded that right from the beginning. And so if they were going to sell their message at any point, they would have to sell that message in an area where there were good crops.

And so that was the intent and that was the report by the media. Although local district farmers, as it was pointed out in that report, didn't agree even in that bumper crop area. Another quote:

... the argument of Premier Roy Romanow that the situations are not analogous is as vacant as the NDP's legislative morality. He says that because the NDP campaigned to change the Gross Revenue Insurance Plan (GRIP) it has the democratic right to push through its bill.

But did the NDP campaign on the promise of making changes after the GRIP deadline and using the power of government to, as the Tories say, "tamper with the evidence" in a case now before the courts?

However the most offensive aspect to the government's behavior has been the way it's ramming through arbitrary changes to the legislature's rules. Ignoring the parliamentary tradition of all-party consensus on such changes, the NDP has applied 30-minute time limits to bell-ringing. And to do it, the NDP brought down the heavy fist of closure to silence debate after only four days. This can only be described as a tyranny of the majority.

That's a quote from the *Star-Phoenix*, July 18, 1992.

Now, Mr. Speaker, I think that says a lot about how the process was unfolding through the summer. Folks were saying through the media, just as we had pointed out, that the government was so intent on putting this Bill through that they were willing to sacrifice the very rules of this Assembly and the very traditions of the Assembly, the tradition of course being that changes to rules have always been agreed upon unanimously through a committee. And these unanimous agreements through committee were done by all parties involved.

Normally of course, the government has the heavy number on all committees, and naturally they can carry the vote if it's put to that. But in this situation, it is my information at least and my understanding that it has usually been a total unanimous consent before major rule changes are made.

So here we had a precedent established to change rules. And as the press has reported, that was done simply to give the government the power to ram through this one particular piece of legislation that obviously the opposition party was going to dig in hard against. And because they saw that opposition and didn't want to take the time to battle the good battle in the Legislative Assembly, they decided simply to change the rules arbitrarily and go on and ram through this legislation.

Now there may even be people in our province that aren't particularly concerned about the GRIP program or this particular issue. In fact I'm sure there are a lot of people that likely don't have any direct connection. But the reality here is that once this precedent is established, once this rule change has been made in order to jam this piece of legislation through, how can it ever be stopped on any other piece of legislation that comes before this House, whether it be this session now or the ones in the future?

And that's got to be the frightening part of it, Mr. Speaker,

for all of the people of Saskatchewan. The fact is that now the government has the right to jam through any legislation they want with these rules all having been changed.

And so what we're saying here is that this was wrong even though it's on one issue that doesn't concern a lot of city people, and it is done in order to sort of get it into place without them being personally affected. At this moment in time they will be affected.

I will go on with another quote in this chronological assessment.

While he said he can see the Tories' point, the premier said the government (wouldn't) . . . withdraw (this) . . . legislation.

Now that's the *Star-Phoenix*, June 23, 1992. And the Premier of this province admits that he sees our point. And yet he won't withdraw the legislation. And he won't give any consideration to changes either, as we will find out as we go through this.

I quote again:

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

Quoted, Roy Romanow, *Star-Phoenix*, June 23, 1992.

Now, Mr. Speaker, even the Premier of this province has admitted that we in opposition have a good point, according to the news media reports. This is what the man has said. And if we had good points, and if he understands that people have certain rights, then why are the people in this Assembly so intent upon taking those rights away from people?

It seems to me that we have a division in philosophies within the party that governs our province. This Premier goes to Ottawa to negotiate rights and freedoms in a constitution, and yet at the same time supports his colleagues here at home who take those very same rights and freedoms away from people with provincial legislation.

It just doesn't add up to any sense. There's something desperately wrong here in the consistency, and I will say the lack of consistency, in the way this government is approaching different problems throughout our society.

I'll go on with another quote.

The substance of what we did is right. And if it's the substance which is at issue in terms of our fiscal picture and the like, process becomes a little less important.

And that's from the *Star-Phoenix*, June 23, 1992.

Well, Mr. Speaker, the process is a little less important, I think would be the key line that would bother me there. Because in a democracy, process, while it is very boring at times . . . and I can assure you that I've seen that point of

view, being here all through the summer. Certainly it can be boring. But if you're going to have a democracy that works, you have to allow process to work through itself in order to come to conclusions at the end that are not tampered by dictatorial approaches.

So, Mr. Speaker, it's extremely important that we allow process to follow its full course, and not to chop it off in the middle simply because we think we're right and the other guys are naturally all wrong.

(1000)

It's unfortunate in life, Mr. Speaker, but most of us find, I think, that occasionally we are wrong. I know that most people hate to admit that. I happen to be one of those human beings that has lived long enough to be able to say in all honesty that I have been wrong sometimes. And I have found myself very reluctant to want to admit it not only to myself, but even less to people in the general public.

But when you're in public life — and I've been there with the municipal structure for quite a while — you find that you do make mistakes and you have to admit sometimes that you're wrong. And when you do that, the people respect you more than if you dig in hard and never back off. When you are wrong, the important thing is to recognize it, admit it, and change things so that they are right and then get on with the rest of life.

And that's what we're saying to this government. You may be making a mistake in eliminating the process. Even if you're convinced that the GRIP program that you are introducing is the best one, by destroying the process, you are even doing more harm to society than you are by changing the GRIP program. Because this goes far beyond just one issue as time unfolds.

I will quote again:

While the (GRIP) advisory committee had picked an arbitrary figure of 80-per-cent (drought) coverage, according to a committee member, the NDP cabinet only wanted 70-per-cent coverage. "We had to fight like hell to get it up to 80 per cent.

Leader-Post, June 17, 1992.

Well, Mr. Speaker, if the very committee that advised the minister has made that kind of a public statement, now you have to start to reflect on the possibility, how much pressure was there on that committee to make any of their decisions? How much pressure was on that committee to come with a decision of how to work a GRIP program that would fall within the guidelines and the perimeters set out by the government to begin with, which simply would have been this, Mr. Speaker — and I can understand how it would be done — the government would mandate that committee to work in the best interests of finding a new program under the following conditions: you must save us a hundred-and-some-million dollars. And a program you come up with that will save that many million dollars for the government, we will accept from you as a committee. Otherwise you go back to the drawing board and you can sit here and redraw it all summer long.

So the committee immediately starts off its process and its work by being restricted, by being restricted in what they could come up with as a recommendation. Their minds were made up for them before they ever sat down to start drawing up the new program, because the government mandated them to come in with a program that would only spend a certain amount of dollars.

The committee could not come up with a recommendation to follow the old GRIP guidelines in any way, shape, or form, because it is far richer for the people on the land. And that would of course cost the government more money and they wouldn't have had their program accepted.

So what these people had to do was come in with a program that would suit the government's needs but at the same time in their own minds they would be saying, let's try to do it so we can get the best deal that we can for the farmers. Even though it's restricted, we'll do the best job we can of what we've got available to work with. That's how that kind of a committee would work under those circumstances.

I know, I've been in pressure positions like that in my life. And you try to get the very best out of a bad situation. And that's the kind of a situation that this government placed that committee in — a committee that went to public meetings and shed real, live tears because of the decision they made and the public pressure that was upon them, because of those decisions that they were forced to make by this government.

Mr. Speaker, I think they were wrong to do that to those people. This government was wrong to do that to their committee and they were wrong to do what they're doing in the GRIP program.

I'll quote again. The quote is:

Romanow was mum on the issue Tuesday for a second day in a row and didn't stop to answer questions from the media.

"I have nothing to say," he said, walking past reporters on his way to his office.

Asked again about the walkout, he jokingly commented instead on the continuing constitutional negotiations.

From the *Leader-Post* of June 17, 1992.

It is disheartening to see that our Premier didn't even consider this to be an important enough issue to discuss during that period of time, during the month of June.

We call it the green month in our area because normal years that's the only month of the year that we see very much green. This year the rains came a little later, so July became our green month, but that's really unusual. That's almost a one-in-a-hundred kind of a happening.

But here we were in the middle of the best month of the year that farmers and people will see as far as going out

and looking at the beauty of our province, and the Premier didn't have time to bother talking. He jokingly comments that we should be dealing with the constitution instead.

Well I'll go on to quote again. It says: "Romanow still refuses to comment on standoff." GRIP headline, *Star-Phoenix*, June 17, 1992.

Then we go on, and I'll quote another:

For the second day since returning from Eastern Canada, Romanow refused to comment on the standoff over his government's proposed legislation on the GRIP farm safety net.

The *Star-Phoenix*, June 17, 1992.

Then we go on with another quote, and this one is:

. . . Lingenfelter said the bell-ringing is costing taxpayers an extra \$27,000 a day. While NDP House Leader Dwain Lingenfelter says it's \$27,000 a day, Legislative Assembly officials say the true figure is actually closer to \$1,000 a day.

The *Leader-Post*, June 18, 1992.

Well, Mr. Speaker, that's the kind of exaggeration that inflamed this whole, this whole issue. We've had these kind of inflammatory remarks by the government claiming that 27,000 was going to be lost every day, when in fact it was one.

And that leads also into the inflammatory kind of a position that was taken on the very cost of the program itself. The government has said that they couldn't afford GRIP '91 and they couldn't afford to amalgamate it with the good points of GRIP '92 because it would cost X number of dollars way up here.

In reality you would have had to have a total crop failure for the absolute extreme amount of dollars to have to be paid out. The reality is that we don't very often have a total crop failure that would cost you that absolute total amount of money that you're guaranteeing to the farm community. In fact the reality is that in Saskatchewan some areas may have a crop failure, while other areas of the province will have a super crop or very good crop. And of course the bigger majority of the farmers will have an average crop. That's just the way it goes.

There's only been a couple of years in the last probably 85 years where you've had an extremely wiped-out type of a situation. And with any confidence at all, a government has to know that if that happens twice in 85 years, if you're using the monies through an insurance program, that money is borrowed through that insurance program to pay off the debts of the insurance company, namely the Crop Insurance company in this situation. The Crop Insurance people would of course regain those monies over the next period years. It's amortized over a period of time.

And it would not become a debt, Mr. Speaker, to the government treasury for this year. You would not be

running a debt in this year's fiscal figures that would show that the government had failed in its attempt to balance budget. That would be a debt to Crop Insurance that would be recovered through premiums over a long period of time, the same as any other insurance program works with any other insurance company.

And so, Mr. Speaker, I guess what I'm saying there is that the government should not use those kind of inflammatory tactics to distort the thinking of people as to how much these programs will cost. Because the reality is that we most likely would have an average, and an average wouldn't have cost the government anything near the kind of dollars that they were saying might be at risk. Of course they are at risk, but the odds of them having to be paid out are very slim.

I'll go on with another quote:

... he (Lingenfelter) wouldn't commit to the ultimate removal of a clause that retroactively determines farmers received proper notice of the GRIP changes.

The *Leader-Post*, June 19, 1992.

Well of course if they had decided at that point, Mr. Speaker, to remove the clause of retroactivity, there would have been very little case for the farmers to fight in court. And I guess they would then have gone on with the court process, and they would have been allowed then to carry on without the tampering effects in the evidence.

And I expect that due process then would have followed through, and by now we likely would have seen a court challenge that would have been concluded. And most likely by now the courts would have ruled or else it would be going to the Supreme Court for a ruling on whether or not the legislation was legal. And of course the government didn't want to take that chance on losing so they refused to do that.

And I'll go on with another quote.

The NDP House leader Dwain Lingenfelter admitted Friday the bill covers up for the fact that government missed a March 15 deadline to notify farmers about changes to the GRIP program.

That's the *Leader-Post* of June 13, 1992.

Now the government openly admitted in the press, Mr. Speaker, that they had done wrong. And yet they insist on passing legislation that makes their falsehood a law. And a law has to be dealt with by the court. No matter if the law is good or bad a court has to deal with the law that is made by ... on this case, the Assembly in the province, and of course on a bigger scale, the House of Commons in Ottawa. If they make a Bill into law, no matter if it's good or bad, that's what the courts have to use as their rule to determine their decisions.

And so it became quite clear that even though it was admitted by the government members that they were wrong, that they were going to jam this legislation through no matter what it took.

I'll quote again:

Agriculture Minister Berny Wiens has threatened to bring in retroactive legislation changing the (GRIP) contracts, but he refused to comment on that Tuesday.

The *Star-Phoenix*, April 29, 1992. He said he's going to do it but he refuses to comment. The man obviously knows that he's wrong when he refuses to make any comment to the press in this province.

I'll quote again:

Agriculture minister Berny Wiens was repeatedly asked whether changes to the 1991 GRIP contracts after the March 15 deadline would create legal problems, say members of the crop insurance advisory committee.

And so it comes together; go on with the quote:

But Wiens told committee members: "We can get around it somehow."

That's the *Leader-Post*, June 17, 1992. He told the committee that they would get around it somehow, so the committee didn't have to worry about that. They were just to come in with this new program under the mandate that the Minister of Agriculture had put them under, the restrictions of his determination of what criteria would have to be met, as he had pointed out earlier in the year.

I'll go on with another quote:

"Essentially, he (Wiens) didn't seem concerned," said the committee member who asked not to be identified. "He thought we could get around that (legal question) ... He said he would get around it somehow."

The *Leader-Post*, June 17, 1992 No matter what it takes — you can see how this thing is developing, Mr. Speaker — no matter what it takes, the minister had determined that he's going to force it through. Nobody should worry about it. He would somehow find the power and the dictatorial control over people's lives to get this jammed through.

I'll quote again: some members of the GRIP advisory committee warned the government about the deadline, but were told it wasn't their problem.

The *Star-Phoenix*, June 17, 1992. I'll just go on and quote again:

Asked by reporters Tuesday if the members of his (GRIP) committee had raised concerns about whether changes to (the) GRIP after March 15 ... had been raised, Wiens said that was not the case.

The *Star-Phoenix*, June 17, 1992. Now they're starting to argue among themselves, is the way this thing is developing, Mr. Speaker. And as time went by it seemed like the minister would choose to hope that members of

the committee and the members of the public would forget in fact what he had committed himself to having said. And so the whole thing's starting to unravel as we go through this.

And I'll quote again:

The NDP government opened its first full legislative session Monday promising a more open, caring administration while outside the legislature, 500 farmers were hanging Agriculture Minister Berny Wiens in effigy.

The *Star-Phoenix*, April 28, 1992. Right at the start of the session. And they quote 500, Mr. Speaker. I suspect that it probably was closer to 700. I didn't count them all, but there certainly was a large number of them out there. And they left nothing to anybody's imagination in what they intended to pass on as a message to the Minister of Agriculture that particular day.

But as time went by, folks tried to forget that those farmers were ever here. And they act surprised sometimes now when we remind them of the meetings that were held through the spring period of this summer. They say, well you don't have any public support. Who's supporting your efforts to get this Bill changed?

Well the support was definitely there. And if we go through the time period and the time frame and remind folks, they remember, yes, those things did happen. There was a lot of support out there. People were at those meetings. They did happen for sure.

These are realities. They're not like the retroactive part of this Bill that takes out the realities of life and transfers them with some other imaginary thing. I'm not sure what the term is, but I think it's called fictitious rhetoric or something like that, that the legal profession uses.

(1015)

I want to go on with another quote:

After signing a contract with farmers on the GRIP safety net, the NDP is changing the rules of the game without providing the required notice. Some farmers see that as a breach of contract and are suing. The government response is to bring in legislation that will say the government has followed the rules. In effect, Romanow and Agriculture Minister Berny Wiens are telling farmers "Yes, we broke our contract with you but here's a law that says we didn't."

The *Star-Phoenix*, June 15, 1992.

I'll go on with another quote:

"It's a sad state of affairs when farmers have to sue the government for breach of contract."

Boyd Charles, spokesman for the PAC — Producers Action Committee. *Leader-Post*, April 21, 1992.

I'll just carry on with another quote, Mr. Speaker, because

it sort of explains itself as we go:

It would appear that Saskatchewan's Crop Insurance has put the cart before the horse. If the Crown and agencies of the Crown undertake costly system changes before effecting the necessary changes, they cannot defeat the rights of individuals affected by their conduct on the basis of costs which the Crown or its agents have voluntarily incurred.

This is Judge Darla Hunter of the *Leader-Post*, May 13, 1992.

Now we're starting to get some conflicting legal opinions into the process, Mr. Speaker. GRIP court case continued. I'll quote again:

The issue is compounded by the fact the government intends to use its (GRIP) legislation as a defence in court. It will argue it did not break its contract, because the Bill says it didn't. In effect, the government is changing the facts in the case.

That's *Star-Phoenix*, quoted, June 15, 1992.

Now the media are saying to the government — for the people of Saskatchewan — I believe that they were trying to say for the people of Saskatchewan to this government that what you are doing is wrong, that what you are doing is in fact you are making a law allowing you to break the law.

I'll go on with another quote:

. . . a court affidavit filed earlier in the day from the deputy agriculture minister Stuart Kramer . . . suggested the NDP is about to introduce legislation to retroactively force farmers to accept changes to the GRIP . . .

Kramer's affidavit — a response to a lawsuit filed against the government in a Melville court room — stated Wiens intends to introduce legislative amendments "in which notice of the 1992 changes will be deemed to have been given to producers by March 15, 1992 as required in their individual contracts."

And here we see the first attempt, Mr. Speaker — and that was quoted from the *Leader-Post*, April 30, 1992 — that first attempt was made there to show the courts that they had better not bother ruling on this because the minister was intent on changing the law, to change the rules about what happened in the court system.

And so it was actually filed in court as evidence at that particular time. So later on when the government accused the opposition of not knowing what they were talking about, it rang very hollow because the fact of the matter was that if the evidence was going to be strong enough to affect the court as was stated when this application to the courts was made, if that legislation was going to be that strong, it had to in fact bail the government out because of everything that had transpired before and all of the facts that had been stated by different legal opinions.

I'll continue with another quote:

The facts be known, the Tories are right on. The NDP government is dead wrong.

And right now, the Tories' reasons for blocking the government's legislative agenda and effectively holding the province hostage is far more justifiable than the reasons for the NDP 1989 walkout ever hoped of being.

... the Tories have now walked out of the assembly over a matter of law — one the NDP is now attempting to rewrite so as to appear as if they have done nothing wrong.

In changing the 1991 GRIP contract with farmers, the NDP government — according to a court ruling this week — acted illegally by failing to notify producers of the changes to the program by March 15 deadline.

The simple solution — the government has obviously determined according to the court affidavits — is to introduce legislation that will effectively say farmers were properly informed of changes to the GRIP before March 15.

It's ridiculous revisionism from an NDP government that's already put a gun to farmers' heads and said: "You either accept our version of GRIP or you will receive no GRIP".

This is why the PC's bell-ringing is completely justifiable.

The *Leader-Post*, June 13, 1992. Well, Mr. Speaker, these quotes are not the things that we as an opposition have put into the newspaper. We didn't buy the space. We only did our job in this Assembly as best we could and the media took what is said in this Assembly and they formulated it into their stories. And the story unfolds as they have told it. And so far I agree with exactly the way they reported it. I'll quote again:

The government says the old GRIP program that the PC government approved was badly flawed and they wouldn't go back to it or give farmers the option (between the GRIP '91 and the GRIP '92.)

The *Leader-Post*, June 12, 1992. Now it was true that when the government said that the old program had some flaws in it and the media reported that they said that, and on this point we agreed with the government. There were some flaws in the old program. Most new programs that are as complex as this are bound to have some problems in them. And we did agree with the government that there would have to be a re-study of the program and a reformulation to try to get the wrinkles out of it. But we also said that we would have to take some time and we would have to talk to larger groups of farmers. I'll quote again: The NDP said, it needs retroactivity to close loopholes in the GRIP program.

The *Star-Phoenix*, June 25, 1992. Now we'll go on, Mr. Speaker, to some of the quotes from the papers about

what farmers were saying. It says here:

I don't think the government should be able to easily change something they set up like that. . . . I don't support a government that makes wholesale changes to programs people have . . . put their life into.

This is from Bill Kessler of Saskatoon; *Leader-Post*, June 18, 1992. The farmers were objecting through the media as well. Not just through public meetings, not just through petitions, not just through letters and phone calls to all of us as well as to members of the government, but they were lodging their protests, Mr. Speaker, through the media. I'll quote again:

I think they (farmers) had a pretty good deal going and then Mr. Romanow turns around and tries to wreck it. . . . I think Devine had every right to walk out.

This is quoted from Muriel Bowler, Palmer; *Leader-Post*, June 18, 1992. And it just sets up the same format, Mr. Speaker, that I was referring to, where it wasn't just the media now and it wasn't just the opposition. Now the farmers were saying to the media . . . through the media to the general public, that they too were unhappy with this process. I'll quote again:

Yes, I do support (the walkout). The main reason is I believe last year when they (the government) initiated the program, they guaranteed us they would not change the program unless they gave us due time.

This is quoted from Jerry Klimchuk of Canora, *Leader-Post*, June 18, 1991.

Saying very much the same thing, Mr. Speaker, I'll go on to another quote:

Yes, I agree with them (the PCs). Somebody's got to stop (the government), otherwise they'd pass laws and do whatever they want to do.

Quoted from Ken Spicer of Moose Jaw, *Leader-Post*, June 18, 1992.

Already the people were starting to worry about the government getting out of hand with this massive majority and doing dictatorial things. And so they were lodging their protests through the media, the only way they could now get through to this government, because the letters and phone calls weren't working.

The government was refusing to acknowledge the fact that farmers were approaching them. They in fact told us that they were getting letters of the opposite point of view. So now the farmers found it necessary to go to the public media to get their point of view and positions known by the general public.

I'll quote again:

... they (the NDP government) changed the program without doing it by the rules. I signed a

contract for four years and they changed the contract. If I wanted to change the contract, I couldn't.

Cliff Delahey, I think it's pronounced, of Moose Jaw, June 18, 1992.

In other words, the government can change the rules but the farmers couldn't. That's what he was saying, that he didn't like that.

I'll go on to quote again:

"I'm just livid," says Norm McIntyre of Wiseton. "I've been told that I can't bring the protection up to 80 per cent, but I have to accept the changes on the revenue side," . . . (Now) They're changing the rules to suit themselves. I think I'm entitled to the old program. The difference between the two programs is costing me \$48 an acre."

The *Star-Phoenix*, April 18, 1992.

I'll quote another one:

. . . farmers in the Battleford area . . . warn the provincial government is courting political disaster by pushing its (GRIP) program through the legislature. Joe Beckman, the reeve of the Rural Municipality of Battle River, said discontent with the program (GRIP '92) cuts across party lines.

The *Star-Phoenix*, July 31, 1992.

I'll quote again from another farmer:

. . . Boyd Charles said: "Farmers do business on a handshake, on a word of mouth. Your word better be your bond and this action the government is taking now — to make a . . . (I'm not going to say that word because I think you won't like it, even in a quote; I'll transfer this word for falsehood) a law — is against everything agriculture believes in and is run on."

The *Star-Phoenix*, June 15, 1992, Mr. Speaker.

Anyone who wants to see what the real word in that quote was can read the *Star-Phoenix* on June 15, 1992. And they'll see the actual words that Boyd Charles used to describe his feelings and frustrations.

I'll quote again from another farmer:

One of the farmers involved in the case praised the opposition for keeping the Bill from entering the legislature. "They had to walk out," says Henry Ward in a telephone interview. "They can't sit there and let someone admit a . . . (falsehood) into a law."

I transferred that word falsehood for the other word again, Mr. Speaker, so it's not a direct quote right there. But I know that people in this Assembly are nervous about certain words, so I won't use it. But that quote was in the *Leader-Post* of June 13, 1992.

I'll go on to quote some more, because there's scads of evidence that proves that the farmers of this province were supporting the opposition position and that the government was not being enforced:

"The 1991 GRIP needed changes . . . it wasn't flawless. But the fact was I knew where I was for the next four years. I could handle my payments," Ward said of the guaranteed per acreage payment.

Ward says . . . (the Crop Insurance) claims the new GRIP is better but he has his doubts: "If it's so much better, why can't they (the NDP) sell it on its own merits? Why do they tell me they won't honor last year's GRIP if I don't take it (new GRIP) for the next four years.

Henry Ward, Melville, *Melville Advance*, April 22, 1992.

And so the thing solidified as time went by. And we find, Mr. Speaker, that most of the farmers in the province were agreeing with what these farmers were wanting out of the GRIP program. I'll quote again, Mr. Speaker, from another quotation:

It seems funny to me that Agriculture Minister Bernie Wiens can continue to stand up in the legislature and tell the media that farmers want the changes he has made to the Gross Revenue Insurance Program.

Obviously, the thousands of farmers who have held meetings all across this province mean nothing to this minister. At every meeting, farmers voted almost unanimously to urge the government to reinstate the 1991 GRIP provisions and then consult with real farmers to find out what changes need to be made.

Farmers are angry because the changes to GRIP make our premiums go up drastically, while our coverage becomes almost non-existent. Many farmers are being turned down for operating loans because the program isn't bankable or predictable any longer. It is also no longer an affordable program, and it certainly is no longer an insurance program.

In addition, producers were told any changes made would be in writing and sent out to our homes before March 15. (And that goes on, Mr. Speaker) Well, farmers heard from radio and television first about what was going on, and Wiens now seems to care less about the government's obligation under contract.

If Wiens thinks the program is exactly what farmers want, why not give farmers the option of choosing either GRIP '91 or GRIP '92?

If this government won't listen to the majority of the farmers and their real needs, how can it claim to know about rural Saskatchewan's needs to survive? Well I guess that answer is an easy one — it can't.

This country is still a democracy even though our province has a socialist government. It is time for the NDP government to really listen to the people like it promised.

And that's from Gloria Baer of Southey, *Leader-Post*, June 19, 1992. That one covers some real interesting points, Mr. Speaker, in that here the implication was that we go to real farmers.

I say that it wouldn't do any good to go any real set of farmers for opinions if you first of all said to those farmers, you can only come up with plans and programs that match our fiscal needs and you have a cap on how many dollars the program can put at risk or spend. It wouldn't matter what farmer you put on that board, he wouldn't be able to come up with any other kind of a program that would help farmers genuinely with cash flow if the minister sets out a mandate to those people that make up the rules that says they can only come up with rules within his guidelines.

And if his guidelines are so narrow and in such a small parameter that nobody could possibly move outside of them, then it is useless to have input from anybody because the input couldn't go outside of his parameters of what he's saying you're allowed to do.

So I guess the logic there is that you can talk to all the farmers you like if you're going to say to them, you can't have any more; we're not going to give you any more, so come up with some other ideas. There aren't any more ideas. You've got the two programs; you could meld them together. But the reality, Mr. Speaker, is that you have to commit some dollars in order for this program to work.

(1030)

I want to quote again, Mr. Speaker, a little bit on some of the federal point of view on this matter. It says here:

McKnight is still offering farmers \$40 million in yield protection. Farmers should not be penalized because the province changed GRIP.

That's McKnight quoted from *Star-Phoenix*, July 17, 1992.

So here we start to develop the case, Mr. Speaker, that we weren't altogether short of dollars in this process. The federal minister is saying now that he has some money that's available and he's willing to give it to the Saskatchewan farmers providing that the provincial government plays ball. And I'll go on and just quote a few more of these quotes, Mr. Speaker, because they make the case better than I can:

The difference between the old and the new plans is the basis for the federal offer.

Saskatchewan farmers lost anywhere from \$20 to \$40 per acre in coverage because of the provincial changes . . .

Quoted from McKnight, *Star-Phoenix*, July 22, 1992.

Next quote is:

. . . Wiens maintains Saskatchewan won't change its version of GRIP and believes any additional support should come solely from Ottawa.

The *Star-Phoenix*, July 20, 1992.

Totally washing their hands of all responsibility for Saskatchewan's major industry, the industry of agriculture. That's what this quote is saying. They're totally washing their hands provincially of any responsibility to agriculture.

I'll quote again, Mr. Speaker:

I guess the provincial government has to ask itself how can it not afford to put up the money, \$23 million. What kinds of situations are a lot of farmers going to be in if the money isn't put up?

That's Alanna Koch of WCWGA (Western Canadian Wheat Growers Association), July 28, 1992.

Well, Mr. Speaker, \$23 million is a lot of money if it's out of your pocket or out of my pocket. But the reality is that in the province of Saskatchewan we've seen a situation where interest rates have been falling, and I'll just make one small point here about that.

The reality of life is that this government claims that we've got billions of dollars worth of debt. Interest rates have dropped from 10 or 11 per cent down to between 5 and 6 per cent. Any way you look at it, whichever figures you use, you've got about a 5 per cent, at least, drop. If you've got a 5 per cent drop in interest rates on \$14 billion worth of debt, that's 700 millions of dollars that will be saved this year on interest alone in this province as compared to what it appeared it would be last January and February when this government should have been drawing up its budget. So the budgetary figures should include enough monies made available to pay off interest bills more than \$700 million higher than what in fact it will cost them in the end.

So 23 million out of there shouldn't have hurt the government very much, to put fuel into the engine that sparks the entire economy of this province. And that engine of course, in metaphorical terms, is the engine of agriculture and the engine of farming and getting cash flow that would work through the entire system and through all the tax bases of our province, Mr. Speaker.

I'll quote again:

. . . the (NDP) government seems prepared to use every weapon in its armory to force its agenda through the assembly.

The *Leader-Post*, July 31, 1992.

Provincial government officials confirm that farmers who planted fall crops last year are getting a raw deal under the revised GRIP.

The *Star-Phoenix*, April 18, 1992.

And I'll quote one more out of this sequence:

"A significant number of lenders are refusing to accept the revised GRIP as collateral for farm operating loans this year," says Swift Current lawyer Neil Gibbings. "They are most certainly not accepting it," says Gibbings whose law firm deals with a large number of farm clients. The general coverage is down substantially and it's unpredictable.

The *Star-Phoenix*, April 18, 1992.

Well, Mr. Speaker, the case for the need continued to build and the case for the government refusing to help people in our big industry was obvious.

I will quote again:

The 1991 version of the GRIP would have given solid, bottom-line protection to farmers and that's what attracted them last year.

But the Saskatchewan 1992 version ended that backing . . .

"It rewards you when you have a crop, but it doesn't protect you when you don't have a crop."

Bernard Kirwan, president of SARM (Saskatchewan Association of Rural Municipalities), *Leader-Post*, July 29, 1992.

That said it all as far as the farmers were concerned, Mr. Speaker. You're guaranteed to get money if you got a crop, and you're guaranteed not to have money if you don't have a crop. What kind of an insurance program was it anyway?

I want to quote one more:

The NDP has got to give in. That is the government's only viable option to save face.

The *Leader-Post*, June 26, 1992.

Mr. Speaker, I'll repeat that quote:

The NDP has got to give in. That is the government's only viable option to save face.

Mr. Speaker, that says it all. And nobody could say it any better than the last two quotes that I read into this Assembly and into the record. And if nobody else could say it any better, why would I stand here and say it any more.

So I thank you for your time.

Mr. Martens: — Thank you, Mr. Speaker. I want to first of all say that our speakers this morning have dealt with GRIP from two aspects, one dealing with the area of the changes and the implications that are made in relation to that — the implications to the farmers, the implications to

rural Saskatchewan. The member from Maple Creek has outlined how the media have moved through the process in establishing the basis for the observations that they make, and in light of that, the observations that many of the people of the province of Saskatchewan are also seeing in what's going on.

I want to take it one step further today and say that at the beginning of this session, the Lieutenant Governor rose in her place in this Assembly and from your chair, Mr. Speaker, said to all of us, as there was a demonstration going on outside:

A community that has lost faith in (its) elected representatives will not flourish. People want my government to be open, honest and fully accountable.

That was the statement made by Her Honour on behalf of the executive branch of government. The executive branch of government is outlining its process of how it's going to involve the people of the province of Saskatchewan. They want the government to be open, honest, and fully accountable.

The second point that was made:

A community without compassion will not know true progress. People want my government to be fair and compassionate in all its actions.

That's point number two. Point number three:

A community divided will not succeed. People want my government to rekindle the Saskatchewan spirit of community and co-operation.

Three points, Mr. Speaker, that clearly are in conflict with the legislation that we have before this Assembly today — clearly in conflict with every detail of that function. Mr. Speaker, we have in the province of Saskatchewan I don't believe ever in our history witnessed a Bill that deals with the rights of individuals to this extent.

There are a number of areas that I want to point out, and I will get to them and I will point out where there's no openness, no honesty, and no accountability. I will show that they're not fair, they're not compassionate, they don't have a spirit of community and co-operation. And I'll demonstrate that as I go through the things that I have to talk about.

And that's why we think that we should defer this decision until the court has made their decision. And we will rest our whole focus on that decision, and that's what we want to do.

This began, Mr. Speaker, in 1991 on the basis that farmers said, we need to have a time line where we can say to ourselves and prepare and plan for the future of our year to manage the things that we're going to be doing. We need a time line and the government has to fit into that time line. Because we're making management decisions based on programs and based on all of the factors that play into the normal pattern of farming.

And so in that process the farmers asked us to put into place a deadline when changes would not be able to be made after that. We put into a deadline of March 15 of the year under review. And any decisions made after that would not be a part of the program. We made that as a part of the commitment in the contract to the people of the province of Saskatchewan.

Mr. Speaker, the validity of the argument of the contract was made when the farmers in the province of Saskatchewan decided to take the province to court on that basis. And the validity of the argument is the very fact that the Minister of Agriculture asked the deputy minister to place as evidence before the court, a document, a sworn affidavit that says:

I am aware and do verily believe having been advised by the Honourable Mr. Wiens 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 to producers by March 15, 1992 as required in their individual contracts.

Mr. Speaker, that was a direct admission of not only the date, but a lack of involvement to the point to provide to the court this information that dealt with this item. That, Mr. Speaker, is where we're at today. That's why we're asking for a deferral on the basis of where we're going.

The contract said March 15. The deputy minister of Agriculture under the direction of the minister said that we will provide a piece of legislation and amendments to this Assembly that will say that the date never occurred, and that prior to that date we will deem to have sent out letters that said we didn't have to send out letters, or that the information provided prior to March 15 was adequate. That's what the affidavit says. And this is an affidavit provided by the Minister of Agriculture through his deputy minister.

Mr. Speaker, is that fully open, honest, and accountable? Is that fair? Does that show compassion? Does that show a spirit of community and co-operation? I say no, Mr. Speaker, it does not.

At the time when that affidavit was provided, the court in Melville made some decisions. The court in Melville said:

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.

That is a fact as a presentation by the deputy minister of Agriculture in the court in Melville at the first hearings that they had, the hearings to establish whether the farmers had a case — whether the farmers had a case to take it to court. That was what was established, Mr.

Speaker.

The second point I want to make in the statement made by the court was this:

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 the legislative amendments and amendments to the federal-provincial agreement are required to implement the '92 proposed changes. These proposals may not come into effect.

The plaintiffs argue that they should not be required to make decisions reflecting their individual farming operation and their participation in the GRIP program for the next two to five years until they know the actual terms of '92 GRIP program.

While there may have been public statements that there will be now a group risk coverage rather than an individual risk coverage for farmers, in the written information filed before me, little explanation is offered as to the effect of this change. This makes it extremely difficult for farmers to make reasonable decisions with respect to whether to opt out of the GRIP program before May 15, '92.

Further it was acknowledged in the argument that by the very terms of the '92 proposed changes it is impossible to calculate the return to the farmers until the end of the crop year.

This is the Justice of the court making this decision and these are the statements of fact as she outlined them to the court.

Further to that, Mr. Speaker, it goes on to say:

If participation in the program is terminated, the producer would not be eligible to re-enter the program until two full years have elapsed from the day such termination becomes effective. Following re-entry, the producer shall be responsible for the full amount of the premiums due each year, but shall be eligible for only 50 per cent of any benefits in the first year of re-entry and 75 per cent of the benefits the second year of re-entry.

(1045)

The point is, Mr. Speaker, from the above, it would appear that if the Government of Saskatchewan is successful in having the federal-provincial agreement amended to make the changes in '92 GRIP as set out in the aforementioned literature, then the effect on farmers will be for a two-year period rather than a five-year period as shown in the '91 contract of the revenue insurance.

This clearly shows the difficult current situation for the farmers because they do not know with any certainty the terms of the GRIP program for '92, i.e., will the '91 contract terms prevail or will the necessary steps be taken

to revise the '92 GRIP?

That was the point that the justice was making in outlining why the farmers in the province of Saskatchewan had a legitimate case, a prima facie case to be heard in a court in the province of Saskatchewan.

Mr. Speaker, she goes on to say:

The question of irreparable harm must not be interpreted too narrowly in the instant 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 as represented by its agent, Saskatchewan Crop Insurance. Individuals must be given the opportunity to challenge the 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. Speaker, are the statements made by the justice in the case when the farmers made the case.

The point I want to point out, the point I want to make, Mr. Speaker, the government said they were going to be open, they said they were going to be honest, they said they were going to be fully accountable. They said they would be fair, compassionate, have a spirit of community and co-operation. Well, Mr. Speaker, as we go through this item by item we're going to see evidence that it didn't do that at all.

The justice continues:

Surely the proper legal foundation for such changes should have been undertaken, i.e., amend the federal-provincial agreement, pass the necessary legislation to effect the changes in the 1992 GRIP program. If the Crown and agents of the Crown undertake costly system changes before effecting the necessary legal changes, (Mr. Minister) they cannot defeat the rights of individuals affected by their conduct on the basis of costs which the Crown or its agents has voluntarily incurred.

That is a very significant statement, Mr. Speaker, and Mr. Minister. It is significant because she said:

If the Crown and agents of the Crown undertake costly system changes before effecting necessary legal changes, they cannot defeat the rights of individuals affected by their conduct . . .

You, sir, have taken those rights away in this Bill 87. You have voided the contract. You have voided all of the items that occurred, the dates that they occurred on. And you say, I will put into regulations saying this is what I expect it to be. You have, sir, contravened the very fundamental rights of individuals in the province of Saskatchewan and in Canada.

And I'll repeat this again:

They cannot defeat the rights of individuals affected by their conduct on the basis of costs which the Crown or its agents has voluntarily incurred.

Mr. Minister, if you'd wanted to make the changes, you should have made them prior — prior, Mr. Minister, to dealing with March 15.

And what is your observation about that to various people? Well we'll get around it somehow. We'll get around it somehow.

Mr. Speaker, and Mr. Minister, that is what I point out to this Assembly and the members of this Assembly and ask the question, how open is that? How honest is that? How fully accountable, fair, compassionate? It doesn't represent any of that.

And the last item I want to raise is this. The justice in the court said this:

The plaintiffs have established a prima facie case and have satisfied me they will suffer irreparable harm if a limited order request is not made, and that the balance of convenience is in the plaintiff's favour.

Mr. Speaker, and Mr. Minister, she decided, on the basis of information provided to her, number one, you cannot defeat individual rights by changing rules, by deeming. You cannot do that. You didn't comply with the basis of the contract, and therefore, sir, your actions are illegal.

So then we come to the next stage in this process, Mr. Speaker. The next stage in the process is a debate on various aspects of incidents that have occurred in this Legislative Assembly. And I want to talk about that a little bit.

We talk about how this process has evolved — the bell-ringing, the closure on the Rules Committee recommendations. All of that, Mr. Speaker.

And I want to quote observations made from the member for Moose Jaw Wakamow — very clearly an impassioned speech on the day it was delivered. Mr. Speaker, the impassioned speech talked about democracy and using closure to bring to an end the very fundamental options that we have to debate and to provide argument in the cases that we're talking about, and Bills and motions before this Assembly. The very essence of democracy.

And, Mr. Deputy Speaker, the member for Moose Jaw Wakamow had this to say:

Mr. Speaker, democracy can withstand every attack except neglect, except a government that will so neglect the traditions of democracy. Mr. Speaker, they do this. Why? (And they're talking about closure.) They do it for short-term political gain. For their short-term political gain, they are willing to neglect a century — almost a century — of democratic tradition in this legislature.

That was August 7, 1989.

The member from Moose Jaw Wakamow went on to say:

Mr. Speaker, democratic tradition, the traditions of this House, the traditions of this parliament seem to mean nothing to the members opposite, seem to mean nothing at all to them if those traditions happened to get in the way of their political agenda. Those traditions can be cast aside if, in fact, they would stand in the way of what this government wants to do in Saskatchewan. I tell you, Mr. Speaker, democracy can withstand every attack except this kind of neglect.

He goes on to say, Mr. Speaker, and he puts it very, very well, and that's why I want to lay it before this Assembly:

Mr. Speaker, I want to say to you that on this side of the House, democratic traditions do matter, the traditions of this place do count. Not once, Mr. Deputy Speaker, not once in all the years of CCF (Co-operative Commonwealth Federation) or New Democratic Party administration in this province, not once did we seek to stifle the free speech of this legislature; not once did we seek to limit debate in this House. Not during the heated debates of the late 1940s, not during the medicare crisis, not during the time when the Potash Corporation of Saskatchewan was being formed, not once did we seek to limit the rights of the opposition to speak in this legislature.

In the last three weeks, Mr. Speaker, I believe it's five times — five times. Here's a member who voted for this over and over and over again over the past month. And he said, in 1989 he said this is what he thinks of the rules, and in 1992 this is what he does. Five times he has stood in his place and said yes, stifle democracy. He said no in 1989. In 1992 he says ah, but.

Is that open, honest, and fully accountable? Is it fair and compassionate? That's the question, Mr. Deputy Speaker, that's the question we have to ask. And that's what we're asking.

Well, Mr. Speaker, if I were a back-bencher (and this is the member from Moose Jaw Wakamow in 1989) . . . Mr. Speaker, if I were a back-bencher on that side of the House, if I were a back-bencher over there I would be absolutely ashamed to be voting for this motion. I would be absolutely ashamed to be counted in with the first government in Saskatchewan history to limit free speech in this House. I'd be absolutely ashamed to stand up with that front bench and do as they beckoned me to do.

Well, Mr. Speaker, he's done it five times — five times. Not once, not twice — five.

Mr. Speaker, this motion is proof positive of the arrogance of this government, proof positive that theirs is the attitude: if we want it, who is there to stop us? Well, Mr. Speaker, let me pause here and say, they will be stopped; they will be stopped.

Now this motion may pass. I expect that enough of the back-benchers will fall in line some time today, this motion will pass, and free speech and debate in this House will be stifled. Their potash privatization legislation (will go ahead) . . .

Mr. Speaker, it did. Closure twice; in the last month, five times. Fairness, openness, accountability — all of those things.

Mr. Speaker, today I want to point out another thing that the member from Moose Jaw Wakamow said:

. . . they may be able to stifle speech, free speech in this legislature. They may be able to silence this opposition. They may be able to deny members of this House the right to speak, but they will not silence the people of Saskatchewan.

No, Mr. Speaker, they will not silence the people in the province of Saskatchewan. They will not.

Mr. Speaker, one only needs to look just beyond the borders of our own nation to see how precious and how fragile indeed is parliamentary democracy. One needs only to recall the sacrifice of my father's generation on the battlefields in Europe to realize how precious is the rights of free speech and the right of parliamentary democracy and the right of a legislature. We need only to recall and to look beyond our borders to know just how fragile this parliamentary democracy of ours can be if treated with neglect or treated with indifference.

Mr. Speaker, it's absolutely accurate. Absolutely accurate. And what have we got here today? Closure on a discussion that contravenes the legal rights of individuals to be heard in a court of law. It says, voiding the information, extinguish the action, all of that, Mr. Speaker, flaunts the law, flaunts the law in the province of Saskatchewan.

Mr. Speaker, the member from Moose Jaw Wakamow goes on to say:

. . . I stand to oppose this action to limit debate in the Saskatchewan legislature. I stand to oppose the silencing of an opposition. And I stand to oppose this motion, not simply because it is the means by which this government wishes to privatize the potash . . . I stand to oppose this motion because it limits the freedom of speech.

Mr. Speaker, that member, that member said, the member from Moose Jaw Wakamow:

I'll put my name on record against this limiting of free speech in the Saskatchewan legislature. And when that day comes and I no longer have a right to sit in this legislature and to speak here, when that day comes, I will at least not go away with the shame of knowing that I was a part of a group of men and women who sought to limit those rights in this House.

Five times, ladies and gentlemen of this Assembly, five times in the last month that member has had to stand in his place and say, I'm going to contradict which I said in 1989. That, Mr. Deputy Speaker, is why we are at the place where we are today.

I believe, Mr. Speaker, that there are some other items that I want to raise. And they deal with a proposal presented to the Minister of Agriculture. And the member from Maple Creek has discussed this morning about what some of these members had to say about how the Minister of Agriculture dictated to them what the program component was going to be.

Mr. Speaker, that is what is evidenced by other documents that we have. The member of the committee from the SARM (Saskatchewan Association of Rural Municipalities), Mr. Sinclair Harrison from Moosomin, had this to say in a letter that he provided to all of the reeves and councillors and administrators, it's re: SARM involvement update on GRIP.

Point no. 3 in that letter says: After the committee report had been drafted, the SARM voiced five major concerns. Five major concerns with the recommendations of the report. And by written letter as well as a meeting with the minister February 13, '92, at that point the five concerns that SARM had were added to the GRIP review committee report.

They had five concerns, Mr. Speaker, five of them. They said, Mr. Minister, these are five — this was on February 13, a whole month before the information should have been provided in a detailed program revision to the farmers of the province.

(1100)

At that point the five concerns SARM had were added to the GRIP review committee report. These concerns were: time limitations, one; bankability; federal and provincial agreement; lack of a broad-based producer input; and significant changes, change violates the contract. That, Mr. Speaker, were . . . those were the five items that SARM put before the minister on February 13, a full month before he was required to make a decision.

And you know, the line that says it all in this: The report was then signed. It was then signed by the SARM as a participant and submitted to this minister — not a supporter, a participant, Mr. Speaker, and Mr. Minister. Not a supporter of the program, because they had outlined five of the major concerns that the farmers across the province had been talking about, five of the major concerns that they said are a part of the problem.

And, Mr. Speaker, those five . . . We have tried to tell the minister from this side of the House, those five are as real today as they were on February 13, and the report was signed by the SARM as a participant and submitted to the minister.

So that, Mr. Minister, is why some of the committee members finally asked the minister: what are you going to do with the

15th date? What are you going to do with the March 15 date? And then, Mr. Speaker, the minister said: "We can get around it somehow." And that's a quote from *Leader-Post*, June 17, 1992. The Minister of Agriculture said: "We can get around it somehow." — referring to changes after the date of the 15th. We saw that in the court, the presentation made to the court.

I believe, Mr. Speaker, that this government had to do that for a number of reasons. And I want to outline a few of those here this morning. The government made those decisions to change the legislation in Bill No. 87 in this Assembly because, number one, they were afraid to go to trial. They were afraid to go to the court room to testify on the basis that they did not . . . they knew they were at fault for this. They knew it. Because they very emphatically stated it in a document they submitted to the court itself. They were afraid to go to trial.

Second point, Mr. Speaker, is they were afraid to go to trial to face a jury. They were afraid to go to trial to face a group of peers that said, you're right or wrong. Whether the jury would've been 6 or 12, they were afraid to face that jury.

The third reason, I believe, that they were afraid to go to court is that they would've had to testify under oath that they understood and knew that the time line was there.

The member from Maple Creek showed how members of the committee that was established and reported to the minister, how they had told the minister that March 15 is the deadline; you can't avoid it. And he said, I'll get around it somehow.

Well here we have Bill 87 somehow getting around it; somehow getting around it by putting a thumb down on all of the actions, voiding all of the dates, the actions, the plans, all of that. All of the regulations, all of the functions of the contract are voided. And then I, as a minister, will determine what it's going to be.

And, Mr. Speaker, under oath that minister would've had to testify. Under oath, Mr. Speaker, the minister would've had to testify; under oath the members of the committee would've had to testify to the very fact that the member from Rosetown-Elrose would've said in a court: I said I'll get around it somehow.

Another reason why they don't want to go to court is they don't want the people who they fired out of Crop Insurance, who know what was going on, people out of the Department of Agriculture who have been relieved of their responsibilities, they didn't want those people testifying to the very fact, their essence of the fact that they did not meet the requirements of the dates of March 15.

Mr. Speaker, they also don't want to deal with it on the basis that they have not set up a GRIP review committee to hear about forfeiture of rights of the province of Saskatchewan. It's outlined in 18.1 of the agreement, the federal-provincial agreement that says that this minister is supposed to put into place a committee that deals with the forfeiture of rights of the individual farmers in the province of Saskatchewan.

It would have dealt with the March 15 deadline. The

minister hasn't done that. He hasn't done that. He has a review committee to change the program, but he has not got a committee to hear the rights and concerns of the individual farmers so that they know that their rights are being dealt with.

Mr. Speaker, they're afraid to go to court because they did not have signed agreements from the other provinces nor the federal government in relation to the agreement with the federal government. Because they'd have to testify to that. They didn't want to show that the provinces are required to inform producers of all terms and conditions of the agreement with the federal government. They didn't want to do that. Why, Mr. Speaker? Because they didn't want to have this Minister of Agriculture or any of the other people who were involved in the program, on the stand to defend it.

There are some very significant items that I want to point out in the Bill that I think, as I conclude my remarks, I will make. There are some very significant things, and I find this very disturbing.

I believe, Mr. Speaker, and members of this Assembly, that this Bill should be given an opportunity to go to the lawmakers of the province of Saskatchewan and to the country of Canada to have a reference. I believe that. Any time that you infringe on a right of an individual, he should have access to the court.

This Legislative Assembly, through the Minister of Justice and the Premier, is setting up a constitutional committee, a constitutional committee that is going to go around the province and talk about the new constitution. And that's going to cost \$200,000, as the budget has pointed out. That \$200,000, Mr. Speaker, is going to ask the people of the province, how do you like your constitution? How do you want it built? Very important question.

And, Mr. Speaker, and members of this Assembly, the matter before this Assembly today is of as vital importance as that constitution question is, because it deals with the basis of taking away constitutional rights. It takes away my right before my peers in a democracy to be able to say, I did or I did not comply with the actions that I am accused of.

Mr. Speaker, this Bill takes away those rights. Takes away those very fundamental rights and I think that the individuals in this Assembly should reference this to the Appeal court and ultimately to the Supreme Court for a ruling on this. I believe that it could be done. It could be done with some haste. That's why we have a delay as suggested in our amendment.

This Bill takes away the opportunity for a cause of action against . . . a cause of action and it describes it here:

. . . means any claim, cause of action, suit, debt, account, demand, claim for damage, loss, cost, expense or interest, of any nature, whether arising in or imposed by law, equity, statute or otherwise and includes any judgement or order of a court.

Above the law, Mr. Speaker, above the law. I will not allow an opportunity to be presented in a court of law to

deal with this kind of a function. And he says it right there: I won't allow it.

But that's not even as bad as it gets. The Minister of Agriculture is going to determine within himself what happened from January 1, 1991 until today. And he's going to set this down, Mr. Speaker, and members of this Assembly, in very precise terms, what happened from January 1, 1991 till now.

I have a question. Is he going to place before this Assembly those regulations to show what happened? I want to know how he's going to define those terms and conditions and regulations, because he's going to void all of what really happened and then tell everybody in the province of Saskatchewan what he thinks happened.

That's what's going to be there. And that's why it's wrong. You have no right to change facts of history as a presentation before a court of law.

The third point I want to make is that you extinguish all of the rights as outlined in the page that I gave . . . or in the contract that I provided to the member's attention earlier. And the member from Kindersley pointed it out, section 49:

Any changes in the contract shall be mailed to the insured not later than March 15 . . .

That's voided. Under this Bill it never happened. This contract was never a part of the process.

Now is this a contract or isn't it a contract? This, I personally picked out of the rural service centre in Swift Current. It is made available to the producers. Lots of them got it in their mail; most of them got it one way or another, and now know all about it. And that, Mr. Speaker, you're voiding — all of that information, saying it never happened. Farmers didn't come and ask me for the March 15 date. It never happened. So I guess I can exclude that.

The fourth item that is of serious implication here, Mr. Speaker:

No action or proceeding lies or shall be instituted or continued against the Crown or a Crown agent based on any cause of action arising from, resulting from or incidental to: (this '91 GRIP)

No right or cause of action. You can't take this to court. Every action, every cause of action against the Crown or a Crown agent arising from, resulting from, or incidental to anything mentioned, those rights are extinguished. Right in the Bill, the rights are extinguished. That is the reason why we have a problem with this. That's why it should have a reference to the Court of Appeal and to the Supreme Court. You're taking away individual rights, individual freedoms.

In any action or proceeding against the Crown or Crown agent, a court shall not consider any principle of law or inequity that would require adequate, reasonable or any notice with respect to amendments or changes . . .

All of the opportunities for any farmer in the province of Saskatchewan is wiped away to have any involvement in court. It's all gone.

Now the Lieutenant Governor made the commitment of the executive branch of government: people want my government to be open, honest, and fully accountable. Well put your money on the line, Mr. Minister. Put it on the line and say, I will be prepared to give this a reference to the court.

Your Premier has said the court will decide; you have said the courts will decide. Then why, Mr. Speaker, and Mr. Minister, are you so hidebound to make it absolutely not available in a court? If you're prepared to do that — and you said that, Mr. Minister, and the Premier said it — but you don't live up to it. What is that?

One of the articles in the paper said it's hypocritical. It's hypocritical, Mr. Speaker, that that would be done. That's not all it says. It goes on to say: Any person whose revenue insurance contract is not terminated on or before May 15 and who on or before July 20 terminates . . . Now that's interesting. Mr. Speaker, we've got two interesting dates there. This Bill was put on the order paper some time in June. And here, Mr. Speaker, after a decision was made by . . . The minister responsible for Crop Insurance made the statement in this House that on July 20 is the last day you can get out of this.

He made that decision after the Bill was intended to be introduced in June. He made that decision after that. So who made the changes? Did the minister of Crop Insurance make the changes after the Bill was intended to be introduced in the first place? That's the question I'm going to ask the Minister of Agriculture. When did you decide to put July 20 in there? Was it after the Bill was supposed to be submitted in the first place? I don't know what the implications of that are, but I'm sure going to ask the questions.

(1115)

Mr. Speaker, those are the reasons why we have a problem with this. The minister said, we'll get around it somehow. Well he's been getting around it and getting around it, and he's been dragging himself into deeper and deeper mud all the time. When he pulls one foot out of the swamp, Mr. Speaker, the other one just goes deeper.

Now when you've got all of this said and done, this is all retroactive to January 1, 1991. And all of it, Mr. Speaker, is voided. He will make regulations determining what's going to be paid. That minister is going to make a decision on how much we're going to make in January on our 1991 contract. On our 1991 contract, this minister will determine that no, you don't get paid X amount of dollars as your contract said; I will decide what it will be.

Have you ever thought of that minister saying it's going to be nothing? Is that, Mr. Speaker, what this minister is going to do in regulations? He in this Bill has the power to do that. He has the power to do it because he voided all of the items in the contract and said, I will determine what's in that contract.

My question is going to be, how much are you going to prepare to pay on the basis of the '91 contract to the farmers in January when they're due their final payment? Are you going to say no, can't afford to do it, not going to do it. Is that what he's going to do? Well he has the right to do it. And I don't even, as a producer with a contract, have the right to take him to court if he says, I'm not going to pay you. I don't have that right. That, Mr. Speaker, is what we're talking about. This whole thing is a way to get, I'll get around it somehow. That's the process that we're going to be taking this thing into.

This Bill doesn't say it once. It doesn't say it twice. It says it four, five, and six times. We'll get around it somehow. It's glaring all over — I'll get around it somehow.

Mr. Speaker, does that represent open, honest, and fully accountable kind of a government? We'll get around it somehow, skirt the issue, void the contracts, and extinguish rights. That's how we'll get around it. Fully open, honest and accountable, fair, compassionate. That's compassion all right. A spirit of community and co-operation.

Mr. Speaker, it's my view that this minister is seriously out of order. And it's been my view that there is only two ways that he could have done it. Mr. Speaker, he chose the wrong one. He should have acknowledged his error. He should have acknowledged what he did wrong, and we would have had a whole different ball game in this place, Mr. Speaker. We probably would have been out at home already in this case. And there are two options that he could have had, and I'm submitting to this Assembly that he chose the wrong one.

He decided he was going to change his road program from pavement to gravel. He decided he was going to change the program . . . or the executive branch decided on changing the pension plan, made a decision to change that, has made a number of other changes that have cost the taxpayers money. And, Mr. Speaker, on the basis of a right of an individual, he is not going to make any changes to this. And that's where the problem is.

And as I submit to the Assembly here today, I do not believe it's honest, I do not believe it's open, I do not believe it's accountable, I do not believe it's fair or compassionate in any way, shape, or form. And thereby, Mr. Speaker, I rest my case.

Some Hon. Members: Hear, hear!

The division bells rang from 11:20 a.m. until 11:29 a.m.

Amendment negated on the following recorded division.

Yeas — 7

Neudorf
Boyd
Martens
Britton

Toth
Goohsen
D'Autremont

Nays — 29

Thompson	Lautermilch
Wiens	Johnson
Tchorzewski	Trew
Lingenfelter	Whitmore
Teichrob	Sonntag
Koskie	Cline
Anguish	Scott
Solomon	McPherson
Atkinson	Stanger
MacKinnon	Keeping
Penner	Carlson
Cunningham	Renaud
Upshall	Langford
Hagel	Jess
Bradley	

The division bells rang from 11:32 a.m. until 11:54 a.m.

Motion agreed to on the following recorded division.

Yeas — 29

Van Mulligen	Lautermilch
Thompson	Johnson
Wiens	Trew
Tchorzewski	Whitmore
Lingenfelter	Sonntag
Teichrob	Roy
Koskie	Cline
Anguish	Scott
Solomon	Stanger
MacKinnon	Keeping
Penner	Carlson
Cunningham	Renaud
Upshall	Langford
Hagel	Jess
Bradley	

Nays — 7

Neudorf	Toth
Boyd	Goohsen
Martens	D'Autremont
Britton	

The Bill read a second time and referred to a Committee of the Whole at the next sitting.

The Assembly recessed until 2 p.m.