

The Assembly met at 9 a.m.

Prayers

**Hon. Mr. Rolfes:** — Before orders of the day, I want to ask leave of the Assembly for me to introduce a couple of guests.

Leave granted.

### INTRODUCTION OF GUESTS

**Hon. Mr. Rolfes:** — I had the pleasure last night of meeting a couple of young people from the province of Quebec. They are seated in the Speaker's gallery. They are two brothers from the Eastern Townships in Quebec who are on a cross-Canada trek from Victoria to their home at North Hatley, Quebec. Scott Stevenson, if Scott would rise, please . . . Scott Stevenson is the co-publisher of the *Aylmer Bulletin* and *The West Quebec Post*, two English newspapers in the Ottawa area. The other person that I would like to introduce to you is his brother, Greg. And Greg has just returned from Barcelona. He was one of the . . . He represented Canada on the rowing team in Barcelona and he's just on his way back also from Victoria to the province of Quebec. I ask all members to give a very hearty welcome to the Stevenson brothers who are accompanied this morning by my son Brian. Give them a warm welcome to the province of Saskatchewan.

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

### ORDERS OF THE DAY

#### SPECIAL ORDER

#### THIRD READINGS

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

**Hon. Mr. Cunningham:** — I move the Bill now be read a third time and passed under its title.

**Mr. Devine:** — Thank you, Mr. Speaker.

Well, Mr. Speaker, I want to take a few minutes to reinforce the arguments that have been made over the last few months, why indeed this side of the House and farmers and people across the province of Saskatchewan would not move third reading of this Bill for all kinds of reasons. But the most significant reason, Mr. Speaker, is the fact that it has overlooked the rights and freedoms that are guaranteed to individual Canadians and to Saskatchewan people under our constitution and in the Charter of Rights and Freedoms.

And, Mr. Speaker, I'm going to be making a motion and introducing a motion in this third reading which would at least allow the Premier, the Minister of Agriculture, the House Leader, and others to come clean with the Saskatchewan public. This motion will say to the Saskatchewan public and to the Canadian legal community that indeed there is enough courage on the

side of the government — the NDP (New Democratic Party) government in the province of Saskatchewan — to refer this awful piece of legislation to the Court of Appeal and to the Supreme Court so that in fact the public and those all over Canada will know immediately, right away, that this is illegal.

When I raised this with the Minister of Agriculture, he said everybody agreed with him, all the legal opinions said that this bill is fine, the Attorney General didn't have to worry about it, the staff said it was okay, law firms said it was okay. And I kept pointing out that his own Premier said that he was worried about rights. He said it would be referred to the courts. The Attorney General said it would be referred to the courts. The Minister of Agriculture, in the Legislative Assembly, said it would be referred to the courts. And legal opinion outside, in the city of Saskatoon an NDP lawyer said this shall be referred to the courts. It's unconstitutional, violates the Charter of Rights and Freedoms. And then we find the office of the Legislative Counsel and the Law Clerk in the Saskatchewan Legislative Assembly also says that this should be referred to the courts.

I don't recall this ever happening, Mr. Speaker. I'm sure that the members opposite don't know where it has happened across Canada, unprecedented. This spring and summer in the Saskatchewan legislature has been absolutely unprecedented in its illegality, its abuse of the system, its disregard for human rights and charter of rights, disregard for the rules that will allow people to speak. This is the last time we'll even have the opportunity to speak on something as significant as changing people's contracts and violating their rights under the Charter of Rights and Freedoms.

And as we speak today, Mr. Speaker, hundreds and indeed thousands of people are gathering in Melfort to say this is the worst piece of legislation that they've ever seen.

I want to take this opportunity, Mr. Speaker, to read the letter addressed to the Leader of the Opposition from the office of the Legislative Counsel and the Law Clerk. Robert Cosman, the Legislative Counsel and Law Clerk of the Legislative Assembly, couldn't do anything but lay out his opinion with respect to the Legislative Assembly, Mr. Speaker.

And I know members opposite, Mr. Speaker, don't want to hear this and they're not all that interested, but their counsel and the legal system in the province of Saskatchewan in this Legislative Assembly says that what we are doing here indeed violates the Canadian Constitution and the Charter of Rights and Freedoms. That's our Legislative Assembly here, Mr. Speaker. And all of the NDPers are now going to know that this is the kind of thing that they do. This is what they're paid to do; this is what they're elected to do.

From the Law Clerk of this Assembly, the letter goes like this:

Dear Mr. Devine: I have carefully reviewed the provisions of Bill 87 with respect to the

extinguishment of causes of action and the institution or continuation of such actions before the courts, and, in my opinion, these provisions — specifically clauses 8 (enacting new sections 10.1 and 10.2 of The Agricultural Safety Net Act) and 18 (enacting new sections 13.1 and 13.2 of The Crop Insurance Act) — are contrary to the guaranteed legal rights which Canadians are “not to be deprived thereof except in accordance with the principles of fundamental justice” (s. 7 of the Canadian Charter of Rights and Freedoms) unless such rights are limited “by law as can be demonstrably justified in a free and democratic society” (s. 1 of the Canadian Charter of Rights and Freedoms).

The Law Clerk, Mr. Speaker, says:

Mine is but a single opinion. Others could be of the opinion that access to the courts is not specifically guaranteed by section 7 of the Charter (although there is case law to the contrary — *Pearlman v. Manitoba Law Society Judicial Committee* (1991), 84 D.L.R. (4th) 105; (1991) 6 W.W.R. 289 (Supreme Court of Canada). Still others would argue that, although a legal right has been “limited”, it is demonstrably justified by the Preamble to the Bill (‘Whereas’ Clauses), and therefore is allowed by section 1 of the Charter.

All of these positions are reasonable. Which one is the right one is subject to interpretation. I submit that the final authority in making such an interpretation is the Supreme Court of Canada. Access to the Supreme Court is costly and time consuming (1-2 years, optimistically — and then not “as of right”) when taken on appeal from actions which are not yet before the courts, or are currently at the trial (vs. appeal) level. There exists in Saskatchewan a “Constitutional Questions Act” . . . which may be utilized by the Lieutenant Governor in Council to speedily take the issue “on reference” to the Court of Appeal of Saskatchewan, which, in turn, establishes direct access to the Supreme Court of Canada.

As an element of doubt may exist in the legal community at large (although none exists in my mind) (says the Law Clerk), and as this is a matter begging early resolution — being a matter of concern to a significant number of crop insurance contractors as well as the Government of Saskatchewan — I should think that this issue would be a proper one for such a reference.

Respectfully submitted, Robert D. Cosman.

Mr. Speaker, this individual is the Legislative Counsel to our Assembly. The Legislative Counsel to our Assembly says the NDP law is illegal and unconstitutional and should, at a very minimum, be referred to the Saskatchewan Court of Appeal and to the Supreme Court.

And the hon. members of this Legislative Assembly know the consequences of this affect thousands and tens of thousands of individuals. They know that there are

thousands of people gathering today in the middle of Saskatchewan, in Melfort, Saskatchewan, to say that they need help, they’ve suffered drought, they’ve suffered from frost, they’re looking at hundreds of millions of dollars in damage because their contracts were broken, their rights violated, their parliamentary principles in the Saskatchewan Legislative Assembly have been violated, and individuals across this province and across Canada today say, well even the Legislative Counsel in the province of Saskatchewan says, the NDP government has broken the law. And on top of that it says you can’t speak out about it. We’ll muzzle you, time allocation, restrictions on the ability to speak, and we’ll pass it anyway.

Mr. Speaker, over and over and over again people in Saskatchewan have said there is a rural crisis. Farmers need help. They don’t need to go to court. Farmers need principled individuals representing them so that they will stick up for families in rural communities . . . (inaudible interjection) . . . And the member from Quill Lakes now arrived in the legislature, Mr. Speaker, finally woke up, speaking out because he is not sticking up for farmers, never did stick up for farmers. Mr. Speaker . . .

**The Speaker:** — Order, order. Order. Everything was fine until the member from Quill Lakes interrupted. Order. Just let the Leader of the Opposition speak. Everything was fine until he was being interrupted . . . (inaudible interjection) . . . Well if you hadn’t interrupted he wouldn’t have said it either . . . (inaudible interjection) . . . Well you shouldn’t have interrupted. The Leader of the Opposition . . . if the member from Quill Lakes doesn’t like it, maybe he should go for a cup of coffee . . . (inaudible interjection) . . . What’s your point of order?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, my point of order is that rulings have been made in this House over and over again about referring to members’ absence or presence, coming and going in the House. And I just want to make the point to remind Mr. Speaker that the Leader of the Opposition, while speaking, referred to the member just arriving. And I want to make it very clear that at 9 o’clock when I came into the Assembly, the member from Quill Lakes was in fact in his desk.

First of all, referring to it is not in order. Secondly he . . .

**The Speaker:** — Order, order. Again I want to remind all members that certainly the Leader of the Opposition should not have referred to the member, but having said that, he was provoked by the member from Quill Lakes. It’s also a rule in this House, a very long, traditional rule, that you do not interrupt a member when he is speaking, and he was clearly interrupted by the member from Quill Lakes.

(0915)

**Mr. Devine:** — Well thank you, Mr. Speaker. I know members opposite are very interested in finding out that they are being blasted and lambasted by the Legislative Law Clerk for passing or trying to pass a Bill that is unconstitutional and violates the Charter of Rights and Freedoms of individuals, not only in Saskatchewan, but would any place in Canada. And that this Bill will be . . . it

will be referred to the Supreme Court of Canada.

And it will be found that the NDP administration, who said that they were going to campaign on behalf of farmers from Quill Lakes to Meadow Lake to Estevan to Nipawin, have done everything in their power to hurt rural communities. Absolutely everything. It's rural revenge. Pick on the farmers, pick on their communities, close their hospitals, rip up their roads, cut their contracts. Make sure that rural people suffer because they voted something other than NDP.

Well, Mr. Speaker, we find in here that the Legislative Law Clerk, NDP lawyers, outside lawyers, the NDP Premier himself, the Minister of Agriculture, and the Attorney General all say they're concerned about rights, say this is going to be referred to the courts. And now the chief advisor, the legal advisor of the Legislative Assembly of Saskatchewan, says this should be referred right away. Because this Legislative Assembly, of all assemblies, is going to violate the Charter of Rights and Freedoms and the Canadian Constitution.

So the next question becomes, Mr. Speaker, who's next? If this is the kind of Bill that can be passed here, then anybody's rights under contract, anybody's rights before the courts can be violated. This is a brand-new day for socialism in the country. A brand-new day for socialism. The new socialist agenda.

The young Rhodes Scholars that are visiting here, Mr. Speaker, should look at this Bill. They should take this to Oxford, they should take it to Great Britain, they should take it to France, they should take it all over. This Bill, as it's being talked about in third reading, this Legislative Assembly's Law Clerk says, refer it to the Supreme Court because it violates the rights and freedoms of Canadians.

Great tradition. Great socialist tradition. Take away the rights of individuals for a higher cause. That was the minister's argument and the Premier's argument — this is for a higher cause. What's the higher cause than the Canadian Charter of Rights and Freedoms and our rights under the Canadian constitution?

We spent years and years and years trying to build a constitution that allows all the provinces and all the people, all native people, all Indian people, all French-speaking and English-speaking Canadians and people from all walks of life from all over the world to have rights and freedoms in a beautiful country.

And while we're doing that, ironically while we're doing that, this Legislative Assembly takes away the rights and freedoms of individual farmers and their families and is condemned across the province of Saskatchewan, condemned by the legal community, condemned by the Law Clerk in our own Legislative Assembly. And the NDP are standing there: well there's a higher cause. It must be the socialist cause.

What is it? What is this great socialist cause that lets you take away the rights and freedoms of individuals? Over and over and over again individuals have condemned the NDP agenda, condemned you for not following your promises,

condemned you for breaking your promises, and now condemn you legally and actively and constitutionally under the Charter of Rights and Freedoms to say you have broken the law.

And then under this cowardly Act, saying that you cannot be sued. You're afraid that you broke the law. You cannot be sued. You can't let people get at you to defend their rights and freedoms. So in fact what do you do? You pass a provision in this Bill that says you can't sue the government.

The new NDP government can break your contract, can fire people, can take away your crop insurance, take away your hail insurance, take away your SGI (Saskatchewan Government Insurance) insurance, break your teachers' contract, break the union contract, break the nurses' contract, and you can't do anything about it. This is socialism at its best. This is why people join the socialist party so that in fact you can take away the rights of individuals — contractual rights and rights before the courts — and violate your constitutional rights.

And on top of that they've broken every rule and every principle that was in this Legislative Assembly just to do that, just to get away with that so we couldn't talk and limit it today to the discussion. They've broken all the rules, unilaterally changed the Rules Committee just in fact so that they can do this. Mr. Speaker, this is a dark, dark, dark day for Saskatchewan when the Legislative Assembly will have to pass or try to pass this Bill on top of all the cowardly acts, the pathetic acts that the NDP administration have implemented to get it here.

All we're asking for is help for farmers in rural communities who are going to lose hundreds of millions of dollars as we speak — lose hundreds of millions of dollars. And all we're here for is help for them in a crop insurance contract that is national. It's national; it isn't just here. It's everywhere in Canada. And only here have they been denied the right to protection — unbelievable.

We have half the farm land in Canada. Agriculture means more to us than any other jurisdiction. And the NDP said, I will not help our farmers because the federal government is Conservative and the opposition is Conservative and they designed this program to help farmers. We won't do it.

And even in the last offer that come out, it cost something like \$23 million, and we won't do it. They can take SaskTel and spend 7 or 8 or \$9 million just to buy some cable company, but they don't have \$7 million in insurance contract for the farmers. There's all kinds of money they're spending. It isn't the \$23 million. They don't care about farmers. They're looking at it, saying there won't be enough votes out there to matter. Come the next election towns and villages will lose population. People will leave. We'll get enough support from the cities. We can break their contracts on the farm. We'll tell people we have to do it. We have a higher socialist cause, some higher socialist cause.

Well all we're after, Mr. Speaker, is to help farmers. These are farm families, young men and women. Heaven's sakes at least half the members here must have grown up on the farm, grown up in Hudson Bay or grown up in

Meadow Lake or grown up some place in rural Saskatchewan. This is for farm families so people can have some insurance.

What happens if you get froze out? What happens if you get dried out? Where's your income? We want protection for people. That's why we designed crop insurance several decades ago, Mr. Speaker. That's what it's for.

And you can't run off and say, well there's some magic third line of defence so that in fact the federal government comes in every time there's a drought and a frost. Crop Insurance is a separate corporation. It's a large, multibillion corporation. It's like SaskTel or SGI or SaskPower. It's large, it's independent, it has a rate structure. It builds in 20-year cycles. It's got nothing to do with balancing this year's budget, nothing at all.

And these people have gone to these lengths. This terrible legacy, this socialist legacy of taking away people's rights, violating the Charter of Rights and Freedoms, removing all protection so people who have dried out and have lost their crop as a result of weather conditions like frost . . . And now they've got their own Premier, the NDP Premier said, I'm worried about rights. That's where the PC (Progressive Conservative) argument is valid. You have him saying it'll probably be settled in the courts. The Attorney General for the NDP says it'll go to court. The Agriculture Minister says it'll go to court. The Legislative Law Clerk says it should be in court right now; refer it to the courts.

What do we find out? When we ask them to either pull the part of the Bill that allows the farmers to get access to them or refer it, they do neither one. What's that show, Mr. Speaker? It shows they're dead wrong and they know it. They have built enough whereas's into this clause to make it look suspect. It looks like a constitutional piece of legislation. At the same time they have voided the contract and told you, well you really didn't exist last March. And then the real nub of it is that they say, and we're so confident that we're right in this Bill that we'll put in a clause that says that you can't sue us. We can't get at the government.

Well everybody sees through it. The Law Clerk sees through it. The public sees through it. Lawyers see through it. And for what? For \$20 million? So farmers can be out hundreds of millions of dollars?

They're worried, Mr. Speaker. Farm families are in a crisis. They've been in a crisis for several years because of drought, \$2 wheat. And the NDP get elected on this political boondoggle where they say they're going to get the cost of production for farmers. Where were they going to get the cost of production? Where were they going to get it?

They were going to get more money from the feds. They didn't get more money from the feds. They campaigned on the fact that there was a \$14 billion debt provincially, so they knew that they wouldn't get it locally. And this is what they've given — this ugly piece of legislation taking away their rights, violated every constitutional right that farmers have and people have. And now we have individuals here who know, Mr. Speaker, that the case, the legal case is valid against the NDP. They're being

sued by farmers and others.

Well, Mr. Speaker, I read into the record the fact that the Legislative Law Clerk has condemned this Act by the new NDP government. It's been condemned legally, morally, democratically, and historically. NDP have unprincipledly changed the way the Legislative Assembly works and brought in a Bill that is ugly and is being condemned.

And the members opposite and the rural members opposite have to look at themselves in the mirror and say yes, we really help farmers. We really help farmers. We were there to protect them. We built them roads. We built them hospitals. We helped them build parks.

They didn't build anything. They tore them down. They stopped the rural gas program. They charge you more for power, they charge you more for electricity, they charge you more for hooking up their phones, they take away their insurance contracts, they rip up their roads, they close their hospitals, they close their nursing homes.

The NDP administration has nothing going on in economic development in rural Saskatchewan and then it charges them more. It charges them a lot more for health care. They used to pay \$125 deductible for prescription drugs. It's \$380. On top of the fact that there's a rural crisis and these people are broke. Then they take away their insurance contracts. How can you even look at anybody in rural Saskatchewan?

Senior citizens are worried. Senior citizens write us. Thousands of people have signed petitions. Thousands and tens of thousands of people have said you've broken your promises. You charge us for insulin, you charge us for health care, you charge us for agriculture — you charge every fee, every utility. And on top of that, you've raised taxes. You've raised sales tax, provincial sales tax. The PST (provincial sales tax) is up for everybody. You reneged on every single, solitary thing that you said that you were going to do.

And you say your solution is, we're going to unionize everybody. Everybody will join the union and that will really work. That's the plan. Well, Bob Rae tried to plan and he's running so far behind he's not only third, he's third-plus in Ontario.

No economic development, no diversification, broken every promise, running way behind, and it's only nine months after these people were elected and they broke every promise that they initiated. Broke AECL (Atomic Energy of Canada Ltd.) agreements, broke contracts, won't build upgraders. Can you imagine if upgraders and paper mills and fertilizer plants and all the jobs that created and kept the union halls empty would ever be created by that bunch over there? Not a hope.

Even when they had some money they didn't do it. No new ag college, no new diversification — what did they do? The great socialists borrowed money from New York and nationalized what was here. Really intelligent, really sharp. Some of the highest, best prices in the world and there was no money saved. For Heaven's sakes, they had money coming in all across western Canada, and they

borrowed a bunch and bought back mines. Created zero jobs, nothing. Paid way too much. The old book value so far out of whack you'd never get it.

**The Speaker:** — Order, order. It's very interesting, but I want to remind the Leader of the Opposition we're on third reading of GRIP (gross revenue insurance program) . . .

**An Hon. Member:** — It certainly is interesting.

**The Speaker:** — It is interesting. But I'd ask the Leader of the Opposition to get back in third reading of GRIP.

**Mr. Devine:** — Mr. Speaker, this is a legacy of broken promises. This GRIP Bill is illegal and it's typical. It's an illustration of all that's gone on, and that's why people are so upset. They promised them they'd help them in health. It's been the opposite. Cut and slash and charge — that's the principle, Mr. Speaker. It's exactly what's been going on. And if they couldn't do it, they'd pass a Bill, unconstitutional or not. This is what we're going to do because we have a higher cause.

What's this higher socialist cause? What is it they think that they're . . . some God-given right to govern. Just because it's them, they can do no wrong. This is wrong. It's wrong legally and morally and unconstitutionally. Constitutionally it's wrong. And the NDP have broken every single solitary promise, and not just rural people but urban people now are watching.

(0930)

And they say well, we've seen it across Canada. We've seen them talk about this high and mighty principle, values. Well it's not there. It's not there. And you can't find a rural person that admits that they voted NDP. You've got NDP campaign managers that said, I don't know what the heck they're doing. They're off on a tangent. It's unbelievable. People writing us and phoning us and said, it's unbelievable.

And the only positive things that they're doing anywhere are those that were initiated by the previous administration that had some sense of economic development. Let's do bonds. Economic development, let's see if the people will invest in bonds. Well I guess we did billions in bonds. And the Minister of Finance has done half a billion dollars and his claim to fame is, boy, did it ever work. It must be confidence. Well if it was economic development and keeping money here and diversifying the economy, that's confidence.

Do you think this Bill is confidence, Mr. Speaker? This Bill is the laughing-stock, is the joke in the legal community. It's an absolute joke. And for folks across Canada, and particularly in rural Saskatchewan, we're going to find out what people really think of this.

There're going to be 5,000 people sitting in Melfort. I'll tell you there's going to be lots of people around the Legislative Assembly before the NDP try to redeem themselves, with all the ugly and cowardly things that they have done to the people of Saskatchewan in recent times, and today is the worst. This is the darkest day in

Saskatchewan's Legislative Assembly.

You even have people saying . . . people talking in the streets, people talking on the streets, saying maybe they won't sign the Bill. Maybe they won't sign the Bill. What does that mean? That means they are so ashamed of it, that it won't get passed. If you had the complete free will, your conscious free will to vote on this Bill, I know, Mr. Speaker, this Bill wouldn't pass. If individual members could take their place in a non-partisan way, they wouldn't vote for this. If each individual member of this Legislative Assembly could stand in their place knowing that they were absolutely free, absolutely free from partisan connection, they would say no, I can't vote for this; it's wrong.

It's wrong because it hurts farmers. It's wrong because it violates their contracts. It's wrong because farmers really need help during a crisis and it doesn't provide it. And it's wrong because we have violated their rights, the constitutional rights. It's wrong because we have violated the Charter of Rights and Freedoms. And it's wrong because the way we did it was wrong. We look bad. The NDP know that they look bad.

They unilaterally used their large majority to change the rules of the House, to pass this Bill, and they said they would never, ever, ever be caught doing that. And if they could redeem themselves, if you could have a snapshot, if you could have a static snapshot where they could actually vote and redeem themselves, they'd say please forgive me, I know that I was wrong; I want to do this right. And they'd ask for forgiveness from the people, from the history, from the legacy of Tommy Douglas if nothing else.

This is the great socialist CCF (Co-operative Commonwealth Federation) Party that said that they're going to help rural people. After the '30s, Tommy Douglas come in and said I'll help you; I'll be there. I don't have a lot of money; I'll be there. I'll give you electricity. I'll stick up for you. I'll protect you. We'll help set up institutions to protect you.

What do these guys do? They're run by a handful of bureaucrats, and a handful of people in the front row said no, none of that's on, there's a deficit; we can't help anybody. We can nationalize a few more. We can let the Crown corporations take over a cable company — spend \$10 million doing that, and no productivity.

How many jobs were there? Can any of the members stand up and tell me how many new jobs were there when SaskTel bought a cable company for 7, 8, 9, \$10 million? Same old stuff. Then you can use it for propaganda; use it for telling people all your gobbledegook as you pass Bills like this.

Well, Mr. Speaker, the Legislative Assembly should be ashamed of itself because of this piece of legislation. We have fought this piece of legislation, Mr. Speaker, because we absolutely and sincerely think it is the worst piece of legislation that we have seen in the history of Saskatchewan for all of the reasons that we've mentioned. Whether it was the potash Bill or the medicare Bill, always people were allowed to speak.

Even in SaskEnergy they were always allowed to speak. But not the NDP. They even cut off our right to speak.

We said, show us the Bill. And they hid the Bill. Can you imagine hiding this Bill? We said if you're so proud of this Bill, show it to us. Show us this Bill. You've showed us the environmental Bill. You show us other Bills. You see drafts of Bills; show us a draft of this Bill. No, they hid from it. They kept it under lock and key because they were so ashamed of this piece of legislation. They kept it under lock and key because they knew that it violated rights and freedoms and broke contracts and that it would be challenged. Well then it has been, Mr. Speaker.

So they've been cowards right from the start. Break the contracts, violate your campaign promises, forget about the people. And if the Legislative Assembly doesn't work, forget about it; we'll figure out a way to do it. We'll unilaterally change the rules, and then we'll bring in something as ugly as this. This is the great socialist tradition.

Well I'll tell you, it's the bottom of the barrel. This is as low as we've seen it. In the potash debate, the medicare debate, SaskEnergy debate, this didn't go on. This didn't go on, Mr. Speaker. We allowed this Assembly to speak and argue and bring forth their arguments. Imagine how long we could speak with this piece of information that says that the Bill is unconstitutional. We've known it's been unconstitutional. Imagine how long. And the NDP hide this. They hide opinions and they hide information, and they hid the Bill.

And then when they brought it in, they changed the rules so we can't speak out. Well I'll tell you, we're going to speak out, Mr. Speaker. We're going to speak out all over Saskatchewan and indeed all over Canada. People are going to know about this Bill. They're going to know about it in Vancouver. They're going to know about it in Toronto, and they're going to know about it in Halifax. They're going to know about it in the United States. They're going to know about it in Great Britain. They're going to know about it anywhere where people care about rights and freedoms and just what a brand-new socialist government is all about: the great New Democrats, sticking up for rights and farmers, rural people, rural women.

How about the pension legislation? Why don't we cancel that too? Oh yes, well they did that. There's another contract, another contract, Mr. Speaker, people signed a contract. I'll put my money up. People will match it, and we'll invest it together, so when you retire you don't have to go on welfare. They broke that contract.

Imagine the principles. The NDP even voted for that, Mr. Speaker. They voted for the Saskatchewan Pension Plan, because it takes people off welfare when they retire if they don't have enough money. You accumulate some money, then you'll have an independent retirement and it's less costly to the Legislative Assembly, less costly to the taxpayer. And the NDP supported it and voted for it. But not when they get into power. When they get into power, it's exactly the opposite.

Well the legacy is built, Mr. Speaker. I'm just going to say

in closing before I move a motion, that I have never been so disappointed in an administration whether I've been in government or outside of government, as the one that's before me.

I got into public life because I was concerned about the last NDP administration because they were nationalizing. Didn't have a sense of economic development or diversification and didn't care about rural people.

And I campaigned, Mr. Speaker, to stick up for rural people. And I mean that. But I have never, ever, ever seen the like of what's in this Legislative Assembly. I don't know where their sense of balance is. They have no plan. And this pathetic excuse for policy that takes away people's rights and contracts — pensions, health care, insurance contracts, crop insurance, roads, over and over and over — and then taxes them and taxes them and taxes them.

People in the United States are saying, I wonder if Democrats really will tax you. What a joke. I'll tell you, people in the United States might be interested in what Democrats do, what Democrats do to rural people, what Democrats do to taxes, what Democrats do to economic development.

Well, Mr. Speaker, the only thing that they can do in economic development is the things that we initiated. And if they do, I give them a bouquet. Maybe it'll encourage them to move somewhere towards the middle.

Well we know what Democrats do. They tax and they take away your rights for some great, new socialist reason, higher purpose, whatever that may be. And, Mr. Speaker, the truth is their higher purpose is so they can practice patronage; they can fill SaskPower with their friends and their families. One of the biggest reasons that you want to privatize corporations in government is to get rid of patronage. Get rid of patronage.

That's what they do. They get elected so they can fill their Crown corporations with their people. And they'll say anything to get elected. They'll break the rules, break their promises to get elected so that they can get government jobs for their families and their friends.

Why do you think they defend government corporations so much? Is it they're superior in performance to anything else in the world? No, because if they win, they get to run them. They're not running Saskoil. They're not running Cameco. They're not running the Saskatchewan Potash Corporation. They're not running Weyerhaeuser and the paper mill.

And for good reason, Mr. Speaker. Because if they were running it, the place would be crawling with their friends and crawling with the NDP supporters. And the productivity would go down, and the waste would go up. That's their overall purpose. That's the real purpose of the NDP socialist agenda. Let's have it. It's just the like the Department of Northern Affairs. The justice says the whole darn department was run amok.

Well, Mr. Speaker, this Bill is typical of what they do

when they get into power. They have no regard for rights. They'll go in and they'll take Crown corporations and run them the way they do with their friends. And it doesn't matter. They'll raise utility rates 30 per cent for their friends.

Mr. Speaker, we don't need government departments and government Crown corporations for patronage. That's not what democracy is about. That's not what it's about. And these people, the NDP socialists believe in patronage. That's all they've got. They didn't make it in the private sector so they have to make it in the government somewhere. That's all they have.

And this side of the House says no, privatize it. Put it into the private sector. Let people invest in it. Let people all over Canada and all over the world invest in it. Open it up. Remove it from patronage, and you'll see it do well. Not the NDP. What do they believe in? We should run it out of government, and then we can control it and have our friends in it.

Well, Mr. Speaker, I'll tell you, the performance, whether it's in the old Soviet Union where they did that, or any place else, is absolutely a failure. Cuba is a failure, the Soviet Union is a failure, and any place else where they practise this awful stuff is a failure.

And what's so interesting about this Bill, Mr. Speaker, is that this Bill tells you all about their heart and soul. And their heart and soul is saying, I know it's illegal, I know it's unconstitutional, I know it breaks contracts. And I know it violates the principles of democracy here, violates the rules of the House, but we'll do it anyway because we have to control the people.

They don't trust people to run their own. They don't trust people to have rights and freedoms. They'll do whatever it takes, Mr. Speaker, whatever it takes to win so that they can practise patronage and run the government with their friends. Because when they lose they have nothing else to do. They never did make it in the private sector. They didn't make it practising law. They didn't make it any place else, so this is it. This is as high as they're ever going to be. This bunch is as successful as they're ever going to be right now. Because they have pulled the wool over the public's eyes. They campaigned on a falsehood, and they know it.

And now they can be in their places and sit and have in history recorded this ugly piece of legislation which says, I don't care whether I violated your rights and freedoms. I can go to the constitutional meetings and stick up for all these highbrow things, but it doesn't matter a tinker's darn because we really don't care. Because when it comes to people all politics are local, my friends. When it comes to people, real people, you don't care. In fact you just backhand them like this and say, despite the Legislative Law Clerk, despite your own admissions that this should be before the courts, you're going to do it anyway.

(0945)

Well, Mr. Speaker, this is a dark, dark day, not only for the NDP and their high-minded undemocratic morals, but it's a dark day for the people of Saskatchewan to have this

on our record. This is Saskatchewan's record now. This is our great political record — break contracts, break them at will. And then, even when people are suffering, millions and literally billions of dollars of suffering, what do you see? They pull the pin on them and they won't protect them.

It's a sad day. I couldn't imagine this happening in our Legislative Assembly. And I know members opposite, and some of them I've known for maybe 14 years, politically. I didn't think they'd do this. I don't know how this got away on them, but I didn't think they'd do it.

Mr. Speaker, I won't be supporting this piece of legislation. As the vast majority of Saskatchewan people, our own surveys, our own polling, and I'm sure the NDP polling are saying, the public does not support you on this Bill. And this Bill, if it's indicative of your heart and soul and what you're all about, it doesn't support you. It doesn't support you.

This is no way to get the economy going and this no way to balance your budget — this kind of stuff. It's illegal; it's immoral; it's unprincipled, and it isn't going to balance your budget anyway. It's a mistake — serious, serious mistake — by the NDP administration, of any administration. You got caught with it; you hurt yourself; it isn't going to save you any money, and you look like fools.

Mr. Speaker, I'm not going to vote for this piece of legislation and I'm going to move an amendment, moved by myself and seconded by the member from Moosomin:

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

Bill No. 87, not be now read a third time so that the subject matter of the Bill may be referred to the Court of Appeal pursuant to The Constitutional Questions Act for a ruling on its constitutionality.

I so move.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I rise in great pleasure this morning to speak in third reading regarding the GRIP Bill that's before us. And certainly the fact, as the amendment reads, Mr. Speaker, that as an opposition we feel very strongly that this Bill that the government has introduced in the legislature which is receiving third and, it would appear, final reading this morning should indeed be taken by the government to the courts as the government, while in opposition, asked the former government when we look back three years, Mr. Speaker, to the Bill addressing the boundaries in this province.

And, Mr. Speaker, we've gone over and through debate on this GRIP Bill for some two months, almost three months now, Mr. Speaker. The reason for that . . . and when we look back at it, Mr. Speaker, and as we even look at the circumstances and the situations that we're facing today and that farmers across this province, and not just the farmers, Mr. Speaker, but rural communities across this province are facing, when we look at the

weather conditions this weekend have even affected many people across the province — and I noticed even in the Assembly this morning many people kind of rubbing their hands — it's certainly the coolness at this time of the year, something that most people haven't or don't really expect.

And we're very well aware of the fact that a farm rally has been planned for Melfort later this day. And that farm rally, Mr. Speaker, is taking on added significance with the fact that an area around the Melfort area and areas along the northern part of the grain belt certainly have faced tremendous frost and in some cases, Mr. Speaker, we're informed that a number of farmers are looking at their crop situation and they may be facing the fact that they weren't dried out. If they weren't dried out or if they weren't hauled out, maybe they've been frozen out.

So I think it's very significant that we are debating this GRIP Bill, even if it is for third and final reading. We're debating this morning, Mr. Speaker, because of the fact that we believe in the rights of individuals, the rights of individuals as established under the Charter of Rights and Freedoms — a charter, Mr. Speaker, which was worked upon very diligently and very sincerely by the Premier of this province back in the days when he was the attorney general of the province under the premiership of the Rt. Hon. Allan Blakeney when they worked together with the federal government to repatriate a constitution, a constitution which was repatriated at that time without the total consent of provinces and premiers and governments across this province.

But none the less, the constitution was repatriated. And that constitution also established a Charter of Rights and Freedoms that affects each and every one of us across this land — at least we believe it does. We believe, Mr. Speaker, it gives every individual the right . . . and let me read the legal rights that we all have under the charter of rights established in the constitutional agreement, 1980-82:

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

And, Mr. Speaker, last Friday my colleague, the member from Morse, raised a number of questions, and at the end of his questioning, the major question that was coming forward, Mr. Speaker, is: where is the justice regarding Bill No. 87? Where are the legal rights of the individuals?

And we can talk about the legal rights of the farm community. We can talk about the legal rights of the rural community, rural-based community, or even the urban sector, Mr. Speaker. Mr. Speaker, there isn't an individual born today that doesn't have rights, and we all believe that very sincerely. We believe that anyone in this nation is innocent until proven guilty.

Now the Minister of Agriculture has continually told us that the legislation he has introduced in this Assembly would stand before the courts. Mr. Speaker, if the Minister of Agriculture sincerely believes that this legislation, that number one, says a contract is null and void, in fact it says

a contract never existed — first of all just takes away a contract and says that it never existed, that that is indeed right — if that is a right of the government to go and declare a contract never existed, then, Mr. Speaker, I believe that the Minister of Agriculture felt that it was his ability and his right to write that into a Bill to take away that constitutional right of individuals.

And if he believes it's right then why will the Minister of Agriculture and the Premier of this province not refer this Bill to the courts to make a decision before they ask the Lieutenant Governor to come into this Assembly and give approval — Royal Assent.

Mr. Speaker, I believe very sincerely, that even though there are disagreements as to whether '92 is better than '91, or whether '91 should have been the route that was followed, I believe very sincerely, Mr. Speaker, that there are many individuals across this province who sincerely believe that they signed a contract.

And they believed that, Mr. Speaker, that in that contract there would be minor changes being made to the GRIP program as it was refined, and as it was built around and built upon, to make it a sound, long-standing and long-term insurance program, giving agriculture producers an opportunity, not only in the province of Saskatchewan but across this nation, Mr. Speaker, to carry — if they felt need — an insurance program that would at least guarantee or give them a bottom line, so that they could make sound business decisions and establish their farming patterns.

There's no doubt, Mr. Speaker, that changes were needed. And we've talked about that all along, on numerous occasions, Mr. Speaker. The government has indicated or felt or led people to believe that the opposition never threw out any alternatives. But I think, Mr. Speaker, if we all sat back, if we all just looked back, and if we all took a moment to review *Hansard*, we will find that over the period of this debate many alternatives were thrown out, many options were given to the government.

The Minister of Agriculture, the Premier of this province, the Justice minister, were all given the ability — the cabinet in general — were given the ability to save face by allowing producers, if they wanted to carry the '92 program, by allowing producers the ability to choose either '91 or '92.

Now, Mr. Speaker, if this Bill — Bill No. 87 — is everything that the government, the Minister of Agriculture, and the Premier of the province indicate it is, then I believe many people across this province, if not better than 50 per cent, would have chosen the '92 program.

The unfortunate part, Mr. Speaker, I believe many people have chosen '92, not on the basis of looking at the long term, but on the fact that we did have moisture conditions in the substantial portion of the province that were going to guarantee a fairly decent crop this year. And providing we don't see a major frost in the next day or so or in the next two weeks, Mr. Speaker, there are many producers across this province who are going to harvest a substantial



crop.

And many of those producers were looking at the '92 program and said to themselves, well boy, '92 is definitely better than '91. Yes, it doesn't guarantee me . . . the bottom line, if I have a crop loss, is not there. But it looks like I'm going to put a crop in the bin. It looks like I'm going to have a substantial crop to put on the market and get whatever the market price is. And on top of that, I'm going to be guaranteed because I'm in such a large area — the area base that I'm protected by — I'm going to be guaranteed a revenue pay-out at the end of the day of 15 . . . it could be 15, could be 20, could be \$25 an acre.

So what producer wouldn't decide that that wouldn't be the better option? But I suggest, Mr. Speaker, is that the way we should have been viewing the program? Should we be viewing it on the basis of what . . . just because my neighbour was hailed out or was droughted out, that I should be taking advantage of that individual? No, Mr. Speaker.

Mr. Speaker, the original '91 program was built on the basis of working around individual farming practices and individual coverage, Mr. Speaker. The reason for that is that you wouldn't be taking the poor crops of a neighbour or the poor basis of what happened down the road and taking advantage of it. If you were droughted out, if you were frozen out under '91, Mr. Speaker, you then had . . . you carried protection and you received compensation for that protection. If you had a crop in the bin, then you didn't get any protection. You didn't need it because you had the crop there, Mr. Speaker.

So even though there were differences, Mr. Speaker, we believe that individual rights, individual privileges, and individual responsibility should be met. And, Mr. Speaker, we believe that, because of the fact that one of the strong advocates of the rights, of these privileges has been the Premier over the years. And, Mr. Speaker, I just want to refer to some of the comments made earlier on, when we first got into the debate on the GRIP legislation.

The fact is, Mr. Speaker, the Premier of this province back in June of this year made this comment. He said, and this is from the *Star-Phoenix*: "I worry about contracts and all of that. I mean, one has certain rights."

Now what are these rights, Mr. Speaker? The rights that I just quoted are that we have a right to life, liberty, and security of the person. One has certain rights. As the Premier was saying, just certain rights, that we don't have all total rights: "That's where the merit of the PC walkout is."

And then he also indicates:

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

Well, Mr. Speaker, the argument we have been presenting all along — and we can go back to other instances that have taken place in this Assembly — the argument is not just taking whether it's the fiscal picture

or substance . . . does the government then have the ability to overlook the rights of individuals? And that's what we've been saying.

Also in that same article in the *Star-Phoenix* of June 23, the Premier went on:

While he said he can see the Tories' point, the premier said the government won't withdraw its legislation.

(1000)

Therefore we have been led up to where we are today. The government won't withdraw its legislation. Even though the Premier of the province fundamentally believes that the rights that he had worked so hard to enshrine in the constitution may be being violated, the Premier of the province also indicated we will not change or withdraw our legislation.

And as I indicated, Mr. Speaker, there's no reason why the government couldn't have looked at some of the options we gave. There's no reason. I think, Mr. Speaker, if they would have looked at the option of allowing producers the '91 or the '92 program, giving them the option, there's no doubt in my mind — and I'm guessing — but possibly 70 per cent of the producers across this province may have chosen the '92 program; 30 per cent would have stayed with the '91.

And when you look at that in the overall, broad picture, Mr. Speaker, if the government would have even taken that step, we would not be where we are at today because they would then have said to producers, okay in light of our fiscal situation, in light of our agreement with the federal government, in light of the demand for changes — unfortunately we cannot meet all the demands, and we'll be working out a further agreement with the federal government — we'll give you this option. The government still could have saved substantial dollars in their fiscal budget by just offering the alternative.

And, Mr. Speaker, there's no doubt in my mind that possibly the rally taking place this afternoon would not have even come about because we wouldn't be here today. We wouldn't be discussing GRIP today. GRIP would have kind of died on the order paper. The government would have saved face, and the government would have been viewed by people across Saskatchewan, not just the farm community but the rural business community, people in rural Saskatchewan, the government would have been viewed as a government that was reasonable, not a dictatorial government as they have shown over the past number of days, the type of government they really are.

And just look at what has happened. How have we arrived at this debate today? First of all, we had a bell-ringing. And certainly the 18 days, Mr. Speaker, in the spring stalled debate on the Bill. And then the government has introduced, invoked closure on two occasions. They've invoked time allocation. Mr. Speaker, I don't believe that shows the reasonableness of a government when they decide that time allocation and closure are necessary to rush or push forward their

legislation, when in fact, Mr. Speaker, it would appear to me it is totally contradictory to the charter that the Premier of this province worked so hard to deliver.

I believe the government realized that the sooner they got the GRIP Bill through this Legislative Assembly, be it right or wrong, that the people would begin to forget about it, that the opposition would be stymied and we really wouldn't have the ability to continue to raise the issue. Certainly we can continue to talk about it, but the significance disappears.

And also, Mr. Speaker, I believe the government felt we're being pressed by the challenge to the rights of individuals. And I think the fact also is borne out in recent statements and recent appearances by the Premier.

And I go to the *Star-Phoenix* of July 31, 1992, when the debate was taking place on second reading, and this is what it says:

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

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

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

And I would suggest that Mr. Mitchell will be one of the individuals in Melfort attending the rally today.

Mr. Speaker, the reason farmers will be attending the rally — and I think it even goes beyond the farm community and the farmers themselves, it will go to rural businesses — the reason farmers and rural business people and rural people will be attending the rally today is because they feel threatened by this government that has shown that it is unwilling to really consider the rights and the privileges of individuals.

And we can go through a number of quotes over the last number of months regarding the actions taken by the government. And, Mr. Speaker, we have given a number of these, where people have indicated: I don't think the government should be able to easily change something they set up like that. I think the farmers have a pretty good deal going, and then the Premier turns around and tries to wreck it. And yes I do support the walkout. The main reason is, I believe last year when they, the government, initiated the program, they guaranteed us they would not change the program unless they gave us due time.

So many comments by individuals, not just farmers but business men and women across this province who indicated that they felt the Conservative opposition had a right and had a responsibility to raise the issue of rights, to raise the issue of privilege, and to suggest that the government should reconsider its ways.

However, Mr. Speaker, as we have seen, the government has been unwilling to do that, and certainly has invoked

every rule they can in the book to force their program, not only on this legislature, but on the province of Saskatchewan. And has certainly put farmers across this province at risk in comparison to their counterparts in Alberta and Manitoba and in Ontario and other parts of this great country of ours.

As one farmer, Boyd Charles said: farmers do business on a handshake, on a word of mouth. Your word better be your bond, and this action the government is taking now to make a law is against everything that a farmer believes in.

Mr. Speaker, I won't go through all of the quotes I have here because they've been brought forward in this House. But I believe, Mr. Speaker, it is very imperative that we take this time this morning, that we take the time to ask the minister to ask the Premier to ask the government of Saskatchewan to reconsider, to not ask the Lieutenant Governor to come into this Assembly and give Royal Assent to a Bill; that legal opinions right across this province and even across this nation would indicate that the decisions that were made in this Bill, the decision to declare that there was never a contract — a contract never existed by declaring it void; the decision to hinder and interfere with anyone's ability to go to court for a class action suit against the government or against the Crop Insurance Corporation, the fact that this Bill would limit that; and the fact that even as we were going through clause-by-clause study when the government continually argued about the fact that it was an agreement not a contract and then in a couple of the clauses, Mr. Speaker, they asked for a change and changed the word "agreement" to "contract".

And I found that very interesting, Mr. Speaker, as we continually heard the Minister of Agriculture suggest that farmers only had an agreement in principle, never really had a contract, and the Bill referred to these agreements, but when it came right down to it, to line up and to try and be as constitutional as they can or to line up with the original Act brought forward, the government decided that they better put the word "contract" in for it to read properly.

So, Mr. Speaker, I believe, as the Legislative Law Clerk has indicated, as a lawyer in Saskatoon has indicated, and as other opinion has come in — not only from across our province but from across this great nation — that this is certainly a piece of legislation that has every right and ability to be challenged in the courts.

And, Mr. Speaker, as well when we talk about the ability to be challenged and the fact that it should be challenged, we think back to question period some two weeks ago when the question was raised about the legality of the Bill and the Minister of Agriculture stood in this place and the Premier of this province stood in their places and indicated — and I believe the Justice minister also indicated — that this Bill, this GRIP Bill, would have its day in court. And yet, Mr. Speaker, the Bill in front of us would suggest that it would take away the right of individuals to go to court.

Now if the Minister of Agriculture and the Premier of the province sincerely believe that this Bill can and should be

challenged in the courts then, Mr. Speaker, as we've indicated by the amendment we've brought forward, we're asking and we'll continue to ask for the Minister of Agriculture prior to the third and final reading, to sit down — and hopefully over the weekend he has reassessed what he has done, reassessed what the Bill is going to do to the rights of individuals — and decide that indeed if he sincerely believes that the Bill can be challenged, will stand up in court, then, Mr. Minister, Mr. Premier, allow the Bill . . . in fact take the Bill, give it direct . . . send it directly to the Appeal court of this province and allow the Appeal court, the highest court in our province, to assess the Bill, to review the Bill, to peruse the Bill and make a decision.

And, Mr. Speaker, if indeed the Bill has the ability to stand up in court, the government will be vindicated. But the fact that the Minister of Agriculture and the Premier continually refuse to do that and the Minister of Justice, indicates to me, Mr. Speaker, that the government would prefer that this Bill never ever see the light of day in court.

And the reason I suggest that and the reason I think that is the fact that we can go back to the proceedings back in June of this year. And we look at the decision brought down by Judge Darla Hunter where the judge indicated and said:

It would appear that (Saskatchewan Crop Insurance) has put the cart before the horse.

If the Crown and agents of the Crown undertake costly system changes before effecting the necessary . . . changes, they cannot defeat the rights of individuals affected by their conduct on the basis of costs which the Crown, or its agents, have voluntarily incurred.

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

And, Mr. Speaker, at that time the judge threw the appeal out of court because the judge felt that the Crown had not acted properly. And if the judge back in June felt that way, then I would suspect, Mr. Speaker, that the judiciary system, any judge today, any court would have to also stand up and stand up for the rights and privileges of individuals.

And so, Mr. Speaker, in closing I would suggest this. That the fact that the Premier has fought for the rights of individuals, the fact that the Premier has spent the last two or three weeks negotiating a constitutional agreement with other leaders across this province, with other premiers and the federal government, the fact that there has been negotiations and give and take on all sides, why will the Government of Saskatchewan not reconsider and at least before giving Royal Assent allow this Bill to go directly to the courts for a decision, a decision that would either vindicate the government or a decision that would indicate that the rights of people across this province have been challenged and have been interfered with, and that indeed, Mr. Speaker, this Bill itself is unconstitutional.

Therefore, Mr. Speaker, before I sit down I must say we stand on the basis of the fact that we have no problem with changes as long as they were made under due care and deliberation and as long, Mr. Speaker, as the rights of individuals haven't been challenged. And we don't see that in this Bill.

Therefore, Mr. Speaker, we ask the Minister of Agriculture to reconsider, and even as he stands in Melfort this afternoon, to indicate that the Government of Saskatchewan will take the time to send this Bill to the Appeal court for a ruling. Thank you, Mr. Speaker.

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

**Mr. Muirhead:** — Thank you, Mr. Speaker. This morning I counted up the hours that I have been speaking on this Bill, Bill 87, or maybe motions leading up to it or closure motions. And I spoke 13 hours, Mr. Speaker, in this House, pertaining some way or another to this here GRIP scenario Bill that we're in.

And, Mr. Speaker, I knew when we started that more than likely we would lose. You get outvoted by the government. But I thought there'd be some small hope that the people of Saskatchewan, that their voice would be heard because this always has happened in the history of this great province of Saskatchewan. It's always been, and I thought always would be, that when the people speak that the government will change their mind.

Why, Mr. Speaker, did this government pull the energy Bill in 1989? Because the people of Saskatchewan spoke. There was Bills back in 1982, several Bills that the now Premier had pulled. There's been Bills pulled from becoming law after they've been proclaimed. They've had Royal Assent and never become law because . . . Sorry, Mr. Deputy Speaker, they didn't get proclaimed because the government felt that it wasn't the right thing to do. And all governments in history has done that.

(1015)

But I thought that some way or other, down to the last hours, and we're on the last minutes now speaking on this Bill . . . we're on our last minutes. And I just want to leave it on the record that there's one more step to take. And that step is approximately three years from now when we go to the polls in Saskatchewan. The people have the last vote. The people will have their say on GRIP no. 87. They'll have their say on this Bill.

They can't have their say in here because this government, Mr. Deputy Speaker, didn't allow them to. They weren't allowed to have their voice because goodness knows the front benches and also I'd have to say the back benches because most of them come from rural Saskatchewan, must have been told as we are told by people that this is wrong, wrong, wrong.

And I'm not talking this morning . . . not going to get into very little . . . I'm not going to speak very long, Mr. Deputy Speaker. I'm just going to cover a few highlights, just a little bit on the '91-92 GRIP where it is wrong. But that's not the main issue out there now. The main issue is town

after town and family after family are finding out, finding out how this Bill is happening and what it means, that it should go to the court.

It was the biggest thing that's ever happened out there in the last month over this Bill when it hit the news, when this letter to the Leader of the Opposition, talking about the rights of the people and what should happen to this Bill, that it should go to the Supreme Court of Saskatchewan, the Supreme Court of Canada, and they should tell us before it becomes law.

Mr. Deputy Speaker, as I go throughout Saskatchewan, I have never, on any issue ever, ever seen people as upset as they are. It doesn't have to be a farmer, Mr. Deputy Speaker. I can challenge anyone. As I spoke here days ago, I challenged all the members to find someone to write me a letter, phone me, saying they are in agreement.

And I did. I got one letter from the city of Regina saying that I was wrong, that my statements the other night were wrong. I got one letter. But all he was saying, all he could condemn about what I was saying is wrong, that the '91 GRIP was going to cost us taxpayers too much money. That's all he could find wrong. He never said a word, he never commented at all on whether I was right or wrong on the constitutionality of the Bill, of whether this here Bill should go, after it's passed, should go directly past go and go directly to the Supreme Court of Canada.

It was only a short little letter because I imagine some MLA (Member of the Legislative Assembly) has said, for goodness' sakes, write that member from Arm River a letter and shut him up. Actually he didn't shut me up because it was kind of a nice letter. He put it not too bad. He just said the taxpayers can't stand it. That's all he could say.

So that's all you people could come up with. And I've challenged you and challenged you — if you are right, find me someone that will phone and tell me that we're wrong. But you can't do it. You can't do it. Not one of you has been able to do it.

All you're hearing out there . . . and it doesn't have to be rural Saskatchewan. I hear it in the apartment where I live during the week in Regina. I hear it in downtown Regina. The people that my wife meets on the streets — it's unreal. They're talking about, what is this government doing? They're taking our rights away.

It isn't just the GRIP Bill. As the member from Estevan said this morning, they have broke contract after contract. They don't seem to worry about contracts. They have one thing in mind. They have one election promise that they don't want to break. They're going to try and keep one, and that's balance the budget at any cost.

Now everybody would like to see a budget balanced, but I think the people that they're going to walk over to do that would like to have their budgets kind of balanced. You've got to have a little balance in your thinking while you're balancing a budget.

Certainly it got out of hand in the latter years because as I said many times before, that I've had a admission from the

Minister of Finance that we did take over almost a \$4 billion deficit. They don't want to admit that. And you take a \$4 billion deficit in 1982 and use the multiplier effect to 1992 and I tell you we took over a mess that this people in the province, this government has misled and told people differently that we left a clean budget in 1982.

And so they're saying now, seeing the Tories left us in such a mess, that we have to change the GRIP Bill from '91 to '92 so it costs less money. Then we get a Minister of Agriculture standing up here and won't admit that. It's been said in the House. The Premier said that. The Deputy Premier has said that. But the Minister of Agriculture says no, '92 GRIP is the best for you.

Well I want to inform this Assembly, Mr. Speaker, that the '92 GRIP Bill could bankrupt Saskatchewan. It could bankrupt — and I do think it will — because there was a lot of good-thinking heads went into putting the 1991 Bill together. It had to have minor improvements — we know that — but the concept of a guarantee for a farmer to exist had to be out there.

What's going to happen if this crop doesn't come off? The member from Humboldt, he should have been . . . I was in his riding yesterday at Watrous, and if he could only hear — and the Watrous, Manitou Beach — if he could only hear the comments coming from the farmers in his constituency that north of Humboldt where their canola is black and froze out.

Well you know, I never really thought until this weekend that . . . made any difference to me whether I had '91 or '92 GRIP. Well now we got frozen, I've been looking it over, thinking it over, I'm in a disaster. I'm in a disaster. It could finish me.

And I can tell you, whether they had voted for the member from Humboldt or not, I don't know, I never got into that, but I think I was talking to some that did — I believe I did — but never will again. There is no way. And I said, oh well, people . . . He said to me, this one gentleman, that people will never forget what this NDP government has done with all their broken promises right through to the Saskatchewan Pension Plan to Department of Health through Agriculture. They had promised everything for farmers.

They had promised at election time that we're going to bring in a GRIP program that's going to please the farmers. The farmers trusted them. They trusted them, Mr. Speaker, that the GRIP program was going to put more security in their pockets, and they believed them. And they find out that they didn't think that this government was going to take it away from them and come up with a guarantee, and you just play the markets. That's all it is, is a guarantee on the markets.

If the price of wheat goes over X amount of dollars and cents, there'll be a payment . . . if it stays under that, they get payment, if goes over it, there'll be zero. That's all they come in with is a program . . . you're gambling the markets. The same thing is to go into Vegas and you pull out your money and you're going to gamble you're going to win. And that's all it is.

And the end of April, I guess the date is, April 30, a farmer has to decide. Well I do believe that that price of wheat is going to stay low. I can't see the way the market looks that there's going to be increase in the price of wheat. It's going to be low, so I'd better put the GRIP on. Then the next farmer may say well, I don't know; I kind of think maybe the price of grain is going up, so he don't.

So what a mess to leave the farmers in. You have left them in a disaster out there, of a mess, and what they're going to do with their own finances. '91 Bill, '91 GRIP, was you knew what you were signing. And if the farmers on the government benches, if they believed for one moment that the farmers didn't like '91 GRIP, then tell me why there was such a large sign-up. And then after harvest there was an element of people out there that '91 GRIP bothered them because they had a bumper crop and had to pay a premium. And that sure bothered them.

And so they could say to you on the streets at election time you know, that '91 GRIP wasn't so good. And I would say to them: you don't collect if the house doesn't burn down. Like the member from Thunder Creek. He said that he's got some stubble ground that's only covered for 13 bushels an acre and he got 40 bushels an acre last year, and he expected to pay a premium.

For goodness sakes, you guys. When you . . . you listen to these people out there that had 40 and 50 bushels an acre — we had one of the best crops ever known in the province. And then you had people come to you: well I didn't get any money out of the '91 GRIP; where's my money?

Well gee, you had a big crop. They got the dollars and cents. You'd have to get one tremendous crop in my area, you'd have to be over the 45 bushels an acre in my area, not to collect. And not very often that happens. Not very often.

So they listened to that element. And I had people saying to me, I don't like the '91 GRIP because I didn't get much on it. I got half of my premium back and then the next guy, he was maybe a better farmer. You talk about moral hazards. It's the good farmer over the last 10 years that had this big figure in GRIP. It's the guy that could prove to Crop Insurance that I had a 10-year average right up here high. I was getting the 30,40 bushels an acre. They're the ones with the big coverage, and you just kick them right in the head. Talk about moral hazards. You've said to that farmer, you're back in with the area. So I mean your whole concept, looking at the whole thing, was wrong — absolutely wrong.

This breaking of contracts, I say, is going to bankrupt this province because what this province had to have for stability is the farmers to know in the next four years exactly how much income they were going to have. And that shortfall to the farmers in Saskatchewan could bankrupt, as I say, this whole province because if the farmer hasn't got money . . . go talk to the business men in Regina here and just see what they think about the farmers not spending money.

It's going to have a factor to it that's going to be serious. It's going to be one of the most serious cut-backs and

especially from a government that said we are going to do things better for farmers; we're going to do it better. And you've cut away everything they've had. You've increased all their costs. You'd done it. It's unreal.

But, Mr. Speaker, there's no sense keeping on at this group because, as I said, I spoke 13 hours. But I want to leave a few points on the record. We had closure brought into this Assembly, closure on the most important Bill that affects the future of this province. There should never have been closure. We should have had a chance to go on and on and on until the people finally caught on to what's going out there. They're just starting to realize now when the closing day of this GRIP that we're losing it. The farmers are just starting to panic in rural Saskatchewan the last few days. Hey, is this all over? Are we losing it? That's what's happened.

And in the energy Bill you went on. And the potash Bill you had days and days — actually you had months — 120 days on the one Bill. And so the people of Saskatchewan spoke to you, and then we as a government, we listened. We pulled the energy Bill. But you're not pulling this Bill. And this is far more serious. The energy Bill didn't have any retroactive legislation in it.

You keep talking about . . . the Minister of Agriculture gets up and says, oh this government has had 70 Bills that had retroactivity in it. Well certainly there's Bills that have retroactive dates in it. You can table a Bill in this House, and it may be months before it's passed. It may be months before it can get through the legislature, many times. So you have it proclaimed back maybe to the first of January that year, if that's what, Mr. Speaker, if that's what people want.

But that isn't what they want here. They want their right in court. They want their right to be heard.

And I'm so disappointed, Mr. Speaker, so disappointed in 18 hours of debate with the Minister of Agriculture. And talk about a filibuster on a filibuster. I've never seen anything like it. He would not answer questions.

But I can assure you that that part isn't over because I understand today that the Premier is coming in with the estimates for Executive Council. And unless you do closure today on the estimates, on the Premier's estimates and the Deputy Premier's estimates and the Minister of Agriculture's estimates, we are going to get some answers.

I am still going to take all the questions that I asked the Minister of Agriculture that we got half-hour speeches on, and I'm going to expect the Premier to answer the questions. The Premier is a professional politician. He's the Premier of this province, and I as an individual have been brought up to respect authority. I was brought up as a child to respect my teachers and my parents and the law, and I respect the Premier. He's the Premier of this province, so I expect him to come in here and answer the questions that his colleagues would not, because he is responsible for everybody. He is responsible for every action of this government.

When the Minister of Agriculture . . . I feel sorry for him

because I say he was only a sacrificial lamb. They knew that they had to find a sucker out there that would be the person that has to take this terrible Bill through the legislature. They'll get rid of him and name a new person and say that all the problem was his.

But it's not his fault, Mr. Speaker. It was not the Minister of Agriculture's fault. I do believe that he was told not to answer questions, get this Bill through. But I'm saying and I want it on the record for the people of the province of Saskatchewan that the orders came from the Minister of Finance, the Minister of Justice, and the Premier of this province. This is what you have to have.

(1030)

And so when their estimates come up, the Minister of Justice will have to be . . . I guess we're through with his estimates, but he'll be talking in this House over the next three years. We'll get answers from him. But the Premier, if he thinks for one minute that he's going to get out of this session, that this session will ever close without answers from that Premier, we're going to be here a long, long time because if we think we're getting out of here in this next week or two, forget it. The Premier is going to answer questions.

I just have a couple of very important questions that I'm going to put on the record that I asked four times in a row to the Minister of Agriculture and I didn't get an answer, nothing but . . . one time was a 32- or 33-minute answer and never touched the question.

And the question was: Mr. Minister, did you make a mistake when you neglected to inform in writing by March 15, 1992, to all farmers holding a 1991 GRIP contract that there would be a major change in their contract? And why couldn't he stand up and say yes or no? But he didn't. It went on with political rhetoric for a long . . . Well I believe it was the Leader of the Opposition, the member from Estevan, that asked a question about the same matter and then he had to leave to go to Moose Jaw, and I know that the member from Estevan was in Moose Jaw before the Minister of Agriculture sat down. And never even come close to answer that question.

If that question that I just said, Mr. Speaker, that I just put on the record, if the answer had've been yes, if the answer had've been yes, is that why we would have had section 5.4 of the Bill? If it was no, we didn't need the Bill at all. So we needed to have a yes or a no on that question. Then we would have known, the people of Saskatchewan would know, that it was his blunder that caused the Bill. And if it wasn't his blunder, he didn't make the mistake, then we didn't need the Bill. There was no way we needed the Bill if the minister had answered, I didn't make a mistake; it was done right and proper. Well then you could have just forgot about it. It didn't have to be in the Bill.

Then there was the two other questions we kept asking. We wanted public hearings. We didn't get public hearings on this. And we want the people to have . . . go out to public hearings in Saskatchewan and say, do you, the people of the province of Saskatchewan, do you want to have the right of court for all such items that deems on

the rights of individuals? Do you want their right to be heard in court? And you would have got yes all over.

But they wouldn't do that. They needed to have done that.

There was another example. I asked him several questions pertaining to examples of how the '92, '91 GRIP worked, because he said before, I can tell you exactly how many dollars and cents you'll get on '92 GRIP. And when I give him the examples, right off into space, never even heard me. So that means he's been misleading, he's been misleading the House by saying I can tell you.

He said in question period to me, I can tell you right to the dollar. Give me your example. I give him the exact example of the farmer that had a 30 bushels an acre coverage — I won't get into it — and I got right down to his coverage of \$124.50, and under their own examples, he would have got about \$100 an acre under the 1992 GRIP. And he got up to explain to me how that could happen — not a word, not one word. Not one word, would he say, Mr. Speaker. Not a word.

Mr. Speaker, these questions that we didn't get answered by all 10 of us sitting here, we never got an answer and I've been sitting in this House for 15 sessions and I have never seen such arrogance ever in my life that we couldn't get some answers. I can remember those ministers in the front row from 1980 . . . 1978. One is the member from Churchill Downs. I had trouble with him the first part of this year, but then we got an understanding and we got answers. We got answers.

I can remember the now Premier when he was minister of Justice that we could get answers from him. I can remember the Minister of Finance when he was minister of Finance, we could get answers from him.

But something has happened. Like the member from Estevan has said, something has happened with this socialist agenda. It's something that I think you're so powerful; you won such a sweep that you never won before, I do believe you think you're on a roll, an agenda, and we can do what we want.

I have heard some of the members say, oh we don't really care what happens over the next year. We don't care. We just assume the polls would go down and give us 32 per cent because all we got to do is come back with some goodies in the last year or two, and we'll be back in power again. We only have to come up to 45 per cent and we'll win another election.

Well I can tell you, as this individual in Humboldt told me yesterday, or in Watrous — Humboldt constituency — when I said to him, it's too bad that you people that are so angry, it's too bad that you're so angry now because in three years you'll forget, he said, Mr. Muirhead, no sir, we're never going to forget. We're never going to forget because this is going to be a one-term government. And I do believe that's what's happened.

So in closing, what I'm saying is how I started out, that maybe the people in the legislature have won today, but when it comes to the last vote, it will be three years from

now when the people tell you you were wrong on Bill 87, and the people of Saskatchewan then will be the winners. For now we're all the losers, but when they speak again, we will be the winners.

And my last word is that you NDP people think, you think that you're the highest court in the land. Well I'll tell you, there's a higher court, there's a higher court than this NDP government; there's a higher court than Ottawa. It's the moral court. And God is the head of all the universe and he will speak last.

Thank you, Mr. Speaker.

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

**Mr. Britton:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to say a few words on this Bill. I am also, like my colleagues, Mr. Speaker, absolutely stunned at the arrogance of this Bill and the arrogance of the members who put this Bill forward.

Mr. Speaker, I have before me a symbol of justice, the Law Society of Saskatchewan, Mr. Speaker, and in this the judge, symbolic judge, is blindfolded. Mr. Speaker, that indicates to me that the judge in this case does not want to be influenced by what he can see — he or she — but by the facts, so that they can impartially judge. Mr. Speaker, it indicates to me that the other side of law is justice.

Mr. Speaker, I don't believe we have seen justice here in this Bill. No one can be their own judge in law. That's a standard. That is why we have an individual who is impartial. That is why the symbol that I'm looking at, Mr. Speaker, has a blindfolded judge, so that they can impartially judge the facts. We have asked these people to put the facts before an impartial judge. They will not do that, Mr. Speaker.

Mr. Speaker, this Bill bothers me, not only as a legislator and a member of the legislature, it bothers me because of my life as a small-business man. Where I had contracts with people — sometimes a handshake; sometimes it was a written, signed, sealed document — and if contracts are not sacred in this House, then how much validity do they have out among the common people?

We in this House, Mr. Speaker, are judged quite severely today because of some of the actions that have been taken here. Mr. Speaker, I suggest to you and I suggest to those members opposite, what we're doing with this Bill will not bring our credibility up. As a matter of fact, it will bring the credibility of legislators down.

Mr. Speaker, the minister talked that . . . in questions about the Bill, he said things like: I'm not sure there was a contract; I'm not sure there was a contract with them 60,000 farmers. Mr. Speaker, that bothers me. Surely, surely, Mr. Speaker, if there was no contract, then the premiums paid by the farmer should be reimbursed to them. Or, Mr. Speaker, there should be no penalty to get out of the '91 GRIP.

How, how in all fairness, could you have a penalty to get out of something that isn't there? Now either we have a contract or we don't have a contract. In the old contract

the farmers were in for three years. If they didn't like it, they bought their way out. Mr. Speaker, in the '92 GRIP, which the minister suggests to us was not a contract, they still have to pay a penalty to get out — to get out of what? What are they getting out of? There's no contract; it's been null and void.

Section — Mr. Speaker, bear with me a second — I have a section of that Bill nullifies . . . section 5.4 wipes out the contract, according to the minister. Well if the contract's wiped out, then why do they have to pay a penalty? There is no contract. It does not make sense. There's no logic there. And there certainly is no justice to the farmer.

In section 10.1 it says you can't sue the government. Mr. Speaker, this bothers me. Section 5.4 wipes out the contract. There is a penalty. Section 10.1 says you pay the penalty and you can't sue for justice. How can you on one hand say, you must pay me a penalty to get out of a contract; and on the other hand you say, you can't sue me to get your money back because there is no contract?

Mr. Speaker, again I ask, where's the justice? Where is the justice to the farmer?

Mr. Speaker, I have here a part of the Pearlman . . . Manitoba Law Society Judicial Committee report on the Pearlman case which was mentioned, I believe, in the letter of opinion that we got from the Law Clerk. And, Mr. Speaker, in that Pearlman decision, the province of Saskatchewan was an intervener, was an intervener in that. And I want to read what it says here. And I quote:

More specifically, it is well accepted that included in these fundamental principles is the concept of a procedurally fair hearing before an impartial decision-maker. Indeed, Wilson J. said in *Singh v. Minister of Employment & Immigration* (that's what he said) . . .

. . . at a minimum the concept of "fundamental justice" as it appears in s. 7 of the Charter includes the notion of procedural fairness articulated by Fauteux (I don't know if I pronounce the name properly) . . .

And I want to go on to read, Mr. Speaker:

"Under section 2(e) of the Bill of Rights no law of Canada shall be construed or applied so as to deprive him of 'a fair hearing in accordance with the principles of fundamental justice'. Without attempting to formulate any final definition of these words, I would take them to mean, generally, that the tribunal which adjudicates upon his rights must act fairly, in good faith, without bias and in a judicial temper, and must give to him the opportunity to adequately state his case."

That's in the Pearlman case, Mr. Speaker. Mr. Speaker, it goes on to say:

Thus, in the administrative law context, principles of fundamental justice include natural justice . . .

Natural justice, Mr. Speaker, goes back to what I said about the symbol of law. The judge is blindfolded. That is natural justice. He only hears, sir, the facts — no perception of whether it's a beggar or a king before him.

(1045)

Mr. Speaker, he goes on to say:

... rules which in turn require that the members of the tribunal be impartial and disinterested . . .

And it suggests that you see the 4th edition of S.A. de Smith's *Judicial Review of Administrative Action*. I go on to read:

Impartiality of the decision-making body is a critical feature of natural justice and is captured by the latin maxim (and I won't attempt to read the latin interpretation) — no one should be the judge in his own cause.

No one, Mr. Speaker, should be the judge of his own cause. Here's what happened. They unilaterally changed the law, and they are now judging their own case. Mr. Speaker, it is very disturbing.

And as I spoke on this once before, I mentioned to the members opposite, *Hansard* never forgets. This law, passed as it is, will not be forgotten. And I add my words to the member before me from Arm River to the minister. Reconsider — reconsider before it's too late. No one should be the judge in his own cause. That, Mr. Speaker, is justice, and justice is all we're asking for in this case.

Mr. Speaker, there is much more I can say, but I'm going to close off by once more saying to the members opposite: consider what you are doing. You will be judged by what you're doing with this Bill. Thank you, Mr. Speaker.

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

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Speaker, in the very short time that is left to the opposition in this debate this morning, I want to say a few last words.

I think it was very appropriate, Mr. Speaker, that the amendment as brought forward by the Leader of the Opposition in third reading, a move that is very seldom done in our legislature, be done this morning on this particular Bill, on Bill 87, the GRIP Bill. And I'd like to read it again, Mr. Speaker: That this Bill . . .

... not now be read a third time so that the subject matter of the Bill may be referred to the Court of Appeal pursuant to the Constitutional Questions Act for a ruling on its constitutionality.

Mr. Speaker, what more appropriate amendment to a piece of legislation that this very day will strip from people not only the ability to probably financially manage their lives over the next 12 months, but strips from people the right to take a government to court.

And I think, Mr. Speaker, the Minister of Agriculture today when he mounts the podium in Melfort should think about the words that he said behind the closed doors of his advisory committee on GRIP; the words that were relayed to the members of the media by people who were in those committee meetings and didn't want their name used. And I quote the Minister of Agriculture again. This is from the *Leader-Post*, June 17, '92:

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

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

And I quote again:

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

Well, Mr. Speaker, the getting around, the getting around the legal question is Bill 87.

Now, Mr. Speaker, we have had many people speak to this Bill on both moral, legal, and financial grounds. Just this weekend the Legislative Law Clerk of this Assembly gave an opinion. It's his own, personal opinion. But when previous Law Clerks of this Assembly have given opinions, I can remember the NDP standing, to a person, in this legislature and saying that members of this Assembly should listen to the Legislative Law Clerk. And I remember all sorts of machinations going on when the government of the time was ignoring the Legislative Law Clerk.

But unfortunately, Mr. Speaker, we see the same hypocrisy exhibited by the NDP government on this question as we have seen on every other one in the 10 months that they've been government. The same hypocrisy that went with every last one of their election promises. The same hypocrisy that went with every one of their speeches on bell-ringing. The same hypocrisy we've seen on every speech on closure applied in summation through this Bill 87.

Well, Mr. Speaker, we've got a minister of the Crown, a minister of the Executive Council, a minister who has sworn an oath to Her Majesty saying that never mind the legal questions, we will get around them somehow.

Now, Mr. Speaker, I want you to take it one step further. What if the Premier of our province, who just has gone through the constitutional negotiations, again had the same opinion as the Minister of Agriculture when they were dealing with some fundamental point of justice in our constitution? What if he said, well don't worry about it fellow premiers, we'll get around it somehow. We won't worry about these legal problems. We'll get around it somehow. We'll all bring forward Bills to get around it somehow.



Well I don't believe that's the case, Mr. Speaker. I don't believe those negotiations that have been going on had that type of temper. I don't believe that the men and women who are charged with being the fathers of our Confederation in 1992 would have that attitude.

So I say to you, Mr. Speaker, and I say to this government, how can you have a member of an Executive Council who tells people, don't worry about the legal consequences; we'll get around it somehow — and then allow that member to continue on and bring before this Legislative Assembly a Bill that says don't worry about it; we'll get around it somehow.

Mr. Speaker, we will demonstrably justify in this Bill why we should take away the rights of individuals to take this government to court because they have broken their contracts with people. We will demonstrably justify why the people gathered in Melfort this afternoon, who have been droughted out and now froze out, should not have a legally binding contract with their government. We will demonstrably justify why the Court of Queen's Bench cannot sit in judgement of the Minister of Agriculture and his government. And we will demonstrably justify, Mr. Speaker, why individuals in our society should not be able to take this to the highest court in our land.

That's what we have in Bill 87, Mr. Speaker; we have the getting around here. The getting around that is the thin edge of the wedge. And it comes from people who stood in this legislature and talked for hours and days about this very type of legislation. These new-found democrats — in the words of the member from Riversdale — these new-found democrats who are demonstrably justifying the getting around, the getting around, which is done three times in Bill 87, from these new-found democrats.

It's funny, Mr. Speaker, how one's own words come back time after time. I read with interest the words of the member from Saskatoon Broadway on the weekend in the paper who was quoted as saying, I don't like to hear my own words come back at me. I don't like to hear that the things that I have stood and fought for have come back at me.

And I wonder, Mr. Speaker, by the number of empty seats that we have seen through the latter parts of this GRIP debate, have not meant that other members of the New Democratic Party who've sat in this legislature and have been noticeable by their absence, why the votes have all been less than 30, means that there are New Democrats who don't like this piece of legislation. And by their absence are indicating that they don't like their own words read back to them. They don't believe that it demonstrably justifies taking away the rights of people in this Assembly, taking away the rights of people in this province, and taking away the rights of people to go before the courts of our land. They don't believe it is demonstrably justified for the member from Rosetown-Elrose to break his contract with hundreds of people, with thousands of people in this province.

And I wonder how he's going to stand on that platform today and say, men and women of Saskatchewan don't worry about it, we'll get around it somehow, we'll get

around your rights now that you're droughted out and you're froze out. We'll get around your rights to hold my government accountable. Well, Mr. Speaker, I wonder if he will have the courage to stand on that platform in Melfort today and repeat those words to the people gathered in that assembly today. Will he say it? No he will not. He will hide and he will blame others. And he will say, they made me do it.

Well, Mr. Speaker, that doesn't demonstrably justify to me . . . it doesn't demonstrably justify to me why that member should continue to be the member of Agriculture, Minister of Agriculture, nor these people have the right to govern when they would strip those fundamental rights away from people in this province.

And that's why, Mr. Speaker, that's why the amendment brought forward by the member from Estevan and seconded by the member from Moosomin is absolutely justifiable in third reading of this Bill this morning, to give this government one last opportunity, one last opportunity to demonstrate to Saskatchewan people that they have a heart, that they have a soul, that they actually believe the words that they speak in this Legislative Assembly, and that they, before they go before the people in Melfort today, are saying that we will take a second look, a third look, a fourth look. We will do whatever we have to do in order to live up to our obligations.

And that, Mr. Speaker, is why we should give this government and all the members of the New Democratic Party the opportunity to back this amendment so that we don't transgress on the rights of our citizens in this province this morning. Thank you, Mr. Speaker.

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

The division bells rang from 11 a.m. until 11:10 a.m.

Amendment negatived on the following recorded division.

**Yeas — 6**

Muirhead	Toth
Swenson	Goohsen
Britton	D'Autremont

**Nays — 30**

Van Mulligen	Lautermilch
Thompson	Calvert
Wiens	Johnson
Tchorzewski	Trew
Lingenfelter	Whitmore
Teichrob	Sonntag
Shillington	Cline
Koskie	Scott
Goulet	McPherson
Kowalsky	Wormsbecker
Mitchell	Crofford
Penner	Knezacek
Bradley	Carlson
Lorje	Langford
Pringle	Jess

The division bells rang from 11:13 a.m. until 11:43 a.m.

Motion agreed to on the following recorded division.

**Yeas — 30**

Van Mulligen	Lautermilch
Thompson	Calvert
Wiens	Johnson
Tchorzewski	Trew
Lingenfelter	Whitmore
Teichrob	Sonntag
Shillington	Cline
Koskie	Scott
Goulet	McPherson
Solomon	Wormsbecker
Mitchell	Crofford
Penner	Knezacek
Bradley	Carlson
Lorje	Langford
Pringle	Jess

**Nays — 6**

Muirhead	Toth
Swenson	Goohsen
Britton	D'Autremont

The Bill read a third time and passed under its title.

**The Speaker:** — Why is the member on his feet?

**Mr. D'Autremont:** — Mr. Speaker, pursuant to section 42, I ask leave to present the following motion, seconded by the member from Maple Creek:

That a humble address be presented to Her Honour, the Lieutenant Governor:

May it please Your Honour, we Your Majesty's dutiful and loyal subjects, the Legislative Assembly of Saskatchewan in session assembled, invoke our ancient right of addressing Your Honour in a just cause to prevent wrongful acts against your subjects from being committed by Your Honour's government, humbly pray Your Honour deny Royal Assent to any Bill which separates your subjects from their historic and undoubted rights under the common law and the protection of the Charter of Rights and Freedoms to equal treatment under the law, which prevents your Executive Council from setting itself above the law and particularly pray that Your Honour deny Royal Assent to any Bill which would retroactively change evidence before the court for the sole purpose of removing the rights of Your Honour embodied on behalf of all your subjects.

Leave not granted.

**ROYAL ASSENT**

At 11:47 a.m. Her Honour the Lieutenant Governor entered the Chamber, took her seat upon the throne, and gave Royal Assent to the following Bills:

Bill No. 45 — An Act to amend The Business Corporations Act  
 Bill No. 67 — An Act to amend The Queen's Bench Act, repeal The Surrogate Court Act and make Consequential Amendments to Certain Other Acts resulting from the Amalgamation of the Surrogate Court and the Court of Queen's Bench

Bill No. 63 — An Act to amend The Ombudsman Act  
 Bill No. 74 — An Act to amend The Land Titles Act (No. 2)  
 Bill No. 75 — An Act to repeal The Bulk Sales Act  
 Bill No. 36 — An Act to amend The Parks Act  
 Bill No. 73 — An Act respecting Certain Services with respect to Co-operatives, Credit Unions and Names of Homes

Bill No. 27 — An Act to amend The Rural Municipality Act, 1989

Bill No. 3 — An Act to amend The Environmental Management and Protection Act

Bill No. 53 — An Act to amend The Farm Financial Stability Act

Bill No. 59 — An Act to amend The Agri-Food Act

Bill No. 30 — An Act to amend The Corporation Capital Tax Act

Bill No. 46 — An Act to amend The Income Tax Act

Bill No. 68 — An Act to amend The Education Act

Bill No. 29 — An Act to amend The Education and Health Tax Act

Bill No. 51 — An Act to repeal The Heritage Fund (Saskatchewan) Act, to provide for the Winding-up of the Saskatchewan Heritage Fund and the Farm Purchase Program Fund and to enact Consequential Amendments to Certain Acts and Regulations resulting from the repeal of that Act and the Winding-up of those Funds.

Bill No. 62 — An Act to amend The Fuel Tax Act, 1987

Bill No. 88 — An Act to amend The Power Corporation Act

Bill No. 60 — An Act to amend The Community Bonds Act

Bill No. 66 — An Act to amend The Industrial Development Act

Bill No. 78 — An Act to amend The Labour-sponsored Venture Capital Corporations Act

Bill No. 21 — An Act to continue SaskEnergy Incorporated, to make certain consequential amendments to certain Acts resulting from that continuance and to validate certain transactions involving SaskEnergy Incorporated

Bill No. 40 — An Act to amend The Highway Traffic Act

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

**Her Honour:** — In Her Majesty's name, I assent to these Bills.

Her Honour retired from the Chamber at 11:51 p.m.

**COMMITTEE OF FINANCE**

**Consolidated Fund Expenditure  
Executive Council  
Vote 10**

**The Chair:** — I would ask the Premier at this point to introduce the officials who are here with him.

**Hon. Mr. Romanow:** — Thank you very much, Mr. Chairman, and members of the Assembly. I'd like to introduce to the members the officials who are with me. First of all, to my immediate left is the deputy minister to the Premier and the clerk of the Executive Council, Mr. Ron Clark. To my immediate right is the chief of staff to myself, Mr. Garry Aldridge. In no particular order hereafter, but moving to the next immediate left is Mr. Brij Mathur who's the associate deputy minister of policy and planning. And to his left is Mr. Paul Osborne the acting associate deputy minister of intergovernmental affairs. Behind me, I am advised, immediately behind Mr. Clark is the senior policy advisor, policy and planning unit, Ms. Louise Greenberg. And directly behind me is the director of administration, Mr. Don Wincherauk.

**Item 1**

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Chairman, I'd like to begin by welcoming the officials. And I'm not sure maybe I could use the term welcome back, Mr. Premier, or could we say it's good to see your presence here in our midst today to answer our questions and a number of the concerns that we may have. I'm not exactly sure that after we're through the debate the Premier will feel the welcome is as laudable as he would like to see it.

But certainly, Mr. Premier, and to the Assembly and to the chairman what we just witnessed in this Assembly was the Royal Assent to a number of Bills in which we've raised a number — as an opposition — we've raised a number of questions over the past number of months. But there isn't any of those Bills that has really challenged the very existence of this Legislative Assembly and the rights that each and every one of us as elected representatives stand for here today as Bill No. 87, a Bill that has changed very dramatically the GRIP contract or the insurance program for the farming community of this province.

And, Mr. Chairman, as we have indicated to the Assembly, we certainly have raised on numerous occasions with the minister, and we've trusted that the minister would indeed take the time to talk to the Premier. We brought out the fact that the Bill that was introduced in this Assembly and that was passed and given Royal Assent certainly went against all the rights and responsibilities and privileges that we as individuals enjoy, that have been laid out in the constitution — a constitutional agreement that this Premier, that the Premier of the province a number of years ago, as attorney general, had had the pleasure and the privilege of being involved with the repatriation of the constitution, and at that time stood very dramatically and stood up very strongly for rights of individuals.

And, Mr. Premier, to say at the least, we're very appalled at the very fact that your government, your Executive Council, and your minister would override those very fundamental rights, that we believe you — at the time, back in 1982 — represented very strongly regarding debate on the constitution.

And on that basis we have argued for the past number of days the

... and asked the government and asked the minister and certainly the question was posed again this morning, we've suggested that under the constitution, under the charter, under the Charter of Rights and Freedoms and privileges, and if the Premier really believes that the Bill that was presented by his government would stand a challenge in the courts, we would certainly ask the Premier today to allow that process to proceed. And in fact, Mr. Chairman, we would go so far as we asked earlier on today to ask the Premier to indeed speed up the process, as we've suggested to the Minister of Agriculture as he travels to Melfort and as he speaks with people at the farm meeting that is taking place. And who knows how many people may show up. The indications are there could be a substantial crowd at that meeting.

And why are they gathering today, Mr. Chairman, Mr. Premier? Why are they taking the time to gather in Melfort today?

Mr. Premier, they're gathering there because they have felt that the insurance program that they originally signed for, whether or not they totally agreed with it, has taken a . . . certainly has left them with a sound feeling of insecurity. The GRIP '91 program, Mr. Chairman, may not have been approved and agreed to by all individuals across this province or across this great dominion, but what it did was gave the farming a sense of security, a sense of being able to sit down and assess the business decisions that they must make in order to continue to farm and strengthen their farms.

And, Mr. Chairman, we've heard a lot of accolades by the Premier, by the government, about all the things that they were going to do for the people of Saskatchewan. The Premier talked about the fact that if people would just vote for the NDP, it would be a brighter day, that they would strengthen the agricultural base. And, Mr. Chairman, this province is made up of agriculture. It is the most important sector in our province.

**The Chair:** — Order. It being 12 o'clock, the committee will rise, report progress, and ask for leave to sit again.

The committee reported progress.

The Assembly recessed until 2 p.m.