

The Assembly met at 2 p.m.

## ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I have a number of petitions to present today concerned with the chiropractors. I would like to read the prayer:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from any government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

And as in your duty bound, your petitioners will ever pray.

These petitions come from the Saskatoon area and from the constituency of Prince Albert, anywhere.

**Mr. Goochsen:** — Thank you, Mr. Speaker. I have petitions to present today from everywhere. And they are to do with the chiropractic problem. I will read the paragraph:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from the government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

I also have petitions on another issue, Mr. Speaker. And I will read the:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop funding for abortions in Saskatchewan.

And it's about 150 people have signed these. And there's, I think, seven or eight pages on the other petition which I'll now present, Mr. Speaker.

**Mr. Toth:** — Thank you, Mr. Speaker. I have two petitions . . . one petition, Mr. Speaker, dealing with another topic, so I'll read the prayer:

To the Honourable Legislative Assembly of Saskatchewan in Legislature Assembled:

The petition of the undersigned citizens of the province of Saskatchewan humbly sheweth:

That Saskatchewan Producers are undergoing extremely trying financial times due to drought, grain prices and international trade wars and that they are being pressed further financially by the

NDP government's decision to eliminate the Farm Fuel Rebate program and its coloured fuel policy; and, that to implement the government's fuel policy will cost Co-ops and small independent fuel service stations thousands of dollars, leading to the loss of jobs and businesses in rural Saskatchewan.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate the Farm Fuel Rebate program and that they cancel the coloured fuel program.

And as in duty bound, your petitioners will ever pray.

These petitions, Mr. Speaker, are signed by individuals from Eatonia, Eston, Glidden, Mantario, Kindersley, and Flaxcombe.

As well, Mr. Speaker, I have a number of petitions here with a number of names. Just reading the prayer:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

Signatures from Sedley, Francis, Lajord, and Saskatoon and other communities, Mr. Speaker.

**Mr. Britton:** — Thank you, Mr. Speaker. I too have about 10 pages of petitions pertaining to the abortion question, Mr. Speaker. I will just read the last portion of the prayer. It says:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, these come from a wide variety of districts — Melville, Wadena, Regina, Delisle, a few of the names that come to my notice, Cut Knife, which is up in my country, Rockhaven, Saskatoon.

And, Mr. Speaker, I have another petition I would like to present on another subject. So with your indulgence, sir, I will read the whole prayer:

To the Honourable Legislative Assembly of Saskatchewan in Legislature Assembled:

The Petition of the undersigned citizens of the Province of Saskatchewan humbly sheweth:

That the provincial Livestock Cash Advance program was vital in putting the Saskatchewan Livestock industry on an equal footing with the national grains sector, enabling Saskatchewan grain to be efficiently used in local industry, thereby supporting the entire agricultural backbone of the province, and that the provincial

NDP publicly acknowledged the need for cash advance programs when they demanded the federal government restore the grains based program, and that the provincial government is taking a variety of actions in addition to eliminating the Livestock Cash Advance such as imposing taxes on farm fuels, increasing utility rates and imposing other hardships such that the additional loss of the Livestock Cash Advance will destroy many family operations and further cripple the provincial economy;

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the Government to restore the Livestock Cash Advance program.

As in duty bound, your petitioners will humbly pray.

I would like to table that, Mr. Speaker.

**Mr. Martens:** — Mr. Speaker, I too have petitions concerning the chiropractic care. I have them here from Regina, Avonlea, North Battleford, Wilkie, Mervin, Unity, Smiley, Hoosier, Luseland, Kindersley, Dodsland, Eston, Canora, Creelman, and Weyburn. I have also, Mr. Speaker, petitions here that relate to the question of abortion, and they are coming from Warman, Martensville, Osler, Saskatoon, Rocanville, Regina, Pilot Butte, North Battleford, Lake Lenore, Naicam, Marysburg, and Humboldt.

**Mr. Boyd:** — Thank you, Mr. Speaker. I have petitions with respect to the chiropractic care in the province. These petitions come from Saskatoon, Young, Saskatoon, Wilkie, Landis, Unity, Senlac; generally the north-west of the province, Mr. Speaker.

And the second petition I have to present today is to do with the gross revenue insurance program:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the Government to:

- 1.) allow the 1991 GRIP program to stand for this year,
- 2.) start working with the Federal government and farmers to design a program that will be a true "revenue insurance" program by the end of the calendar year, and
- 3.) ensure that the new revenue insurance program be set up on an individual cost-of-production to return ratio instead of risk area formula.

Mr. Speaker, this petition comes from the Brock, Kindersley, Netherhill, Marengo, Lovernna, Eston, Coleville, Kerrobert area, Mr. Speaker. I present those now.

**Mr. Swenson:** — Thank you, Mr. Speaker. I also have petitions today to present. Mine are to do with the

situation the chiropractors find themselves in as being a service that has fees charged against it where other people in the medical profession don't.

Today I have petitions from Yorkton, Langenburg, Saskatoon, Moose Jaw, Saskatoon — lots of Saskatoon; Regina, Lashburn, Turtleford, Paradise Hill, Weyburn, Tribune, Creelman, Yellow Grass, Balgonie, Francis, Ponteix, Waldeck, Swift Current. Mr. Speaker, there are people here obviously from all over the province of Saskatchewan and I won't read any more names, but there are many, many sheets.

**Mr. Neudorf:** — Thank you, Mr. Speaker. I too would like to add my list of names that petitioners have had to present to the Honourable Assembly here. I also have petitions that expressed the concerns of chiropractors, but more importantly, Mr. Speaker, the concerns of the citizens of this province. And I add this list from across the province to the names, to the 11,000 petitioners already to the chiropractic situation.

And furthermore, Mr. Speaker, I also have names on a petition which states:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

And I add these names to the 36,000 petitioners already on this particular issue. And these names also include the areas throughout the province.

**Mr. Muirhead:** — Thank you, Mr. Speaker. I too have petitions of two different natures to present today. This one is about the FeedGAP (feed grain adjustment program) program, Mr. Speaker.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to restore the FeedGAP program or to establish another equally effective program as is its duty to the province.

And as in duty bound, your petitioners ever pray.

Mr. Speaker, these are from Eston, Kindersley, Kerrobert, Kindersley. It is my pleasure to petition these . . . table those.

The other petition, Mr. Speaker, is regarding . . . it's been read out; it's regarding the funding of abortions in Saskatchewan. And these, Mr. Speaker, come from various parts. Mostly this page is all Regina, maybe Waldeck, Melfort-Naicam country, Prince Albert. These seem to be mostly Pleasantdale, Melfort, Kinistino. And this is also Melfort, Kinistino, Carrot River.

It's a pleasure to table these today, Mr. Speaker. Thank you.

## READING AND RECEIVING PETITIONS

**Clerk:** — According to order, certain petitions regarding chiropractic treatment presented on August 19 have been reviewed pursuant to rule 6 and 7, and are found to be

irregular, and therefore cannot be read and received.

According to order, the following petitions have been reviewed, and pursuant to rule 11(7), they are hereby read and received:

Of citizens of the province humbly praying that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate the farm fuel rebate program.

Of citizens of the province of Saskatchewan humbly praying that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

Of citizens of the province humbly praying that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment.

### INTRODUCTION OF GUESTS

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, it's a great pleasure to introduce to you and through you to other members of the Assembly, Peter Prebble, a former MLA (Member of the Legislative Assembly), an eight-year veteran of the legislature, a long-time champion for social justice.

Mr. Prebble is behind the bar here. I look forward to meeting him after about social services issues. I would ask everyone to give him a warm welcome.

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

**Mr. Koskie:** — Thank you, Mr. Speaker. Mr. Speaker, it gives me a great deal of pleasure to introduce through you and to you, a special guest seated in the west gallery, Mr. Gerald McGrath from the Leroy area. Mr. McGrath farms extensively with his sons in the Leroy area. And I think there's no doubt that throughout the years he's provided tremendous leadership to the community.

And I want to add further to that, Mr. McGrath also served as president of the New Democratic Party, and throughout the years has contributed a great deal.

I'd ask you all to join in welcoming him.

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

**Mr. Carlson:** — Thank you, Mr. Speaker. I'd like to introduce to you and to the rest of the members of the Assembly, Mr. Speaker, a friend of mine from Melville, Dean Almasi who used to work for the *Melville Advance* and is now doing some free-lance, I believe, for the *Leader-Post*. His grandparents were friends of my dad's and lived and farmed in the area, and long-time friends of the family. Thank you.

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

**Ms. Stanger:** — Thank you, Mr. Speaker. I'm pleased to rise today and introduce two people that are related to me

and certainly didn't tell me that they were coming this afternoon so it was a big surprise when I turned around and noticed my brother and sister-in-law, Eugene and Anna Owchar from Lacombe, Alberta. So I would ask the members of the Assembly to join and welcome my brother and sister-in-law to this Assembly.

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, it's my pleasure to introduce to you and through you to members of the Assembly a friend and constituent from Regina Elphinstone. Fred Dulmage is with us here today. I want all members to join with me in welcoming Fred here, and I'm sure that he'll enjoy the procedures while he's in the House.

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

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. I would too like, through you, to introduce to the members of the Assembly . . . And before I do that I'd also like to say hello to Peter and welcome him here this afternoon.

But he will understand when I say more importantly, Mr. Speaker, I would like to introduce some special guests in the opposition gallery. My wife Alma is here with us this afternoon; and seated to her right is my daughter Cindy; and to her right, my sister-in-law and Alma's sister, the wife of my late brother, Marie is here as well.

And I'm very glad that they were here. I have been able to meet with them from time to time over the course of the summer, but I'm looking forward of course for a more extended relationship in the future.

They are here, Mr. Speaker, to, in their words, paint the town blue, and I'm sure that all of us are welcoming them in order to do that.

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

### ORAL QUESTIONS

#### Bail Conditions and Early Release Program

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, in light of a recent incident that took place in the Whitewood area — actually just outside of Regina — a concern that has been raised with our caucus and I'm sure the acting minister or Minister of Finance is aware of, the brutal murder of a 73-year-old Whitewood man by an individual that the system had allowed out on bail.

Mr. Speaker, my question to the minister is this. I want to know if the prosecution opposed bail for one Hubert Acoose on the charges of armed robbery and possession of a weapon. Did the lawyers oppose bail or not?

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, in the absence of the Minister of Justice, I'll take notice of this question and we will bring back at the first opportunity a response.

**Mr. Toth:** — Mr. Minister, I would also ask the minister if

he would also take notice of a couple of other . . . or pass a couple of other questions on so that we can receive the response on.

**Mr. Minister:** we have a situation here where people accused with extremely serious offences involving weapons were released on bail, and we need to know how strongly the prosecution tried to prevent these people from being put back on the street. Will the minister as well carefully agree to examine the conduct of the prosecution in these bail hearings and make a full report to the Assembly?

**Hon. Mr. Lingenfelter:** — I want to say to the member opposite that obviously this is a decision of the courts, but I will have the Minister of Justice and the department review it and bring a response back to the House.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Speaker, as well to the same minister. Mr. Minister, I have been receiving phone calls from concerned people about this tragic incident, and it is certainly frightening to our senior citizens who cannot even walk the streets because they know that the government is unable to keep dangerous individuals locked up long enough to at least put them on trial.

Will the minister restate the government's position on the early release program that lets convicted criminals out of jail early?

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I really would like to take notice of this whole area of questioning and prepare a response, take time to prepare a response and bring it back to the House at the earliest opportunity.

**Mr. Toth:** — Mr. Speaker, one further question for the minister to be aware of. Just reflecting back to December, 1991, a convict who was let out on the early release program, killed someone else. He was let out early and took the life of an individual.

The Minister of Justice at that time said he was sorry about that but that the NDP still supports the early release of criminals. And I'd like to quote from the December issue of the *Leader-Post*: Mr. Mitchell said he realizes the public is deeply concerned when a convict on early release commits a violent crime, but the initiative works well. End quote.

Now we have a situation where easy bail has caused another murder. Mr. Minister, will the government agree to a full review of both proceedings and the early release program?

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, it's my understanding that this is a federal program and falls under the federal Criminal Code; has been in place for many years under their administration, under our administration.

I think that what we should do here is obviously review

the situation as to circumstances, and obviously members opposite had 10 years to look at and make application to the federal government. And I want to make it clear that we will review this and come . . .

**The Speaker:** — Order. I don't know what the member from Wilkie is complaining about, but I didn't hear the member taking notice of this particular question. So I wish he'd let the minister answer the question . . . (inaudible interjection) . . . He didn't take notice of that . . . Is the member from Wilkie challenging the Speaker? Well he'd better not.

**Hon. Mr. Lingenfelter:** — Just in conclusion on the issue of this federal program, that I think as well the members opposite would be wise in joining with us in asking of the federal minister, Ms. Campbell, for the federal government's response. And I'm sure that they will be writing the appropriate minister in Ottawa to find out the status of the federal program and letting their views be known there as well.

**Mr. Toth:** — Mr. Speaker, one further question in response to the minister's comments. I certainly appreciate the fact that yes, the federal government does have jurisdiction in this area. But what we're asking, Mr. Minister, is that the provincial government take the ability and the authority they have to review this matter and to discuss it with federal officials so that the circumstances don't happen again. Will the minister give his assurances to do that?

**Hon. Mr. Lingenfelter:** — So that the member opposite and the public and the members of the press get this straight, is that we have no authority. The authority lies solely with the federal government, your colleagues in Ottawa. But I want to make it clear that we will look at the issue and bring back a report on the incidents that you mentioned to the Assembly.

### Changes to Health Care

**Mr. Neudorf:** — Thank you very much, Mr. Minister. Mr. Speaker, I was going to ask the Minister of Health a question, but in her absence I would direct it to the Acting Minister of Health.

Madam Minister, earlier this week I told the Minister of Health about an hour after she came out with her wellness program, that it had more to do with politics than with improving health care in this province.

Well, Madam Minister, today's paper confirms that where we have interesting responses from individuals as more and more individuals and groups begin to speak out . . . as they begin to understand the implications of your plan. And I'm going to quote today's *Star-Phoenix*, where health economist Glen Beck says, and I quote:

The government's move is simply "political flim-flam" in order to find a palatable way to close hospital beds . . .

Madam Minister, we all know here that the issue is funding. And the Minister of Health the other day confirmed that in this House. Now, Madam Minister, will

you please confirm today that this whole wellness model is all about closing hospitals in rural Saskatchewan.

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, I too would like to comment on the article. It speaks about a professor at the university. And as a former professor at the university, let me say we have no corner on wisdom or knowledge. We can be dead wrong too. And I would like to also quote what this man says: He says, what are the local health boards going to be comprised of? He says we're going to stack them with NDP partisans. He says these people are going to be servants of the Department of Health.

Let's look at Saskatoon. Let's look at who we put on that board. Cliff Wright heads the board. Is this an NDP partisan? Is this a person who is going to be a servant to anybody, never mind the Department of Health? I think some of the comments made in this article are ludicrous. And I stick to the point that what we're interested in is a better health care system.

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

**Mr. Neudorf:** — Thank you, Mr. Speaker. You say that Dr. Beck is ludicrous. Well you can say that Dr. Beck is ludicrous and that he's dead wrong. But what we want to assure you, Madam Minister, that there won't be dead people. That's what we're concerned about.

Now you can go on pretending to be giving local control to local boards. You can continue to do that. But Mr. Beck goes on to say:

Although Health Minister Louise Simard is talking about the benefits of local control, it's the government that will be calling the shots . . .

In spite of the emphasis the government is putting on local control, Beck says the boards "will be the servants of the Department of Health, in the same sense local boards were.

There's no change, Madam Minister. It said that if your government's control about . . . talking about local control rings hollow since larger health districts will mean much less local input that the other local boards were previous to that.

Now, Madam Minister, I ask you, these local folks, these local boards will be chosen by the minister, funded by the minister, and every decision that is going to be made must be approved by the minister. Where, Madam Minister, is the non-partisan, local governance that your government has promised? Can you answer that, Madam Minister?

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

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Again fears are being raised. Don't worry about fears. Look at our actions. Have we appointed NDP partisans to head these boards? Have we appointed lackeys? Of course we haven't. Look at the qualifications of Mr. Cliff Wright in Saskatoon. Nobody would insult that man by saying he was a lackey to anybody, and I am certain he is not an NDP partisan. Judge us by our actions, not by your fears.

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

**Mr. Neudorf:** — Thank you, Mr. Speaker. Madam Minister, now I think we're getting somewhere. That's precisely the point. We and the people of Saskatchewan are judging you by your actions, and they don't like what they see. That's the problem, Madam Minister.

Now I want to say to you that your comments, or Mr. Beck's comments coming on your white paper, the white paper that you did this time was a political document as opposed to the previous bureaucratic document. This document is purposely vague. This white paper is very, very vague. It sounds good. It looks good, but when you get down to implementing it, everyone knows that in a way it is a way out. It's a way out for the Minister of Health to close rural hospitals and place the blame elsewhere. That's the bottom line, Madam Minister, to place the blame elsewhere.

Madam Minister, when is your government going to stop down-loading, off-loading, side-loading, putting the blame somewhere else, on local municipalities? And when are you going to come up with some concrete solutions to the problems that are facing the people of this province? When are you going to do that, Madam Minister?

**Hon. Ms. MacKinnon:** — Mr. Speaker, in response to that I would say, does it make any sense to have in this province some 400 health boards — one health board for every 2,000 people in the province — and to have services that are fragmented and uncoordinated? Is that what the people of Saskatchewan want?

What they want, is they want services that are integrated and they want more local control of decision making so they can decide what health care services they need in their area. This is what we mean by better health care, and we're committed to making it a fact.

**Mr. Muirhead:** — Madam Minister, the people want reform, they do not want political sham. That's what they're saying and that's what they're seeing. They want local control. They want local control but, Madam Minister, in spite of what you say, the local control is not there. The Minister of Finance sitting in front of you is the fellow that controls the purse-strings.

Now what are you telling us, Madam Minister? That when these local boards make a decision and this is what they want — this is the doctor that they want to keep — are you now saying to these people: you will have your way because the Minister of Finance will open the purse-strings so that, indeed, they can implement the decisions that they are making? Is that what you're telling the people of the province, Madam Minister? If you are, I applaud you and we will support you.

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

**Hon. Ms. MacKinnon:** — Mr. Speaker, let me explain. I think that this is going to mean a better health care system because one thing the people of Saskatchewan are very good at is co-operating. They know that by working

together a series of communities can achieve something that one individual community cannot achieve.

And I would quote Dr. Kendal from the College of Physicians and Surgeons who says: the new health care reform will lead to more doctors in rural Saskatchewan, not fewer. And this will mean an improvement in our health care system.

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

### **Taxing Powers of Health Boards**

**Mr. Goohsen:** — Thank you, Mr. Speaker. Yesterday the Acting Minister of Health directly misled this Assembly in regards to property taxes for health boards. I want you to take note, and I want the media to note, that my question is directed to the Minister of Rural Development who will know the facts.

To the Minister of Rural Development: do you, sir, agree with your colleague's statement yesterday that it is foolish to suggest that property taxes are being used to pay for health care in rural municipalities? Do you agree with her statement that she made yesterday, Mr. Minister?

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

**Hon. Ms. MacKinnon:** — Mr. Speaker, what I said yesterday is there is no capacity for off-loading of taxes onto municipalities because district health boards have no taxing powers, so that again it's a matter of raising fears rather than dealing with the reality as it exists.

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

**Mr. Goohsen:** — Well, Mr. Speaker, we have health boards in the province and . . . Mr. Minister, perhaps you will indulge us with an answer to the next question. You know full well that your colleague who has just spoken is not telling the truth when she says that property taxes do not now and will never be paid for health care boards. That was the way she worded it yesterday. You know that.

In the RM (rural municipality) of Carmichael the mill rate levies for the Shaunavon Hospital Board this year is 7.1 mills; in the RM of Carmichael the levy for the Gull Lake Hospital Board is 4.7 mills, to cover their requisitions for this year. I stand here as a reeve and I tell you that even now property taxes are being forced to carry the province's responsibility for funding health care.

Now I ask you, Mr. Minister of Rural Development, have you personally discussed this matter with your Minister of Health or not? Do you know anything about this matter?

**Hon. Ms. MacKinnon:** — Mr. Speaker, what I'm trying to say to the member is this: there is simply no change. There is no change in the tax structure as it exists in Saskatchewan. The creation of the health district boards will make no change because they will not have taxing powers. So any fears of off-loading are simply that, raising unnecessary fears.

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

**Mr. Goohsen:** — Mr. Speaker, yesterday we have the minister on record as telling an outright falsehood. As a reeve . . .

**The Speaker:** — Order, order. Order, order. The member is getting very, very close to using unparliamentary language. That's the third time today. When he accused the minister of directly making a falsehood, I let that one go because it was very close. Now he's accusing her again of making a false statement to the Assembly. And I'm asking the member to please refrain from using language which will cause a disorder in the House, and which is on the verge of being unparliamentary.

**An Hon. Member:** — But it isn't. That's the point.

**The Speaker:** — I wasn't speaking to the member from Rosthern. If he would just let me speak to the member from Maple Creek.

**Mr. Goohsen:** — Thank you, Mr. Speaker. As a reeve who is forced to levy property taxes, I am telling you that RMs are levying property taxes for health care. And that is a simple fact for anyone who chooses to check a rural municipal tax notice.

Now to the Minister of Rural Development, are you aware, Mr. Minister, of any proposal by the Minister of Health that would force RM councils to further increase the property tax level for health care?

And to prove my point to this Assembly, Mr. Speaker, and to the media, I will table the Saskatchewan Health form requisition for union hospital taxes that is distributed regularly to municipalities. And I will table that for anyone who wants to see it at this time, and ask the Minister of Rural Development to answer the questions.

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

**Hon. Ms. MacKinnon:** — Mr. Speaker, if I could go over the second part of my answer yesterday. It was that there is a problem out there because money is going into the health care system from the municipal level into hospitals, into public health facilities, into ambulance facilities. That's why, in the long term, we're striking a working group of people from Health, Finance, and community organizations, like SARM (Saskatchewan Association of Rural Municipalities), to say, does this make sense?

And what should we change, if we should make changes? And because our aim is to make the system more effective and to create a better health care system in Saskatchewan.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. Madam Minister, I believe that you are seeing a slow but gradual build-up of resistance to your proposals as people become aware of what is happening. This will mushroom through the days to come. And it will become an absolute and total commitment by rural people to oppose your plan.

Every community, both rural and urban, will be forced by this government and its plans to increase the burden of property taxes. Mr. Speaker, they will do it in a sneaky way. That is why they will not even admit the truth of the existing situation as it is today. That's why they won't admit the way it happens now is what's happening.

And my question to the Acting Minister of Health: if you insist on continuing in your statements that we're not forthright and absolutely correct, will you commit that whatever form your plan takes, that they will have zero impact on property taxes? Will you make that absolute commitment here in this Assembly today?

**Hon. Ms. MacKinnon:** — Mr. Speaker, I'd like to respond to the allegation that wellness does not have the support of rural people. I'd like to quote Mr. Bernard Kirwan, president of the Saskatchewan Association of Rural Municipalities: I'm optimistic about this proposal, wellness. It's pretty much what rural people have been saying all along.

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

**Hon. Ms. MacKinnon:** — We're glad it's not being forced upon us. It will cause people to co-operate and use their imagination.

What we're going to do when we look at the future of revenue generation in Saskatchewan is work with local groups, seek their input. They will make the recommendations to the government. Then we will take the best decision in the interest of an improved health care system in Saskatchewan.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. Madam Minister, you choose to quote from the appropriate document out of a news article that suits your needs, the initial response to changes.

The second response, which I don't have a copy of today, what was totally and completely different. It expressed extreme concern over the possibility of down-loading of taxation onto rural property. And that same person, the president of SARM, stated in those articles that he was opposed to any of that kind of action. And my question was and is again: will you commit that whatever your plans take, they will have zero impact on property taxes? Will you make that commitment here today?

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

**Hon. Ms. MacKinnon:** — Mr. Speaker, this government is committed to a democratic process of decision making. That is, we're committed to striking working groups or task forces and giving them a real, serious mandate — not prejudging. So of course I'm not about to commit to what the end result of a task force review is going to be. We are giving them the mandate. And a big part of their mandate is going to be to go out and talk to the local people out there and to say, does the system work well now? Do you like it? Or is there something better? Because what we're after is an improved, better system of health care.

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

### Telephone Rate Increases

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'd like to continue where I left off yesterday with the minister for SaskTel. Madam Minister, you indicated that the massive rate increases for telephone installations were necessary because of SaskTel's shortage of money. Madam Minister, if SaskTel was so short of money, how is it that you found almost \$12 million to buy a .4 per cent interest in a space satellite?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I think the member opposite could be referring to — I'm not sure — could be referring to SaskTel's participation in Stentor, formerly Telecom Canada, which is a consortium of all the Canadian telephone companies. And we do, through Stentor, participate in satellite technology which relates to international communications. And normally Saskatchewan, or SaskTel, participates approximately on a **pro rata** basis to the same extent that we share in the long-distance toll revenues.

But with respect to the financial situation, I would remind the members opposite that it was their administration that double-dipped the dividends from . . .

**The Speaker:** — Order, order. Next question.

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

**Mr. D'Autremont:** — Well, Madam Minister, the space minister, your government backed out on the Lloydminster upgrader. You could have done the same with SaskTel.

Madam Minister, you had \$12 million to launch into orbit. How do you justify these far-out rate increases to small businesses, farmers, cottages, and every telephone user in this province?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the members opposite should know that telecommunications in this day and age are not terrestrial based and they're not all . . . all telecommunications don't cross the country through wires that are buried in the ground. It's satellite technology that is used.

The \$12 million that represented the **pro rata** share of SaskTel's investment in the Stentor purchase would represent a very small percentage of the share of the long-distance toll revenue that SaskTel receives every year from that very same arrangement.

**Mr. D'Autremont:** — Madam Minister, you got an itty-bitty share of a satellite. This comes after you've spent \$7 million on a small piece of a cable corporation. So far you've spent about \$20 million of the taxpayers' money.

Madam Minister, the last time the NDP got into the cable business was when it bought a thing called Cablecom. Can you tell us what happened to Cablecom?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I'm very surprised that the members opposite would criticize the activities of

one of the economic engines of activity and job creation in this province.

I am reminded by my colleague that we've advanced beyond the string and the tin can in the telecommunications industry. And if we want to remain on the leading edge, we have to make this kind of investment, and I certainly don't feel that we have to defend it.

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

**The Speaker:** — Order.

### POINT OF ORDER

**Mr. Toth:** — Mr. Speaker, just a point of order or point of clarification, referring back to a decision that was just made by the Speaker this afternoon. And going to *Parliamentary Rules and Forms*, Beauchesne's, 147, there is a number of expressions that are ruled . . . as have been ruled parliamentary over the period from 1958. And certainly, Mr. Speaker, false and falsehoods, unscrupulous, untrue, and untruthful have been part of what has been ruled parliamentary. And we can certainly argue at times what is or what isn't. But I believe it would be appropriate just to have a clarification on that.

(1445)

**The Speaker:** — Order, order. I would like to draw members' attention to 6th Edition of Beauchesne's. I think Beauchesne is very clear. He says an expression which is deemed to be unparliamentary today does not necessarily have to be deemed unparliamentary next week. It depends on the condition and the circumstances in which a word is used.

Let me draw members' attention however to any dictionary and look up the word falsehood. Falsehood simply means to tell a lie. And therefore in some circumstances . . . And Beauchesne makes it very clear that it depends on how it is being used. And if it is used in order to create disorder, Speakers have ruled it unparliamentary. And therefore in this particular circumstances, I've ruled it . . . I didn't say it was unparliamentary; I said it was getting very close to be unparliamentary, and I asked him to use another word and he did so. And I thank the member for that.

But members have to be very careful. The words that are put in Beauchesne, as you will well know, sometimes they are unparliamentary; other times they are ruled parliamentary. It depends on the circumstances and in the circumstances the Speaker has to rule, and I therefore ruled.

Order, order.

### ORDERS OF THE DAY

**The Speaker:** — Pursuant to a special order of the day, the Assembly will now go into Committee of the Whole and I therefore do leave the chair.

### SPECIAL ORDER

## COMMITTEE OF THE WHOLE

### Bill No. 87 — An Act respecting amendments to Certain Farm Income Insurance Legislation

#### Clause 1

**Hon. Mr. Wiens:** — Mr. Chairman, at the end of this morning's session, the member from Kindersley had raised a number of points that I want to respond to now — not exactly in the same order. And if I've forgotten any of them, I'd ask him to raise them again so I may respond and continue this dialogue.

With respect to the . . . one of the points the member raised was the question of program change and the inference that there may have been something illegal about changing the program. The fact is that the contract, the federal-provincial agreement, provides for changes in the program. If the change is significant, then the provision for . . . the federal-provincial agreement allows that farmers who have committed themselves to a program for a term have the right to opt out of that program.

The result of the process was in this case, that as a result of the changes, farmers were offered not only the provision that was in the federal-provincial agreement, but an enhanced provision in the event that they felt it was advantageous to them to opt out of the program.

The interesting thing, the other inference the members opposite made, was that there was something difficult around the change in the legislation which has provided that there is no longer a specific time of notice. Well the dilemma with the specific notice time was that it was inconsistent with the federal-provincial agreement. It was also inconsistent with the practice of the previous government for a number of years.

It's interesting and curious to me that the members opposite, who ignored the deadline that they themselves say is very, very strict and required, that they ignored it for five years and now have held up the House since June 10 on the pretence that it was of such importance that it essentially is the essence of the program.

The fact is that the notice provision was a provision that was in crop insurance arrangements so that farmers could receive their new information on crop insurance and respond by March 30. They had 15 days in which to respond. The members opposite have chosen to make a rather large point out of this, to the point of holding the legislature and the proceedings of government up for a significant length of time on a matter that they themselves found so inconsequential that they ignored it for five years.

The fact is that the new legislation indicates that farmers should be given notice that they can understand the changes that are being proposed. That is in fact what was done this year; it was in fact done in other years, that farmers were notified of changes, that they had time to consider them, and then they had time to choose their participation in the program.



The subsequent question that the member asked that followed on the legalities of the change was, why not send this to the Appeal court. Well it's only appropriate to send something to the Appeal court if there is some doubt about its constitutionality. Well the Attorney General does not have doubt about the constitutionality of this Bill, and therefore it's inappropriate to send it to the Appeal court and to consume its time by such an activity.

The fact is as well, Mr. Chairman, that the members have spoken often about the March 15 deadline which we observed in announcing the program on March 13. They've spoken often about it, and yet they have repeatedly since then requested that we in fact make program changes — in April and in May and in June and in July, and now even in August when farmers are on the verge of taking their crops off.

So on one day they say, respect the deadline, which we did when we announced the program on March 13. On the other hand they say, disrespect the deadline. Make changes in April and May and June and July and August. It's an interesting inconsistency that the members continue to bring forward.

The fact is that this legislation brings together and clarifies the law with respect to notice for the GRIP program. It clarifies very hastily constructed, only partially consistent provisions made by the members opposite last year. And it will now be clear in the law of Saskatchewan what the farmers can expect with respect to program changes.

Another point the member from Kindersley made was when he backed away, I believe, from the contention that the government had actually told the committee that they must come in within certain financial guidelines. I think when challenged, they accepted that that wasn't true.

But then he came back to say later, when we had said that there was the risk in the old program of deficits to the province annually of 100 to \$300 million, he said, aha, you did pay some attention to the finances.

Well interestingly, those are two very disconnected comments. The province clearly did not direct the committee with respect to the nature of the design and the review of the program. The province asked the committee to review the program and to indicate what a desirable program would be for the province.

The province then took the report and identified that in fact the committee identified some major improvements. The improvements they've identified in fact do not leave the province at risk for a deficit at the end of the year of 100 or 200 or \$300 million.

The fact that the committee brought forward recommendations that happen to be financially sound recommendations should not be construed as them having been given direction to do so. The fact that they have a good, logical sense of financial management, that they have a good sense of how programs should be constructed, ought not to be construed as them having been directed to do so.

This committee independently chose to design a program that was financially better for the program in the long haul, one that could be sustainable, one that in fact would not bankrupt itself and the farmers and the province by year-after-year deficits that no one could pay for.

The member then went on to talk about the nature of the support under the two programs. He talked about the difficulty for farmers who might find themselves in a drought or in another circumstance where conditions not created by them can result in shortfalls in incomes.

The fact is that in that regard, the programs cannot be compared exactly feature for feature. The program feature that the committee identified about the old program which was unacceptable, was that it didn't matter whether a farmer grew a five-bushel crop or a 40-bushel crop, under most circumstances they had the same level of return.

So that a farmer who chose to put extra costs into his operation in order to get an extra benefit, couldn't hope to get a return for that cost under the old program because every bushel above the average was taken away from his program payment. So that while the guarantee was at a higher level than the minimum into the new program, it was also virtually a cap.

Well the farmers said that was unacceptable. So they created a program by dividing the crop insurance off from the revenue insurance. They created a program where revenue insurance covers the shortfall in price between the guaranteed price, the indexed moving average price, and the market price for the farmers' long-term individual yield.

It guarantees that when there is a price shortfall, farmers get a certain amount of money to bring it up to the guaranteed price, however inadequate that guaranteed price is. That is the same whether one has a crop failure or whether one has a good crop. That ought to be. The farmer has a record of production. The farmer has a yield record that goes on for as long as he can present it or 10 years, in order to establish that average. Or if he doesn't want to use the area yield, he can establish that record and on the basis of his production or her production, they receive a guaranteed price, the indexed moving average price — again however inadequate that may be — but they receive that on their long-term production.

Now the members opposite say that's wrong. Well I don't know why that's wrong. If a farmer has demonstrated that on average they can produce 28 bushels per acre, the fact that they only produce 5 or that they produce 50 ought not to take away from them the fact that on those 28 bushels to the acre they should be able to be guaranteed a minimum price, a minimum price hopefully that would reflect their cost of production but, if not, at least some kind of minimum price.

The members opposite say that's not so. The members opposite say that if they have a better-than-average crop, they should somehow lose some of that; they should somehow lose some of the price protection that they have for the yield averages that they have produced over the long term. Well the committee disagrees with the

members opposite, and the committee made the recommendation to do it this way.

(1500)

The other part of the program was the crop insurance program — returning to a separate crop insurance program. Yes, this leaves farmers in a situation where in a yield-loss situation they can have incomes as low in a particular circumstance as 80 per cent of what they had before. Under this year's program that 80 per cent isn't really 80 per cent, because had we not changed the program, Saskatchewan would not have been able to afford raising the minimum guaranteed price for wheat from 3.86 to 4.07.

Saskatchewan this year, because of the efficiency of this program, had the 20 or \$25 million available to raise the guarantee from 3.86 — which is what the 1991 program would have had for us in 1992 had the members opposite had their way — we had the money to raise that price to the 4.07 level. So that that is already a gain across the board for everyone.

Yes, that still leaves some potential loss for the farmer who has an income shortfall. And we recognize that, and we have asked the federal government to make available their savings from this program. The federal government is spending \$154 million less in Saskatchewan in 1992 than they spent in 1991. And we've said to the federal government, you make that money available and we can cover off those costs for farmers who have an income shortfall as a result of no fault of their own.

The fact is that the Saskatchewan program recognizes the features that were identified by the committee and recognizes that the changes were necessary in order for the stability . . . long-term stability of the program.

As I said before, does that mean farmers do no longer have an income shortfall in Saskatchewan? It certainly does not. The members opposite know only too well, in spite of the fact that they will not support this government and the people of Saskatchewan and the farmers of Saskatchewan in demanding from the federal government that they keep their agreement, that they provide the third line of defence funding that was promised when the provinces put up their money.

Saskatchewan farmers clearly have an income shortfall. In the period 1983 to 1988, the average Saskatchewan farm income collectively was about \$800 million. In 1990 that fell to something under or around \$300 million. In 1991 that climbed, but to something in the vicinity of \$400 million. The federal government's own committee identified that the shortfall for Saskatchewan farmers for 1991 . . . or 1990 was \$1.3 billion. The federal government's response to that after a great deal of energy expended by farmers last fall was an \$800 million package — not a 1.3 billion as their committee identified, but an \$800 million package. There is still \$500 million of income shortfall for Saskatchewan farmers from 1990. There is still an amount of hundreds of millions of dollars shortfall from 1991.

So is it a surprise that farmers in Saskatchewan, who have

been strung out by several years of the federal government not putting forward their money that they committed for third line of defence, is it a surprise that farmers strung out by this inadequate income situation are then stressed by the income shortfall when they have a less than average crop? Of course it's no surprise. The question is: whose responsibility is it to meet that income shortfall?

Well the federal government, when they designed their farm programming philosophy, described them as three pillars, the three lines of defence, the first line of defence being the farmers and their production strategies. Well I can tell you that farmers in Saskatchewan are better than all with respect to their innovativeness, their willingness to commit their resources and their energy to producing a good crop. So the first line of defence is well in hand.

The second line of defence was GRIP (gross revenue insurance program) and NISA (net income stabilization account). While the provinces have paid for two years for the GRIP and NISA programs, according to the federal-provincial agreement, and the Saskatchewan program that's being introduced to this legislation will be in keeping with the federal-provincial agreement, and the Saskatchewan government will fund our commitment in that second line of defence as required, so the province has kept their commitment with respect to the second line of defence, the federal government's third line of defence description was when there were disasters or unforeseen events of significant proportion, that then the third line of defence should come into play, and that should be paid for by the federal government.

Well Saskatchewan farmers are still waiting for that third line of defence and we hope the members opposite would join us instead of supporting their federal government and saying, no, no. Those monies should come to Saskatchewan farmers.

**Mr. Martens:** — Mr. Minister, there's a letter that you got back from the one that you sent out that says: Berny, maybe you should have kept the old GRIP format and we wouldn't need to be begging from the federal government. Just because you're too cheap to pay up doesn't mean farmers should do your dirty work and write to the federal government. Do your job, sir.

And that was written back by Don and Vern Steger, from Marcelin, Saskatchewan. That's what they have to say about it.

And I want to point out something else. You know, there's the old story about the lady watching her son in the army, and there was one guy walking out of step, and she said: isn't it nice to see your son in the army and my goodness sakes, what are all the other guys doing walking out of time? And you, sir, are walking out of time with all of the other people . . . have said over and over again, you're out of order. You're out of order, sir. *Agriweek* says . . . It's called "Bigger brother".

Saskatchewan's GRIP legislation may be as unconstitutional as it is heavy-handed.

By the end of this week a bill amending

Saskatchewan's GRIP legislation should be law, rammed past determined opposition by closure.

Now I'll just skip a part because it talks about closure. And I don't want to get into that.

The bill is supposed to legalize the government's clear breach of the 1992 contracts between the provincial crop insurance corporation and GRIP participants, which required written notice by March 15 of any material makes legal the failure to give such notice last spring, but also withdraws the requirement forever in the future.

Mr. Minister, I want to talk about that. You are going to void all of the provisions in the regulation-making powers. You're going to void all of those terms and conditions. And you're going to set down and say, now these are the terms and conditions that existed from 1991 on.

You are going to tell the world, sir. You were never there. You were never there in any of the discussions. So you're going to determine what took place, what happened, in that period of time. You, sir, weren't there. And that's why you can't talk about those kinds of things in a court of law. That's why you go around with your heavy hand and saying, I'm going to extinguish all the rights of an individual in a court of law. Extinguish them. You void all of the discussion. And it says it here. I don't have to tell you. Why don't you read your own . . . the papers that go around the province. They're telling you you're out of order.

Thus the bill allows the government to make literally any change at any time without notice to a program whose main attribute was supposed to be its predictability.

Now I had last spring a gentleman come into my office. And he's phoned to the people in the branch — the economics branch. And they know him well. I won't mention his name. But he's phoned over and over. And when he came to me do you know what he said the real moral hazard was? You, sir. You're the moral hazard.

That's the kind of thing that people say over and over again. You want to void all the terms and conditions that exist to this point. You want to void all of the things that happen. No action shall lie against the Crown or a Crown agent. Mr. Minister, can you describe for us what would have happened if you had met the March 15 date?

**Hon. Mr. Wiens:** — Mr. Chairman, I just want to identify the difficulties that were caused for the program by the fact that the members opposite never prescribed in a legal form what in fact the commitment to farmers was when they designed the program.

The fact that the commitment of the government could have been something that one of the politicians on their trip around Saskatchewan in their 65 meetings in seven different locations at once, could have been saying. A farmer could have understood from a commitment they believed to be made by one of you folks, that that was a commitment of the crop insurance contract.

They could have believed that a statement made to them by a crop insurance agent was a commitment of the crop insurance contract. The carelessness with which the members opposite constructed the program when it was constructed, left it unclear about what the provisions of the contract were.

I should say to the member opposite, it should be noted that the contract of revenue insurance is a very short document resembling a pamphlet and dealing mainly with administrative procedures and matters. It does not spell out the details of the revenue insurance program, probably out of necessity, since full details were not known when the contract was drafted in early 1991. Nor does it say what the premiums are, how and when the indemnities will be calculated and paid, and so on.

These are all arguably critical components of the contract between the parties, yet they are absent from the pro forma contract. Nor were they prescribed by regulation or statute. Instead, these critical details of the insurance contract between the parties was left to various other means including public meetings, individual meetings between farmers and their crop insurance agents, advertisements, brochures, and so on.

From a legal viewpoint then, the contract was not solely what was contained between the covers of the so-called contract of revenue insurance, the pamphlet. The entire contact between any individual farmer and the corporation could probably only be ascertained from a variety of sources. Moreover, the precise details of the contract would likely vary from farmer to farmer depending on what representations may have been made to him or her.

It is not possible, therefore, to state the precise terms and conditions of the 1991 contract between every farmer and the Saskatchewan Crop Insurance Corporation. That's why there's a clause in Bill 87 which deals with this problem by stating that the GRIP '91 contract is deemed in law to consist only of the terms and conditions prescribed in the regulations. This was made necessary by a serious flaw which was created by you in 1991.

**Mr. Martens:** — You didn't answer the question, Mr. Minister.

**Hon. Mr. Wiens:** — Oh yes I did.

**Mr. Martens:** — No, you didn't. What would you have done if you had met the date of March 15 on letting the farmers know by a formal means, like any other insurance corporation is supposed to do in the province of Saskatchewan, by signed letter, changes to the contract, in a registered letter as a matter of fact? Under laws dealing with any other contract in an insurance business, it has to be by registered mail to that individual. What would you have done in that case, Mr. Minister?

**Hon. Mr. Wiens:** — Mr. Chairman, the question the member opposite asks follows on the explanation that I gave with respect to the absolute shemozzle that was created with respect to what it might be constituted as a contract last year by the members opposite. In fact there

was no definition. It therefore becomes very difficult to define what notice would be seen to be appropriate. And we gave notice on March 13.

As I've already pointed out, it is likely that at the present time, that is, before the Bill becomes law, many different versions of the 1991 revenue insurance contract exist. How then would it be possible for the corporation to give notice of each change to the contract? Because we don't know what the contract is.

We don't know what the contract is between any given farmer and the corporation. Because it could have been anything that was said by you when you were on the hustings. It could have been anything that one of your crop insurance agents said. It could have been anything interpreted from a statement made on your behalf.

So to give notice with respect to things that were ill-defined and not defined at all is a virtual impossibility in law. In fact it would have been virtually impossible for the corporation to give notice of each change for each contract since it is not possible to say with certainty what the precise terms and conditions of your contract were. It is not possible to give notice that something will be changed unless you know what something is originally.

(1515)

**Mr. Martens:** — Well, Mr. Minister, if you want to get technical in legal jargon, we can talk about that. Your deputy minister signed an affidavit that you would present in this House deeming a letter to have been sent out. Is that the truth of what's happening here today, or is that a falsehood? Is that the truth or a falsehood?

**Hon. Mr. Wiens:** — Mr. Chairman, it was the intent, when that affidavit was signed, to follow that until further legal advice found the difficulty with respect to a contract to find in fact what it was. And it was then that the contract notice provision was voided because it was something that was impossible to meet so that they have now put into legislation a different notice provision, but one that is not specific.

The difficulty with trying to meet the specifics of the notice provision as given previously was that it was — and the members opposite will be aware of this — that the federal-provincial agreement on last year's GRIP program wasn't signed till September 18 or September 19. Well how can you give notice of something that isn't yet?

And the same difficulty exists when there are two mechanisms within the same legislation to provide for change. And so the legislation has not been clarified to define what a contract is and to define a notice provision that is reasonable within the context of the other processes within the Act.

And farmers will, when this Act is passed, for the first time have defined in law accurately, the nature of the commitment between themselves and the government.

**Mr. Martens:** — Well, Mr. Minister, you have come to the point, I believe, where we were talking about earlier, that the context of why you're doing this is not even a legal

matter; it's a financial matter. You are saying and you said earlier that because of fiscal responsibility and accountability that you thought that the people of the province of Saskatchewan wanted to have their contracts reneged on to provide a better opportunity for you to meet your fiscal . . . what you claim to be a fiscal responsible drive. And I think that that's where the problem lies.

What does the word deem mean in legalese?

**Hon. Mr. Wiens:** — Mr. Chairman, it should be recorded and the member opposite should know it once again, that there has been . . . that the original legal process indicated in the affidavit was not followed and that the legislation has removed the notice requirement that was originally in place, voided it because of the circumstances I already described.

**Mr. Martens:** — Well as I understand, deemed means to be legal fiction. And if that's what we've got here, then we've got legal fiction in section 5.4, Mr. Minister, legal fiction.

So you voided legal fiction. I want to point out another thing that you indicated earlier — and you'll try and skirt that one too. You said you left \$154 million on the table. On Monday when you go to Melfort, why don't you tell them that? When you go to Melfort on Monday, you tell them you left \$154 million on the table, that the federal government were prepared to provide if you'd have stuck with '91 GRIP.

I've raised it here earlier. We didn't know exactly how much you were leaving on the table. But you said it here this afternoon — 154 million. Now you cannot trigger that unless you make a substantial contribution. We understand that.

Alberta did it; Manitoba did it. Their farmers aren't taking them to court for this problem, and yet Saskatchewan farmers are. And then you say, okay . . . The affidavit that you required of your deputy minister said that we will deem it never to have happened — legally fiction. And that, Mr. Minister, is exactly what you're trying to do by voiding all of the things that are going on.

The farmers in the province were satisfied with the '91 GRIP. You say they weren't.

**An Hon. Member:** — They weren't.

**Mr. Martens:** — Well you tell me, from Lloydminster, you tell me anywhere in the province of Saskatchewan where you had one person come back to you and tell you, I want '92 GRIP, after the fact. After you explained it all to them they said, my goodness sakes. They did just like the member from Kindersley did with his farm, exactly like that. They went to their agent and said, what was '91, and what was '92? And they said, I don't want '92; I don't want '92 at all. It's worse, Mr. Minister, than '91 — worse. And if '91 became the bench-mark, '92 is worse.

You're leaving \$154 million on the table, Mr. Minister. And your Minister of Finance can't access any of that money to bring it into Saskatchewan, but you could. You could change it to '91 and subsequently get it into the

hands of the farmers in the province. You could do that. But you aren't prepared to do that, are you?

**Hon. Mr. Wiens:** — Mr. Speaker, no I definitely am not, and for very good reason. The members opposite sit here having signed away Saskatchewan's future through a thousand circumstances, through careless management, through absolute reprehensible management practices . . . (inaudible interjection) . . . Now the member can't sit and listen to hear the truth in response to the question he asks.

The members opposite sit here and they talk about changes to circumstances in Saskatchewan. Well the most profound changes in circumstances in Saskatchewan have happened since between 1982 and last year when this province was virtually bankrupted. That, Mr. Member from Morse, had . . . there was no direction as a result of that to the review committee when they designed the new program.

So that if the member opposite is charging the organizations that placed on this committee, which is virtually every farm organization in Saskatchewan, with all of the accusations that he is laying out here today, then let him do so. Let him have the courage to go to SARM and go to Sask Wheat Pool and go the United Grain Growers, and to the cattle feeders, and go tell them how stupid they are, how you believe that they've made a stupid judgement. Let him go tell them that.

It's my belief that these members who represented these organizations on this committee took seriously the question of the concerns farmers had expressed by the thousands last fall in terms of the nature of this program, and designed a program that would address many of the shortcomings.

In terms of . . . show me a person you say . . . in the time since June 10 when you began to hold up this Legislative Assembly on this point of notice that you yourself ignored for five years running, the count a few days ago, that you had received 288 signatures to your petition — 288. And you had held up all of the proceedings of the legislature of Saskatchewan on behalf of that many signatures.

Well I want to tell you that there are over 1,000 new contracts in the new program, people who did not join your program. There are over 1,000 new contracts to people who have chosen this program because for them it was appropriate when the old one was not.

The changes to the 1991 program were program changes that were recommended by the producer committee. They were program changes that addressed the very serious shortfalls the member opposite created when they designed the program hurriedly. The legislation addresses the legal shambles the members opposite left the program in when they designed it, and we now have stated clearly in the new law what the provisions of the contract are.

The member opposite continues to talk about the financial circumstances of farmers and how somehow the \$154 million that the federal government will not spend on Saskatchewan has something to do with our design.

The fact is, Mr. Member opposite, that the federal government has still neglected to pay in excess of \$900 million shortfall to Saskatchewan.

The fact is that the provinces collectively raised the guaranteed price, something that should have been third line of defence money coverage last spring. The fact that the federal government, if they believe what their Prime Minister says, that in fact provinces like Saskatchewan are in special circumstances as a result of the grain trade wars, if the member opposite recognizes that Canada is uniquely . . . Canadian farmers are uniquely disadvantaged by the grain trade wars — uniquely disadvantaged because our federal treasury requires us as farmers and as provincial taxpayers to pay the cost of that — then he would not make these statements.

Because if the federal government believed that they had \$154 million to spend on Saskatchewan farmers, why would they not use it to meet the income shortfall which is consistent with their own third line of defence philosophy and consistent with the needs of the province, and would recognize that the new program in Saskatchewan is a better design than the flawed design brought forward hurriedly last year.

If the members opposite are prepared to accept the kind of blackmail that has resulted in the off-loading to Saskatchewan of about \$200 million of farm support over the last couple of years, go ahead and believe in it. But Saskatchewan farmers don't believe in it. And the Saskatchewan government doesn't believe in it.

The off-loading that began when you were in office, when you took on the responsibility for \$100 million in drought relief, that followed the next year by taking on half of the federal government's commitments to crop insurance, and with a final nail in Saskatchewan's financial coffin when you took on significant funding for other programming when you bought into the GRIP design of the federal government, when we went from the western grain stabilization program, in which the provinces had no contribution, to the GRIP program, where the provinces pay . . . in Saskatchewan's case 120 to \$150 million. That's the kind of thing that has resulted in the financial pain in Saskatchewan. And it's the kind of thing that we have to demand stops.

Saskatchewan is not the cause of the international trade wars. And it's not in any other country where the province and the farmers pay for that cost. And it ought not to be here. And we ask you to join us in getting the money from the federal government that is legitimately the money that belongs to Saskatchewan farmers.

**Mr. Martens:** — Does the minister have the regulations in place that compile all of the detail that are necessary to be brought forward from January 1, 1991 until today? Do you have that available to show us what happened?

(1530)

**Hon. Mr. Wiens:** — Mr. Chairman, the regulations have not been finalized. They are in the later end of the draft process. In final form, they are not at this moment available.

**Mr. Martens:** — You were saying that all of the actions taken by the former administration were somehow less than adequate to provide, because we didn't have all of the necessary tools together in legislative form to provide it. Now you, sir, are going to go back and decide what happened in January 1, '91 and '90 on. And then you're going to tell us what happened.

Where, sir, do you think people should understand what they got in '92 crop protection? Should they feel any different about that than you are feeling about what was perceived to be from January 1 of 1991 till the time you took office? Isn't it the same kind of a concern that you should have about the farmers not seeing what's going on in the program that you put forward?

**Hon. Mr. Wiens:** — Mr. Chairman, it's my understanding that the regulations cannot come into force until the Act is passed. And it's also my understanding that at that time the regulations will be in position to be . . . to fulfil the contract and the details of it.

Just to say in general terms what will be in regulations, the regulations . . . I believe the regulations will describe this as the 1991 contract so that it is clear. So that it is clear that it does not . . . that the 1991 contract does not include anything that was said by a variety of people in a variety of circumstances, and therefore cannot be interpreted to be the contract.

And it will, with respect to the 1992 contract, add the details of the premium calculations, and much of the detail that has not ever been made available to farmers with respect to the nature of the contract that they have engaged in. So it will be . . . The regulations will contain a relatively full description of all the features of the contract and the calculations where necessary.

**Mr. Martens:** — Mr. Minister, it will all be in there except March 15, section 49, I suppose.

I want to point out another thing. In this Bill, under section 8, you say:

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 . . . or incidental to . . . (a number of items. And it says here:)

Every cause of action against the Crown or a Crown agent arising from, resulting from, or incidental to anything mentioned in clauses (1)(a) to (d) is extinguished.

Mr. Minister, if you were an ordinary citizen in the province of Saskatchewan and you were taking away the opportunity for an individual to go to court, this is what the penalty is, sir: every person . . . obstructing justice . . . every person who wilfully attempts in any manner to obstruct, pervert, or defeat the course of justice in a judicial proceeding . . .

And it's got a list of them, identifies them. And then: everyone who wilfully attempts in any manner other than

a manner described in subsection (1) to obstruct, pervert, or defeat the course of justice, is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years.

Mr. Minister, there is a serious offence in dealing with not allowing people access to the court. And you, sir, are doing that. You are taking away individuals' rights to access to the court. I want to read something else that is of significance, I believe: the idea of law was clearly strong enough in medieval England to compel the monarch to govern with the consent of the most powerful of his subjects to whom he was bound by the same feudal contract that made them his vassals. In 1215 the weak King John, aspiring to despotism was forced by his rebellious barons to put his seal on the Magna Carta. Almost 800 years later this parchment remains the single most significant legal document in the history of the West.

And I'll just go on: until Magna Carta, English monarchs were the law and were the law, above it, beside it, indistinguishable from it. After Magna Carta they were subject to it. The two seedlings of democracy Mr. Minister, the access of all to law-making and the subjection of all, monarch and commoner alike, to the law.

That was what was established in the Magna Carta in 1215 — two points: the access of all to law-making and the subjection of all, monarch and commoner alike, to the law — 1215, Mr. Minister.

And now you are putting into place:

No action or proceeding lies or shall be instituted or continued against the Crown or a Crown agent . . .

You, sir, are doing that. What the people in 1215 got from King John in the parliamentary system: access of all to law-making and subjection of all, monarch and commoner alike, to the law. And, Mr. Minister, I think that is the reason why we're here today . . . is you think you're above the law. You make the law, and then you want to live above the law. And, Mr. Minister, I think that that's wrong. It's wrong in this legislature, and it's wrong everywhere.

The Magna Carta is a document that marked a decisive step forward in the development of constitutional government in England. Why? Because it gave commoners the right to make the law and be subject to the law. And now we have the Constitution of Canada says, in the charter of rights, in section 7, says, "... life, liberty and (the) security of the person . . ." under the law.

And you, sir, are saying 50,000 people in the province of Saskatchewan do not have that right because they have a contract. Now a contract is a law. A contract is a law that is just as significant as this law is, sir. A contract between you and another person is a law.

And it goes on to say in the obstruction of justice and perjury that if you, sir, know and understand what the law to be — and you, sir, understand and know what the law to be without interference from the member from

Churchill Downs — if you know what it is to be and you decide to contravene the law, you are committing an obstruction to justice. And that, sir, is . . .

**An Hon. Member:** — That's nonsense.

**Mr. Martens:** — Well, Mr. Chairman, the member from Churchill Downs wants to get into the discussion. And I would suggest that his legal counsel should have been provided free of charge to the Minister of Agriculture to provide him an opportunity to understand what the law is all about and what he's doing to the people of the province of Saskatchewan.

Fifty thousand contracts and you're going to say, no I don't want to have anything to do . . . In fact, Mr. Minister, in order to protect yourself from taking them to court, you're going to obstruct their access to court. You, sir, are obstructing their access to the court. Can you tell us why you would be doing that?

**Hon. Mr. Wiens:** — Mr. Chairman, the member opposite is not a lawyer and I am not a lawyer, and I gather from those who have studied law that the member opposite may be some distance from the appropriate analysis with respect to the law. And I won't try to get into that.

Just to reaffirm that what has been done in this case is to take a very large, confused collection of pieces that could have been described as a contract last year — no one knowing what in fact the contract was because it was never defined in any place — and what we have done in this legislation is clarify it to say this was the contract in 1991 and this is going to be the contract in 1992.

We have also, because of the difficulties with the specific notice provision . . . (inaudible interjection) . . . The province did give notice. The province gave notice on March 13, but there is no one on the face of the earth that could tell you what kind of legal notice provision might be required, because no one knows what the contract was.

So the member opposite ought to recognize that unless one wants to spend the rest of one's life in court trying to describe whether it was the member from Morse, standing in a meeting in Plunkett, talking to a particular group of 150 farmers when he may have said something about a spot-loss hail provision, whether that in fact is the contract; or whether in fact it was the crop insurance agent from Sedley speaking with a farmer from Yorkton across the coffee table and describing a provision relative to lentil coverage; or if it was the Crop Insurance office in Rosetown speaking with a farmer from Herschel about what the IMAPs (indexed moving average price) would be — no one knows what the contract was.

And if one wants to spend the rest of one's life in court trying to define what in fact that wide variety of options might have been, one could do that, but it would be an entirely wasted effort. It would be a wasted effort for the farmers, a wasted effort for the government.

The fact is that we have set the direction for the program, we have clarified an enormous confusion that the members opposite have created, and we have set the

direction for a better farm policy for this year. The fact is that now the members opposite ought to recognize that what the real problem for Saskatchewan Agriculture in the grains and oilseed sector is, is the income protection that farmers have, the income guarantees.

And may I repeat that the farmers have done their share. They're good producers. And the province has done its share, the farmers and the province together, in cost sharing the second line of defence. And now, in order to meet the . . . to at least bring the farmers up to a minimal standard of income, you and we ought to collectively work with the federal government to ask them to deliver the third line of defence, their part of this commitment, so that the income problem that is really the problem can be resolved.

(1545)

**Mr. Martens:** — Would you be prepared to let this go as a reference to the Appeal court?

**Hon. Mr. Wiens:** — Mr. Chairman, it would be inappropriate for this to be sent by us to the Appeal court because for that action to be taken . . . the Attorney General can only take the step of a reference on the constitutionality if he genuinely believes there's some doubt about the constitutionality. The Attorney General does not have such doubt.

**Mr. Martens:** — I understand that, sir. But you are taking the opportunity away for 50,000 people to make an application to the court. They have no reference of any opportunity to take you to court, sir. You have taken that away from them. You have taken that away.

As a matter of fact, you instructed not only to put . . . the affidavit signed by the deputy minister on your behalf, you not only did that, but you obstructed justice by asking the court . . . (inaudible interjection) . . . We want to welcome back the member from Quill Lakes.

I want to say, you obstructed justice in the fact that you said they will have to post a \$750,000 bond besides. Obstructing justice in the court. Why? Not to protect the corporation. It's to protect the inadequacy of your decision. And this article goes on to say . . . And the conclusion of it says it better than anything that I have been able to say so far. It says that you've bungled it.

No provincial regime . . . For the member of Quill Lakes, just so that he understands that I'm not here by myself. No provincial regime in memory has pulled as many farm policy blunders in as short a time. What the NDP fail to grasp about GRIP is that many farmers, probably the majority, see it as the source of additional crop income, not mere insurance. Cutting such support in a tough year would be unpopular even if it were done right.

And that, Mr. Minister, is exactly what we're talking about. And you can have all the legal counsel barking at your heels over on the other side, but they aren't prepared to stand in court, Mr. Minister, none of them, to perjure themselves about what went on and what was discussed in a matter of essence before a court. You're not prepared to do that. You will deem it. What is deeming, in legalese?

It's legal fiction. You're going to void all of the incidents that occurred — make empty.

As a matter of fact by doing that, sir, you could make it so that nobody would receive anything. Because you've said in the Bill that I'm going to extinguish your right in a court, to this day and on. You're not going to have anybody able to take you to court.

And I contend to you, sir, that if you'd have kept '91 program, and if there would have been one farmer who was misusing it in a matter of fraud, you would have been able to take him to court based on this. You would have been able to take him to court based on this. And that, Mr. Minister, is exactly the point. What's good for the goose is good for the gander. And that's exactly what you need to realize, sir.

And I say that you haven't the courage to take this to court because you've instructed the Minister of Justice to protect your backside. That's what you've done.

**Hon. Mr. Wiens:** — I said earlier in the day that the members opposite stray some distance from truth in asking questions and making statements around questions. The fact is that it is not I. I have never talked to the Minister of Justice, the Attorney General, Mr. Member from Morse, about this question. I have never asked him about the constitutionality. That's something the officials deal with. I have never suggested that he make any kind of judgement on that matter.

The fact is that the officials say the Attorney General believes these measures to be constitutional, and therefore the point you make about reference is inappropriate. And any allegation by you that somehow he was instructed, bears as much resemblance to the truth as the contention by you and your colleagues that somehow this committee was instructed by us about what kind of report they should bring forward. Well, sir, that is such a distance from the truth that it is reprehensible that you would think of saying it. It's absolutely false, is what it is.

And again, when you start talking about a \$700,000 bond — \$750,000 bond. There is no truth in that statement. There is no \$700,000 bond. There is no provision for a \$700,000 bond. What it is that the member opposite refers to ought to be made clear by him because it has been repeatedly referred to, and it does not exist.

I don't know if there are other matters that the member wants to discuss, but let's discuss things that are based in fact if we want to discuss them.

**Mr. Martens:** — Well if the 750,000 doesn't exist, then why did your lawyers talk about it at the Appeal court hearings? They talked about two items that they wanted to bring forward; one was the Bill and the second one was the . . . No, they wanted the opt-out clause dealt with, and they wanted the \$750,000 bond lifted.

**Hon. Mr. Wiens:** — Mr. Chairman, I'm given to understand that in cases where injunctions are requested that it's a standard matter of law that provision for losses be put into place in the event that an injunction is not

upheld and someone has suffered losses as a result.

My understanding is that in the Fair Share lawsuit, in fact such a provision was granted in order to provide for those kinds of losses in the event that things did not turn out appropriately. Such a provision was not granted here. It was simply drawn to the attention of the court that it was a standard practice even though it was not followed by the judge in this case.

**Mr. Martens:** — Well, Mr. Minister, when you haven't got any facts you become flippant, and I think that the member from Quill Lakes and Churchill Downs have demonstrated that.

I want to ask you this, Mr. Minister: when did you think that you became above the law in your relationship to this Bill? Because in my view it says there's two seedlings of democracy that the Magna Carta provided in 1215. One was the access of all to law making and all to be under the law. Two of them. And it says in the margin: it has come to symbolize the triumph of law over tyranny.

Now when is the next thing going to happen, sir? This is the second. This isn't the first, Mr. Minister. This isn't the first time this has happened. You did the same sort of thing back in December when everybody didn't agree with you. But then it was just two or three people, or half a dozen people. But what is it today? Fifty thousand contracts — 50,000 contracts. And you are saying that you're above the law.

Well, Mr. Minister, that might be good for you to say. I think you, sir, are hesitant to go to court because you would have to swear under oath, the points that were made to be correct were incorrect. And I think that that's where your problem is and that's why you have this horrendous Bill before us today.

There isn't anyone that I have talked to except yourself and the 55 people spread around this Assembly who believe like you do. And the majority of them would tell me that I'm not only right in saying what I'm doing, in fact your leader said we're right in what we're doing. In fact you even said you should be able to take this to court.

But, Mr. Minister, which court is going to hear this? Which court? Is it the Queen's Bench court where it's filed in Melville today? No it isn't, because you take those rights away. You take them away for everyone. Anyone who wants to enter a contract with you, sir, is no longer going to be able to do it. And I think that that's wrong. I've said it's wrong; I believe it's wrong. And I believe it's wrong since I entered this debate, and I believe it wrong right from the very essence of the things that you're doing in this Assembly. They're wrong. They're totally wrong.

The law was established in principle in democracy that the law would be made by commoners and that the commoners would have to live under it. And now, sir, you make yourself a little uncommon and then you become above the law. And that's wrong. The person that makes the law has to live by the law, and that's in our constitutional right. And you, sir, I don't think are doing that.



**Hon. Mr. Wiens:** — Mr. Chairman, I will say again that the member opposite is not a lawyer and I am not a lawyer. I am given to understand that provisions are regularly enacted that provide for protection. And the bottom line on this legislation, as I believe I've explained several times, is that the program as originally constituted was so undefined and ill-defined and indeterminate, that one could not contemplate what the variety of circumstances might be that defined the contract that was set in place in 1991 by the members opposite, because there is no single document which defines the contract that the members opposite describe.

There is a series of documents, a series of meetings of people, a series of explanations from different people — any one of which could be interpreted by the client or the government to constitute the contract. And that kind of lack of clarity is not something that a government can leave itself exposed to.

The fact is that what we have done in this Bill is instituted for the first time clarity in the definition of the program, established a notice provision that says that when amendments are made farmers should be notified, which is the exact practice the members opposite followed for the whole time they were, at least in recent years, involved with the program.

We have put in legislation the actual practice, something that can practically be carried out relative to the federal-provincial agreement. And we have instituted the recommendations of the GRIP review committee, a committee first struck by the members opposite and hopefully still respected; a committee whose recommendations were implemented substantially, consistently with the recommendations that were brought forward. And I believe the members opposite have been trying to make a very large issue out of an issue that they themselves ignored for five years while in government.

(1600)

**Mr. Swenson:** — Thank you, Mr. Chairman. Mr. Minister, I've been listening with some interest to the debate, mostly on the television, I must say, in other locales today. But you are very singular in your attempts to sort of evade any specific questions, and want to be very broad in your application to the questions that my colleagues have asked.

Once thing I would like, Mr. Minister — and the Minister of Justice in his estimates made the commitment that you would have a legal people available to you during your deliberation of this Bill — that when we get into the area of constitutionality of this one, that you and I will not determine, but that is done by very learned legal people in other areas . . . (inaudible interjection) . . . Well it's like the member from Churchill Downs. If he was such a learned legal person, I suppose he would've got up in question period today when legal questions were posed instead of yapping from his seat now. But that's the type of colleague that you have unfortunately, Mr. Minister.

Anyway, because we're dealing with clause 1, I would appreciate and am told by people in the legal profession

that everyone of the whereas's that you have at the beginning of this Bill have some significance to what you're attempting to do in the clause-by-clause section; that you are setting various and quoting various precedents, other actions of government, in order to legitimize the sections of your Bill.

And I would like you to provide for this Assembly — and I know you have people, legal people here with you today — exactly what those precedents were or the arguments presented by each of the whereas's in the beginning of this Bill, so that we might have people in the legal community review them. And I think that's a legitimate question.

**Hon. Mr. Wiens:** — Mr. Chairman, it wouldn't be my intent to here pretend that I was a lawyer in a court setting to make arguments point by point on whereas's. But if the member opposite wishes to discuss each of the issues in the language with which I'm familiar, with respect to government programming and the realities we find ourselves in as the result of the legislation that was introduced by the members opposite last year, I would be prepared to discuss each of the whereas's. We've made it part way through the first one, I think so far, in the last five or six hours.

**Mr. Swenson:** — Well, Mr. Minister, the preamble to any Bill will set precedents that have occurred in the past. Obviously you have sought a number here — more than I have seen in any other piece of legislation — in order to bring this Bill forward.

An example:

WHEREAS, in accordance with the precedent set in 1991, the Government of Saskatchewan in 1992 extended the time for producers to make decisions . . .

Now you must have had a number of precedents in 1991 that allowed you to say, I can do that in 1992 without being taken to court. Now that, I believe, Mr. Minister, will be germane to every one of the whereas's that you have in the preamble to your Bill. And you will have that information that sets out the various technical arguments in your favour to say that I don't have to appear in a court of law in the province of Saskatchewan before a judge and 12 of my peers in order to defend what I am doing in the legislature of Saskatchewan.

Now there must be something, Mr. Minister, in each one of those areas, in the preamble to your Bill, that says that; that gives you the authority to not have to appear before a judge and your own peers in this particular circumstances. And that's what I want, Mr. Minister. I want that information provided to me, in each one of those sections, to tell me that you don't have to go to court. Okay? And I would suspect that you probably have that somewhere from your drafting people.

**Hon. Mr. Wiens:** — Mr. Chairman, as I had said earlier, this legislation for the first time describes for farmers in a clear and comprehensive way, with the regulations when they are passed, the nature of their contract, their program that they are participating in. It is only with the intent of

clarifying what in fact the environment into which this falls, to help clarify what happens within the description of the program, that the whereas's are there.

And I think the member opposite has — forgetting about the legal processes for the moment — participated I'm sure in political conventions where the framework for a final resolution is described sometimes in pages of whereas's. And I don't know if the member opposite's federal convention, where they decided that the Canadian Wheat Board ought to go, used whereas's in preparing that resolution; whether that was used or not. But it's common in resolutions, in coming to describe what one intends to do, to describe the framework within which that occurs. And that's also the case in this law.

And whether we want to . . . if there are specific questions, if the member opposite wants to know what some of the specific changes that occurred previously after March 15, if he wants to be aware of that, I can give him that which I have with me in that regard. But to ask me to give some kind of long, legal treatise on each one of these is something that is beyond my capacity to do.

And if the member wants to discuss these matters in court, the contention that he makes that this is somehow meant to keep people out of court, isn't true. The access to the court is as access to court always was. The fact is that this simply lays out as clearly as possible the terms and conditions of the new contract and the context into which it falls.

**Mr. Swenson:** — Well, Mr. Minister, that's not the question I asked. And I don't expect that you would have that legal opinion, and I wouldn't expect you to deliver it because I suspect something would get lost in the delivery.

Now, Mr. Minister, the Minister of Justice has spent the taxpayers' money getting an opinion from MacPherson, Leslie. I don't suspect it came cheap. And they wouldn't have sought the opinion unless the minister's backside wasn't on the line on this particular issue.

Now you are paying in through the Department of Justice individuals to give you legal opinions. You have identified in three separate sections of your Bill . . . three separate sections of your Bill identify that the minister does not have to go and defend himself in a court of law; that a court is to simply disregard any allegations made against the minister or his government.

Now the fact that we've spent the taxpayers' money, that we have 10 whereas's in front of this Bill — that I'm told by good legal counsel mean certain things to the way that you are trying to define this Bill — what I asked you was to give me the various precedents. You keep saying that our government did this or our government did this or there is something else that occurred that allows you to do this.

It's very interesting, Mr. Minister, in looking at the charter arguments that have gone before the courts, just as a lay person going and looking through section 7, some of the things that are happening today in Canada in regards to people's rights and how they are treated with our constitution and their day in court.

And one . . . There seems to be an ever-occurring theme that is getting stronger and stronger as we go along in that regard. And I would refer . . . and it's only for your interest, if someone wants to look at it, but it's the theme that I find, 1991 a case in Manitoba. And it was fairly narrow. It didn't have anything to do with agriculture, Mr. Minister.

But I think it's important that you understand the judgement because that's what we're talking about here, about fairness and about the ability of people to hold you accountable, beyond this Legislative Assembly, for actions that are going to, I am sure, affect people very severely. That there is the potential in your Bill, Mr. Minister, to wreak havoc with farm families. And I just want to read this decision to you.

The principles — and this would be Pearlman versus the Manitoba Law Society Judicial Committee, 1991 — the principles of fundamental justice to which this section refers include but are not limited to the rules of natural justice and the duty to act fairly. They therefore include the requirement of a procedurally fair hearing before an impartial decision maker.

Well, Mr. Minister, I don't consider you to be particularly impartial in this instance. That as a decision maker, you are not the impartial one. And I don't see anybody around this Assembly here, Mr. Minister, that's the impartial one. Certainly we all have our biases here. We have political biases. That's what we're elected for, and that's why we're here — on the basis of those political biases.

But I want to know where in your Bill, I want to know what section . . . I want you to point out to me where the impartial decision maker is in your Bill. I want you to define for me, as judges have under section 7 of the charter, where the impartial decision maker in Bill 87 is. Can you please tell me which section it is so that I can read it and understand where that impartiality is?

**Hon. Mr. Wiens:** — That the member opposite is falling prey to the temptations that those of us who are lay people ought not to fall prey to, that is to begin to try to read law and believe we know what it means.

We were engaged in this curious endeavour in the examination, if one could call it that — if it wasn't too comical to be called examination — of The Highway Traffic Act yesterday. And we are engaged in it again. We are not lawyers and we should not pretend at it.

The principles of law the member opposite is referring to, have to do with the administrative law and the application to quasi-judicial bodies, and they have nothing to do with the legislative procedures of our legislature. The practice . . . the fact that we have described before that we have in fact here put clarity to a contractual nightmare in terms of how one might begin to think one describes last year's contract, is surely an interest that all of us have in the interests of the people of Saskatchewan.

(1615)

To have contracts with 50,000 farmers, no one being able

to say what any one of them is, and thereby leaving the whole question of what an individual contract is and whether they wanted to spend the rest of their lives doing challenges around it, what it might be, saying that on February 11 Joe Schmo told me as a crop insurance agent such and such, and therefore that's a contract, and you not being able to define differently that that in fact is not the contract because what the contract was was never defined, is surely in the interests of the public that that kind of carelessness created by the members opposite ought to be clarified.

You say that we shouldn't seek legal opinions. Well I would suggest to you that if you'd sought some legal opinions last year, you might have put some clarity to a mess that never would have had to have been considered later. It's obviously the responsibility of legislators to seek legal opinions. It's obviously our responsibility to make sure that legislation we bring forward has clarity and has soundness and has constitutionality. That's our job.

And if it means we must seek a legal opinion to make sure that we haven't erred somewhere in a clause in bringing forward such legislation, then that's what we ought to do.

In my experience, in my short experience in government, this is at least the second matter on which we've sought that kind of advice because it's important. With respect to our farm debt legislation, we've had that similar kind of an examination done, because we again have used the results of the recommendations of an advisory group to say this is the kind of program that's appropriate for Saskatchewan.

And then in putting those recommendations forward, we have sought legal opinions about them to make sure that the provisions are accurate. And I'm surprised that the member opposite would challenge that, having been in government for the length of time that he was.

**Mr. Swenson:** — Well, Mr. Minister, I expected as much from you in your answer. I would not have stood in the House and pretended to say that the question of the lawyer and his right in Manitoba to have an impartial decision maker was what we were determining here. I said I was talking about a theme.

And if one does take the time and does read a lot of the case law coming out of the charter, you'll see that that theme is ever present there, that the right of individuals to have that impartiality through all sorts of different circumstances is there. And what I asked you was: where in your Bill was the opportunity for that impartial decision maker to come into play?

And I guess what you're telling me is that there isn't one; you don't want one; that this Legislative Assembly is all it takes; that I, the member from Rosetown-Elrose, backed by 54 of my colleagues, are simply all that anyone ever needs in order to have that impartiality; that farmers need not worry.

Mr. Minister, I'll ask you another question: if you can't point out in this Bill where that impartial decision maker is in regards to your legislation, tell me how many court cases the government was involved in over the 1991

GRIP program. Maybe we can start from there. How many court cases had you gone through examination for discovery over the 1991 program?

**Hon. Mr. Wiens:** — Mr. Chairman, there are at this point, three actions that have been begun. None have advanced to the point of examination for discovery. Two are against the Crop Insurance Corporation and the government jointly and one is against the Crop Insurance Corporation.

**Mr. Swenson:** — And do they, Mr. Minister, refer to issues tied to revenue insurance, or are they tied to issues that have been Crop Insurance jurisdictional issues for a long time?

**Hon. Mr. Wiens:** — All three are related to the revenue insurance program.

**Mr. Swenson:** — And they, Mr. Minister, have all been filed in Queen's Bench?

**Hon. Mr. Wiens:** — Yes.

**Mr. Swenson:** — And those actions are going to go forward?

**Hon. Mr. Wiens:** — There is no reason to assume that they will not continue at this point.

**Mr. Swenson:** — Well, Mr. Minister, that's strange that the former government, for all its criticism that you heap upon it, felt that at the end of the day there was an impartial decision maker available to people with 1991 GRIP. This program that they signed up for overwhelmingly, that they all basically paid their premiums to, all took money from, but at the end of the day there was an impartial decision maker available. That's a court of law.

Now, Mr. Minister, what is there about 1992 that's different? What is there about 1992? Is it because the government has a bigger majority? Is it because the government's NDP? Is it because the minister is smarter?

What is it about 1992, Mr. Minister, in your Bill that says that people don't have the right of impartiality through a judge and a jury that they do under 1991? What is it, Mr. Minister, that puts you better than that and above that? Would you point out which section of the Bill, Mr. Minister, gives us that impartiality that people can file in Queen's Bench court and have their day in court? Would you show that to me, Mr. Minister?

**Hon. Mr. Wiens:** — Mr. Chairman, what is provided in our courts is the right to challenge. The understanding I have is that when the existing actions proceed to court further, that the government will use the legislation when it's passed as a defence on those matters.

The legislation does not remove the right of a farmer, relative to their contract. What it does is provide that with respect to changes made to the program, that in that area actions are limited. And that the farmer, if I believe I've not been paid, if I believe I've not been paid by the program in which I have engaged, and I've met my obligations, then I still have the right to sue the

corporation for payment with respect to the application of the agreement.

So what has been done in this legislation, as I have said several times already, is to clarify the absolute lack of clarity that was created last year by the fact that in legislation there was no description of a contract. And therefore it would be very difficult to define what a change to such a contract was when no one knew what the contract was. Nor would it be appropriate to know what appropriate . . . would it be possible to know what appropriate notice was for changing when in fact no one knew what it was you might be changing.

So that with the legal meanderings that have been going on around this hastily constructed, ill-defined program that was entered into last year by the members opposite, we are now creating that kind of clarity. And we are now creating a circumstance where farmers know what the program is, and within the program that they know they still do have the right of using the courts for that purpose.

They also, as the member opposite I'm sure knows, have the right to constitutionally challenge the Bill as it's constructed and the program as it is. The courts are the final arbiter of legal matters in Canada and will continue to be so.

**Mr. Swenson:** — Well, Mr. Minister, I read in one of the sections here:

In any action or proceeding against the Crown or a Crown agent, a court shall not consider any principle of law or inequity that would require adequate, reasonable or any notice with respect to any amendments or changes to a revenue insurance contract to be provided by the corporation to any party to the contract.

Any party to the contract. What that says, Mr. Minister, is that people, people out there have thought that they did have a legally binding contract. And by that contract, Mr. Minister, they went out and they did things. They spent money, they rented land, they bought machinery. They entered into other legally binding contracts — contracts subject to section 178 of The Bank Act, contracts subject to courts of law. And they entered into them by the dozens and by the hundreds, and I would suggest to you, probably by the thousands, because they said they had a contract. And your Bill says: "provided by the corporation to any party to the contract."

Now, Mr. Minister, you come into this legislature and say there were no contracts; I'm going to change the law; I'm going to re-create history; and you cannot use my re-creation against me in a court of law. You cannot have any impartial decision maker because I, the member from Rosetown-Elrose, are smarter than everyone else, or something to that effect.

Well, Mr. Minister, I don't accept that. The preamble in your Bills, the whereas's in Bill 87, in my view, simply try . . . and I think the lawyer words that they use is demonstrably justify the limits of Bill 87 and the guarantees on legal rights. I think that's the words they use.

And I think a preamble like that means that your government anticipated charter problems and that you're demonstrably justifying the extinguishment of legal rights. That's what you're doing with that. You're demonstrably justifying the extinguishment of legal rights. That's what that preamble's all about, Mr. Minister. Your own Bill, your own Bill shows it in that section, that the court cannot use any of that against you, even though they had a contract with the corporation previously.

Now, Mr. Minister, what do you say? What do you say to those people out there that made those contracts with others? What do you say to those people that have a contract that has 178 against it under The Bank Act? And they took on obligations because of the contract that they had, and now you change that contract and they don't have any recourse through the court to come back on that, just as they don't have the recourse under 178. What are you going to do about those, Mr. Minister?

(1630)

**Hon. Mr. Wiens:** — Mr. Chairman, I'm going to ask those people to pay very little attention to the ramblings of the members opposite on this topic. That's what I'm going to ask them to do, because the members opposite repeatedly, repeatedly ignore fact and ignore truth and ignore everything that there is about trying to explain to people what in fact commitments exist and what commitments do not.

If I can read to you from the legislation . . . I said earlier this legislation in fact defines the contract. It does not extinguish the contract; it defines the contract. It says:

Every producer who submits a completed revenue insurance application to the corporation for revenue insurance coverage beginning with the 1991-92 crop year and whose application is accepted by the corporation is deemed, on and from April 1, 1991, to have entered into a revenue insurance contract that, subject to section 5.4, is in the form and contains only the terms and conditions prescribed in the regulations.

We define the contract differently because last year you did not define the contract, so no one knows what their contracts were.

The member opposite confuses the argument by suggesting that somehow his contention that March 13 falls after March 15 has somehow breached the contract. The fact is that in the federal-provincial agreement there is provision for change. That is not a breach of a contract. It's following the contract. It's following the federal-provincial agreement which is part of that array of things which defines the obligation of the government to farmers and farmers to the government.

It is the federal-provincial agreement that says the program can be changed, and when the program is changed, that the farmers' recourse, if they are not happy with the changes, is to not participate in the program. That is not a breach of contract. That's a following of the contract. It is the government's right and obligation to

make changes from time to time.

The member opposite ought to be aware of that. They made repeated changes to the program in the years they were there. With respect to one of their whereas's, I could give you a list of the things that were changed on a variety of days well beyond the March 15 deadline. The yield averages on Canadian prairie spring wheat, the five-year averages for irrigation producers, the separate insurance on irrigated and dry land averages, and the offset buy back option. And the list goes on of things that were changed, things that were changed that the member would somehow describe as a breach of contract, because they were legitimately done after the March 15 deadline he so often refers to.

Mr. Chairman, in the announcement of our program, we announced the changes on March 13. We announced the changes consistent with the recommendations of the committee that was struck to examine the program. And any contention by the member opposite that somehow our attempt to clarify both the law and the contract that was ill-clarified and unclarified last year, that somehow that is wrong is a very, very confusing statement to me. It seems to me that it is the responsibility of government to clarify that kind of confusion.

**Mr. Swenson:** — Mr. Minister, any contract can be changed when there's mutual agreement. Any contract can be changed, and you know that. What you're trying to do here is change a contract that Saskatchewan producers had with the Government of Saskatchewan and the Government of Canada. And you know full well that that was a contract.

There is not a bank or a credit union in this province that didn't believe that that was a contract, and that there were certain notification provisions in it. And I notice the minister, further on in this particular Bill, has even gone further, that the minister now can prescribe things about crop eligibility, products, categories, all of that sort of thing, even through the middle of the contract year.

Now this is fairly Draconian and I don't think any bank manager or credit union, given what he sees today, would have treated farmers the same as they did in 1991. They felt what they had in 1991 was bankable; it was predictable. And on that basis they would lend money, mortgage money which farmers and their families put up guarantees for, put their land up for, their machinery up for, perhaps even the very residence that they live in, on the basis of a contract signed that said, for the next three years this is what I can predict, that this contract is subject to mutual agreement and change, that there are notification procedures in place, and that those notification procedures will give me the time to do what I deem necessary.

Instead we have a minister that comes along and says, well I'm going to deem you right out of business. I'm going to deem you to have been void last year. I'm going to deem everything back to January of 1991. Your farming operation didn't exist last year. That contract you signed with the bank or the 178 that he's got on my farm doesn't exist any more. Well, Mr. Minister, go to a court of law and try that. See how far you get.

I challenge you to walk downtown and sign a mortgage on your land and then try and get out of it. How many people out there in Saskatchewan did that? How many people went out and rented their neighbour's land on a one-, two-, three-year lease? How many people made a decision to go to Farm Credit and give it that extra try and take on that three-year lease because they had their GRIP contract? How many people were dealing with ACS (Agricultural Credit Corporation of Saskatchewan)? How many people were going in and negotiating on their production loan and saying, on the basis of this I can make some payments over this period of time, and accept the interest penalty, and I'll keep my farm, I'll keep my hog barn. How many people did that, Mr. Minister? And instead what you've done is you've come along and you've said, you are void. Everything that you did last year is void. It didn't happen.

Well I say to you, Mr. Minister, that's not acceptable. That isn't acceptable to me, it isn't acceptable to the people I represent. And I don't think if you went out and asked them, it's acceptable to the people you're suppose to represent — if you'd bothered to ask them once in a while.

So you just can't void people's lives. You can't void those contracts they signed with their neighbours, with banking institutions, with others in the farming community. You can't void those because the courts of law will not allow you to void them. And I dare you to try.

So, Mr. Minister, if you don't have the power to void those, what makes you think that you should have the authority to use your majority in this legislature to bring forward a piece of legislation that says someone who has been put in a precarious position because of what you've done, does not have the right to an impartial decision maker saying yes, this individual signed contracts pertaining to his farming operation because of 1991's GRIP program. And now because the minister has changed it, and he isn't going to get the same amount of revenue . . . maybe he's up at Melfort or in the north-west and he's dried right out this year, he's dried right out. There's no crop.

And because there's no crop his creditors are saying to him, well what about your GRIP contract? And he says, well I'm sorry but the way I understand it I'm down about 30 bucks an acre and that \$30 an acre was sort of my profit this year, and I don't have that to give you any more.

And the bank is going to say, well I think we've got a problem.

And the farmer will say, well I guess I'm going to have to go to court because I don't have the money; I'm not going to have the money. Crop Insurance only pay me 80 per cent instead of 100, and I won't get as much out of revenue insurance. So I don't have the money. And under this new legislation, I can't go to court with the government to try and recoup those losses because they've designed their legislation to make sure that I can't. And I don't know what I'm going to do with you, Mr. Banker, but I guess we'll have to go to court because that's the only way I think I can save my farm maybe. Maybe I

can go to the Farm Debt Review Board, and they'll give me a way to save my farm because I can't sue the government for the changes they did to me because of the contract I signed with you.

So I want to know, Mr. Minister, in this Bill of yours, where's that impartial decision maker that lets that guy and his family off the hook. You show me.

**Hon. Mr. Wiens:** — Mr. Chairman, the misrepresentations of the member opposite continue to grow. The fact is that the federal-provincial agreement signed by the members opposite provides that changes to the program can be made. The changes were made in Saskatchewan this year as a result of the recommendations of the same committee the members opposite appointed.

The theatrics the member opposite engages in, with respect to the impact of an income crisis in Saskatchewan, is well known — the income crisis in Saskatchewan which began when the members opposite began to let the federal government off the hook for farm support in Saskatchewan.

Clearly there is financial stress in Saskatchewan as a result of the international grain trade wars, and the impact of those on Saskatchewan farmers where we produce half of Canada's export grains and where we are impacted to the tune of one-half of the impact — the total Canadian impact right here on Saskatchewan — that impact on Saskatchewan which has 4 per cent of the taxing capacity.

If the member opposite is trying to somehow construct the financial crisis in Saskatchewan and pretend that changes in a program are the source of the financial crisis, the member opposite has not been out of this legislature for too long, and better get out there and start talking and finding out what the problem really is.

The fact is that farmers are short in excess of around a billion dollars just from the federal commitment that's not been met. And the member opposite sits there and ignores those facts repeatedly.

The province of Saskatchewan and farmers are short an additional \$200 million annually because of agreements that you made with the federal government, if you want to talk about agreements — agreements you made with the federal government, saying, go ahead, off-load on us. We'll happily bankrupt Saskatchewan farmers, and we'll happily bankrupt Saskatchewan citizens in order to pay for these programs.

In 1988 we didn't have financial commitments to these farm support programs. In 1988 you members opposite took on a hundred million dollars of cost-sharing. The next year you took on another 60 million. And two years hence, you took on \$150 million. That's not just for the province of Saskatchewan that you sat here and comfortably accepted. It was also for the farmers of Saskatchewan that you took on that load that has to be paid. You ought to be ashamed of yourselves for that misconstruction of management.

That having been said, the review of the farm program has been described. It's followed the procedures laid out in the Act passed by the members opposite. It's followed the introduction mechanisms of the legislature. And while the members opposite have had a great deal of sport playing games with it, the fact is that the Bill has been brought forward to implement the results of the GRIP review committee, and to put clear the question of notice, and to put clear the terms and conditions of the contract, not only for this year which the GRIP review committee had to identify, but to make clear the mass confusion that was constructed by you not identifying what the contract was when you first constructed the program. You ought to be ashamed of yourselves.

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

**Mr. Swenson:** — Well, Mr. Chairman, when in trouble . . . when in trouble, this weak-kneed minister always finds someone else to blame it on. You notice we weren't, Mr. Minister, talking about that particular area. We were talking about the rights of individuals who've gone and signed contracts. But this minister, you know, when he gets in a tight spot, as always, we blame somebody else. Rather than just simply pointing to his right at the Minister of Finance and saying, well the problem was that I got orders to do something, and by doing it, I've taken away people's rights, their day in court; rather than coming forward with the answer that we all know to be the truth, we always go looking for somebody else to blame it on.

Well I say to you, Mr. Chairman, and to this minister, last year when farmers were signing up in droves, when they were going and making contractual arrangements beyond the one that they had with the government, they didn't expect a Minister of Agriculture who wouldn't accept his responsibility and a Minister of Agriculture who wasn't prepared as the previous one was obviously. Because you said you've got three cases going to Queen's Bench court, and you fully expect them to go the limit. And people under that program are going to get their day in court. And if they find . . . if they are found that they have some justification, the government will have to pay restitution.

But in 1992, that's not the case because the minister has set out to take a whole bunch of money out of rural Saskatchewan. You know what, Mr. Minister? You didn't listen close enough the other night in Humboldt when that young fellow was talking to you about what you had done. I mean, your little sop that you've come back with isn't going to take the anger out of that young man.

(1645)

He said, Mr. Wiens, — and I shouldn't do that, Mr. Chairman, I realize — Mr. Member from Rosetown-Elrose, he said: before the election, I heard you promise over and over and over again that there'd be more money for agriculture, that you were going to Ottawa to get more money, that there would be a stronger agriculture budget in this province. And now what he's found is just the opposite, Mr. Minister.

He's saying you've broken every single contract that I've signed with you. You broke my GRIP contract. You broke

my feed grain assistance contract. You're breaking my cash advance contract. I mean, you're going all across the list, and you're breaking them all. Now maybe, Mr. Minister, on some of those other ones he might even get the chance to take you to court; I don't know.

But you still haven't answered my question. I want to know, Mr. Minister, given the fact that in 1991, in 1991, three individuals so far have chosen to take the government to court. And they've said we expect an impartial decision maker. And they're going to get one I suspect in Queen's Bench.

Now somebody's already taken you to Queen's Bench, and so you come along with a piece of legislation, that's probably cost you a fortune to put together in legal advice, with a preamble that will just demonstrably justify stripping people's rights under the charter. That's the legal opinion of the preamble to this Bill. The only reason that you've done it is so you can demonstrably justify a challenge under the charter. That's the only reason you've done it. Maybe the question we should ask you, Mr. Minister, is: how much did it cost to put the 10 whereas's in front here so that you can demonstrably justify taking away legal rights?

Mr. Minister, you still haven't answered the question. Where in this Bill? You show me the section that gives people in this province the impartial decision maker like they had in 1991 and they had right back to 1905 when this province joined Confederation. You show me the clause in here, Mr. Minister, that gives them that right, the impartial decision maker who will judge you. You show me where that is, Mr. Minister.

**Hon. Mr. Wiens:** — Well, Mr. Chairman, again I'm not expert in law, and I don't think . . . I'm not sure where this all leads back to. I think the members opposite began with the Magna Carta and have moved slightly forward since then.

I don't understand the evolution of law or the application of it, but I know that in our legal system, the courts . . . you do not have to define in each piece of legislation what the recourse to justice is. It is a given in our country that the recourse to justice is through the courts. And the courts continue to be the instrument that measures the appropriateness of legislation and provisions in it; and the courts, I'm sure, will continue to measure it.

The question that the members opposite ought to be dealing with is political responsibility — the responsibility for taking actions on behalf of the people of Saskatchewan, the responsibility that the member opposite is elected to do. The member opposite ought not to play at being a lawyer because he inadequately understands the provisions of law. And I will not pretend that I adequately understand the provisions of law. We rely on legal experts to provide that information for us.

The fact is, what is the political truth about the management of the province of Saskatchewan. Let's accept, let's talk later about the financial management of the province. Let's begin by talking about this process, about the process of the establishment of the GRIP program.

Let's begin a little earlier, as we did a few minutes ago. Let's begin with 1987, before we had our major drought payment program in 1988. At that time the Saskatchewan Department of Agriculture and Food provided only administrative dollars for several programs. In 1988 the members opposite, whose job was to protect Saskatchewan's interests, the members opposite decided to spend \$100 million on behalf of the federal government to save the federal government \$100 million in a drought assistance program — the first time a major provincial involvement had been engaged in like that. A hundred million dollar commitment by you, you who were elected to represent the people of Saskatchewan and to protect the financial and the social interests of the province of Saskatchewan. You said to your federal brothers, sure we'll pay; sure our people will pay \$100 million.

In 1988 . . . the year after 1988, in 1989 the members opposite took one-half of the federal government's share of the crop insurance program, an amount of money that varies from year to year between 40 and \$60 million. You said sure we'll pay.

By then the members ought to have known. Had they done their books . . . that the province of Saskatchewan was virtually bankrupt because they had been bankrupting it for eight years then. The members opposite ought to have known it. But that was of no concern to the members opposite. They said sure we'll take it on; sure we'll pay another 40 to \$60 million. Sure the working people in Saskatchewan will pay. It doesn't matter much to us. We get our salaries as members here. We'll agree to it. We like our brothers in Ottawa.

So then what happens two years later? Then comes the whole question of GRIP. The western grain stabilization program had no contribution from the province. But what do the members opposite say to their federal brothers? They say sure, we'll take on another \$157 million. Sure we will. We'll take on 40 to \$60 million for crop insurance. We'll take on \$157 million for GRIP. We'll take on a hundred million dollars for the drought assistance. Not only that, but we'll cuddle you and pat your backs and say what nice guys you are as you unload 400 to \$500 million in social services and education expenses to the people of Saskatchewan.

All of that in the period of time that the members opposite so often spoke about the crisis in Saskatchewan, about the crisis in agriculture in Saskatchewan — a crisis that those of us who were not in the legislature certainly lived through and lived day by day as we suffered the income crises.

And the working people of Saskatchewan, they suffered those income crises day after day, as you were giving away Saskatchewan's money, first to the federal government and then to your friends and then in absolutely wasteful exercises that Saskatchewan will never forgive — in wasteful exercises building structures that will never fill with water, in engaging in economic development activities that resulted in absolutely nothing but a loss. That has been the record of the members opposite.

Now let's come to spring of 1991. With that kind of a record for management, the members opposite began the GRIP process. They said okay, let's do it. Well they started talking about it, and they started putting forth ideas. Now in the last year they've been talking about how important a certain March 15 deadline was to the integrity of farmers in Saskatchewan.

But what did they do? They brought forward proposals. Then they went out and had political meetings, and then they began to make changes — change after change after change because, as they went out on their first 60 meetings, farmers were angry. Farmers said, what kind of a crock is this? Farmers were angry, so they made some changes. Day by day, month by month, they made changes. As I said earlier, they had made 94 or 95 changes by the time I got to the meeting I went to.

That was the record of the members opposite as they quickly constructed a farm support program that would suit their election schedule. They believed they needed to have an election last spring. So they constructed this thing hastily. They constructed it hastily. They constructed it in a fashion that was undefined.

And I challenge any member opposite to define what each of their GRIP contracts says because the member from Arm River will interpret his contract differently than the member from Thunder Creek who will interpret his contract differently than the member from Rosthern who will interpret his contract differently than the member from Kindersley who will interpret his contract differently from the member from Morse.

That was the kind of confusion the members opposite created last year: extended over a large period of time, a variety of changes, a variety of ways of describing it, nowhere defined in legislation, nowhere defined in regulation. That was the contract the members opposite talked so much about. And with respect to dates, following March 15, the changes just rolled right along the way they had rolled on from the beginning of the discussion process.

There was no pride and no consistency and no discipline with respect to that process. There was none at all. It was a political exercise.

Well, unfortunately the members opposite believed they couldn't win an election in spring, so all that haste had been in vain. But not only was it in vain; it resulted in a serious circumstance later on as we begin to look at what did this contract say.

If someone were asking me, what were my liabilities under this contract or what were my rights, no one could tell you. It was impossible to define what the terms of that contract was, so that we took over. The members opposite in their legislation did define something. They defined that there should be a review process go on. They defined that the review process should take place, and it should take place after the first year in the federal-provincial agreement.

And they not only did that — the members opposite. In

their legislation we're the only province that provided for a review committee. And that review committee was put into place in July last year. And that review committee began its work then after we took over in the fall after the election.

In the mean time farmers had expressed their concern by the thousands across Saskatchewan saying, these programs are inadequate. We are broke. We cannot live on the amount of money provided for by the programs as the members opposite had agreed with their federal counterparts. Not only were the farmers broke, the province was broke. And the people of Saskatchewan said, we have had enough. And they threw out those members who'd created that mess. And they said, please take over this broken and battered ship.

Well the fact is that we have taken over this broken and battered ship. And we are determined to put order to it. And we are determined to put order to it first by righting the financial difficulties that are here. And I make no apologies for that.

But the contention of the member opposite that somehow the committee that redesigned the farm program was given direction that they had certain financial limits within which they had to live is absolutely false. It was not so. It's our responsibility to put right the financial wrongs of the members opposite. People elected us to do it.

What the committee did was an accurate analysis describing the serious problems with the program designed by the members opposite. The committee identified that the province and the farmers would see increasing premiums because of the way the program was designed. They knew that there were costs that could be not borne in administration. They said that the program gave all the wrong signals and they said, change it.

And the government, taking the report of this committee established by the members opposite, said okay. These are the observations of the farm organizations. These are the observations of people who have farmed and experienced this program. This is the response to the difficulty that's been created by a hastily constructed mess that was put together last spring by the members opposite. And we first put the program together in the context of a budget for the whole province of Saskatchewan that creates difficulty for . . .

**An Hon. Member:** — Point of order, Mr. Chairman.

**The Chair:** — What is the member's point of order?

**Mr. Muirhead:** — Could you, Mr. Chairman, ask the Minister of Agriculture if he'd please make a little sense in what he's saying.

**The Chair:** — The member's point of order is out of order. Order, order. Order, order. If all members will be patient, in about 120 seconds we'll be able to go for supper break and then come back and continue the debate this evening. I'll ask all members to allow the minister to make his point, and there will be plenty of opportunity this evening for questions to be asked.



**Hon. Mr. Wiens:** — Mr. Chairman, the member opposite talks about the questions that are asked. The members opposite, day after day, have not only asked the same questions, they've made the same erroneous comments day after day after day.

The member who asked the last question made the comment that says on orders from the Minister of Finance, the Minister of Agriculture designed this program. Well that is so much in error the members opposite ought to be ashamed of saying those kinds of things in public. The members opposite know that's not true. The members opposite know that that committee went to work on their own, and the members opposite that say those kinds of things don't recognize the truth. The fact . . . that does not say that we are not willing to take the financial responsibility for the province. But to put that kind of absence of truth on the record is absolutely ridiculous.

The fact is that yes we did, and that's the point that I'm answering. We as a government did take the financial matters of the province to heart, and we have made the tough decisions, and we know that people across the province in every walk of life — including farmers and rural people, including urban people — have been hurt by the mismanagement of members opposite and . . .

**The Chair:** — Order, order. It being 5 o'clock, the Committee of the Whole stands recessed until 7 p.m.

The Assembly recessed until 7 p.m.